

**BETHLEHEM PLANNING BOARD
MEETING MINUTES
NOVEMBER 12, 2014
BETHLEHEM TOWN HALL MEETING ROOM**

Present: Dave Wiley, Mike Bruno, Chris McGrath, Sandy Laleme, Andrea Bryant, and Don Lavoie

Excused: Peter Roy, Alecia Loveless, and Jeanne Robillard

Absent: Libby Staples

Dave Wiley calls the meeting to order at 6:05 pm and appoints Don Lavoie as a full board member for Pete Roy.

The board reviews the minutes from 10/22/2014.

Motion by Dave Wiley, seconded by Mike Bruno, to accept the minutes from the 10/22/2014 Planning Board meeting as presented. All members in favor minutes accepted.

Dave opens the public hearing for the Arlington Hotel, LLC Site Plan Review at 6:15. Andrea reads the public hearing notice.

Motion by Don Lavoie to waive site plan review process and return all fees to the applicant. There was no second, motion dies for lack of a second.

Mike Bruno inquires about a reason for Don's motion. Don states that the town has said it is not going to enforce Site Plan Review and therefore the Planning Board should not waste the applicant's time or money. Sandy comments that the enforcement of Site Plan Review, or any other zoning law comes under the select board and it depends on the situation and what the decision is and all the factors that go into that decision. She feels a blanket statement such as this is not accurate and the board should move forward with Site Plan Review.

Dave plays an audio clip sent by Joel Strulovic, owner of the Arlington Hotel. Mr. Strulovic apologizes for not being able to attend. He then goes on to comment that the design of the new hotel will blend in the feel of the town. The goal is to keep the "feel of the country." He mentions job opportunities for locals, as well as businesses benefiting from the new hotel. Mr. Strulovic feels he has a good working relationship with town officials and has every intention of abiding the rules and regulations at both the state and town level.

Don Lavoie asks Dave Wiley if, as a property owner in the close vicinity of this project, if he planned to sit on the board for this public hearing. Don continued to state that in the past someone who owned property across the street would usually take the more conservative approach and recuse themselves.

Dave feels he can sever on this board without any bias and therefore will remain seated for the public hearing.

The board reviews the checklist. Questions arise regarding the notation of the precinct and zoning boundaries, the garbage storage area, and whether or not the sewer has been installed.

Motion made by Andrea Bryant, seconded by Mike Bruno to accept the application as complete, with the exception of the notation of the precinct and zoning boundaries, the garbage storage area, and whether or not the sewer has been installed. All members in favor, motion carries.

Cheryl Jensen raises the question of wetlands. Engineer Mike Norman assures her there is no impact to wetlands, and the project is away from the wetlands.

Mike Norman presents the plans. Explains Phase I is two stories with 32 rooms, and Phase II is a third floor with 13 additional rooms.

Parking is 1 space per room and 1 space per 3 employees, totaling 48 spaces, which includes 45 spaces for full build out of Phase 1 and Phase 2

The question arises about the 146 restaurant and whether there is additional parking to accommodate the 1 parking space per 3 seats, which would total an additional 49 spaces. Mike Norman states the restaurant is an amenity of the hotel and will not be open to the public. The discussion continues as to whether or not the applicant can guarantee that the restaurant is not open to the public and who would enforce that if the Planning Board was to accept the applicant's word on the matter. It was stated that if the restaurant was ever to become public the applicant would have to come in for a change of use.

Lot coverage and setbacks are questions with the exclusion of the wetlands from the plans. The feeling is there is enough, but it should be kept in mind.

Dave opens for public comment.

Donna Devlin, 60 Lewis Hill Road, is concerned about the aesthetics of the new building and whether or not it will fit in with the character of the town. She is also concerned about the parking lot and the lighting.

Scott L'Ecuyer, 79 Berkley Street, expresses concerns regarding permitting and code requirements, and questions whether or not the board can impose conditions of approval for a new building. Don feels imposing any conditions would be illegal. Dave is concerned that there is a perception that the applicant is going to be deceitful, rather than assuming they are going to follow the rules and cautions everyone.

