**MINUTES**

**GILFORD PLANNING BOARD**

**MONDAY**

**APRIL 18, 2022**

**CONFERENCE ROOM A**

**7:00 PM**

The Gilford Planning Board met on Monday, April 18, 2022, at 7:00 PM (Eastern), in Conference Room A, of the Gilford Town Hall, and via GoToMeeting.

The meeting convened at 7:00 PM. Wayne Hall chaired the meeting and welcomed the attendees, and the rules for participation were read to the attendees.

Present in Meeting Room A were Wayne Hall, Chair; Carolyn Scattergood, Vice Chair; Emily Drake, Member; William Johnson, Member; Jack Landow, Member; Gaye Fedorchak, Alternate; Rick Notkin, Alternate; Isaac Howe, Member, and Chan Eddy, Representative from the Gilford Board of Selectmen.

Also present for this meeting were John Ayer, Director of Planning and Land Use, and Sandra Hart, Technical Assistant.

**1. Public Hearings**

* 1. **J & T Real Estate Group, LLC –** Applicant is proposing two (2) commercial storage facility buildings (a 19,300 square foot building and a 15,125 square foot building) with associated site improvements including driveways, parking, and drainage on property located at 1477 Lake Shore Road and 11 Liscomb Circle on Tax Map & Lot #213-021.000 & #213-015.000 in the Commercial (C) Zone, Aquifer Protection District, Airport District, and Community Character Protection District. Site Plan Review. Application #2021000822. *Tabled from the March 21, 2022 meeting*.

C. Scattergood moved to take application #2021000822 off the table. Second by C. Eddy. The motion passed by unanimous vote.

J. Ayer stated that the applicant requested the application to be tabled until the May 16, 2022 meeting of the Gilford Planning Board because they were still working things out with the Department of Public Works who had requested a third party engineering review of the retaining wall and of a one-to-one slope on the property.

W. Johnson moved to table application #201000822, as requested by the applicant, until May 16, 2022. Second by C. Scattergood. The motion passed by unanimous vote.

* 1. **Beetle Enterprises, LLC –** Applicant is proposing an expansion of the restaurant use by adding an outdoor patio dining area at 18 Weirs Road on Tax Map & Lot #224-003.000 in the Resort Commercial (RC) Zone, Airport Overlay District, and Aquifer Protection District. Amended Site Plan Review. Application #2022000129.

J. Ayer stated he believed the application was complete. W. Johnson moved to accept the application as complete. Second by C. Scattergood. The motion passed by unanimous vote.

Nick Sceggell, engineer with Stephen J. Smith & Associates, spoke for the application. He reported that this is for forty additional outside seats in a paved area, at the front of the building. They have planned for traffic control through a series of barricades. He spoke about the options they will implement, such as a Jersey-style barrier, to provide safety to the diners from the traffic. There will be no new impervious surfaces, no new storm water management, but just adding outdoor seating with tables.

N. Sceggell reviewed the plan of the property and the proposed layout of the dining and parking areas. The barriers in the parking area will be moved at the end of the season. R. Notkin asked why they were not placing the seating closer to Route 11 and N. Sceggell noted that noise was a factor and that utilizing an existing paved area seemed to make sense. It was also noted that the seating that was on the Route 11 side of the building during COVID meant that they had to breakdown the seating every day to access the garbage dumpsters.

The parking was discussed and C. Scattergood asked if the parking calculations were correct. J. Ayer responded that he had not reviewed the parking calculations but noted that the calculations indicate there is adequate parking on site. This outdoor seating is replacing the outdoor seating that was on the side of the building. The area will be used about four months of the year. A map of the parking area was distributed and reviewed.

W. Hall invited the public to comment. There were no comments from the public.

There were no further questions from the board.

The hearing was closed.

* 1. **McCollias, LLC –** Applicant proposes to construct a playground area approximately 25,000 square feet, which will be secured with a fence at 245 Intervale Road (“Beans and Greens” site) on Tax Map & Lot #224-020.000 in the Resort Commercial (RC) Zone and Aquifer Protection District. Amended Site Plan Review. Application #2022000130.

