

**TOWN OF NORTHFIELD
PLANNING BOARD
February 3, 2020
MINUTES**

Members Present: Jason Durgin, Doug Reed, Wayne Crowley, Christina Beadle, Joyce Fulweiler;

Also Present: Stephanie Giovannucci, Heidi Cole, Scott Haskins, Christopher Hunt, Kandi Iberger, Frank Iberger, Bert Spooner, Pennie Spooner, Pierre Letourneau, Cathy Keyser, John Guay, James Mumford, Janet Beecher, Stephan Nix, Dwight Barton, Craig Bailey, Brandon Rae, and Julie Rae;

Having a quorum established Jason Durgin called the meeting to order at 7:00 PM.

Fulweiler/Crowley moved to approve the minutes of January 6, 2020 as presented. **Motion Passed** with one abstentions

1. Application for James Mumford- Lot Merger to combine two lots at 40 Brackett Lane, (Map U16, Lot 33 & 34) in the R1 Zone.

Chairman Durgin asked Mr. Mumford to explain why he was here. Mr. Mumford said he recently purchased lot 34 and wanted to combine it with his existing lot 33. Mr. Crowley asked Mr. Mumford if he understood that if he combines the lots he cannot separate them at a later date unless he applies for a Minor Subdivision. Mr. Mumford said he did not intend to separate again. Mrs. Fulweiler asked Mr. Mumford if one lot was vacant it. Mr. Mumford stated yes. Mrs. Fulweiler informed him that if the lot merger is approved that it would now be taxed as one parcel. Mr. Crowley asked if there was a mortgage on either lots. Mr. Mumford said there was a mortgage on lot 33. Mr. Crowley informed him that he would need to contact the mortgage company and get approval from them that it is okay to combine both the lots.

Crowley/Fulweiler moved to approve the lot merger with the conditions that they receive the proper paperwork from the mortgage company. **Motion Passed**

2. Application for Cathy Keyser & John Guay - Minor Site Plan Adjustment at 95 Park Street, (Map U08, Lot 7) in the R2 Zone.

Chairman Durgin asked the applicants to explain why they were here. Ms. Keyser stated that they wanted to change the current plan from being open 4 days a week to 5 days a week. She stated they would be open seasonally from May 1st – October 31st on Wednesday thru Friday and closed on Monday & Tuesday to comply with the NH State Liquor Commission. Chairman Durgin asked if they remained open past October 31st 2019 due to the State Liquor Commissioner Rules. Ms. Keyser stated that when they applied for their liquor license they got the wrong one and they had to remain open until January 31st of 2020 until they could get their liquor license put on hold until they can apply for a seasonal license to re-open on May 1st, 2020.

Chairman Durgin opened up public comment at 7:15 PM

Mr. Spooner stated that the things outlined for the original plan for the Boonedoxz Pub did not specify live music and he would like to request that they need to sound proof the Pub so that music will stop shaking his house. Mrs. Spooner stated that the front of the establishment is screened in causing the live music to pump into their house.

Ms. Keyser stated that all abutters were notified when they applied for the site plan and recently at the public hearing about the new noise ordinance no one had come in to complain about the live music at the Boonedoxz Pub.

Mr. Crowley asked would there be Holiday parties. Ms. Keyser said they will see about Holiday parties for Christmas Parties and New Year's Eve, but that is contingent on their Liquor License allowing it. She also stated there would not be live music at these events.

Mrs. Fulweiler asked if they changed the menu. Mr. Guay stated that they have to have entrées in order to have the full liquor license.

Mr. Spooner reiterated again that he would like sound proofing to be done to be considerate of the neighbors around the Boonedoxz Pub. He also stated that most people buy a home on a back road hoping to have a peaceful neighborhood. Mr. Guay said that park street is not a back road.

Chairman Durgin closed public comment at 7:30 PM

Mr. Crowley stated that Article 7, Table 2 does not allow Sports Bars or Entertainment. He stated that they may need a variance through the Zoning Board of Adjustments. Mr. Guay stated they did get a variance and that Mr. Crowley was a guest in the audience.

Mr. Spooner stated that a fence isn't sound proof and the establishment is not qualified and there was never a variance from the Zoning Board. He also stated what if he opened up a gun range and allowed customers to test guns out before purchasing that it would be very considerate to his neighbors and he feels that the Boonedoxz should sound proof the establishment and Styrofoam is very inexpensive.

Mrs. Fulweiler stated that she thinks the Planning Board should look at the records of zoning procedures and make a motion to continue the application. Chairman Durgin agreed a continuance to see what ZBA approved.

Fulweiler/Crowley made a motion to continue the application. Motion Passed.

