

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **SEPTEMBER 1, 2016**

4 **PRESENT:** Richard Osborne; Joseph Furlong; Shane Hastings, ex-officio member; Joseph Butler; Randy
5 Clark, Alternate; Michael Marquise, Planner

6 **ABSENT:** Peter White, Chair; Donna Davis Larrow, Vice Chair; Kurt Markarian

7 **See attached sign in sheet**

8 Richard Osborne will sit as Chair for the meeting.

9 Acting Chair Osborne called the meeting to order at 7:00 pm.

10 **PARCEL ID: 0115-0006-0000 & PARCEL ID: 0118-0036-0000: SUBDIVISION / LOT LINE ADJUSTMENT**
11 **MAKING LOT 0115-0006-0000 AND LOT 0118-0036-0000 BOTH HAVE ROAD FRONTAGE. 40 BURMA**
12 **RD, JAMES B. RITER.**

13 James Riter presented the merits of the case. Mr. Riter explained that one of the lots is separated by
14 the road and his goal is to get both lot lines to match at the street. Mr. Riter continued that the Town's
15 Tax Map does not show some land that was discovered during a survey of the lots so both lots will
16 actually end up being slightly larger than was shown prior to having the survey done. The Town has Lot
17 0115-0006-0000 as 0.28 acres and Lot 0118-0036-0000 as 0.44 acres, if the subdivision is approved, Lot
18 0115-0006-0000 will be .41 acres and Lot 0118-0036-0000 will be .51 acres.

19 Mr. Marquise said that the application was filed in advance, fees were paid, notices were posted, and
20 abutters were notified. The application falls under Section 6.04 of the Subdivision Regulations with
21 potential waivers under Section 6.05-b. Mr. Marquise continued that he has reviewed the plans and
22 believes the application is complete with the following waivers: existing and proposed contours, plans
23 for storm water drainage, and water supply facilities.

24 Mr. Furlong made a motion to accept the application for Parcel ID: 0115-0006-0000 and Parcel ID: 0118-
25 0036-0000: subdivision / lot line adjustment making Lot 0115-0006-0000 and Lot 0118-0036-0000 both
26 have road frontage for 40 Burma Rd, as complete. Mr. Butler seconded the motion. The motion passed
27 unanimously.

28 Mr. Marquise said that the lot on the lake side is technically land locked. Mr. Riter said that the lot on
29 the lake was originally owned by a Mr. Pike, when the road was put in it wasn't along the lot so he
30 purchased the second piece of land and then later purchased another small piece of land that he added
31 to the second lot. Mr. Marquise asked and Mr. Riter confirmed that the lots have never been merged.

32 Mr. Marquise asked and Mr. Riter confirmed that he received a Zoning Variance in July for the lot size to
33 be smaller. Mr. Riter said that both lots will be larger in the Town records now as the Town didn't have
34 the piece of land that Mr. Pike purchased in 1963.

35 Acting Chair Osborne appointed Mr. Clark as a voting member for Mr. Markarian for the meeting.

36 Maura Stetson, 44 Burma Rd, said that she is an abutter and she supports the case.

37 Mr. Furlong made a motion for Parcel ID: 0115-0006-0000 and Parcel ID: 0118-0036-0000: for a lot line
38 adjustment. Mr. Clark seconded the motion. The motion passed unanimously.

39 **CONTINUATION: PARCEL ID: 0129-0075-0000 & PARCEL ID: 0129-0076-0000: SITE PLAN REVIEW: TO**
40 **CONVERT THE CURRENT PIZZA RESTAURANT TO A DUNKIN DONUTS. THE CONVENIENCE STORE WITH**
41 **GAS PUMPS WILL REMAIN. 552 ROUTE 11, J & F REALTY.**

42 Acting Chair Osborne asked for a summary of the case as he was not at the last meeting. Mr. Marquise
43 explained that the application was accepted as complete at the last meeting and a hearing was held.
44 The central issue was the Board wanted to see some traffic data as that was the main concern.

