

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **JUNE 6, 2013**

4 **PRESENT:** Peter White, Chair; Robert Stanley, Vice-Chair; Donna Davis Larrow; Tanner Royce; Kurt  
5 Markarian; Shane Hastings, ex-officio member; Charlotte Brown, alternate; Michael Marquise, Planner

6 **ABSENT:** Erin Andersen

7 **ALSO PRESENT:** see attached sign-in sheet

8 Peter White appointed Charlotte Brown as a voting member in place of Erin Andersen.

9 Changes to the Minutes for the May 2, 2013 Planning Board Meeting: On line 86 change “principle” to  
10 “principal”. On line 222 add “[approve]” after the word “accept”.

11 Robert Stanley made a motion to accept the minutes with the correction of the spelling. Donna Davis  
12 Larrow seconded the motion. The motion passed unanimously.

13 **NEXT MEETING DATE**

14 The Board determined that the next meeting will be held Thursday, July 18<sup>th</sup> as opposed to Thursday,  
15 July 4<sup>th</sup>.

16 **PARCEL ID: 0129-0015-0000: SITE PLAN REVIEW: INCREASE CAPACITY OF EXISTING CHILD CARE**  
17 **FACILITY FROM 18 TO 25 CHILDREN. 46 LOWER MAIN ST, EDWARD BAILEY**

18 Mr. Marquise said that notices were sent and posted, fees were paid, and the application was filed in  
19 advance. Mr. Marquise explained that this is an amendment to a previously approved Site Plan from  
20 2010 and he does not see anything that needs to be added to the original home business list. Any  
21 changes, such as parking, can be discussed during the merits phase of the hearing. Mr. Marquise said  
22 that he believes the application is complete as an amendment.

23 Donna Davis Larrow made a motion to accept the application as complete. Shane Hastings seconded  
24 the motion. The motion was passed unanimously.

25 Samantha Bailey, owner and Director of Little Lakers, a childcare facility located at 46 Lower Main St  
26 presented the case. Ms. Bailey explained that they currently have two rooms they use and they would  
27 like to increase the capacity of their facility by adding an extra room. Ms. Bailey continued that the  
28 expansion will serve two purposes for the business as in the summer they take on elementary school  
29 aged students and in the fall they will be able to have different rooms for different age groups.

30 Mrs. Larrow asked and Ms. Bailey clarified that they are not adding onto the building as they are going  
31 to build a wall in a room in an already constructed garage and plan to use that room. Chairman White  
32 asked if 25 was the maximum number of children for the center and Ms. Bailey explained that it will be  
33 due to the State’s square footage requirement.

34 Chairman White asked if the daycare center will be hiring any new employees. Ms. Bailey said that she  
35 will probably be looking to hire one additional employee.

36 Chairman White asked Mr. Marquise if there is enough parking on the property for the expansion. Mr.  
37 Marquise explained that with the original Site Plan there were 8 parking spaces for the residential units,  
38 2 parking spaces for the electrical business, and 4 additional spaces. He counted 18 that were viable on  
39 the Plan and therefore believes that there is adequate parking.

40 Mr. Marquise noted that the last Site Plan said the business was operated between the hours of 7:30 am  
41 to 5:30 pm, Monday through Friday, and asked if that is changing at all. Ms. Bailey said that they have  
42 had some children getting dropped off as early as 7:00 am. Ms. Bailey said that the hours should  
43 therefore be 7:00 am to 5:30 pm.

44 Chairman White asked about other changes such as to the sign. Ms. Bailey confirmed that the sign,  
45 driveway, playground, lighting, etc. will all stay the same. Ms. Bailey is just looking to add another room  
46 and have the ability to have the State license them for 25 children.

47 Mr. Marquise asked if Fire Chief Danny Ruggles has inspected the site. Ms. Bailey said that he has not  
48 yet but she has talked to him about it and both he and the Health Inspector will be reviewing the site if  
49 they get approval from the Planning Board. Mr. Marquise said that it was a condition for the last Site  
50 Plan that should also be a condition this time.

