

Town of Enfield

Planning Board Meeting Minutes

March 28, 2018



APVD April 25, 2108

Present: Dan Kiley; Chair, David Fracht ; Vice Chair, John Kluge; Selectman Ex-officio, Nancy Scovner, Kurt Gotthardt, Jim Bonner; Alternate and videographer, Scott Osgood; Town Planning/Zoning Administrator & interim Minute Taker

Regrets: Rita Seto, Tim Taylor, Paula Rowe Stone

Guests: Mickey Dowd, Tim Sidore, Jim Kelliher, Barbara Kelliher, Bruce Hettleman, Ryan Aylesworth

- I. CALL MEETING TO ORDER – 7:00
James Bonner delegated as alternate.
- II. APPROVAL OF MINUTES
 1. Minutes of February 28, 2018 approved unanimously with edits
- III. SELECTMEN'S REPORT – No report
- IV. CITIZENS FORUM
- V. CONCEPTUAL HEARING –
 1. Restaurant looking to expand parking. Mickey Dowd presented a draft plan to create overflow parking for the restaurant on an adjoining lot. He noted he has permitted use of the Methodist Church parking. The new lot could accommodate up to 16 spaces. There will be no change to existing onsite parking. The new lot would have access through the existing parking lot. He looks to minimize any impact on the house and garage on the lot. Noted there are steep banks along the house down to where the potential parking would be. Noted the spaces would be 10 ft by 20 ft. Noted there may be setback issues to the brook. Fifty ft separation is necessary. He said he would put lighting in the area.
 2. Balcony on Copeland Block – Jim Kelliher presented an Artists rendition for a balcony on the east side of the Copeland Block. The balcony would increase the size of the dining area. It would be a cantilevered structure. Size would be 12 ft wide by 40 ft long. He noted the State does not generally allow properties over the Sate Rivers but this is not a navigable River and it may get permitted. Knowing if the Town would support it should help this approval. Noted there would be concerns for extreme levels of Ice dams. Nancy noted the parking situation would be an additional problem. Noted the restaurant has a hard time filling the west side of the restaurant due to the stairway and rest rooms that are in the middle of the building. This space could be turned into a function room or another business.

3. Rail Trail Lofts – Jim Kelliher presented a plan for a 5 unit apartment building along Main st. It would be in the location of the Blue Stanford building, next to Holmquist Woodworking. Jim noted he is working with the State to acquire the land and permission to go into the rail trial ROW in the back. Noted the apartments would be about 700 sf, all one bedrooms. Jim noted he has met with NHDOT on the curb cut for driveway they agreed to allow two curb cuts. Cars would enter west end and exit from the east. Parking would be under the units. He needs 20 ft of the State ROW to have the tenant drive around the back. Jim noted he will get the property surveyed to bring his concerns to the State. The Board thanked him for his presentation.

VI. PUBLIC HEARINGS

1. 7:40 PM - Continue discussion on the application for Site Plan Review of 60 Main St Storefront conversion to Residential Apartments

Dan called to reopen the hearing. Motion by Nancy Scovner, 2nd by David Fracht.

Kurt mentioned the existing curb cut at the alleyway between 62 & 64 Main St. He questioned the legal status of calling this a curb cut and questioned what the purpose of this was originally.

Tim Sidore stated that this has always been a curb cut.

Kurt stated he called the DOT and spoke with an Engineer, Roger Keilig. Kurt stated he was told that if there is a change of use to the existing curb cut then a new application for the use would be necessary.

Tim stated there is no new use under consideration.

Kurt stated that the application asked to use the alleyway for multiple uses and that NH DOT wants an application.

John Kluge stated that the State can confirm if access through the curb cut is acceptable.

John and Dan noted that Kurt is misinterpreting the allowed use of the curb cut.

Kurt said he had a lack of information.

Question was raised to Tim as to how he would plow the snow from the alley. Tim said it would be plowed north and between parking space 11, the one behind 62 Main St.

David asked who would do the plowing. Tim stated it would be Don Crate. David also noted there is a problem when snow is blocking use if the parking spaces.

Tim stated the snow would be moved out.

John noted there is great concern that they are not getting the work of managing the trash and parking issues done. John showed pictures of the trash and mattress still at the dumpsters. Scott added three additional pictures showing the side and rear of the dumpster and the trash being left there.

David noted that even if the Town allows the dumpsters to be on Town land there may be a zoning violation in regard to setbacks from the river. State and Town regulation require no structure be within 50 ft of the high water mark of the river.

Nancy asked who is in charge of maintaining the place. Tim stated he was.

