



# TOWN OF PLYMOUTH PLANNING BOARD

SEPTEMBER 20, 2018

**CALL TO ORDER:** Rebecca Hanson called the meeting to order at 6:30 p.m. Roll call of members was completed.

**MEMBERS PRESENT:** Rebecca Hanson (Chairman), Chris Buckley (Vice Chair / Conservation Commission Representative), Bridget Powers (Non-Recording Secretary), Bill Bolton (Selectmen's Representative), Bonnie Sears, Jack Scarborough,

**MEMBERS ABSENT:** Steve Whitman (Alternate)

**OTHERS PRESENT:** Brian Murphy, Land Use & Planning Director

**REVIEW OF MINUTES:** Tabled

1) **September 6, 2018 Minutes / Master Plan Hearing:**

Chris Buckley felt that several edits needed to be made, in order to make what was written clear. It was decided that a couple of edits would be made but other sections would be left as is. Brian Murphy explained that it is a melding of transcript and minutes. It is difficult to meld the two concepts and hit all the high points.

Jack Scarborough made a motion; seconded by Bonnie Sears to approve the minutes with edits. Chris Buckley voted not in favor. Minutes were approved by majority. 6 yes, 1 no.

2) **September 13, 2018:** Tabled to October 4, 2018

**NEW BUSINESS:**

1. **Minor Subdivision on PID# 217-007:** Owner George R. Clifford (135 New Hebron Rd, Plymouth), requests Subdivision Approval through his agent Kevin French (French Land Services, 581 School St, Rumney) of a 7.97 acre parcel at 208 New Hebron Rd (PID# 217-007). The proposed new lot (PID# 217-007-001) will consist of 1.26 acres, and the remaining portion shall become 6.69 acres. This property lies in the Agricultural Zone.

Kevin French presents the plans for this proposed subdivision. Rebecca Hanson commented that the red clips he was using to attach the large map to the easel, have come in handy. The subdivision is 1.27 acres conveyed with the existing house and the rest of the land will be left as is. The State already approved this subdivision since it was under 5 acres. Everything else is existing.

There were no questions or comments from the Board.

John Randlett made a motion; seconded by Jack Scarborough to accept this application as complete. All in favor.

**6:48 PM Public Hearing is Opened:** No comments

**6:48 PM Public Hearing is Closed:**

Bonnie Sears made a motion; seconded by Jack Scarborough to approve this plan as presented. All in favor.

**2. Site Plan Approval on PID#110-023** for the Expansion of Footprint (>100 sqft) of an existing restaurant, the Panther Pub. Change will require exterior expansion (approx. 327 sqft) and interior alteration. A Special Exception from the Zoning Board to Art. III, Section 304-Area Dimensions will be required. Should SPR approval be granted, the Applicant must obtain a Special Exception from the Zoning Board to Art. III, Section 304-Area Dimensions (to decrease the front setback to 0 ft from 15 ft) prior to acting on any SPR Approval. Property lies in the Village Commercial Zone.

Kevin French presents expansion plans for the Panther Pub. The owner would like to extend the front of the building out, for extra interior searing and wait area. The tree in front of the building will remain but will need to be trimmed. The owner will need to go before the ZBA for a variance for the set back of one foot from the property line. Downward soffit lighting will be used for outside. Doors will be recessed and open out to the sidewalk.

**Questions on completeness of the application:**

Jack Scarborough confirmed that the doors were outward opening. Kevin French thinks they have to be due to fire code.

Maryann Barnsley made a motion; seconded by Jack Scarborough to accept the application as complete. All in favor.

Brian Murphy stated that under Departmental review, highway manager Joe Fagnant wanted to address the space between the curb and building. His opinion is that 10 ft. gives limited space for the sidewalk tractor. He is concerned about damage to the tree and or tractor. He feels windows should be elevated enough so the windrows won't damage them or the siding. Site visibility could be impacted and he wants to make sure more hazards aren't being created to the plowing operations. It is speculated that there will be 5 ft. between the building and the tree. It will be difficult to plow, 8 ft. is suggested. Lighting needs to be mounted high so the tractor doesn't hit it.

