

Lancaster Planning Board
Location: Lancaster Town Hall
Wednesday, July 13, 2022

Chairman Nadeau opened up the meeting at 6:30pm. Chairman Nadeau led the Pledge of Allegiance.

Initial Business: Roll call

Regular Members:

Present: Chairman Andrew Nadeau, Vice Chairman Mark M.E.Frank, Mark St. Pierre, Maggie Jones, Vickie Gibbs

Absent: Selectman's Representative Leon Rideout

Alternate Members:

Present: Donald Doolan, Rick McCarten, Greg Westcott, Ericka Canales

Absent: Selectman's Representative Troy Merner

Others Attending: Land Use Coordinator Robin L. Irving, Alan Savage, Judi Donnelly, Dennis Donnelly Jr., Tyler Rancourt, Kathy-Jean Lavoie, Racheal Stuart, Kate Hartnett, Ted Ames, Elaine Ames, Water/Sewer Superintendent Timmy Bilodeau, Carol Haas, Tom Foss, Jill Colby, Marilyn Foss

Mark St. Pierre moved to approve the June 8, 2022 minutes as written. Mark Frank seconded the motion. A members voted in favor of the approval. *Motion passed.*

Chairman Andrew Nadeau recused himself on the Colby Planning Board Case #833 as he is actively working on the case as surveyor. Vice Chairman Mark M. E. Frank resumed duties as Acting Chairman. **Mark M.E. Frank appointed Alternate Member Donald Doolan into a voting member for all three cases.**

Public Hearing(s):

Major Site Plan Review—PUBLIC HEARING CONTINUED FROM 6/8/2022

<p>Case # 833-Colby, Zackary - Applicant/Owner requests approval to construct an approximately 2,660 sf commercial building intended to be used as a 30-seat restaurant with a preorder-pickup only drive thru lane and an 875 sf outside dining patio. Additional improvements include 13 parking spaces, landscaping, and installation of stormwater management systems. Applicant/owner requests both a waiver of the wetlands delineation/study requirement and for Public Hearing to be conducted at same meeting as Review for Completeness of Application. Land Zoned Central Business District-North (Tax Map P04 -Lot 033 (.037 acres), 212 Main Street</p>

Discussion

Chairman Frank explained that the Board had not received new information nor the requested documentation (the Board requested at the 6/8/2022 public hearing a pre and post stormwater management plan be completed by a licensed NH Engineer, a plan to deal with the potential traffic issues on Grove Street and turning templates for delivery trucks unloading in the area, a plan to accommodate parking for vehicles with trailers, and the site plan should also show locations of proposed fences and landscaping, and the relocated utility pole) by the public notice and comment deadline. The Board, however, did receive a written request from the applicant to continue the case over to the August meeting. Applicant Jill Colby was present to speak if necessary. LUC Robin L. Irving stated that the Applicant is still in the process of procuring the engineering plans; Surveyor Andy Nadeau said that the Applicant has drafted a updated plan for the parking.

Maggie Jones moved to grant the Applicant's request for a continuance. Mark St. Pierre seconded the motion. All members voted to grant the continuance, no objections. *Motion passed.*

Chairman Frank said that the public hearing would be continued until Wednesday, August 9, 2022 at 6:30 pm in the Town Hall. The Board later realized that the correct date is Wednesday August 10, 2022 at 6:30 in the Town Hall and amended the continuance.

Chairman Andrew Nadeau resumed as Chair because he did not have a conflict of interest with Planning Board Case #836

Technical Subdivision/Lot Line Adjustment

Case# 836 – Stuart, Racheal L., Trustee of The Racheal L. Stuart Revocable Trust of 2015 & Hartnett, Hartnett, Trustee of The Katherine Hartnett Revocable Trust (P10-034), Ames, Wesley T. & Elaine M. (P10-036), and The Estate of Jean Elizabeth Dubreuil (P10-045) – Applicant(s)/Owner(s) request a Technical Subdivision/Lot Line Adjustment to adjust various lot lines between three abutting parcels on Governors Terrace (P10-034, 036) and Williams Street (P10-045) in Lancaster with Tax Map P10-Lot 034 receiving approximately 0.20 acres/8,936 sq. ft. from Tax Map P10-Lot 045 and Tax Map P10-Lot 036 receiving approximately 0.03 acres/1,412 sq. ft. from Tax Map P10-Lot 045. No new lots to be created. Land Zoned Residential. [Tax Map P10-Lot 034 (~0.23 acres), 14 Governors Terrace; Tax Map P10-Lot 036 (~0.33 acres), 22 Governors Terrace; and Tax Map P10-Lot 045 (~0.96 acres), 37 Williams Street]

Maggie Jones recused because 1) she served as the agent for the seller (Dubreuil) and 2) she was standing in as her client's Applicant Representative.