John stated his photo was from a month ago, and the situation is unchanged. He went on to note what this says about snow storage. He doesn't want to see this section of Enfield being turned in to a slum.

Tim said, respectfully, he is trying to improve the area.

Nancy said the conditions attract rats and other vermin.

7:57 PM – Hearing opened to the Public

Abutter Bruce Hettleman stated he has similar pictures of the trash left on the lot. As well as of illegally parked cars. He stated he has been threatened at times and that this situation is an incessant problem.

Bruce provided a letter and read it to the Board. In the letter he notes that driveways are to be 5 feet from the property lines and that they are to be 12 feet wide. The alley way does not meet either criterion. He also noted it does not allow complete access to the lots without going over 64 Main St land. It also does not allow snow removal. He further notes there is a safety situation with a door in 62 Main opening into the alley. He reiterated that there is no agreement with Ledgeworks to use 64 Main St LLC land. He stated the area is too dense and that the parking plan is unreasonable and unworkable and that it exceeds any reasonable density requirements the Town has. He noted also that the plan includes parking on Mr. Wrights land but has no spaces for parking for Mr. Wrights building. He asked that the board ensure that

there is a permanent and binding agreement with Mr. Wright. He stated the plan may permanently degrade the value of the property if it has no parking.

Tim stated that a purchase and sales agreement is in hand for the Wright property, which was included in an earlier submission to the board.

David stated spaces 14 & 15 and possibly space 16 do not meet the requirements for usable lots and should be disallowed.

Kurt stated that these parking spaces cannot be used without a formal agreement with the Town.

Kurt also noted the location of the dumpster has no formal agreement.

David also noted the propane tanks are not in an allowed space, they are structures and are not outside the 50 ft river setback.

Tim stated they can be moved. John stated if they can resolve the propane tank and the trash problem he would live with the request. Kurt stated here is a big problem snow removal.

Dan stated the snow is hauled away.

Dan asked if the board could get an answer from the Towns legal counsel as to if this alley way can be considered as a driveway. Tim asked if this step could be considered a condition.

David said no, the board would need a new plan. David made a motion to continue the hearing to the next scheduled meeting, April 25, 2018.

Tim stated the previous plan was approved with conditions and that the new driveway settles the condition. Consensus from the board is that it does not solve the problem.

David asked the applicant to look at the current conditions and provide new information on the propane tanks and the dumpster. If resolved then there may be a done deal.

Tim said he made a request in good faith to purchase the Town land or to get an easement for use.

David stated the easement would not be sufficient. It would need to be in the deed.

David motioned for the hearing to be continued to April 25. Motioned by Nancy, 2nd by John. Full Board approved.

Also moved to close the public hearing at 8:25.

2. Discuss and approve updated Planning Board fee schedule.

Motion by Nancy to open the hearing; 2nd by John Kluge. After a brief discussion on the revised fee schedule the meeting was closed.

Motion by Nancy to accept the revised fee schedule. 2nd by John. Board voted unanimously to approve the revised fee schedule.

VII. BUSINESS DISCUSSIONS

1. Draft update of Zoning Ordinance – Scott noted inclusion of the revised ordinance. New set to be printed for the next meeting.

2. Review Notice of Decision P 16-05-01

Approval of subdivision of Parcel 08-001, hearing P16-05-1 noted a condition for State approval. Scott noted there are no items needing State approval and minutes of the approval hearing did not note any conditions. Scott will present a revised Notice of Decision form with no conditions for signature for the file.

Board agreed by consensus to accept the revised Notice of Decision. Chair Kiley to stop by Planning Administrators office to sign.

3. Review Setback Requirements for Propane Tanks.

Scott noted that Enfield Zoning requires 15 ft setback for structures, which include storage tanks. And that NFPA rules allow a 10 ft setback. Questioned if the Board would consider allowing the setback to be 10 ft. The Board agreed by consensus to not change the setback for storage tanks to 10 ft.

VIII. COMMUNICATION

1. Progress on Jake's Market

Scott noted that DOT did not agree to revise their conditions for the driveway access to Rte 4 and that the owner has directed the Engineer to redraw the plans to include the NH DOT requirements. A revised plan is expected for the April 25 board hearing.

2. Strategic Governance – Town Administration to begin the process with a meeting with the consultant on Wed April 4. It will be an all day process for various members of the administration.

3. Save the Date - Spring Planning Conference – April 28, 2018

IX. NEW BUSINESS

X. NEXT MEETING – April 25, 2018

XI. ADJORNMENT

