

**Lancaster Planning Board
Minutes of Meeting**

Meeting held upstairs in Town Hall

Wednesday – November 14, 2018

The meeting was called to order by Chairman Mark M. E. Frank at 7:00 P.M., followed by the Pledge of Allegiance.

Initial Business:

Roll Call:

Regular Members:

Present: Chairman Mark M. E. Frank, Vice Chairman Andy Nadeau, Selectmen's Representative Leo Enos, Rusty Scott, Justin Carter and Mark M. St. Pierre.

Absent: Penny Noyes.

Alternate Members:

Present: Don Doolan and Greg Westcott.

Absent: Rick McCarten and Shane Beattie.

Student Representatives:

Absent: Andy Smith and Isabella Gaetjens-Oleson.

Others attending: Greg Cloutier, Myra Emerson, Tammy Lazott, Jude Gesel, Doug Shearer, Troy Merner, Lucy Wyman, Chester Savage, Janet Savage, David Fuller, Garrett Savard, Lise Howson, Kim Howson and Planning/Zoning Coordinator Benjamin Gaetjens-Oleson.

To review and approve the minutes of the October 10, 2018 meeting.

Justin Carter noted that on the first page of the minutes, under Preliminary Conceptual Consultation, Shane Beattie's name was spelled "Sane" instead of "Shane". With that noted a motion was called for to accept the minutes.

A motion was made by Mark M. St. Pierre and seconded by Rusty Scott to accept the minutes as written with the correction noted above. A vote was taken and the motion carried.

Appointment(s): None.

Application Submission(s)/Public Hearing(s):

Minor Subdivision(s):

Case #807 – Janet R. Savage – Applicant/Owner requests a minor subdivision to divide 2 separate lots along Buffalo Road into 4 individual lots combined. First lot to be subdivided, Tax Map R15-Lot 037, would create one lot of approximately 2.50 acres with the remaining land totaling approximately 2.57 acres. Second lot to be subdivided Tax Map R15-Lot 038, would create one lot of approximately 2.65 acres with the remaining land totaling approximately 4.26 acres. Land Zoned Agricultural. (Tax Map R15 – Lot 037 (5.07 acres), 49 Buffalo Road and Tax Map R15-Lot 038 (6.91 acres), Buffalo Road).

Andy Nadeau recused himself from the Board at 7:06 P.M. as he is an abutter.

Chairman Mark M. E. Frank appointed alternates Greg Westcott a full voting member to replace Penny Noyes who was absent and Donald Doolan a full voting member to replace Andy Nadeau who has recused himself.

Leo Enos asked Benjamin S. Gaetjens-Oleson if the application was complete. Mr. Gaetjens-

Oleson stated that everything required for the Board to begin considering the request was included. He also explained that the applicant received NH DES Subdivision approval and driveway permits for the proposed lots. With no further discussion a motion was called for to accept the application as complete.

A motion was made by Mark M. St. Pierre and seconded by Greg Westcott to accept the Application as Complete. A vote was taken and the motion carried.

Chairman Mark M. E. Frank opened the Public Hearing to the applicant to present their case. Chester Savage presented the case for his wife, Janet. He stated she is the owner of the land and applicant and present for the night's meeting. Using the plans passed around to the Board he pointed out the locations of the test pits on each lot and the location of potential septic systems. Chairman Frank asked what the lots would be used for. Mr. Savage stated the intent was to sell them for housing lots. Greg Westcott asked if access to the rear of the northern most lot was possible due to the wetlands shown on the plan. Mr. Savage stated a driveway could be built to the back to avoid the wetlands but there was another test pit dug in the front of the lot in case an owner wanted to build at the front to avoid the wetlands

Noting there was no further comment from the applicant or their agent the hearing was opened to the abutters. Noting there were no abutters present who wished to speak to the case the hearing was opened to the public. Noting there was no one from the public wishing to speak to the case the public hearing was closed and opened only to the Planning Board. Noting the Planning Board did not have anything else to add and there were no conditions proposed a motion was called for final approval.