Racheal Stuart outlined that there were setback issues and that the Dubreuil estate is willing to sell to the other applicants a portion of their parcel to resolve the setback issues.

LUC Robin L. Irving explained that, once the surveys were completed, the lot metes indicated that the Ames' pool encroaches on the Dubreuil lot. Because the Dubreuil Estate wants to sell their parcel, the transfer of the sliver of land to the Ames lot resolved the encroachment issue. Further, the Dubreuil Estate was willing to transfer the 0.20 acres with an existing tree stand in order to preserve and retain a tree buffer among all of the abutters.

Maggie Jones walked through the old lot lines and the new lot lines because there was some confusion over the plat diagram.

Chairman Nadeau read off each checklist item and the Board verified that each item had been fulfilled.

Mark St. Pierre moved to accept the application as complete. Vicki Gibbs seconded the motion. All members voted to accept the application as complete, no objections. *Motion passed.*

Chairman Nadeau opened the meeting to the public.

Public Discussion

No public comments.

Public Closed

Donald Doolan reminded the Applicants that they have 12 months to record their new deeds.

Mark St. Pierre moved to approve the Technical Subdivision. Vicki Gibbs seconded the motion. All members of the Board voted to approve, no objections. *Motion passed.*

Chairman Andrew Nadeau recused himself on the Cabot Hill Properties LLC/Landroche, Jon R. & Ross, Brenda R. Planning Board Case #837 as he is actively working on the case as surveyor. Vice Chairman Mark M. E. Frank resumed duties as Acting Chairman.

Technical Subdivision/Lot Line Adjustment

Case# 837 – Cabot Hill Properties, LLC (R04-011) and Landroche, Jon R. & Ross, Brenda R. (P04-001) – Applicant(s)/Owner(s) request a Technical Subdivision/Lot Line Adjustment to adjust various lot lines between two abutting parcels on Bridge Street in Lancaster with Tax Map R04-Lot 011 receiving approximately 0.30 acres from Tax Map P04-Lot 001. No new lots to be created. Land Zoned Commercial. [Tax Map R04-Lot 011 (~3.30 acres), 62 Bridge Street and Tax Map P04-Lot 001 (~1.04 acres), 54 Bridge Street]

Discussion

Both Andrew Nadeau and Tyler Rancourt (o/b/o Dave Hill/Dental Herb Co.) were present as representatives for the case. Nadeau explained that the land had been surveyed a while ago and from that survey, there was a recommendation to get more land. Based on this recommendation, the parties negotiated the proposed plan.

Mark M.E. Frank opened up the meeting to the public. Nadeau explained that the right boundary for Landroche would be moved to the left so that the rear boundary would be reduced by 113.50 feet and the front boundary would be reduced by 79.22 feet. The area of adjustment/acreage to be received by Cabot Hill is 0.30 acres. The transfer does not affect the Landroche's use of their property. Without the adjustment, Cabot Hill has a "chokepoint" on their parcel which causes the rear acreage to not be as

accessible as needed. The Forbes farm does have a right-of-way to get to the field in the back. There is a town sewer easement through both the Landroche lot and the Cabot Hill lot, based on old surveys for location and not geotechnical location.

Acting Chairman Frank read off each checklist item and the Board verified that each item had been fulfilled.

Maggie Jones moved to accept the application as complete. Mark St. Pierre seconded the motion. All members voted to accept the application as complete, no objections. *Motion passed.*

Acting Chairman Frank opened the meeting to the public.

Public Discussion

No public comments.

Public Closed

Mark St. Pierre moved to approved the technical subdivision/lot line adjustment. Maggie Jones seconded the motion. All members voted to approved the subdivision/lot line adjustment, no objections. *Motion passed.*

Other Business:

Preliminary Conceptual Consultation(s): None

Zoning Board Decision(s)

Case# 536—Presby, Thaddeus D & Trevor B.-- for an Area Variance concerning Article 5, Section 5.02, “Commercial District-Setbacks and Frontage.” Owner/Applicant wishes to construct an additional 16’8”x42’ self-service car-wash bay on concrete slab approximately 4’6” from the right boundary line (side abutting existing Big Apple) when 10’ is required. All other setbacks will be met. Land Zoned Commercial. (Tax Map P04 Lot 060 (2.65 acres) 243 Main Street).

