

BETHLEHEM PLANNING BOARD
PUBLIC HEARING MINUTES
BETHLEHEM TOWN BUILDING MEETING ROOM

April 11, 2012

Present: Pat Doughty, Harold Friedman, Chairman Don Lavoie, Mark Fiorentino, Alecia Loveless, Andrea Bryant, Rose Israel, Peter Roy

Chairman Lavoie opened the Planning Board meeting at 6:15 pm. He appointed Andrea Bryant to act as full voting member for the purpose of this meeting.

Pat Doughty moved to approve the minutes of March 14th and March 28th as amended. The motion was seconded by Peter Roy and carried 7-0.

Chairman Lavoie noted that Paul Reeder and Andy Smith are before the Planning Board to request a waiver of Site Plan Review for a proposed Art Gallery/workshop/café for property located at 42 Maple Street, tax map 206-37. He added that the applicant has been granted a Special Exception for the change of use.

Copies of the ZBA public hearing minutes were given to the planning board members. It was noted that the ZBA had agreed unanimously that the five criteria for the granting of a special exception were met by the applicant.

Chairman Lavoie stated that the subject property has been a place of gathering since it was a church in 1877. In this case, he believes that the use of the building and parking is grandfathered. He would like to waive site plan review in this case.

Harold Friedman raised concerns that waiving site plan review for this applicant will set a bad precedent for the Planning Board.

Pat Doughty is concerned with the applicant's statement that he can park cars on Maple Street. He noted that Maple Street is a state road #142 and parking on the street would be hazardous in the winter when the plows are out.

Mr. Reeder stated that he has counted approximately 60 parking spaces within 350 feet of the building.

Andy Smith stated that he believes the past uses of the building have had more of an impact than an art gallery will have on the area. If this applicant is restricted then all of the businesses in town will have to be restricted as well.

Chairman Lavoie noted that the Board has recently waived site plan review for a dog grooming business, a massage business, wedding cake business and a restaurant.

Sue Schott-Derby reminded the Planning Board that the jurisdiction regarding municipal parking falls under the Board of Selectmen.

Mark Fiorentino and Pat Doughty both stated that they feel this is a definite change of use and should have site plan review.

Pat Doughty noted that the applicant does have additional space if the outbuilding currently there were taken out.

Chairman Lavoie read the applicant's replies to the five questions on the special Exception application.

Chairman Lavoie moved to waive site plan review for this applicant. The motion was seconded by Andrea Bryant and carried 4-3.

Ed Sears was in to ask the Board's input regarding his subdivision on South road. Mr. Sears noted that Lot #4 in his subdivision has a 200 foot no building/ no cut buffer zone. Mr. Sears currently lives on Lot #3. The buffer takes up a lot of the buildable space on lot #4. He would like to remove this restriction from his subdivision.

Chairman Lavoie stated that he is not sure of the procedure for removing a restriction but will call the Local Government Center to inquire. The applicant may be required to come back to the Planning Board with an amended plat. Chairman Lavoie also suggested that Mr. Sears contact his surveyor to see what the procedure is in cases of this kind. It is assumed that an amended plat would need to be recorded at the registry of deeds.

Chairman Lavoie addressed a group of citizens who were present to ask questions regarding the Dollar General store.

Chairman Lavoie noted that to date, the Planning board has not received a formal application for Site Plan Review. The potential applicant has been before the Board on two occasions to discuss and present artist renditions of two different building designs.

Chairman Lavoie noted that by advice of legal counsel, the board should avoid taking any oral testimony before they have a formal application before them. At this point, with no application before them, the board is not protected under RSA 676;4.1,II. Anything they say at this time can be used against them in a future public hearing.

Chairman Lavoie encouraged those present to look at the material which the Planning board has on file. He added the public will be kept informed on the web page as well as public hearing postings when the board has received a formal application. Written testimony can be accepted and placed on file.

A petition was presented to the Planning Board with signatures prohibiting the construction of a Dollar General in Bethlehem. The Board will place it in the file with other documentation collected to date.

Chairman Lavoie stated that he has learned that the Board has some say over architecture style. He had thought that unless there was a historical district that the Board had no jurisdiction over building style.

The Planning Board will adopt the Rules and Procedures at their next meeting.

Pat Doughty moved to adopt the following wording to the Rules and Procedures under Section 6 E:

“After the Bethlehem Planning Board has held two conceptual reviews with an applicant, the Planning Board deems Design Review Phase may proceed further after proper notice and abutter notices per RSA have been given. “

The motion was seconded by Peter Roy and carried 7-0.

Andrea Bryant asked if the proposed plan for a fire academy on Trudeau road will require a meeting with the Planning Board. Pat Doughty stated that this was premature as they are still trying to figure out how they will purchase the building and land.

The meeting adjourned at 7:50 pm.

Respectfully submitted,

Cheryl Sargent

Administrative Assistant