A motion was made by Leo Enos and seconded by Donald Doolan to accept the plan for final approval. A vote was taken and the motion carried.

Case #808 – Faith S. Ryder – Applicant/Owner requests a minor subdivision to divide 1 lot consisting of approximately 50.00 acres with frontage on Hodge Road into two lots. Said minor subdivision will result in one lot totaling approximately 8.00 acres with the remaining lands totaling approximately 42.00 acres. Land Zoned Agricultural. (Tax Map R18 – Lot 028 (50.00 acres), 20 Hodge Road).

Mr. Gaetjens-Oleson was asked if the application was complete. He informed the Board that everything required and necessary for the Board to consider the request was included. Noting that there was no discussion a motion was called for to accept the application as complete.

A motion was made by Mark M. St. Pierre and seconded by Rusty Scott to accept the application as complete. A vote was taken and the motion carried.

Chairman Mark M. E. Frank opened the Public Hearing to the applicant to present their case. The case was presented by the agent of the applicant, Surveyor Andy Nadeau. Mr. Nadeau stated the lot was previously subdivided in 1997 by Mark Vander-Heyden which is why the new lot being created was labeled as lot 4. He stated lot 4 will have the house and remain in Current Use with lands across the road and owned by Faith Ryder.

Noting there was no further comment from the applicant's agent the hearing was opened to the abutters. Noting there were no abutters present who wished to speak to the case the hearing was opened to the public. Noting there was no one from the public wishing to speak to the case the public hearing was closed and opened only to the Planning Board. Noting the Planning Board did not have anything else to add and there were no conditions proposed a motion was called for final approval.

A motion was made by Leo Enos and seconded by Rusty Scott to accept the plan for Final Approval. A vote was taken and the motion carried.

Technical Subdivision(s):

Case #809 – Lancaster Rotary Club Charities, Myra E. Emerson and Lancaster Phoenix, LLC – Applicants/Owners request a Technical Subdivision/Lot Line Adjustment to adjust various lot lines between four abutting parcels off Canal and Main Streets in Lancaster with Tax Map P07-Lot 013 changing from approximately 4,418 square feet to approximately 9,952 square feet, Tax Map P07-Lot 033 changing from approximately 6,970 square feet to approximately 5,242 square feet, Tax Map P07-Lot 034 changing from approximately 2,613 square feet to approximately 1,998 square feet and Tax Map P07-Lot 035 changing from approximately 7,841 square feet to approximately 4,650 square feet. No new lots to be created. Land Zoned Central Business District-South. (Tax Map P07-Lot 013 (0.10 acres), 7 Canal Street, Tax Map P07-Lot 033 (0.16 acres), 66 Main Street, Tax Map P07-Lot 034 (0.06 acres), 62 Main Street and Tax Map P07-Lot 035 (0.18 acres), 56 Main Street).

Benjamin S. Gaetjens-Oleson stepped down as the Planning Board's Coordinator to present the case with the assistance of Andy Nadeau. Mr. Gaetjens-Oleson is the Rotary Club's current President. Chairman Frank read a statement attesting to the completeness of the application and Mr. Gaetjens-Oleson did confirm that all the public noticing was completed as required by the State statutes and the Planning Board's regulations. Noting there was no further discussion a motion was called for to accept the application as complete.

A motion was made by Mark M. St. Pierre and seconded by Leo Enos to accept the Application as Complete. A vote was taken and the motion carried.