45 Mr. Marquise was asked and said that he did not receive a letter from the Police Department or Fire
46 Department. Mr. Marquise continued that he was not at the last peer review meeting but he
47 understands that the Department Heads wanted to get a sense of what came out of the traffic study and
48 this meeting.

49 Brian Vincent and Frank Souliotis continued presenting the merits of the case. Mr. Vincent gave a brief
50 overview of the proposal. The traffic will go counter clockwise around the building and there will be
51 angled parking. The dumpsters will remain where they are located. They will be doing some grading on
52 the bank and the loop be a little wider. They are removing the parking in the front of the building and
53 adding ADA parking spaces on the side of the building. The gas pumps will remain where they are
54 located but new tanks will be going in. The building itself is the same with the exception of a walk-in
55 cooler being added.

56 Mr. Vincent said that the front entrance will be an ADA entrance with truncated domes around the
57 perimeter as they could not do a curb. They have added some landscaping areas and formalized some
58 of the areas a little more. Mr. Vincent continued that the driveway is very wide and they are narrowing
59 it to about 30 ft to better control traffic on the site. There is two way traffic in and out of both
60 driveways so people can access the pumps.

61 Mr. Vincent said that he met with Scott Hazelton, the Highway Director, and he wants to discontinue the
62 entrance into the Old Abbott Library building from this site and make it a mountable curb for emergency
63 vehicles. Mr. Osborne said that it seems like it will be difficult for traffic to go off and onto that site but
64 it does eliminate the cross traffic going over to the Old Library building.

65 Mr. Vincent showed on the plan where there will be designated no parking areas and where they will
66 make a walkway entrance. There is a small, 2 ft, retaining wall in the back for grading.

67 Mr. Vincent said that there will be are four proposed 12ft high cutoff lights.

68 Mr. Vincent said that they have not run any formal traffic studies. They felt as though if the studies
69 were going to be done should be done when school is in session and it just started on Monday, August
70 29th. They didn't want to do the study on the first day of school and it does take a few days to conduct
71 the study, to analyze the data, and to write the report.

72 Mr. Souliotis said that Doug Evans, the owner of Evans Expressmart, did give them some sales data.
73 Currently, they sell less than 100 cups of coffee per day. They anticipate that number maybe tripling.
74 Comparing the store to other stores, this will be a lower volume store according to the franchisee; 60%
75 to 70% of the sales will be done during tourist season. Because there are Dunkin Donuts in Grantham,
76 New London, and Newport, they will not generate any new traffic, it will be thru traffic. Depending on
77 how much of the traffic they pull they feel it will be three times the sales now and they are looking at
78 250 to 300 cars per day.

79 Mr. Evans said that July and August, when school is not in session, is their peak time. The store and
80 gasoline increases about 25% in the peak summer months. The winter with the ski traffic does not
81 approach July or August. The weekends during foliage season are busier than weekdays. Mr. Hastings
82 asked and Mr. Evans said that the numbers he provided were for the past 14 months. Mr. Vincent said
83 that about 40% of the coffee is sold between 7:00 am and 9:00 am.

84 Mr. Clark asked if they would be opposed to having the lighting on a timer and Mr. Souliotis said that
85 they would be willing to do that.

86 Mr. Marquise asked about the signage and Mr. Vincent said that they reissued the plan with a letter that
87 explained that they will have an externally lit sign. The sign in the front of the building on the road will
88 remain as is, they will be adding a 2 ft by 6 ft Dunkin Donuts sign. Mr. Vincent said that there is a street
89 light that lights up the entire front of the building.

90 Mr. Butler said that without any recommendations from the Police or Fire Department or a traffic study
91 he has a hard time approving this application.

