

## SITE PLAN REVIEW COMMITTEE

MAY 18, 2011 - Minutes

IC DeLong, 1st

ORLEANS TOWN CLERK

A meeting of the Site Plan Review Committee was called to order at 10:00 a.m. in Skaket Meeting Room at the Orleans Town Hall. **Departments Present:** George Mesurvey (Planning); Mark Budnick (Highway); Bob Canning (Hcalth); Brian Harrison (Building); John Jannell (Conscrvation).  
**Absent:** Todd Bunzick (Water) and Bob Felt (Fire).

### APPROVAL OF MINUTES: May 4, 2011

**MOTION:** On a motion by **Bob Canning**, seconded by **John Jannell**, the Committce voted to approve the minutes of May 4, 2011 as amended.

**VOTE: 5-0-0** The motion passed unanimously

### INFORMAL REVIEW: Orleans BP (c/o Carolynda Applebury), 96 Route 6A

Carolynda Applegate explained that other options must be explored to help the BP Gas Station at 96 Route 6A to reopen and survive in addition to pumping gas, such as a Mediterranean sandwich shop. Applegate proposed anticipated hours of operation for the gas station to include more personalized vehicle service from 5:00 a.m. to midnight. Applegate proposed continuing the existing convenience store with basic items such as cigarettes, drinks and lottery, etc. Applegate explained the idea of a small walk-in sandwich shop with a deep fryer and a refrigerator.

### Comments:

- Highway:** There are concerns with parking and vehicular traffic as well as Route 6A and on-site drainage issues. Applicant has indicated no changes are proposed for the existing curb cuts.
- Building:** A number of issues were not followed through by the previous tenant, including an illegally created convenience store without obtaining a formal building permit for the change of use. The plan for this location was reviewed as an Informal Site Plan, but never returned for the required Formal Site Plan showing all outstanding issues including parking. There is an open building permit for the interior and exterior handicapped ramp which has not been inspected or approved. The change of use for the retail and/or restaurant use would have to be reviewed and approved by the Site Plan Review Committee and would require a building permit. A written description of the proposed Mediterranean sandwich shop must be submitted to the town in order to make a determination of whether it would be considered fast food which must be considered as an accessory to the primary building use. A restaurant use would require one parking space for every four seats as well as required parking spaces for the retail use.
- Conservation:** There was a 1999 approval which allowed the septic upgrade. A new Notice of Intent must be filed for any changes within the buffer zone. The tent located over the septic system must be removed. There are many open Orders of Conditions going back to 1990 which must be resolved. The existing septic system is located within the 100' wetland buffer.

**Health:** The existing septic system was approved with variances for the repair of the septic system for the existing gas station use. The septic system is not adequate for a restaurant use. Title 5 says you cannot park over a septic system unless it is unavoidable. A case would have to be made that that change of use is creating the issue of why parking would have to go over the septic system. It is unlikely that a restaurant would be allowed over the septic system. It is recommended that a Site Engineer review the outstanding issues. The retail store would only be allowed to sell pre-packaged dry goods. Variance requests for an increase in flow will have to meet the Standard of Review. State and Federal Food Codes must be adhered to for all retail food/food service operations. Any parking over the septic system would require approval. The existing septic system is designed for 325 gallons per day and for a restaurant use would need to be upgraded to a minimum of 1,000 gallons per day would be very difficult for this site due to many issues. Wetland issues are prevalent regarding the septic system in the rear of the property. Variances from the Board of Health would be required for any septic construction or repairs on the property.

**Planning:** Applicant should discuss with the Fire Department that there is a valid license for the underground storage tanks. The current retail use is not authorized by the Site Plan Review Committee. Parking spaces have not been installed or granted any waiver. There are concerns with the issues of parking and the flow of vehicles on the site. The storage unit in the rear is located over the septic system and is within the wetland buffer area. All exterior lighting must conform to the Orleans Lighting bylaw (shielded and pointed downward) and manufacturer tear sheets must be provided for town review and must be shown on the plan.

*There was a consensus of the Site Plan Review Committee that this application will have to come back for a Formal Site Plan Review.*

The meeting adjourned at 11:05 a.m.

Respectfully submitted:



Karen C. Sharpless  
Recording Secretary