51 Mrs. Brown asked what the ratio that the State mandates for children to teachers. Ms. Bailey explained  
52 that it is different based on ages and that the State ratios are different than what she believes is best.  
53 For instance, school age children the ratio can be 1:15, preschool is 1:8, toddler is 1:6, and infants is 1:4.  
54 She is below the ratios.

55 Mrs. Brown asked if the parking area gets congested when people drop off and pick up. Ms. Bailey said  
56 that usually the parents drive in, turn around, and line up along the driveway but it doesn't always  
57 happen that way. The extra room will be accessible by a separate door which will take the congestion  
58 off of one main entrance and there is plenty of parking so there shouldn't be problems unless someone  
59 parks the wrong way.

60 Chairman White asked if there were any comments from the audience or any abutters present, as there  
61 were none, he closed the hearing to public comments.

62 Robert Stanley made a motion to approve Parcel ID: 0129-0015-0000, Site Plan Review to increase  
63 capacity of existing child care from 18 to 25 children, to increase the number of employees from 3 to 4,  
64 and to change the hours to 7:00 am to 5:30 pm, Monday through Friday, with the condition of approval  
65 from the Fire Chief. Tanner Royce seconded the motion. The motion passed unanimously.

66 **PARCEL ID: 0225-0062-0000: SITE PLAN REVIEW: ESTABLISH (3) RESIDENTIAL UNITS IN MIXED USE I**  
67 **ZONING DISTRICT. 53 ROUTE 11, NORMAN SMITH & EDWARD BAILEY**

68 Mr. Marquise said that the application was filed in advance, fees were paid, and notices were sent and  
69 posted. The case falls under Article V of the Site Plan Regulations and there are a few items missing  
70 including: the signature block, the square footage of the uses, the water & sewer lines, lighting, and  
71 landscaping. Normally, since there is no change in the site, things such as drainage and drainage design

72 and calculation are waived. Mr. Marquise recommended the Board accept the application as complete  
73 and discuss the missing items during the merits portion of the hearing.

74 Kurt Markarian made a motion to accept the application for Parcel ID 0225-0062-0000 as complete with  
75 the following caveats or missing items: the square footage usage; lighting; landscaping; approval block  
76 on the Plan; and the water and sewer, though the water and sewer might not be an issue if it is on the  
77 Town's; lighting may not be an issue either. Robert Stanley seconded the motion. The motion passed  
78 unanimously.

79 Edward Bailey presented the case. Mr. Bailey explained that he had originally spoken with Mr. Landry  
80 and thought that because he had the acreage that he was going to be able to put a duplex on the lot.  
81 When Mr. Landry came to inspect the project, he told Mr. Bailey that he could not have a duplex so he  
82 has stopped work on the half that isn't finished. Also, when he received his property assessment, it said  
83 that there were three units. Mr. Bailey said that he is not quite clear about why he needs a Site Plan  
84 Review. Mr. Marquise explained that three residential units needs a Site Plan Review and Mr. Landry  
85 may have meant that the lot could have been subdivided so the house was on one lot and the duplex on  
86 the other.

87 Mr. Stanley asked and Mr. Bailey explained that there is a house on the lot and then two units over the  
88 workshop space. Mr. Bailey said that the duplex that is finished is rented. Mrs. Larrow asked how many  
89 bedrooms the duplex units have and Mr. Bailey said that there are two bedrooms in each unit and each  
90 are two levels. The building has three levels and the apartments are split down the middle of the  
91 building. The workshop area it is mostly used for storage. Mr. Bailey said that he may be renting this  
92 space to the Wellness Center and he will be going to Zoning for approval next week.

93 Chairman White asked if Mr. Bailey has square footages of the usages of the space. Mr. Bailey explained  
94 that the apartment portion of the building's first floor is 52' x 32' and the upper story is 16' x 32' as the  
95 roof steps in. The workspace below the apartments is 52' x 32' and there is a shed that goes off the  
96 back that is 52' long and that there is a deck. Mr. Marquise said that the square footage requirement is  
97 something that could be waived as they are dealing with residential space though if the workspace gets  
98 changed into a commercial space it will be needed then.