**Questions and Comments:**

- John Randlett asked what the distance between the tree and building as proposed. It is 6.4 ft. Kevin French stated that the door will be recessed and won't come beyond the front of the building. Brian Murphy made note that an entry ramp is required by ADA and should remain.

**7:06 PM Public Hearing is Opened:**

1. Sharon DeMarco asked if there was anywhere in Town that a tractor is not used on the sidewalks. Joe Fagnant responded yes. Sharon asked why this project would be impeded for removal of snow by a tractor. She thought the Highway Dept. should get out a shovel and shovel the small area. In 9 years she has shoveled in front of Panther Pub. A tractor shouldn't be an obstacle for their expansion. There are many other structures and buildings on Main St. where a tractor isn't used.
2. Joe Fagnant had a rebuttal. Any place that the tractor can't go on the sidewalks, the store front people maintain that. It is not the highway's job to shovel in front of any of those businesses. That is why they have the tractor, and it is a big deal to Joe.
3. Chris Buckley wondered if the Town was comfortable with having store owners maintaining their own sidewalk. Joe Fagnant said his department doesn't enforce it. It's a preference. Some come out and shovel in front so when highway comes by they collect all the snow. Would a solution be that all store front owners agree to shovel their own sidewalk? Joe said not really. Once you lose the right of way (ROW), it's gone. It works better for his department if they don't have to lose the ROW.
4. Applicant Katie DeMarco stated that the tree is overgrown and they will take care of trimming. The tractor will still be able to get by.

**7:14 PM Public Hearing is Closed:**

### **Questions and Comments from the Board:**

1. Bonnie Sears wanted to know, with the ramp, how many feet we still have on the sidewalk and would the ramp extend onto the sidewalk. Kevin French stated the ramp won't extend into the sidewalk due to the doors being recessed. The sidewalk has to be measured.
2. Maryann Barnsley stated there would be an increase of 30 seats
3. Rebecca Hanson stated that we need to balance the need of the Highway Dept. and what is fair to the applicant. We don't want to place undue hardship on the applicant so they can't expand their business, but this is something that has happened in multiple other places.
4. Chris Buckley suggested that all parties get together for a site visit. We can see the discrepancy about how the tree leans and come up with a compromise to make everyone happy.
5. A lengthy discussion ensued and the Board decided they would like a site visit. This will take place @5:30 PM at the site, on Oct. 4, 2018, to be followed by the regular work session meeting at Town Hall. John Randlett made a motion; seconded by Jack Scarborough, to continue this discussion to Oct. 4, 2018 at 5:30PM. All in favor.

**3. Administrative Matters:** Bruce Cunningham of Tenney Mtn. Development Group seeks to complete a previously granted and vested SPR for development of six residential units in the Agricultural Zone, formerly known as the 'Mountainside' development. He is re-presenting the Site Plan for comment.

Bruce Cunningham introduced Jeff Lewis, Chief Engineer of the project. They have been working with Brian Murphy and want to show the ideas they have, they are not at this meeting for site plan review. This is a grandfathered project of Tenney Mountain. This involves a completed previously granted and vested site plan review for development of 6 residential units. These are the possible next steps for the foundations that were poured. Parking may have to be adjusted and the Board was given an overlay of Phase 1. They are just building on the existing and vested site plan and building permits. Later they will come back and talk about the bigger picture. The original site plan has expired. Substantial improvements were done under the building permits which put in 6 foundations. Unless something strange is going on with the plan or time line, they have the right to continue under the existing plan. It is grand fathered in that regard. They will come back and give a design review of the buildings that are going to be there. In addition, they have the right to build according to the current law. It was noted that they may not be able to obtain the materials that were first proposed.

Foundations have been examined and are sound. As they are making plans they want to know what we can work with. There is a possibility these foundations could be used for single family residence. The footprint has to be used, but the design can change.

Joe Fagnant asked how these buildings were going to be accessed. Davis Rd. will be used. There is concern regarding the impact on a town road. It was thought that the road might have to be brought up to specs so it doesn't impact our road. It was stated that this project is grandfathered and would be a concern down the road.