92 Mr. Furlong asked about the cross walk indicated on the plan as he thought it was being moved do it did
93 not go into the parking lot. Mr. Marquise said that there is a proposed crosswalk that will be on the plan
94 that the Board will review next month for the Old Abbott Library that comes from the curbing being
95 installed in this project. There was further discussion regarding this matter.

96 Acting Chair Osborne said that with the current landscaping in the front island it can be difficult to see
97 over and it would be good to keep the new plantings as low as possible to see over.

98 Mr. Marquise said that he received an email from Vice Chair Larrow as a follow up about the school. It
99 says "I checked on the volume of students at the Elementary School verses what it used to be based on
100 the concerns at the last meeting. In 2015, the Elementary School housed 169 students in grades K-6.
101 When that building housed all 12 grades they were more in the 400 student range. My class alone had
102 44 students. So, in fact, the number of attending students has dramatically reduced over the years;
103 both with a change in the number of grades attending and the number of students per grade.
104 Obviously, the safety of every child is important and the actual traffic passing through the area has
105 certainly increased. Having a police officer there assisting with traffic and the children aids in this safety.
106 I guess I would like to see what the school says in this regard. Aren't they charged with the safety of
107 students? Perhaps a different approach to the school is in order; maybe the access should be from
108 School St off Lower Main, reducing the congestion on Route 11. However, we did not have the Sunapee
109 School Board, SAU, or Principal at the meeting as abutters. That makes me believe as though they are
110 not concerned with the impact of this business. They may feel as the Police Officer is taking care of the

111 students. Further, I would like to see the Town of Sunapee support businesses in the business district
112 and not discriminate based on their personal preferences and emotions. This business is an allowed use
113 for the area, it is our responsibility to help each applicant provide a safe, aesthetically pleasing,
114 environmentally sound addition to our community. I think we have to be open minded with franchises.
115 We have allowed them in the past (i.e. National Car Rental in the Harbor). Even though Zoning has
116 changed over the years, disallowing them will set the Town of Sunapee up for potential lawsuits.
117 Brothers Donuts or Dunkin Donuts are still donuts, a restaurant is still a restaurant, and our Master Plan
118 allows this business in this location. I'm pleased to see the efforts the applicant has put into the
119 presentation site construction, this will improve the area's congestion by removing the front parking
120 spaces and give walkers to and from the school a designated area to guide them. They will be crossing
121 either traffic leaving or entering, but not both in the same direction with the one way approach. The
122 same with patrons, there should be less opportunity for folks to cross paths, dramatically improving the
123 flow of traffic. The open items that I want to see in place are: the driveway permit from DOT, the
124 Shoreland Permit, signoffs from the Department Heads, along with the fire alarms, toxic waste, and
125 hazardous waste being addressed. Assuming all is in order, I see no reason to deny this application.
126 Sincerely, Donna Larrow."

127 Mr. Marquise asked how long a traffic study will take. Mr. Souliotis said that they also waited to hear
128 what the Town Departments had to say as this is a \$5,000 to \$6,000 cost, which he will do if it is needed,
129 though he'd rather put the funds to better use in the property. Mr. Souliotis asked what the Board
130 would like from the traffic study as they have determined that they will have around 250 to 300
131 customers per day. Mr. Butler said that he wants to know how many vehicles go by the property on a
132 daily basis, mainly during school hours. Another concern that he has is where the big trucks will park to
133 get a cup of coffee. Mr. Souliotis said that he is not aware of many businesses, other than maybe
134 Walmart, that make parking spaces for big trucks. He does not know how they can address this short of
135 putting a sign up stating that big trucks can't park on the site. Acting Chair Osborne said that big trucks
136 usually pull up to the side of the road into the breakdown lane. Mr. Vincent said that it is a relatively
137 small property and is in operation today, there is no way that they can accommodate large vehicles on
138 the property. Mr. Furlong said that is why he does not feel as though a Dunkin Donuts should go on that
139 site. He has noticed that New London does not have a drive thru and it is a disaster. Mr. Souliotis said
140 that this location will not do the amount of business that New London does. Mr. Furlong said that the
141 Dunkin Donuts in New London is a disaster and is not across from a school.

