

APPROVED
Town of Fitzwilliam
Planning Board Meeting
November 3, 2015

Members Present: Terry Silverman, Robin Blais, Mac Landy, Tom Parker, Suzanne Gray and Nancy Carney, Selectman's representative.

Call to Order: 7:05 PM

7:00 PM Public Hearing. **Allan Howard** application for a site plan review to open a café within the Covey House located at 52 NH Route 119 E, Map 32, Lot 8, Village Center Business District.

Silverman moved, Blais seconded and the Board accepted the application as complete.

Silverman asked Carney if there were any issues regarding fire safety. Carney noted that the café would need 14 sf per person if they used table seating; without table seating they needed 7 sf per person. Hard wired smoke and CO2 detectors are necessary throughout the building; fryolators cannot be used without a stove hood exhaust; there must be two means of egress; and there must be a fire safety inspection prior to obtaining a certificate of occupancy from the Board of Selectmen.

Mrs. Rose-Howard reviewed the plans for converting space within Covey House to house a café, professional kitchen and deli. She noted three means of egress – a front door, side door and back door on the ground floor. By her calculation the café as planned has 15 sf per person, space for 14 tables.

Rose-Howard said they understood that the town parking ordinance requires more parking space than they have. She thinks 14 parking spots could be made available, to accommodate two employees, three tenants, and 9 spots for business/café use, in and around the structure and the town common. One tenant is not on site during the week.

She noted that the parking ordinance allows an exception for parking in the Village Center Business District (127-23). Silverman did not feel this section was applicable in this case, since the Howard's do not own property that could be used for off-site parking. However, he referred to section 127-21 D., which refers to relief from parking regulations by special permit from the Planning Board.

Mr. Howard said they do not plan to have internet service available for café patrons, nor will they encourage patrons to linger in the café, so parking spaces would be available. Rose-Howard said they will provide catering services, take-out items for breakfast, like coffee and pastries, and lunch items, which could also be consumed in the cafe. Prepared items for dinner would be limited to take out.

Mr. Howard expects to be open from 7 AM to 7 PM, however, Silverman said that is a business decision and the Board will not be involved.

He asked what the parking was like currently. Rose-Howard said people park in front of the garages and the photography studio, and in front of the Covey House. She said that some customers ask if they can leave their cars in front of her shop to visit other shops in the area. Gray noted that there may be some parking available along Route 119 on the south side of the road.

Landy voiced his concern that in the winter, snow is a problem for parking for everyone in the area. Mr. Howard said he would pay for plowing and removal of snow from the site. Landy also cautioned them to be

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aware that snow slides off the roof on the west side of the structure and that could cause damage to any cars parked in their driveway.

Blais noted that when Roy's Market was in business there were a lot of cars, adding that the Howards are aware of the issues and she didn't feel it would be that big a problem. There was additional discussion about the vagaries of seasonal parking needs when tourists and visitors are in town, versus winter when there are fewer visitors. Rose-Howard wondered, based on their square footage, how much parking other businesses in the District have.

Parker, Gray and Blais thought parking would not be a problem. Gray asked about lighting and Rose-Howard indicated on the plans the placement of lighting around the structure. All lighting is aimed downward, to comply with the town's night skies ordinance. Parker asked if there was a target date for opening. Mr. Howard said as soon as permits are in place and the interior construction is completed.

Landy asked if they had gone to the Historic District Commission regarding their proposed signage. They have and it was approved. No exterior changes are anticipated.

Silverman moved, Blais seconded and the Board approved the application with the following conditions:

1. The Planning Board will grant relief from parking regulations, per section 127-21 D.;
2. That any parking areas be striped to clearly indicate parking spaces;
3. That all fire safety requirements are met;
4. That a sign permit is obtained from the Board of Selectmen in compliance with the ordinance;
5. The Board will not regulate open hours, since it is a business decision.

Silverman reminded Mr. Howard that they needed a construction permit and sign permit from the Selectmen. Carney told Mr. Howard to notify the Board of Selectmen when construction is complete and they will ask her, as Fire Chief, to inspect the property and issue a certificate of occupancy.

7:30 PM Preliminary consultation with Diana and Richard Whipple to discuss options (subdivision, boundary line adjustment) for selling a portion of their acreage with house to the Fleur de Lis Girls Camp; property located at 90 Howeville Road, Map 2, Lot 29-4, Rural District.

Mr. and Mrs. Whipple described their plan to the Board. Currently there are two houses on one lot, one belonging to them and a historic home belonging to Mr. Whipple's deceased father. This house is not in use. They said the Fleur de Lis girls camp is interested in purchasing the house and land, which abuts the camp property. The Whipples would like to sell a three acre lot with the house and want to know how to do it.

They understand they must meet the dimensional requirements for a new lot, with at least 3 acres and 300 feet of frontage. Since they own 173 acres and have 590 feet of road frontage. Silverman noted that 127-19 C provides for frontage exceptions and in the rural district the frontage requirement is reduced to 250 feet provided that the lot area required is doubled. In this case 170 acres will remain, thus allowing frontage of 290 feet for the Whipple homestead.

The Board considered a lot line adjustment, but decided a subdivision created a lot of record which is cleaner.

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Once the lot is created it can be merged to existing abutting property by the new owner, in this case the girls' camp. Silverman suggested that they engage a surveyor and to be very specific about their needs regarding the configuration of the new lot and their remaining lot. Asked about current use, Tom Parker noted that a new owner would pay the change of use tax.

The Whipples asked for advice about the value of the land. The Board suggested contacting a real estate professional.

Proposed additional site plan review regulations.

The Board reviewed in detail the proposed changes to the site plan review regulations as pertain to large scale heavy construction general conditions –which are intended to apply to utility transmission and distribution construction (facilities required to facilitate the transmission and distribution of natural gas, electrical power, water and communications), infrastructure construction (roads, bridges, tunnels, water supplies, sewers, electrical grids, natural gas supply and telecommunications) and industrial construction (warehouses, manufacturing plants, electrical generation facilities, natural gas and petroleum plant facilities) that disturbs 3 or more acres of real property, public or private.

The Board made some changes to the draft regulations and will publicize its intention to hold a public hearing on these new site plan review regulations, and will make available copies of the proposed regulations as soon as possible. They will engage a consultant to review the proposed regulations for any conflicts with existing ordinances or regulations.

Silverman read a letter of resignation from Carlotta Pini. The Board thanked her for her 15 years of service as a Planning Board member and for representing the Board on the Capital Improvements Planning (CIP) Committee. Her input and perspective will be missed.

Minutes. The Board reviewed the October 6, 2015 meeting minutes. Blais moved, Silverman seconded and the Board approved the minutes as written.

The meeting was adjourned at 9:00 PM.