99 Mr. Stanley asked about parking and Mr. Marquise explained that each two bedroom unit requires 1.5  
100 parking spaces so 5 parking spaces are needed for the residential units.

101 Chairman White asked and Mr. Bailey confirmed that the property is on Town Sewer with a drilled well  
102 for the water.

103 Chairman White asked if there was any lighting change and Mr. Bailey explained that there are motion  
104 lights off the back and there is a light above each door. The house in the front also has a motion light.  
105 Chairman White noted that there is a proposed future sign on the Plan and asked if the sign would be lit.  
106 Mr. Bailey said that he would like to but asked about the rules. Mr. Marquise explained that they can be  
107 lit but it has to be uplighting or downlighting so it doesn't go into the road. Chairman White added that  
108 usually an applicant will bring a cut sheet in and show what is planned for a sign. Mr. Marquise  
109 recommended that the Board needs to feel comfortable with the location of the sign and add a  
110 condition that the sign meets the Zoning Ordinance and then Mr. Bailey could receive a sign permit from  
111 Mr. Landry.

112 Chairman White asked Mr. Bailey if he was going to be adding any trees or shrubs to the property. Mr.  
113 Bailey said he was not planning on it unless the Board requires him to and added that one of his  
114 neighbors requested that he cut some trees as the leaves fell on his lawn.

115 Mr. Bailey said that the sewer line is on his drawing. Chairman White noted that there is a signature  
116 block for the Planning Board on the Plan but there also needs to be one for the Department Heads to  
117 sign off.

118 Chairman White asked if there were abutters present. Donna Van Den Berg said that she was present as  
119 she received a letter about the hearing and explained that she lives on the end of Riverside Drive. She  
120 does not have any comments or concerns regarding the Plan.

121 Chairman White asked if there were further comments or questions from the Board or the applicant.  
122 Hearing none, Chairman White closed the public input portion of the hearing.

123 Kurt Markarian made a motion to approve the Site Plan of Parcel 0225-0062-0000 with the conditions  
124 that the lighting for the sign at the edge of Route 11 will be compliant with the Zoning Requirements  
125 and the signature block for the appropriate Town officials is added to the Mylar. Robert Stanley  
126 seconded the motion. The motion passed unanimously.

127 **PARCEL ID: 0203-0007-0006 & PARCEL ID: 0203-0007-0007: SUBDIVISION / ANNEXATION: CHANGE**  
128 **LOT LINES AND LOT SIZES TO ACCOMMODATE IMPROVEMENTS IN FUTURE HOUSE LOCATIONS.**  
129 **GRANITE RIDGE RD, ROBERT BELL**

130 Mr. Marquise said that the application was filed in advance, fees were paid, abutters were notified and  
131 notices were posted. The application falls under Article 6.04 of the Subdivision Regulations and is  
132 considered a minor subdivision as it is an amendment to a previous subdivision. Mr. Marquise said that  
133 he believes that everything required is on the Plan and it is subject to certain waivers including contours,  
134 utility lines, storm water drainage, and water supply facilities. Mr. Stanley asked and Mr. Marquise  
135 clarified that the subdivision was approved five or six years ago and this application is just a re-  
136 subdivision of two of the lots and it is not affecting the development, they are just moving the property  
137 line.

138 Kurt Markarian made a motion to accept the application as complete for Parcels 0203-0007-0006 and  
139 0203-0007-0007 for subdivision / annexation with the following waivers: contours, utility lines, storm  
140 water drainage, and water supply facilities. Charlotte Brown seconded the motion. The motion passed  
141 unanimously.

142 Clayton Platt presented the case on behalf of Robert Bell. Mr. Platt explained that Lot 6 is  
143 approximately 5 acres and Lot 7 is approximately 10 acres. Lot 7 extends from the back to the front and  
144 over the years with people looking at the lot and the comments they have been given, they have  
145 decided that they want to swap 5 acres from Lot 7 to Lot 6. The driveway and roads are in place and  
146 there are no buildings in place yet so nothing is affected.