The conversation leads back to parking. Can the board permit with a waiver for parking because the restaurant is in-house and not open to the public. There is concern about waiving and the board is reminded that permitting isn't done by ownership, but by land use. The board does have the authority to waive, but is cautioned that a waiver is easy to hide behind and essentially gives the applicant permission to do what they want. It is stated that a waiver would occur because 48 parking spaces is adequate for the project proposed. Should there be a change of use the applicant would have to come back before the board.

A brief conversation takes place in which the use of the word restaurant could be changed to dining hall because meals are included with the room stay.

James Boland, abutter, 1854 Main Street, suggests it not be called a hotel at all but a religious retreat.

Sandy feels it doesn't matter what you call it, it could change, and goes back to the question, does the board waive the parking, or insist they increase the parking to include another 49 space.

Dave feels the applicant has met the parking requirement. If, later on, the board finds out the applicant is not in compliance then the board requests the applicant to come back. At this point the applicant can only be held responsible for what they have applied for.

Donna Devlin is concerned about the parking lot, and it only having one egress. She feels this is a safety matter as Lewis Hill Road is already dangerous and congested. Cheryl, 448 Lewis Hill Road, backs up Donna's statement.

Don Lavoie suggests that a traffic study be conducted.

Mike Norman, Horizons Engineering, feels this is a permitted use for this property, the parking is adequate, and it meets the requirements. He feels this is getting blown out of proportion. Don Lavoie responds that this is a permitted use only if there is never a public restaurant.

Chris Jensen, 448 Lewis Hill Road, wonders if the board will request a bond for the demolition of the existing building. Don Lavoie responds that the demolition is a Select Board matter.

The discussion continues on parking, change of use, and dining hall vs. restaurant.

Motion made by Andrea Bryant, seconded by Dave Wiley , requesting that, on the plans, there is a conditional statement that the dining room is not open to the public. Dave takes a vote. Dave, Andrea, Chris, and Mike in favor. Don and Sandy opposed. Motion carries.

A brief conversation takes place whether or not the board can legally make such a request, and should not have a motion to require an economic standard.

James Boland comments that he is happy to see movement in a positive direction in regards to approving the application.

Scott L'Ecuyer questions foot traffic and would like to confirm nothing changes, and there will be no foot traffic down Arlington Street. Mike Norman states there are emergency exits within the new hotel that lead to Arlington Street, but does not see them being used for anything but emergency purposes.

The conversation leads back to a traffic study.

Motion by Don Lavoie, seconded by Andrea Bryant, to request a traffic, safety, and egress opinion by a qualified professional on this Site Plan Review to be paid for by the applicant. Dave, Chris, Mike, Don, and Andrea in favor, Sandy opposed. Motion carries

Concerns about landscaping, buffers, emergency services, snow removal/storage, site water runoff and sidewalks are discussed.

The board reviews the items that need to be addressed by the applicant for the next meeting. They include:

1. Garbage Storage
2. Snow Removal/Site Water Runoff
3. Traffic Study
4. Conditional Statement that the restaurant is not open to the public
5. Landscaping/Buffers
6. Precinct and Zoning Boundaries
7. Water and Sewer
8. Rendering of the proposed building
9. Elevations

Motion by Sandy Laleme, seconded by Dave Wiley to continue the public hearing for December 17, 2014 at 6:00 pm. All in favor, motion carries.

The board reviews the minutes from November 5, 2014. Dawn points out the date that the top is incorrect and needs to be changed to November 5, 2014. Sandy would like the word stipulation changed to settlement on page 3, motion 1 and 2.

Motion by Dave Wiley, seconded by Chris McGrath, to accept the minutes from November 5, 2014 as amended. All members in favor minutes accepted as amended. Don and Andrea abstain due to recusal from the November 5th meeting.

The board discusses the 20015 budget. Dawn will present to the Select Board on Dec. 1.

Respectfully Submitted,

Dawn Ferringo
Planning and Zoning Clerk