

MEETING OF THE NEW CASTLE PLANNING BOARD  
WEDNESDAY, AUGUST 24, 2016 – 7PM

**1. Work Session for a Site Review Application for applicant Doug and Dan, LLC, 3 Walbach Street, Map 18, Lot 56 to reconfigure the existing 5 bedroom multifamily home to a 5 unit Bed and Breakfast Inn.**

**Members Present:** Chair Darcy Horgan, Tom Hammer, Geof Potter, Kate Murray, Bill Stewart, Margaret Sofio

**Members Not Present:** Rich Landry

**Others Present:** Doug Palardy, Sarah Hourihane, Dave McGuckin, Andrew and Barbara Moore, Holly Biddle, Andy Schulte, Steve Roberson

Chair Horgan called the meeting to order at 7pm and noted that the voting members would be herself, Tom Hammer, Kate Murray, Bill Stewart and Margaret Sofio.

**1. Work Session for a Site Review Application for applicant Doug and Dan, LLC, 3 Walbach Street, Map 18, Lot 56 to reconfigure the existing 5 bedroom multifamily home to a 5 unit Bed and Breakfast Inn.**

Chair Horgan explained that this application had been on the agenda as a Public Hearing, but a Public Hearing could not be held because abutters had not been notified properly. Consequently, a work session was held during which the Chair allowed the public to speak. Applicant agreed to this format for the meeting. PB won't have an official vote. However the Chair asked the PB members to give an indication on how they felt about the plan. Will do a proper Public Hearing for the September meeting.

Sarah Hourihane, Architect, presented the proposal for Doug Palardy, the applicant. Got an approval from ZBA at their last meeting for a special exception pending PB approval.

Project consists of converting a 3 unit apartment with 3 to 4 parking spaces to a 5 bedroom inn. Number of bedrooms will remain the same. No additional space to be added to the building. Any additional space is for parking. Have a 22' aisle leading to a parking lot w/8 spots. Under zoning ordinance for hotels, this meets the regulation, but don't believe 8 spots needed given the usage with 5 rooms and no restaurant or function space. But the plans show that 8 spots can be accommodated. 1 spot fits ADA requirements. Walkways provided for an accessible unit. Planted buffer planned to prevent headlight bleed into neighbors' homes. Ingress/egress will be at one point which is an improvement over the existing situation where all cars back out onto the road from their parking space.

Neighbors have expressed that 8 spots seems excessive and the applicant agrees from experience with other properties. Ms. Hourihane then showed a plan with 6 parking spaces that would allow for more green space and greater planted buffers. Would be more appropriate for this site.

Mr. Palardy reported that he owned an inn with 10 rooms with 10 parking spaces and that was sufficient. Their other property had 32 guest rooms and 34 parking spaces with larger staff and more going on. Feels no more than 6 spaces needed for this property. Preference is for 6 spaces. Breakfast will be provided off site.

ZBA decided that the Planning Board had authority over the issue of how many parking spaces will be needed. Per the ordinance, 7 and ½ spaces are needed for a 5-room hotel, but does this include inns? Need to look at the definitions and see how this application fits in.

Chair Horgan stated that it is yet to be determined who has jurisdiction over the number of parking spaces that are required and if a variance would be needed for 6 vs 8 spaces. This should be looked at before the vote.

Ms. Hourihane said that the applicant will renovate the house and bring it up to meet all safety codes. They may pursue putting it on the National Historic Register. Outward appearance will stay relatively the same. It will probably need to have sprinklers and a fire stair in the rear. All of these questions will be answered as they move ahead. Yet to be determined as well is the max occupancy of the building.

Tom Hammer questioned how the building could house 3 units where only 2 should have been allowed. When did it morph into 3? How did that come about? How is it listed on the tax card? An abutter estimated it has existed with 3 units for 20 to 30 years. It is an observation that it may have been a non-conforming use.

Chair Horgan asked and it was confirmed that DES approval was necessary since the site is within 250' of the high tide mark. Adding this amount of impervious surface for the parking lot is a big deal and will probably be looked at by DES. Making this lot pervious is a very strong request at this point.

Signage: Per the applicant, it will be subtle. Advertising will be done online. HDC will need to approve. Planning Board will have final approval.

Snow storage: 6 spots, not an issue. More of an issue with 8 spots. Needs to be looked at carefully for final approval.

Tom Hammer: Will there be a gathering room for coffee? Typically, coffee will be in the room because they will be a bit larger than a normal hotel room. However, the room will not be large enough to encourage a group gathering. What about parking lot lighting? Need to look at the codes. HDC will look at this as well.

Planting buffer: Will work with the civil engineer for final plan. Envision deciduous and non-deciduous options. Will decide later.

Understanding by the applicant is that the PB needs to approve the use and will come back for final planning when all details are in place. This is not a minor site plan review because of the site coverage.

Chair Horgan: For our purposes at this meeting, the PB needs to determine if the ordinance can be met on parking and safety, etc. in order to get the proposed use approved. The Town's interests for the next approval will be on the details such as increased flooding due to this development, lighting.

The applicant will need to come back to the PB on the final plans. For approval tonight, the PB needs to judge if there is enough parking, will it be safe.

Still up in the air are the details. We can approve the change in use.