3. Application for Frank Iberger - Minor Site Plan at 11a Cofran Ave, (Map U14, Lot 19-1) in the R1 Zone.

Chairman Durgin asked the applicants to explain why they were here. Mr. Iberger stated that he was here to do a site plan for his service business. He stated that the Town had received a complaint for heavy trucks being in the roadway and he did not know he had to have a Zoning special exception to have a service business. He stated he went to the December 23rd, 2019 zoning meeting and got approved.

Chairman Durgin asked if Mr. Iberger has customers coming to his address to shop. Mr. Iberger stated no not to shop. They will occasionally come by to drop off checks for work being done. He stated that the deliveries are for his materials for his service business Mr. Iberger also said that he made provisions to allow the heavy trucks to be able to pull into the driveway for deliveries. Mrs. Fulweiler asked if they were heavy trucks or pickup trucks. Mr. Iberger stated that they were 8 – 18 wheelers.

Chairman Durgin opened up public comment at 7:56 PM

Mr. Rae stated that he had no issues with Mr. Iberger business he just wanted to know if the Town could change his address due to deliveries getting messed up being that his address is 11 Cofran Ave and Mr. Iberger is 11a Cofran Ave. Mrs. Giovannucci stated that she could check with 911 to see what they could do about the address change.

Mrs. Beecher stated that she lives a few houses up from Mr. Iberger and has no issues with his service business.

Chairman Durgin asked if the Board had a motion to approve the application as complete.

Crowley/Fulweiler made a motion to accept the application as complete. Motion passed.

Chairman Durgin Closed Public Comment at 8:00 pm.

Chairman Durgin suggested to Mr. Iberger to put some signage up to help eliminate some unloading in the roadway.

Fulweiler/Crowley made a motion to approve the Minor Site Plan. Motion Passed.

4. Preliminary Discussion for Dwight Barton – Phase 1 Proposal located at Cross Mill Road (Map R04, Lot 02-1) in the R1 Zone.

Mr. Nix presented the Board with a proposed map of what they would like to do. He stated that HEB had did a site walk and originally suggested the Town get a \$500,000 bond to continue construction. Mr. Nix said that they were here tonight to see if the Town would allow them to work on the project in phases. He said that they had Mr. Bailey survey the land and there needs to be some paving and drainage fixed and they would like to propose a bond of \$81,700 to start phase 1. Mr. Nix stated that he wanted to discuss with the Board to see if they would entertain this phase 1 proposal and if so he will submit a formal application in the next month or two.

Mrs. Fulweiler asked for clarification on phase 1 asked if they were going to reclaim the road, but not do any drainage. Mr. Bailey explained that they will be resetting of the top structure, no loam or seeding needs to be done it still meets the specs of 2005 and are adequate. The bond would be to secure the landscaping, excavations for basements. Pike estimated about 1700 linear feet. He stated that all drainage is working properly for phase 1. Mrs. Fulweiler then stated so the intent is to start phase 1 by bringing the road back up to road standards to finish the structures that are already currently there. Mr. Nix confirmed. Chairman Durgin stated that they would need new building permits as well.

Mr. Nix stated they intend to sell the condominiums by phases. Mr. Barton confirmed that all the plans are still the same it will still be a 55+ community.

Mr. Crowley asked Mr. Bailey if there was anything he did not agree with on the HEB report. Mr. Bailey stated that he doesn't feel like they should open up the slopes he has checked them twice in the last 10 years and they are fine.

Mr. Crowley stated that one of HEB recommendations was to have the developer pay for observation to be done during the construction Mr. Crowley also asked what the timeframe is for when they would like to start phase 1. Chairman Durgin said well they will need to get an amended site plan and then they can put these condominiums up for sale and when they sell they will start constructing.

Mr. Nix asked if they should submit a formal application, the Board stated yes and to apply for an adjustment of existing plan.

Zoning Review:

- *Continued discussion of Amendment 1 through 4:*

The Board discussed that there were just verbiage changes.

Crowley/Beadle made a motion to approve Amendment 1. Motion Passed.

Crowley/Beadle made a motion to approve Amendment 2. Motion Passed.

Crowley/Beadle made a motion to approve Amendment 3. Motion Passed.

Crowley/Beadle made a motion to approve Amendment 4. Motion Passed.

Other Business:

The Board discussed the letters that they all received about a Housing Appeals Board that is set to be established. Mrs. Fulweiler said she would do some research on it. The Board all agreed they are not in favor of a HAB run by the state and that Chairman Durgin will be writing a letter to the senate stating that.

Mr. Reed asked about the noise ordinance and the Board discussed if they can regulate the noise for the Boonedoxz Pub site plan. Mr. Crowley stated that we can specify how a restaurant is operated. The Board asked Mrs. Giovannucci to contact the Municipal association and ask for guidance and do they need a special exception for live music. Ms. Giovannucci mentioned to the Board that there are Police Codes that need to be followed for noise that is a public nuisance.

Being no other business the meeting adjourned at 9:08 PM

Minutes approved on March 02, 2020