142 Mr. Marquise said that the most important area is the crosswalk and students and he is not sure if there
143 are any numbers that talk about how many actually cross. The other is the nearby intersection, which
144 has some level of service issues, and if the proposed business would further deteriorate the level of
145 service. He does not know if there are easy ways to answer the questions; the Board is not asking for a
146 traffic study simply for the purpose of getting a traffic study done but he thinks that there are two
147 concerns there. It might be a conversation to have with the Police Department as well about the
148 number of students crossing the road and about the level of service at the intersection.

149 Mr. Butler said that if you look at the Evans sales study, the percentage is high between the hours of
150 6:00 am and 10:00 am, and that is when people will be getting coffee and kids will be going to school.
151 Mr. Butler said that Mr. Souliotis indicated that there will be three times the number of customers. Mr.
152 Souliotis said that they are looking at a couple of hundred cars, and 60% of that would be from 6:00 am

153 to 10:00 am. Mr. Butler said that this is just for the number of cups of coffee sold, not for people
154 stopping to get gas.

155 Mr. Furlong asked how many employees Dunkin Donuts will have. Mr. Souliotis said that during the
156 peak hours there will probably be three to four employees and Evans has two employees. Mr. Furlong
157 asked and Mr. Marquise confirmed that they calculated the required parking at the last meeting and it
158 met the requirement with two extra spaces.

159 Mr. Marquise said that it is important to note that there will be more ins and outs of this business, but
160 not necessarily more cars per day. It is not a destination, they are capturing cars passing through. Mr.
161 Vincent confirmed that is what they are expecting to happen. Mr. Marquise said that he thinks that it is
162 important to know during the 7:00 am to 9:00 am time frame, how the turning movements impact the
163 crossing. Mr. Clark said that the officer is only there from 7:30 am to about 8:15 am. Mr. Butler said
164 that the police officer directing the site said that it would be better to have a drive thru to keep the cars
165 moving. Mr. Furlong said that the Town does not allow driveways.

166 Mr. Butler said that he wants to hear the Police Department comments. Mr. Marquise said that he
167 thinks everyone has been waiting to hear some input on how this will effect traffic. The Department
168 Head meeting is on September 28th if the applicants want to get information for the Department Heads
169 to discuss. The next Board meeting will be October 6th.

170 Mr. Butler said that it would be nice to get comments from the schools as well. Mr. Souliotis asked and
171 Mr. Marquise said that he will reach out to the schools to see if there are any comments.

172 Mr. Vincent said that he did speak with Chief Cahill and he had some concerns about pedestrian traffic;
173 they talked about Mr. Hazelton's plan as well. He did not walk away with any burning concerns from
174 him.

175 Mr. Clark asked and Mr. Vincent confirmed that he has been through Town around 7:30 am. Mr.
176 Vincent said that Route 11, Lower Main, and Main St, are what they are and their business will not cure
177 the problem but because of the size of the facility it will not have a huge impact. Mr. Marquise said that
178 his concern is that if the added traffic coming from the site will further increase delays. There was
179 further conversation regarding this issue.

180 Mr. Hastings asked if they could have the entrance between the library and this building as just an in
181 and not an out. Acting Chair Osborne said that you can't do that because of the gas pumps. Mr.
182 Hastings said that the traffic could still be two way on the other side and then just go around the
183 building instead of existing onto Route 11 there. Mr. Souliotis was asked and said that they have had
184 tractor trailers go around the building. Mr. Hastings said that removing the two way traffic from that
185 entrance would push traffic exiting the site up and would limit the traffic coming on that side for
186 pedestrian traffic. Mr. Vincent said that, typically, with gas pumps it is two way traffic. Mr. Osborne
187 said that you could go around the building, though it might not be easy with a boat trailer. Mr. Vincent
188 said that this could be discussed and they can see if it would work.