Bill Stewart and others: Stormwater runoff is an outstanding question that still needs to be resolved. Issues still to be resolved: Parking, safety, signage, lighting, snow storage. Fire safety. Seems to stay within the footprint.

Chair Horgan read a letter into the record from abutter, Leonard Seagren in favor of the applicant. Prefers the 6 parking spot option. Other letters are in the file. All in favor of the applicant's proposal.

Chair Horgan invited the public to speak at 7:25pm.

Dave McGuckin: Will there be a 24 hour staff person? No. But someone will be on call 24 hours for safety purposes.

Andrew Moore, Abutter: Brings life to center of NC without overwhelming it. Provides amenity for houseguests of residents. Will renovate a significant building in center of New Castle. Expect it to be restored even better than before. RE: parking lot, favor 6 spaces and landscaping.

Steve Roberson: new owners across the street. Supporting the effort to restore the property.

Andy Schulte: Talked about the church parking lot across the street. This lot should not be used by this property's occupants. What will happen when it snows? Mr. Palardy responded that his intent is to plow the parking lot on his property immediately. He wants to make his guests happy and that includes not having guests drag luggage across the street. He does not want his guests to park on the street.

Mr. Schulte: discussed egress from top floors. Stormwater runoff: consider moving asphalt and digging of ditches to take care of runoff. It will increase with the increase in parking.

Tom Hammer: Limitation on length of stay in ordinance? Palardy: Cost to stay for a month would prohibit this occurring.

Holly Biddle, abutter: happy to have building fixed up. She is not concerned and thinks it will be good for the community.

Chair Horgan closed the public discussion at 8:10pm.

Asked PB members to give a sense of how they feel about this application. Would you approve/not approve a change in use from single family to multi use inn.

Kate Murray: approve the change. Prefers the proposal with fewer parking spaces. Strongly in favor of requiring pervious surface in the parking lot. Mr. Palardy said that he would be open to that suggestion.

Geof Potter: Doesn't see any problems. Looking for the details later.

Tom Hammer: No problem. Applicants have a good reputation. Concerned with a future buyer and decisions made now must be continued in the future. Good plan now. What's the mechanism to maintain the landscaping buffer if damaged in a snowstorm? Do they need a business license? Health license? Need an annual inspection by a health inspector? Where is the teeth in the ordinance? Lighting in the parking lot will be the biggest issue if it isn't done properly.

Margaret Sofio: Approves but recognizes details need to be worked out. Prefers the fewer parking spaces.

Bill Stewart: In favor of the project. Leans towards fewer parking spaces. Concerned with runoff and pervious surfaces and lighting and fire safety. How do we get future owners to abide by the decisions made by this board?

Chair Horgan: In favor. Historically had an Inn in the center of town. Would like to see pervious pavement in parking lot. This is a relatively large site in center of town so concerned about runoff on Piscataqua Street. Wants to see snow storage on future plans. Prefers fewer parking spaces.

Continued discussion with PB members:

- Need a business license, annual health inspection?
- In past cases, buffer plantings were required for approval by a board. They were subsequently torn out by the next owner. An abutter alerted the building inspector who then required replanting. Not the best way to manage this type of situation, but can be effective.
- Lighting discussion. Lights dull over time but then when you replace the bulb, it seems very bright. Talk of lumens. Code requires so much illumination at your feet. Codes need to be adhered to. Architect and applicant need to be aware of this. Has to be done properly on this site because it will be so obvious.
- This application needs to go to DES. Stormwater runoff is the issue for them. No requirement to go to Conservation Commission.

## **2. Review and approve minutes to the meeting on July 27, 2016.**

*Geof Potter MOVED to accept the minutes to the July 27<sup>th</sup> meeting of the PB. Tom Hammer SECONDED. Unanimous approval.*

### **3. Old Business:**

Geof Potter has agreed to spearhead the effort on the issue of Accessory Dwelling Units (ADU). The PB will need to amend the Zoning Ordinance to comply with the new state law which was recently approved by the legislature.

Geof explained that there is a new state law that governs, in essence, “Grandma Apartments” in single family homes. If towns and cities do not amend their current ordinances on this topic to align them with the new state law, then as of June 1, 2017, the state law will prevail. Towns are free to place some restrictions on these ADUs as long as they follow the guidelines established by the state. An ADU has to share a wall with the primary unit and have a door between the 2 units. A town can’t require it to be less than 750 square feet. It is designed for affordable housing for a senior or perhaps an adult child. State law requires that the homeowner must live in one of the units.

### **4. New Business**

Bill Stewart brought up that the HDC wanted some feedback and clarification on a proposed ordinance change having to do with appointments to the HDC board. Chair Horgan said that the HDC should type up the proposed change that they want and present it to the PB in person.

They also may want to create 2 overlay districts in the HDC based on characteristics of when they were built. The Village vs some of the outlying areas that used to be summer houses, for example. How should they pursue this? Chair Horgan suggested that they present this in concept first before writing this one up. Come back with details on this.

### **5. Adjournment of the meeting**

*Kate Murray MOVED to adjourn the meeting at 8:40pm. Margaret Sofio SECONDED the motion; it was unanimously passed.*

Respectfully Submitted,

Darcy Horgan

From a recording done by Gary Dozier