C. Eddy and I. Howe recused themselves from the hearing of this application.

J. Ayer reported the application was complete.

W. Johnson moved to accept the application as complete. Second by G. Fedorchak. The motion passed unanimously.

Nick Sceggell, engineer with Stephen J. Smith & Associates, spoke for the application, with the owner, Chris Collias. N. Sceggell spoke briefly about a food truck they got approval for the previous year, but it has been used in a location different from where it had been approved. The placement of the truck was discussed. The revised location of the truck will be in the area by the farm-side of the property and will come to the board on a revised plan.

N. Sceggell reviewed the plans for the playground. The area will be graded with twelve inches of sand and for a jumping area and then another area will be covered in mulch and a small zip line will be installed. The area will be fenced in with a vinyl-coated chain-link fence. There will be additional play equipment in the area and there was discussion about the surfaces in the play area. The board discussed the colors of the playground area and the management of the area, including the removal of the equipment in the area.

W. Hall invited the public to comment. There were no comments from the public.

There were no further questions from the board.

The hearing was closed.

* 1. **Dockham Shore Realty, LLC c/o Kalley Cutler** – Applicant is proposing to amend the “Sawyers Dairy Bar” site plan by providing valet parking spaces as remote, off-site parking for a proposed restaurant at 40 Weirs Road, and by removing previously approved vendor spaces and picnic tables. The property is located at 1933 Lake Shore Road on Tax Map & Lot #224-014.000 in the Resort Commercial (RC) Zone and in the Aquifer Protection District. Amended Site Plan Review. Application #2022000131.

J. Ayer said the application was complete. W. Johnson moved to accept the application as complete. Second by J. Landow. The motion passed unanimously.

Chris Drescher, Attorney, and Craig Bailey, Engineer/Surveyor, spoke for the application. C. Bailey presented the amended site plan showing valet parking area. The proposed valet parking spaces will accommodate the patrons of the new restaurant, The Slip, at 40 Weirs Road. Tents and picnic tables will be removed as will the porch/patio seating. The proposed plan now shows 48 valet parking spaces. There was discussion about a parking easement between the two properties to secure the future availability of the valet parking spaces on this site, and how that would be managed if the ownership of the two properties changed, or if the ownership of the properties was broken up. C. Scattergood expressed concerns about the details of the easement and felt it should be reviewed by the town’s attorney.

J. Ayer reported that the biggest concern at the Site Study meeting was the location of the valet parking, as most of it appeared that it would be in the grass, but he went to the site and all but six spaces will be on a solid paved or gravel surface, and there are six spaces in the grass, on the north side of the property. The board discussed the layout of the parking spaces, snow-removal, and the management of the parking spaces during the summer season.

W. Hall invited the public to comment. There were no comments from the public.

There were no further questions from the board.

The hearing was closed.

**1.5 Stones Throw Realty, LLC** – Applicant is proposing to redevelop a commercial lot by removing the existing structure and constructing a 5,827 square foot restaurant with an open deck for seating, as well as making repairs/improvements to the existing gravel parking area on property located at 40 Weirs Road on Tax Map & Lot #223-539.000 in the Resort Commercial (RC) Zone, the Airport District, the Aquifer Protection District, and the Island and Shore Frontage District. Amended Site Plan Review. Application #2022000070. *Tabled from the March 21, 2022 meeting.*

C. Eddy moved to take Application #2022000070 off the table. Second by W. Johnson. The motion passed by unanimous vote.

Craig Bailey, Engineer/Surveyor, reviewed the ordinance for parking spaces required for restaurant seating. There will be 204 seats and a 75-foot bar, there will be 43 spaces on the property of The Slip and there will be 48 valet parking spaces, as presented in Application #2022000131.

W. Hall invited the public to comment.

Allan Beetle, on GoToMeeting, read a letter which had been handed out to the board, which gave comparisons between Patrick’s Pub and Eatery and The Slip, and walk-in customers. The owner of Patrick’s Pub spoke about his concern about off-site parking, travel lane access, possible traffic issues, and possible issues with changes in the business model or ownership. C. Bailey stated that he felt they had addressed these issues.