### **UNFINISHED / OTHER BUSINESS:**

1. Rebecca Hanson stated that a letter of congratulations is being drafted from the Board to Dr. Steve. The signature page for the Master Plan is being built. She will print it out, have everyone sign it, and then scan and insert it into the Master Plan document. Edits will be complete by the next meeting.
2. Bonnie Sears needed verification of the minutes in regard to the overlay that was mentioned.
3. Bridget Powers mentioned the site plan review of the Master Plan. She wanted to know how we can encourage applicants to consider the ideals we have put forth in the Master Plan.
4. Rebecca Hanson acknowledged that the site plan review is due for an update. This is something to think about working on within the next couple years. We need to consider review of the site plan with adherence to the Master Plan.
5. Bridget Powers, in reflecting on the discussion of last week, thought the idea is to consider the Town and its needs as a whole rather than by each individual plan.

6. John Randlett noted it is good that we have the public here for these hearings. They may catch something that really doesn't go with the Master Plan.
7. Brian Murphy said that by and large, most developments meet those goals.
8. John Randlett brought up concerns with propane tanks at one property and the new colors that were used to paint a building at another.
9. Brian Murphy explained that the Town doesn't have a severe design review process. Other factors such as where a building is located and its visibility need to be considered.
10. Rebecca Hanson commented that design restrictions and aesthetic restrictions are pretty difficult to have as far as a Zoning Ordinance. Historic Districts would have different restrictions for example.

The Board discussed the philosophy of development and what makes good design and living spaces. We need consistency. There is none. How do we get movement in that direction? People need to come with ideas. We need to take the information we're given and help figure out what the Town wants and do the best we can.

Tenney Mountain Highway (TMH) was not designed for people, but for automobiles. Jack Scarborough reminded everyone that the Planning Board established TMH as the place for future development. If you're going to have people walking, you need to build sidewalks and bike paths. Our development should include consideration of that desire.

The Chair stated that she would not be attending the next meeting. It is a work session and site visit. Everyone should take their time in making a decision. Decisions should be made on tape. The Board should be ready to discuss the site visit at the next meeting if needed.

#### **PUBLIC COMMENTS AT THE CHAIRMAN'S DISCRETION:**

Frank Miller expressed his concerns and opinions regarding TMH designing and concepts. He wanted to know what is in the Master Plan for implementation. He believes that if you write a list of every concept of every subject, you've got an implementation plan. It requires a discussion and what he was trying to get across was you have concepts and have to transition from the concept to the design plan and then into permitting. The concept is the general purpose group of what we'd like to see. It must be in appropriate words because when you get into design and permitting you need engineers, architects, land surveyors, natural scientists, Town Planners and so on to deal with specifics. In order to affect a plan such as our implementation plan of our Master Plan you need to get from the concept to the design and permitting area so we can go to a professional Engineer or Architect and ask if they can lay the plan out so it would meet the codes and standards so it could be approved.. When you come before a Board the first thing you're going to state is that this has been approved by a licensed engineer for drainage. Other questions would be: Has this been approved by a licensed safety engineer for sidewalk design and interface with conflict of traffic? Has this been approved by wetlands/ natural scientist for maintenance of the natural environment, that we are trying to maintain in Town? The problem is that people don't have the vocabulary of their feelings of what they want in a concept and then they don't have the process of the vocabulary of the industries of people who have to have to give us the professional specifications that they have to sign off as being legal, lawful and valid in order to get this body or department of State of NH body to approve the design. That has been our problem since the original Master Plan for the Town in 1983-1984. Some of our items on our implementation plan that we established 30+ years ago haven't been achieved. The problem is this body has some connect- ability to the technical aspects of designing a town but the average citizen does not. When people are trying to say they'd like to see this happen in our town or not, they don't have the vocabulary of their feelings to get it to a workable agenda item that would meet our part of our Master Plan implementation.

We need to have a discussion on how we move our Master Plan forward and get that connectivity between our concept of our ideas of what we'd like to see happen and some concrete action that the Town Planner can receive and schedule for implementation. He believes that is part of our problem today and that's what he was trying to get across. The Master Plan is strategic planning (5-10 years out) and the Planning Board process is reactive planning.

Chris Buckley stated that hopefully those comments will come back better through the minutes next month.

**ADJOURNMENT:**

Bonnie Sears made a motion; seconded by Jack Scarborough to adjourn. All in favor. Meeting adjourned at **8:27 PM.**

Respectfully submitted,  
Dawn Roach