147 There was a brief discussion regarding the Right of Ways shown on the Plan.

148 Chairman White asked if there were any abutters present or any further questions or comments from  
149 the Board or public. Hearing none, Chairman White closed the public input portion of the hearing.

150 Robert Stanley made a motion to approve Parcel ID 0203-0007-0006 and 0203-0007-0007 to change the  
151 Lot Lines and Lot sizes as noted on the Plans for Lot #7 and Lot #6; Lot #7 becomes approximately 5  
152 acres and Lot #6 becomes approximately 10 acres. Shane Hastings seconded the motion. The motion  
153 passed unanimously.

154 **PARCEL ID: 0129-0031-0000: CONCEPTUAL REVIEW: NEW LOCATION "PIZZA CHEF". LOWER MAIN ST,**  
155 **SUNAPEE PIZZA CHEF, LLC / NICK KONTOES**

156 Roger Rodewald presented the Plan on behalf of Sunapee Pizza Chef, LLC / Nick Kontoes. Mr. Rodewald  
157 explained that Pizza Chef has been in Sunapee for the past 25 years and it is a 65-80 seat restaurant,  
158 open 11:00 am to 9:00 pm, Sunday through Thursday and 11:00 am to 10:00 pm Friday and Saturday.  
159 The restaurant has the dining room, two bathrooms, an office, a kitchen, and a walk-in. Deliveries are  
160 usually made in the morning between the hours of 8:00 am and 11:00 am. The business does about 60%  
161 of take-out and 40% of sit down business. Mr. Rodewald continued that Mr. Kontoes has determined  
162 that he would like to relocate the business but does not want to move it to where he loses his patrons as  
163 location is key. Mr. Kontoes has decided that he would like to move his business to the property that is  
164 across the street from his current location and is directly behind Sugar River Bank. This property is  
165 located at the corner of Lower Main and Pleasant Place.

166 Mr. Rodewald presented an artist's drawing of the conceptual that shows what the restaurant would  
167 look like from the current restaurant's location. Mr. Rodewald continued that they feel as though the  
168 location is good and that they can construct something there that will not be an eyesore and will fit in to  
169 the rest of the community.

170 Mr. Rodewald said that there are a few things that need to be considered. Mr. Rodewald explained that  
171 the first idea was to have the entrance and exit going onto the property from Lower Main Street.  
172 However, they determined that this was not feasible and decided they would enter from Lower Main  
173 Street and exit from Pleasant Place. They have not talked to the Road Agent yet but they feel as though  
174 they could create a situation that would be feasible as far as traffic flow.

175 Mr. Rodewald said that another thing to consider is how to enter the Site. Mr. Kontoes would like good  
176 exposure from Route 11 and he is planning on speaking to Sugar River to see if they will give them a  
177 stairway access from their parking lot. The primary concern is to increase exposure of the building,  
178 therefore, they would like to push the building back into the setback by 7 ½ feet. This would allow a  
179 walkway to be put in and not interfere with the parking lot. Mr. Rodewald said that, because it is a  
180 corner property, Mr. Landry had told him that the Planning Board would have to tell him which road  
181 would be used for the front setback.

182 Mr. Rodewald explained that they would also like to create an entrance where they can control all of the  
183 storm water drainage so that none of the water goes onto Lower Main Street. In regards to grading,  
184 they would like to slope the lot in from either side and create a "hallow". The soil is very good and they  
185 feel they could engineer a storm water drain system that would not interfere with Lower Main Street.