Chairman Frank opened the Public Hearing to the applicant to present their case. Mr. Gaetjens-Oleson stated that the Rotary Club is now the current owner of the former McCullough property behind the vacant Main Street lots. He explained the Club received a grant to acquire that land and portions of the lots in front of it and other riverfront land. The plan was to create a public parking lot with the McCullough land and parts under consideration for this case. Details of the parking project will be discussed at the next case. He stated the focus of this case was only the lot line adjustment to acquire the portions described previously. All lots would still comply with Zoning if approved. Abutter, Jude Gesel, asked if any land behind his property (Granite Grind building) was part of this request and the parking project. Mr. Gaetjens-Oleson answered that originally some of the Rialto land behind Mr. Gesel's property was considered but the available land was not of sufficient size to be beneficial to the project so it is only parts of the 3 vacant lots off Main Street being considered. It was asked who would own the land after the transfer. Mr. Gaetjens-Oleson stated that the Lancaster Rotary Club would be the owners but at Town Meeting they would offer their lands to the Town of Lancaster.

Noting there was no further comment from the applicant the hearing was opened to the abutters. Abutter, Greg Cloutier, stated that once the front vacant lands are developed there may need to be an agreement giving permission for tenants or visitors to any buildings to enter the parking lot from rear entrances of buildings. Mr. Gaetjens-Oleson explained that as a public parking area it will be completely allowable for the public to cross through the lot without special deeded permission. Noting there were no other abutters present who wished to speak to the case the hearing was opened to the public. Noting there was no one from the public wishing to speak to the case the public hearing was closed and opened only to the Planning Board. Noting the Planning Board did not have anything else to add and there were no conditions proposed a motion was called for final approval.

A motion was made by Rusty Scott and seconded by Mark M. St. Pierre to accept the Plan for Final Approval. A vote was taken and the motion carried.

Minor Site Plan(s):

Case #810 – Lancaster Rotary Club Charities – Applicant requests approval to redevelop an

informal parking area off Canal Street to create an approximately 9,952 square foot, 22 space public parking lot. Proposed lot would be paved, include on site stormwater management, landscaping and future lighting improvements. Once constructed the Town of Lancaster will provide annual maintenance, including snow removal. Land Zoned Central Business District-South. (Tax Map P07 Lot 013 (0.23 acres after Approval of Case# 809), 7 Canal Street).

Chairman Frank read a statement attesting to the completeness of the application and Mr. Gaetjens-Oleson did confirm that all the public noticing was completed as required by the State statutes and the Planning Board's regulations. Noting there was no further discussion a motion was called for to accept the application as complete.

A motion was made by Leo Enos and seconded by Rusty Scott to accept the Application as Complete. A vote was taken and the motion carried.

Chairman Mark M. E. Frank opened the Public Hearing to the applicant to present their case. Mr. Gaetjens-Oleson again presented the case for the Lancaster Rotary Club with assistance from Andy Nadeau. He stated now that the previous case was approved the Rotary Club owns the land necessary to redevelop the parking area. He explained the parking area was only on lands currently used as an informal parking lot and was to be set back from the residences along Canal Street (Chase's and Beaton's) as much as possible and a drainage swale would act as the lot's on-site stormwater management system along that line. The swale would be landscaped and a new fence would be constructed to separate the parking area from the lands owned by the families on Canal Street. Much of the fence and landscaping would be coordinated with those abutters. Local resident, Donna Crane, is assisting in the landscape design. Mr. Gaetjens-Oleson did explain he has met with the Chases and Beatons and they are so far pleased with the project. The proposed lighting is on the Main Street side of the lot and the lot would be paved. Mr. Gaetjens-Oleson was asked what the buffer distance was from the residences. He stated about 20 feet wide and approximately 100 feet long. He again explained the land will be offered to the Town for approval at Town Meeting. There is a maintenance agreement with the Town right now that they will do winter maintenance on the land. To minimize through traffic up the alley by the Rialto there will be signs placed at the end of the lot. Lancaster Police are also aware of the project and intends to patrol it as they do the current municipal lots.

