

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **AUGUST 2, 2012**

4 **PRESENT:** Peter White, Vice-Chair; Robert Stanley; Erin Andersen; Kurt Markarian; Donna Davis Larrow;
5 Shane Hastings, ex-officio member, Michael Marquise, Planner

6 **ABSENT:** Bruce Jennings, Chair

7 **ALSO PRESENT:** See attached Sign-in Sheet.

8 Peter White, Vice-Chair, called the meeting to order at 7:05 PM.

9 Changes to the Minutes for the July 19, 2012 Planning Board Meeting: Michael Marquise explained to
10 the Board that on lines 197 – 218 the Lot numbers are swapped so anything that says 37 needs to be
11 changed to say 38 and anything that says 38 becomes 37. Michael Marquise confirmed that he has
12 received the corrected Mylar and reminded the Board it needs to be signed and recorded.

13 Robert Stanley made a motion to approve the minutes as corrected. Kurt Markarian seconded the
14 motion. The motion passed unanimously.

15 Mr. Marquise explained to Mr. White that the meeting for September has been changed from
16 September 6th to September 20th.

17 **PARCEL ID: 0137-0011-0000; SITE PLAN REVIEW, EXPAND EXISTING BUSINESS TO INCLUDE FIREWOOD**
18 **PROCESSING AND SALES, PER ARTICLE VI, SECTION 6.30. 127 EDGEMONT RD, RICHARD & RAYLENE**
19 **BLY**

20 Mr. Marquise stated that the application was filed in advance, notices were mailed and posted, and fees
21 were paid. The application falls under Article V, Section D of the Site Plan Review. The two items under
22 Section D that are missing, which can be detailed in the minutes, are the number of employees and the
23 days and hours of operation, otherwise the application is complete.

24 Robert Stanley made a motion that the application as complete pending the number of employees and
25 the hours of operation. Kurt Markarian seconded the motion. The motion passed unanimously.

26 Richard Bly presented the merits of the case. Mr. Bly stated that he started by bringing logs to his
27 property and they were not selling any at first as they used wood but then ended up selling about 15
28 cords last year. Mr. Bly explained that it is not a big operation, they just chainsaw the logs and then cut
29 them with a wood splitter, there is no processor or big machines.

30 Mr. Stanley asked if there was going to be a sign and Mr. Bly said that there is only going to be a "For
31 Sale" sign or something added to his current sign.

32 Mr. Stanley asked if the business is within the guidelines of a Home Business. Mr. Marquise said that
33 Mr. Landry feels as though it is and that it is an expansion of a non-conforming use as he has a machine
34 shop. Mr. White asked and Mr. Bly confirmed that the Site Plan Review is to expand the existing
35 business to include the firewood business.

36 Mrs. Larrow asked and Mr. Bly confirmed that he started the business of the wood processing last year.
37 Mr. Bly said that he actually started doing it a while ago but he used to go get the wood and now he has
38 a local person deliver it to him and he has the logs stacked behind his house.

39 Mr. Stanley said that he is concerned about the sign as it would have to meet the guidelines. Mrs.
40 Larrow said that there are other issues to address as well which include allotted parking spaces and the
41 landscaping plan. Mr. Bly said that he does not need any parking as there is no one going onto the
42 property. Mrs. Larrow said that a parking area is shown on the plan. Mr. Bly said that there is plenty of
43 parking out back, there about ten spaces on the road and then around twenty out back.

44 Mr. Stanley asked how many employees are in the shop. Mr. Bly said that he has three employees plus
45 himself. Mrs. Larrow asked how many Mr. Bly normally has and Mr. Bly replied that he had eight
46 employees plus himself last year which was the maximum.

47 Mr. White asked and Mr. Marquise confirmed that the selling of the wood does not change the use of
48 the property as it is an expansion of a home business.