186 Mr. Rodewald said that they would like to know how the Planning Board feels about the proposal  
187 because they need to know before moving forward with the various permits. Mr. Marquise said that the  
188 entrance and exit approach seems like, no matter how they grade, they have to overcome 16' in 130'  
189 which is more than 10%. Mr. Rodewald said that he believes it can be done but if they can't do it then

190 they will have to scrub the whole project. Mr. Marquise said that if they didn't go out Pleasant Place  
191 then he could see that they could drop the whole grade and have retaining walls and also bring it down  
192 less than 10%. Mr. Rodewald explained that they don't want to create a situation where they have a  
193 storm water drainage problem. Mr. Rodewald also said that they have to talk to the Road Agent,  
194 especially in regards to the intersection.

195 Chairman White asked if the size of the building will be bigger than where Pizza Chef is now and Mr.  
196 Rodewald said no that they are planning a 60' x 70' building, including decks. The parking shown cannot  
197 be less because it is what is required for 70 seats and 6 employees. There was a discussion regarding  
198 changing the entrance and exit and how it could affect drainage. There was a discussion regarding  
199 Pleasant Place and how substandard it is and how it would or could be changed.

200 Clayton Platt, who owns the house further past this lot on Pleasant Place, said that the sight distance  
201 coming off of Pleasant Place towards Route 11 is very bad. The only way to change this may be to  
202 change the retaining wall near the bank.

203 Mr. Marquise said that another issue that he sees with the Plan is both a Zoning and a State issue in  
204 regards to the Shoreline. Mr. Rodewald said that he does not feel it is an issue with the State as long as  
205 they do what is needed for the drainage. Mr. Marquise explained that, according to the Town's rules, in  
206 this Zone you are only allowed to cover 60% of the lot in the Shoreline district and 80% if they are out of  
207 the Shoreline. Mr. Stanley asked if it makes a difference if the parking lot is pervious or impervious.  
208 They can go to 80% if the use impervious materials. Chairman White asked if they had looked at putting  
209 the building down lower on the lot and the parking higher. Mr. Rodewald explained that Mr. Kontoes  
210 wants to be higher on the hill in order to be more visible. There was further discussion regarding this  
211 matter.

212 Chairman White said that another issue he sees is the safety issue and the sight line. The street is pretty  
213 heavily traveled and they may need to look at the entrance and exit. There was further discussion  
214 regarding this issue including widening Pleasant Place.

215 Mr. Kontoes explained his reasoning for having access from Lower Main St and also for having the  
216 building above the bank in order to allow people to see it. Also, if he has stairs coming from the Sugar  
217 River / Sherburne area that will help his business because the people going to the Sherburne will not  
218 walk all the way around. Mr. Platt said that he would recommend a split level parking lot but he is not  
219 sure how that would work for handicap accessibility. Mr. Markarian spoke about making a turn in the  
220 driveway to help to eliminate the need for the grade change.

221 Mr. Rodewald asked if he should reconfigure the drawings and do a profile as well and come back  
222 before the Planning Board before going on to the next steps. Mr. Marquise said that he believes they  
223 should do the preliminary steps first, including getting the abutters involved and such, before coming  
224 back. Mr. Rodewald asked and Mr. Marquise clarified that they do not need to go to the ZBA or get the  
225 Shoreline Permit as part of the preliminary steps. Chairman White recommended that they also have a  
226 discussion with the Road Agent.

227 **PARCEL ID: 0238-0037-0001: CONCEPTUAL REVIEW: ESTABLISH & OPERATE A DAY CARE CENTER. 9**  
228 **WILDERNESS PARK RD, RAYMOND TOUCHETTE**

229 There was no one present for the Conceptual Review.

230 Robert Stanley made a motion to adjourn at 8:56pm. Kurt Markarian seconded the motion. The motion  
231 passed unanimously.

232 Respectfully submitted,

233 Melissa Pollari

234 \_\_\_\_\_

235 Peter White, Chairman

236 \_\_\_\_\_

237 Erin Andersen

238 \_\_\_\_\_

239 Tanner Royce

240 \_\_\_\_\_

241 Shane Hastings, ex-officio member

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Robert Stanley, Vice-Chairman

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Donna Davis Larrow

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Kurt Markarian

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Charlotte Brown, alternate member