Noting there was no further comment from the applicant the hearing was opened to the abutters. Abutter, Jude Gesel, raised concerns about the deliveries to the restaurant (Granite Grind) and the area where the dumpster is now. Mr. Gaetjens-Oleson and Mr. Nadeau explained there is an undefined right-of-way that will be better developed to allow delivery service. They explained that there should not be much of an issue with deliveries or garbage pickup. The new space will be more than adequate and as long as parked cars are not blocked from leaving everything should work out. He promised to speak with Wayno's Disposal to discuss future visits to empty the dumpster. Tammy Lazott spoke on behalf of her mother, Myra Emerson, stating that they were very much in favor of the project. She stated the town needs more parking as businesses are growing along Main Street. She added the proposed parking lot bounds are basically what has been informally used as parking for years and this will just be an improvement. Lucy Wyman stated she was a member of the Phoenix Group but present to speak on her own personal behalf. She thought the addition of a sidewalk along the Granite Grind to connect the parking lot to the Main Street sidewalks would be a benefit. She also stated that replacing the tall light poles with shorter ground directed lights would minimize the light pollution and provide adequate lighting. She also hoped the landscaping plan would have more deciduous trees and less shrubs as the trees provide more shading than shrubs. Mr. Gesel asked about if lighting would be added to light up the rear of his building and Mr. Cloutier answered the Rialto already provides ample lighting there from their building mounted lights.

Noting there were no other abutters present who wished to speak to the case the hearing was opened to the public. Noting there was no one from the public wishing to speak to the case the public hearing was closed and opened only to the Planning Board. There were two precedent conditions proposed for the Board's consideration:

CONDITIONS PRECEDENT

1. Technical Subdivision/Lot Line Adjustment must be approved and recorded, including proper conveyance of lands to be transferred.
2. Shoreland Protection Permit shall be received before any construction begins.

With no further comment from the Board a motion was called for to accept the plan for final approval. **A motion was made by Leo Enos and seconded by Mark M. St. Pierre to accept the plan for final approval with the following conditions precedent:**

1. **Technical Subdivision/Lot Line Adjustment must be approved and recorded, including proper conveyance of lands to be transferred.**
2. **Shoreland Protection Permit shall be received before any construction begins.**

A vote was taken and the motion carried.

Andy Nadeau returned to the Board as a voting member and Donald Doolan returned as an alternate member at 8:20 P.M.

Other Business:

Preliminary Conceptual Consultation(s): None.

Commercial Building Permit(s): None.

Voluntary Merger(s): None.

Recent Zoning Decision(s): None.

Training Topic(s)/Material(s): None.

Announcement(s)/Correspondence(s):

Mr. Gaetjens-Oleson introduced Garrett Savard who has expressed an interest in joining the Planning Board which will fill the last remaining vacancy as alternate. Mr. Savard introduced himself and gave a brief outline of his life.

A motion was made by Justin Carter and seconded by Greg Westcott to recommend to the Selectboard that Garrett Savard be appointed to the Lancaster Planning Board as an Alternate Member. A vote was taken and the motion carried.

Any other business as may come before the meeting.

Chairman Frank suggested that lighting be considered when updating the Master Plan to ensure appropriate standards are recommended.

Mr. Nadeau explained to the Board that when the public is speaking on a proposal the Board needs to be sure they are offering thoughts on the land under review and not adjoining land. The Planning Board cannot require an applicant to add features to their plan that are not on their own land. Mr. Gaetjens-Oleson also added that the Board should only answer questions presented to them and does not need to respond to general comments from the public. These responses are sometimes deemed dismissive by the speaker and is not productive to the process. The comments should be heard and considered while the Board makes their decision.

Noting that there was nothing further to come before the meeting a motion was called for to adjourn.

A motion was made by Mark M. St. Pierre and seconded by Rusty Scott to adjourn. A vote was taken and the meeting adjourned at 8:30 P.M.

Respectfully,

Sandra E. Doolan

Sandra E. Doolan – Clerk

Approved: 12/12/18

Mark M.E. Frank

Mark M.E. Frank – Chairman
Lancaster Planning Board