49 Mr. Bly explained that typically he does not sell the wood onsite but he brings it to people. Mr. White
50 asked about the parking areas on the plan Mr. Bly explained where the employees and others park.

51 Mr. Bly was asked if the splitting would be done Monday through Friday only and replied that it is
52 sometimes done on a Saturday morning as well.

53 Mr. White explained that reason for the questions is because whatever is approved goes with the
54 property and without structure someone could have a huge operation and there would be an issue.
55 Therefore there needs to be things, such as hours, defined. The Board is concerned about what could
56 happen in the future.

57 Mr. White asked what Mr. Bly feels will cover the hours of operation. Mr. Bly said 7:00 to 5:00, Monday
58 through Saturday but there was a time that someone worked until 7:30 so there might be a need to
59 make it longer. Mr. Stanley suggested having the hours from 7:00 am until sunset, Monday through
60 Saturday.

61 The Board agreed that there are enough parking spaces. Mr. Bly was asked and confirmed that the
62 business will be year-round with at least three employees for the wood part of the business.

63 Mr. White asked about the trucks that deliver the wood. Mr. Bly stated that it is a logging truck and it
64 not backing out onto 103B, it drives in, dumps the load and keeps going out.

65 Mr. White asked if there were any abutters who wanted to speak.

66 Scott Turner of 122 Edgemont Rd said that he is in support of Mr. Bly. He lives directly across from Mr.
67 Bly and he has been doing it off and on part time and hasn't bothered him.

68 Mr. White closed the hearing to public comments.

69 Mrs. Larrow said that she has a couple of questions that she would like clarified. The first question is
70 how the wood processing business fits into Section 6.30 of Non-Conforming Uses as she doesn't see how
71 the business is related to the machine shop business. Mr. White explained that it might not be related
72 to it but as long as it is allowed in the Zoning District, though it is not an expansion of the machine shop,
73 it is additional work. Mr. Marquise said that he feels that Mrs. Larrow's questions is reasonable and he
74 is not sure that Mr. Landry isn't misplacing Section 6.30 as a home business is an allowed use but 6.30 is
75 for businesses that are not allowed. The Board discussed this issue further and also discussed if the
76 businesses took over more of the property than the residence and therefore made the property a
77 commercial property. It was confirmed that the size of the lot is roughly 1.8 acres. Mr. Marquise read
78 the definition of a home business to the Board and said that it is not a number but a judgment call to
79 determine if a business no longer classified as a home business.

80 Mrs. Larrow asked about the Zoning Board minutes from March 8, 2012 which on Line 75 says
81 "Chairman Kish also asked about the cord wood business that Mr. Tagliatela said was being run on the
82 property. Mr. Landry stated that the business has been addressed with Mr. Bly and has stopped." Line
83 85 says the "implication that the business is selling wood Mr. Bly has ceased to do so and will not do so
84 in the future." Mr. White asked and Mrs. Larrow confirmed that the minutes were from the Zoning
85 Board case requesting the building addition. Mr. White asked and Mr. Bly confirmed that Mr. Tagliatela
86 is an abutter.

87 Mr. White asked Mr. Bly about the hearing and the implication that the firewood part of the business
88 was being terminated. Mr. Bly said he was going to terminate it but with all the wood there he decided
89 he had to do something with it. Mr. White asked if the approval hinged on the testimony that the wood
90 business would not be continued. Mrs. Larrow said that the motion that was made was conditioned
91 upon if the business expanded into the lower level addition then it would require a Site Plan Review and
92 the second condition required that the egress be approved for the Fire Chief for the second story
93 addition. Mrs. Larrow continued that it was not a condition but it was something that was part of the
94 testimony.

