

**THE PLANNING BOARD
TOWN OF FRANCESTOWN, NEW HAMPSHIRE**

August 16, 2011

MINUTES

Planning Board Members Present: Henry Camirand, Linda Kunhardt, Bob Lindgren (Chair), Bill McNeil, Mike Tartalis, Jennifer Vadney and Abigail Arnold (ex-officio).

Minutes: Administrative Assistant, Debra Davidson.

Members of the Public: Ben Watson, Warren Kiblin, Betty Behrsing, BJ Carbee, Betsy Hardwick, Richard Barbalato, Jason Martel, Katie Gadwah, Alexis Gadwah, Kerry Camirand, Doug Farrell, Alternates L. Johnson and P. Tolman

Call to order: Chairman Lindgren called the meeting was brought to order at 7:00 pm.

Site Development Appeal – Francestown Village Store

The applicant Martel Retailing Enterprises, Inc. is proposing an expansion of a non-conforming use (commercial) into formerly designated residential use areas of the Francestown Village Store (aka Long Store) building. The site is located at 74 Main Street and is identified as Tax Map 13, Lot 19. No exterior modifications, or structural changes or utility renovations inside the structure, are proposed.

A final application for site development is to be reviewed. The Completion Review Committee (CRC) Chair, Linda Kunhardt reported their findings. On July 26, 2011 LKunhardt and MTartalis reviewed the application finding the application to be incomplete.

Section A 24 – Location of lighting – no waiver request, a waiver was presented. This is now complete.

Section A 25 – Signage – waiver request. Now complete. The waiver request was presented.

Section C5 – Variance.

Section C8 - Statement from Fire Chief. Deficiency complete, Application is complete.

Waiver 6D - The CRC reviewed and agreed that most pf the sections in ^D met the criteria. Chair, LKunhardt read the 6D sections and criteria. There are 3 changes in use, with no modification. The CRC Concurred there is no expansion and no parking expansion is required.

AArnold moved to accept the 6D Waiver. Seconded by Lindgren. All in favor.

Sequentially numbered sheets were presented. The CRC felt the current plan meets the PB needs.

Ben Watson discussed the plan in detail. Explaining the original recorded plan was adequate. Though, it does not meet today's standards, many of the standards do not apply as there is no expansion. An entirely new plan would be cost prohibitive by today's standards.

Discussion to move forward followed.

Arnold moved to vote on the plan as presented and grant the waivers as requested. Seconded by Camirand. All in favor.

All waivers are covered. Waivers are granted. One deficiency remains, all local permits (ZBA Variance) cannot hold up this process.

Arnold motioned to accept the application as complete considering the merits of the application. Seconded by McNeil. All in favor. Application was accepted as complete for the purpose of the merits of the application.

At this time, Chairman Lindgren asked for any public input.

Ben Watson spoke to the basics of the application and reviewed the history of this property. The property has been operated in the same location, since 1814. Remaining a non-conforming site since zoning ordinances have been adopted. He continued to review the history of the property. Explaining the purpose of this site plan is to expand the current floor plan, to increase the space. The space is to remain the same. History of the interior of the store was discussed; the total square footage of the store area is 2,022 sq. ft. (most of the area on the first floor is for storage, the storage area is approximately 48%). There is no public access to the second floor. They are seeking a variance through the ZBA and also asking for PB approval to allow for adequate storage. They are using the property in the traditional manner as it has historically been used. There is less intensive use than if they were to convert this property to residential use. In 2003 a new septic system was installed, a 1,000 gallon grease trap was approved for more than three times the use than is currently being used. Again, most of the space is for storage, food preparation and freezer space. They have continued to aesthetically and structurally maintain the building. This project has no additional nuisances, no potential effect to the residential neighboring properties, they will continue with food preparation.

Owner, Jason Martel spoke to the facts he has owned the property for eight years, wants to restore the building and is very mindful to not have his improvements impact the taxpayers. He wants to keep the business going. The Town supports them and they appreciate the support. His approach is to make changes, keep the store open and keep his twelve employees employed. The store has been there for 197 years, it is the fourth oldest store in the state, and he wants to keep it open. Discussed future options, gains for the town and personal gains. He supports local

farmers, works with Conval and is helping the local economy. Meets all Federal standards.

PB Members asked to hear of the life safety report. LKunhardt read the letter presented by Deputy Fire Chief, Brian Delahanty that was inclusive of recommendations.

JMartel indicated the project would be 100% compliant within the time frame allocated.

AArnold moved to clarify this is a single business with a percentage dedicated to food preparation. 28% allocated to food prep. It was suggested to ask the ZBA for some consideration of the 28%.

BWatson referred to Section 7:10-3 of special exception criteria, noting this has been in effect since 1984.

PB member, LJohnson addressed the residential living area, specifically asking if there are two residential bathrooms. Discussion followed as to access to the residential area and who occupies this area. This cannot be used by anyone except the owners with out substantial life code changes.

Employee parking was discussed, noting the owners of Map 13 lot 13 have granted permission for 3 offsite parking areas for employees.

With no further questions from the public or the Planning Board, Chairman Lindgren asked for the PB thoughts on this application.

BWatson asked if the PB would contact the ZBA and ask that they address the special exception.

Discussion followed that it is not legal for the PB to not make a decision because they are waiting for another Boards decision.

LKunhardt motioned to have the PB approve this application, pending approval of a ZBA decision.

Procedural steps to follow were discussed.

Discussion that this application will require a ZBA decision. The PB approves this application.

LKunhardt moved that the FPB approve this Site Plan Development application as proposed for site development with the condition that the final suggested modifications, as suggested in Francestown Deputy Fire Chief letter, be complete by April 15, 2012. Seconded by Camirand. Discussion followed as to future parking. AArnold asked that the decision note this application be for a convenience store for

food preparation. It will also be noted in the decision they will require a variance from the ZBA. No further discussion. Voted – All in favor. **Site plan approved.**
Approval of Minutes – 7/19/11

The minutes of the July 19, 2011 meeting were approved with minor changes. All in favor.

Other matters –

Betsy Hardwick discussed some concerns regarding conditions of decisions not being recorded. Recently the Cersosimo subdivision notice of decision, fire pond access & easements were not recorded or executed. Selectmen have sent a letter explaining necessary language for future deeds referencing wetlands permits, that DES required, wetland impacts etc.

This sparked discussion how to maintain follow through and procedures for the PB. Discussion followed regarding the need for documentation of PB members vs. listening.

The meeting was adjourned at 9:15 p.m.

Respectfully Submitted,
Debra Davidson