Kalley Cutler, applicant, noted that Meadowbrook has been running for several years and felt they would make no impact on parking in the area in comparison to Meadowbrook.

J. Ayer reviewed the possible motion and proposed conditions of approval.

There was a brief discussion about the parking and access.

There were no other comments from the public.

There were no further questions from the board.

The hearing was closed.

**2. Action on Above**

 **1.2 Beetle Enterprises, LLC, Application #2022000129**

W. Johnson moved to approve Application #2022000129, Beetle Enterprises, LLC, subject to the applicant obtaining any other federal, state, or local approvals that may be required. Second by C. Eddy. There was no discussion. The motion passed by unanimous vote.

**1.3 McCollias, LLC, Application #2022000130.**

C. Eddy moved to table Application #2022000130, McCollias, LLC, as requested by the applicant, as the applicant wished to address the issue related to the food truck, until the May 16, 2022 Planning Board meeting. Second by E. Drake. The motion passed by unanimous vote.

**1.4 Dockham Shore Realty, LLC c/o Kalley Cutler Application #2022000131.**

C. Eddy asked about the proposal to review the easement and I. Howe stated he felt it could be a condition of the motion. J. Ayer noted that the two applications should be considered together, but the requirement for a easement should be on the following case because this application does not rely on the easement, but is providing the valet parking. C. Scattergood stated it was hard not to consider the other application, as well, in this decision, and stated she felt it was one of the poorest planned applications she has seen in a long time.

C. Eddy moved to approve Application #2022000131, Dockham Shore Realty, LLC c/o Kalley Cutler, subject to the applicant obtaining any other federal, state, or local approvals that may be required. Second by W. Johnson. The motion passed, with C. Scattergood voting no.

**1.5 Application #2022000070, Stones Throw Realty, LLC**

There was discussion about asking the attorney to review the easement and the members of the board were polled for consensus. R. Notkin, C. Scattergood, and I. Howe, felt the review was not necessary. W. Johnson, E. Drake, G. Fedorchak, and C. Eddy felt that a review by the attorney was necessary.

C. Eddy moved to approve Application #2022000070, Stones Throw Realty, LLC, subject to the following conditions:

1. The applicant shall amend the Sawyer’s Dairy Bar site plan to accommodate the proposed valet parking.
2. A variance was granted to allow 99 parking spaces for a 254-seat restaurant. The applicant can only provide 91 parking spaces so the seating in the restaurant shall be reduced to 204 seats.
3. A parking easement shall be provided on the Sawyer’s Dairy Bar site at 1933 Lake Shore Road (Tax Map & Lot #224-014.000) to accommodate the number of valet parking spaces required after review and approval by Town Counsel.
4. The applicant shall obtain any other federal, state, or local approvals that may be required.

Second by W. Johnson. The motion passed, with C. Scattergood and E. Drake voting no.

**3. Discussion Items**

J. Ayer asked about discontinuing the online access for meetings and it was the consensus of the board to agree to it, at this time.

J. Ayer reported that a notice of a development of possible regional impact had been received from the Laconia Planning Board, as they have received an application for three apartment buildings that would house 90-units, with associated parking and infrastructure. A waiver for sidewalks along Province Street is also requested. There will be a hearing at the Laconia Planning Board’s next meeting and the Gilford Planning Board has been notified as abutters. A copy of the letter will be sent to all board members.

**4. Minutes**

I. Howe moved to approve the meeting minutes from February 14, 2022. Second by E. Drake. The motion passed with G. Fedorchak abstaining.

C. Eddy moved to approve the meeting minutes from April 4, 2022, as amended, correcting the spelling of R. Notkin’s name. Second by R. Notkin. The motion passed with G. Fedorchak abstaining.

**5. Adjournment**

W. Johnson moved to adjourn. Second by R. Notkin. The motion passed unanimously.

The meeting adjourned at 9:57 PM (Eastern).

Respectfully Submitted,

Krista Argiropolis

Recording Secretary