95 Mrs. Larrow said that she is not sure that she feels the use is appropriate under the current regulations.
96 Mr. Stanley said that it seems as though there is always wood at the property and Mr. Bly said he uses it
97 himself. It does not seem as though it is a very big operation and even if he didn't sell the wood there
98 would still be processing for his own use so he doesn't feel as though it is changing the property. Mr.
99 White said that he feels similar to Mr. Stanley but his concern is that it will expand outside of what it
100 currently is and wonders if it is possible to put a limit on the number of cords of wood sold. Mr.
101 Marquise said that he doesn't feel like that is reasonable. Mr. White asked how to limit the size of the
102 business and Mr. Marquise replied with employees, hours of operation, a limit on machinery and the

103 existing areas that are outlined on the Site Plan such as where the logs are stored, the size, the wood
104 splitter, etc.

105 Robert Stanley made a motion to accept the application for a wood selling business to operate from
106 7:00 am to sunset, six days a week, Monday through Saturday, with a maximum of three employees.
107 The business will be limited as drawn on the Site Plan and with the equipment shown on the Site Plan.
108 Shane Hastings seconded the motion. The motion passed unanimously.

109 **PARCEL ID: 0225-0062-0000 & 0225-0063-0000; LOT MERGER. 53 ROUTE 11, EDWARD BAILEY**

110 Mr. Marquise passed a map around for the Board members to review. Mr. Marquise explained that Lot
111 63 is a landlocked piece without frontage and the Merger is probably the best thing for the two parcels.

112 Kurt Markarian made a motion to accept the Lot Merger of Parcel 0225-0062-0000 and Parcel 0225-
113 0063-0000 at 53 Route 11. Robert Stanley seconded the motion. The motion passed unanimously.

114 **MISCELLANEOUS**

115 **PARCEL ID: 0133-0107-0000; CONCEPTUAL, MAJOR SUBDIVISION. 33 MAPLE ST, ANDY POLLARI**

116 Mr. White explained that the discussion is just a conceptual and they will just be talking informally.
117 There will be no vote, it is just to get a sense of the concerns of the Board.

118 Andy Pollari explained that he is interested in a property that is for sale. The property is 8.6 acres and is
119 on the corner of Beech St. and Maple St. Mr. Pollari continued that he wants to develop the property
120 and wanted to get the Board's opinion of what they wanted to see in that area with the Master Plan and
121 maybe work together on it.

122 Mr. Pollari showed the Board a map of the property and explained that it abuts the condominiums on
123 Burkehaven Hill Rd.

124 Mr. Pollari said that he spoke with the Water & Sewer Dept. and there is Town Water & Sewer available
125 for the site and he spoke to the Road Agent about driveway accesses and there didn't seem to be any
126 problems. Mr. Pollari continued that Mr. Landry said there have been a few instances where the Town
127 has granted Right-of-Ways instead of driveways to allow two houses off one driveway and using the
128 frontage of the ROW for frontage. Mr. Marquise explained that every lot has to have 75' of frontage but
129 what can be done for the portion that counts as frontage is to have a driveway that is up to the specs of
130 a private road which is 18' wide. Mr. White asked how many lots can come off the private road and Mr.
131 Marquise answered that he believes it is up to ten lots and a driveway can only go to two houses.

132 Mr. Marquise stated that the Zoning line cuts through the property and that would need to be
133 addressed. Mr. Marquise explained that the District changes from Village Residential to Residential
134 which affects lot sizes, density, etc. Mr. Pollari said that he understands that he would have to get the
135 lot surveyed because the line cuts through the middle of the property.

136 Mr. Marquise asked what Mr. Pollari is looking to do with the property, if it would be lots or apartments.
137 Mr. Pollari said he is looking to do single family homes. Mr. Marquise said that this might be a good
138 property to do clustering. Mr. Stanley said he liked the idea of the clustering as then there could be
139 Open Space. Mr. Pollari explained that he would like to try to keep the development in the back of the
140 property to give the people on the road a buffer.