The Zoning Board of Adjustment approved the variance to allow the right setback to be reduced to 4’6” with a condition that the applicant install a yield sign at the right-of-way entrance to the Big Apple. The building permit is pending following a request for specs and plans for the addition.

Case# 537—Livingstone, Eric-- for an Area Variance concerning Article 5, Section 5.01, “Residential District-Setbacks and Frontage.” Owner/Applicant wishes to construct an additional 12’x22’ lean-to carport on pylons over existing asphalt driveway situated off the existing garage approximately 8’ from the left boundary line when 10’ is required. All other setbacks will be met. Land Zoned Residential. (Tax Map P04 Lot 042 (0.23 acres), 6 Grandview Drive).

The Zoning Board of Adjustment approved the variance to allow the left setback to be reduced to 8’ for a carport. LUC Robin L. Irving explained that this was the only possible location for the carport and it abuts the same use as a garage and driveway on the Ahern parcel. The building permit has been issued.

Commercial Building Permit(s)

LUC Permit #22-034, Owner/Applicant—369 Main Street LLC/Agent Shane Beattie, 369 Main Street, to construct 98’x125’ 2-story structural steel building with 4 large-equipment workbays accessible via 16’x14’ overhead doors, second-floor storage, 36’x18’ salon, offices, and retail space. There is an option to construct 5th 25’x98’ bay. The driveway access is shared with CDL (the maple place). There is parking in the front and rear with a roadside concrete display pad. LUC Robin L. Irving requested as-built. The Applicant has been consulting with Water/Sewer Superintendent Timmy Bilodeau for line location and drainage etc.

LUC Permit #22-043, Owner/Applicant--SMS Pizza LLC (a/k/a Lancaster House of Pizza)/Agent Petros Hatzigeorgiou, 281 Summer Street, to construct A) stick-built 6’x16’x8’ vestibule with metal roof on concrete pad over front glass-door entry; and B) 6’x16’x8’ stick-built framed-in pre-fab walk-in on concrete pad with doorway cut into exterior of existing building. LUC Robin L. Irving stated that she imposed a number of conditions and changed some construction details. For example, the original application was to build the vestibule directly on the asphalt, but this was changed to require a concrete pad. The roof material was also changed from shingles to metal in order to maintain the continuity of snowslide and not have it backed up due to change in material. Irving did request Hatzigeorgiou to consider relocating the signpost in the parking lot due to the number of collisions

that are reported to the Police Department. Both the sign pole and the utility pole are hazardous in the LHOP parking lot. Hatzigeorgiou was not receptive to the idea.

Mark St. Pierre asked LUC Irving what was going on at Family Dollar. Irving explained that Family Dollar has partnered with Dollar Tree, so half of the building will be Dollar Tree and the other half will be Family Dollar. There should be NO building as Irving has not issued a permit for any work to be done to the building, however, Irving did issue a sign permit; the cranes have been on site to install them.

Rick McCarten asked LUC Irving what was going on at the former House of Pizza property. Irving stated that a gift shop called Northwoods on Main would be opening there. Irving issued a sign permit for the lessee. The business will be matching the style, color, and size of what existed and what Dr. Drum has now. There will also be a hanging sign on a bracket with their logo. The building permit was under LRH-1, or PAK

Training Topic(s)/Material(s)

LUC Irving mentioned the email and link to the 6/29/22 webinar that she had sent out to all members of both the Planning Board and Zoning Board. The title of the webinar was “The Workings of a Planning Board” and sponsored by NHMA.

LUC Irving also mentioned that, following the resolution of the Colby PB#833 case, she and Town Manager Ben Gaetjens-Oleson will plan to conduct a debriefing of the case. This debriefing will be an opportunity to go over procedure. LUC Irving stated that this review was prompted by the number of concerned abutters, the applicant, and other residents who approached and complained to member(s) of the Board of Selectmen despite the Planning Board being their own commission and not under the purview of the Board of Selectmen. Once a constructive review of the case has been conducted, LUC Irving will submit a follow up to the Board of Selectmen at her Department Head reporting.

Other Business as may legally brought before said meeting: None

Mark St. Pierre moved to adjourn the meeting at 1915H. Maggie Jones seconded the motion. All members voted to adjourn, no objections. *Motion passed.*

Respectfully submitted,

Robin L. Irving, Land Use Coordinator

Approved:

Vice Chairman Mark M.E. Frank
Acting Chairman on Cases #833 and #837