



PLANNING BOARD MEETING

Monday, May 22, 2017 7:00 PM
Council Chambers, City Hall

MINUTES

Approved 6/12/2017

Mr. Wahrlich called the meeting to order at 7:03 PM and asked for a roll call.

I. Roll Call

Present: Bruce Kolenda, James Short, Victor Bergeron, Richard Wahrlich, David Putnam, Nicholas Koloski (in audience), Charlene Lovett, Marilyn Harris, Marlene Jordan

Absent: William Greenrose

City Staff: Michael McCrory, City Planner

II. Review of Minutes – May 8, 2017 Meeting

Motion: To approve the minutes of the May 8th meeting with the removal of the word “after” in the 1st sentence of the Planner’s Report.

Made by: Mr. Putnam **Second:** Mr. Bergeron

Vote: Mayor Lovett abstained; all others voted in favor

III. Old Business

- a. **(PL 2017-00006) Gertrude Holl Rev. Trust, 289 Stepping Stone Rd, Lee NH –** Site Plan application for a 4,640 SF restaurant at **214 Washington Street**. Tax Map 121, Lot 46. Zoning District B2 (cont. from 5/8/2017)

Mr. Wahrlich read the public notice.

Many of the board members attended a site visit to the project property on May 17th. Since the visit, supplemental information has been provided by the applicant and a follow-up memo from staff. Mr. McCrory summarized events to this date.

The design for the proposed new curb cut has been completed by Dufresne-Henry. Mr. McCrory said it is consistent with the Traffic Advisory Committee’s (TAC) recommendations. The fire and police departments have asked the design be modified to make it more restrictive and keep it from being an access. Mr. McCrory said that both the former and current police chiefs advised against the curb cut as it goes against the policy of limiting and reducing the number of curb cuts on Washington Street. He also stated that NH DOT has expressed an interest in reviewing the curb cut with an eye toward protecting their investment in the Washington Street improvements. However, their findings have not yet been received and it is unclear how much authority they have over curb cuts within the urban compact. The board members expressed concern about the safety of the

proposed curb cut because it is so close to an existing curb cut and because it is on a curve where several accidents have already occurred.

Mr. McCrory read a letter from Florence Rosen, President of Rosen Associates, providing Rosen Associates' perspective on the project and restating their position that they felt no obligation to facilitate this project.

Mr. McCrory said that the subject property had lost 2100 SF in 1987 and an additional 3 ft x 65 ft strip in 2001 due to road improvements.

On May 15th, Ms. Holl talked about reducing the number of seats in the restaurant, removing the freezer, and moving the propane tanks. Reducing the number of seats reduces the number of required parking spaces. Ms. Holl had obtained a variance to reduce the number of required spaces for a 100-seat restaurant to 20 spaces. If the number of seats in the restaurant were reduced to 80, the variance would not be needed. The conditions set by the Zoning Board would not apply (no fence).

Ms. Holl said the TAC had requested one entrance and one exit which she had agreed to. She said the site plan shows a combined entrance/exit on the northerly curb cut, which will be changed to show entrance only.

The Board asked Ms. Holl to update the plan to show:

- Dumpster location
- Removal of the freezer
- New propane tank location
- Removal of two "problem" parking spaces
- Exterior lighting
- Snow management plan
- Signage to regulating/directing traffic circulation
- Reduced number of seats in the restaurant.

Mr. Wahrlich asked for the abutters roll call. He then opened the public hearing.

Public Hearing

Jim Feleen said that evidence is compelling that the new curb cut will aggravate an existing dangerous situation. According to the draft Washington Street Access Management Study by the UVLS Regional Planning Commission, which itself was the result of the NH DOT Road Safety Audit, this segment of Washington Street has the highest crash rate due to the number of curb cuts and recommends restructuring the access points. He urged the board to consider the public safety at large and not to make a bad situation worse.

Steve Raymond spoke in favor of re-opening the Brickers Restaurant. He said all of the driveways on Washington Street are dangerous.

Nick Koloski said that restaurant parking space requirements are actually based on the square footage of the restaurant, not the number of seats in the restaurant. Mr. Koloski objected to the new curb cut, but hoped that the way it has been designed will work.

Mr. Wahrlich closed the public hearing.

Ms. Holl argued that she is, in effect, eliminating one exit and adding a new one, so there is no net increase in access points. She said she has spent money and done everything she had been asked to do to get the restaurant open again.

Mr. Kolenda said he is opposed to the new curb cut because it is too close to the signal lights and because it is on a dangerous curve in the road.

Mr. Wahrlich said he was unable to see any alternative. He said that the TAC had said the curb cut was acceptable and he was going to go with that.

Mr. Bergeron said the City had done things this way too many times already.

Ms. Harris said she didn't care for the curb cut. She asked for documentation regarding deliveries. Ms. Holl said there are a number of creative ways to cope with deliveries in a limited space.

Ms. Holl said she would work with Greg Belisle on snow removal/storage.

Motion: To continue the hearing to the June 12th meeting with the requests as set forth above:

Update the plan to show:

- Dumpster location
- Removal of the freezer
- New propane tank location
- Removal of two "problem" parking spaces
- Exterior lighting
- Snow management plan
- Signage to regulating/directing traffic circulation
- Reduced number of seats in the restaurant.

Made by: Ms. Harris **Second:** Mr. Kolenda

Vote: Unanimous in favor

Mayor Lovett suggested that the Board look at conditions on Washington Street as a whole. Mr. McCrory offered to do a Washington Street workshop. Ms. Harris said that Washington Street issues are being addressed in the updated *Transportation* chapter of the Master Plan.

IV. New Business

There was no new business.

V. Reports from Boards and Commissions

There were no reports.

VI. Other

There was no other business.

VII. Correspondence

There was no correspondence.

VIII. Adjournment

Motion: To adjourn the meeting

Made by: Mr. Putnam **Second:** Mr. Short

Vote: Unanimous

The meeting adjourned at 9:03 PM.

Respectfully submitted,
deForest Bearse