141 There was a brief discussion regarding the road frontage and where Beech St. turns into a Class VI road.

142 Mr. White explained that a cluster development is a "residential subdivision of a tract of land where
143 housing units are grouped on lots of reduced dimensions." The houses are a little closer together and
144 the setbacks get reduced between the houses and the road so there can be a little cluster of houses.
145 "The remaining land in the tract, which does not have buildings or improvements thereon, shall be
146 reserved as permanently protected open space. The density of a cluster development shall not exceed
147 the density proscribed in these regulations or the Zoning Ordinance." This means that if you were
148 normally allowed eight units on a property, doing a cluster development would not mean that you could
149 do more units, it just means the houses can be a little closer together to form a neighborhood and there
150 is more Open Space.

151 Mr. White asked what the density requirements in the two Districts are and Mr. Marquise answered
152 that in the Village Residential the density is 10,000 square feet and a half acre lot size and in the
153 Residential district is it one acre for both.

154 Mr. Pollari said he is looking for six to eight lots or the cluster development. Mr. Pollari said that it
155 depends on what he discovers after he does more research. There was a discussion about the
156 difference between lots and a cluster development and the benefits of a cluster development such as
157 the ease of installation of the road, utilities, Water & Sewer, etc.

158 Mr. White explained that the Board would also require an engineering plan regarding drainage and
159 runoff and such. Mr. White also suggested looking at Low Impact Development as it is a much better
160 way to develop a site environmentally.

161 Bob Lester of 49 Maple St. said that he appreciates Mr. Pollari coming before the Board. His property is
162 right next to the Maple St. access for the property and he has concerns about what will be developed.

163 Heather Melson of 63 Maple St. said her property is on the corner of Beech and Maple. She is
164 concerned about the runoff and development of the property and what will be behind her house.

165 Mr. White said that he understands that there will be concerns from abutters. He explained to Mr.
166 Pollari that the best thing is having a civil engineer develop a plan that is as complete as possible to help
167 people understand what Mr. Pollari is doing. It usually comes down to drainage, topography, screening,
168 etc.

169 Ms. Melson asked if the 8.6 acres was all buildable or if any was wetlands and how that would figure
170 into what is buildable and what is not. Mr. White explained that in Sunapee you do not detract the
171 delineated wetlands area from your development acreage. Setback still must be met but wetlands are

172 not taken out of the acreage that is calculated for development. Mr. Marquise said there is also a 60%
173 rule for example, if the minimum lot size is a half an acre, at least 3/10 of an acre must be buildable for
174 every lot. Mr. White said that a wetlands person should go to the site before the surveyor/engineer so
175 that it is indicated on the Plan.

176 **PREVIOUS BUSINESS**

177 **PARCEL ID: 0106-0037-0000 & 0106-0038-0000; SUBDIVISION / LOT LINE ADJUSTMENT –ANNEXATION,**
178 **SUBDIVIDE .19 ACRE FROM LOT 38 AND ANNEX TO LOT 37. WALTER & KAREN DYKEMAN, SUNNY**
179 **KNOLL, GEORGES MILLS.**

180 At the July 19, 2012 the Dykeman case had the Lot numbers mixed. There was a discussion whether the
181 vote regarding the Lot numbers being changed in the minutes was enough to reaffirm the vote at the
182 meeting. The Board decided to redo the vote to ensure that everything is done correctly.

183 Kurt Markarian made a motion to reaffirm the vote for the Annexation and Subdivision with the
184 corrected number being from Lot 38 and annexed to Lot 37 for Walter and Karen Dykeman, Sunny Knoll,
185 Georges Mills. The motion to reaffirm the vote passed unanimously.

186 The meeting was adjourned at 8:20 PM.

187 Respectfully submitted,

188 Melissa Pollari

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191 _____
Bruce Jennings, Chairman

Peter White

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194 _____
Erin Andersen

Donna Davis Larrow

195

196

197 _____
Robert Stanley

Kurt Markarian

198

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200 _____
Shane Hastings, ex-officio member

Emma Smith, ex-officio alternate member