189 Mr. Furlong asked and Mr. Vincent said that there are two handicap spots. Mr. Clark asked if there are
190 any other architectural drawings that will show the side where the handicap spaces are. Mr. Vincent
191 said that he thought that there was a plan in the packet.

192 Mr. Marquise said that the case can be continued to the next meeting; the main concerns are the traffic
193 study and the Department Head signoffs.

194 Mr. Marquise asked about toxic waste and hazardous waste. Mr. Vincent said that it is a gas station so
195 there will be underground storage tanks, which are taken care of through DES; there may be oil sales.
196 Mr. Souliotis said that there is a delivery around 5:00 am every day, however, there is no fryer with oils.
197 The paper goods order comes once per week.

198 Mr. Butler asked and it was explained that Pizza Chef was not open in the mornings.

199 Catherine Todd, 1002 Lake Ave, said that there is a soccer field that is currently full of people and there
200 is a police officer there now. It is a very active area and she thinks that they may create a new social
201 area for after athletic events and people will cross the road in the dark. Ms. Todd continued that would
202 like to see some effort on the part of Dunkin Donuts to have less plastic straws, covers, cups, etc. and
203 have things that are recyclable. She feels that this will increase the amount of junk along the sides of
204 the roads in the Town of Sunapee. Mr. Souliotis said that he will pass Ms. Todd's concerns to the
205 franchisee.

206 Acting Chair Osborne said that the case will be continued to the next meeting, pending a traffic study
207 and Department Head sign offs.

208 **CONTINUATION: PARCEL ID: 0148-0025-0000: SUBDIVISION / ANNEXATION, LANCE & CRISTINA**
209 **HARBOUR, HAMEL RD.**

210 Mr. Marquise said that he has received another request for an extension for this case. Mr. Harbour has
211 asked for 90 days but Mr. Marquise said that he recommends 60 days, or to the November meeting,
212 because they will start to get into new Zoning Amendments. He does not see a reason not to extend the
213 case as things are coming together with the abutter, Mountain View Tavern.

214 Mr. Hastings made a motion to continue Parcel ID: 0148-0025-0000: subdivision / annexation, Lance
215 and Cristina Harbour, Hamel Rd, for 65 days. Mr. Butler seconded the motion. The motion passed
216 unanimously.

217 **REVISION TO AGENDA**

218 Mr. Marquise said that Bruce and Mary McCarthy have submitted proposed street names for their three
219 lot subdivision on Lake Ave. The three proposals are Patriots Hill, Hammond Hill, and Homestead Hill;
220 none of which are objectionable in terms of being duplicates. Mr. Marquise recommended approving all
221 three names and allowing the choice to the McCarthys and Selectmen.

222 Mr. Butler made a motion to for Parcel ID: 0136-0018-0000, the following three names: Patriots Hill,
223 Hammond Hill, and Homestead Hill, be forwarded to the Board of Selectmen. Mr. Furlong seconded the
224 motion. The motion passed unanimously.

225 **MISCELLANEOUS**

226 Mr. Marquise said that the next meeting, in two weeks, will hopefully have some Zoning members in
227 attendance. He has some written Amendments to discuss and will hopefully get more.

228 Mr. Marquise suggested waiting on the minutes until the next meeting.

229 There was a brief discussion regarding revegetation plans and drainage issues.

230 Mr. Hastings made a motion to adjourn the meeting at 7:59 pm. Mr. Butler seconded the motion. The
231 motion passed unanimously.

232 Respectfully submitted,

233 Melissa Pollari

234

235

236 Planning Board

237 _____

238 Peter White, Chairman

Donna Davis Larrow, Vice Chair

239 _____

240 Kurt Markarian

Richard Osborne

241 _____

242 Joseph Furlong

Joseph Butler

243 _____

244 Shane Hastings, ex-officio member

Randy Clark, Alternate Member