

**GILFORD PLANNING BOARD  
MEETING  
SEPTEMBER 15, 2008  
CONFERENCE ROOM A  
7:00 P.M.**

The Gilford Planning Board met in regular session on Tuesday, September 15, 2008 at 7:00 p.m. in Conference Room A in the Gilford Town Hall.

In attendance were: Chair-Polly Sanfacon, Vice Chair-Carolyn Scattergood, Selectmen's Representative-Connie Grant, Secretary- Richard Waitt and Regular Members: Jerry Gagnon, John Morgenstern and Alternate David Arnst.

Member(s) absent: Richard Vaillancourt.

Also present were John B. Ayer, Director of Planning and Land Use and Stephanie Verdile Philibotte, Administrative Assistant.

Chair P. Sanfacon opened the meeting, led the Pledge of Allegiance and introduced the Board members and staff. She appointed Alternate David Arnst to replace absent Regular Member Richard Vaillancourt.

P. Sanfacon introduced the first application.

**172 Lily Pond Rd., LLC**

Applicant proposes to operate a Motorcycle Salesroom/Light Repair and Assembly Shop with Outdoor Display and a Café on Tax Map & Lot #215-002.000 located at 172 Lily Pond Rd. in the Industrial Zone. Amended Site Plan Review. File #2008003099.

Motion made by C. Scattergood, seconded by R. Waitt, to accept the application as complete. Motion carried with all in favor.

S. Smith, representing the application, gave a brief presentation to the Board. He explained the location of the property and the proposed use. He said Mr. William Contardo and his daughter would be the operators of the business. He explained the applicant received a special exception for the use at the August 26, 2008 ZBA meeting. He explained the layout of the business within the existing building and the addition of a patio that will be seasonal. He said the site has access to municipal sewer and an onsite well. He said the outdoor display will adhere to the required setbacks and it will be a marked area for compliance reasons. He said the parking will be reconfigured and reviewed the requirements and the business will comply with the requirements. He said at the beginning of operation they plan to be open seven days a week during the spring, summer and fall seasons and five days a week during the winter. He reviewed the Site Study comments and he said he addressed them by adding two stop signs, delineated the seasonal outdoor display area and the sight distance areas will be enhanced through trimming brush around the entrances.

C. Scattergood asked if the Café will serve alcohol and S. Smith said he does not know at this time. He said according to state regulations, they would be required to have a certain size and type of menu in order to serve alcohol and they have not decided if alcohol will be served. C. Scattergood also asked what the requirements are for test-driving a motorcycle and S. Smith said they would adhere to the state regulations regarding the proper licensing required to operate a motorcycle. He noted that they would be selling scooters that do not require a special license.

Discussion ensued that if alcohol were served, the showroom would have to be relocated. S. Smith said if they were to serve alcohol, they would adhere to all state regulations.

J. Ayer spoke about the outdoor display area being kept as a grassed area and that it would be delineated as the regulations require. He said the proposed use meets all other requirements of the regulations. He spoke about the mixed use on site and the proposal meets the regulations that apply to the mixed uses meeting parking requirements. S. Smith said they could meet the parking requirements for all uses on site.

J. Gagnon asked about signs on the plan and S. Smith said there are signs noted on the plan that are located in the right-of-way for other businesses as well as the mailboxes that are located in the right-of-way.

P. Sanfacon opened the hearing for public input, there being none she closed the public hearing.

### **Deliberations**

#### **172 Lily Pond Rd., LLC**

Motion made by R. Waitt, seconded by C. Grant, to approve the application subject to any other federal, state, or local approvals that may be required.

Discussion on the motion.

J. Gagnon spoke about the corners being marked for the outdoor display. S. Smith said the revised plan would show the outdoor display area delineated.

P. Sanfacon said the wetlands stamp should be on the final plan and S. Smith agreed that will be completed on the final plan.

Amended motion was made by R. Waitt, seconded by C. Grant, to approve the application with the following conditions:

1. Subject to obtain any other federal, state, or local approvals that may be required.
2. The seasonal outdoor display shall be delineated on the plan and shall be delineated and maintained at the site.
3. The final plans to include a Wetland Scientist stamp and signature.

P. Sanfacon called for a vote on the amended motion, motion carried with all in favor.

### Discussion of 2009 Zoning Amendments

#### **Flag Lots**

J. Ayer discussed flag lots and passed out information from Town Counsel. He reviewed some examples of flag lots approved and offered the Board review the information for the next work session on October 6, 2008.

P. Sanfacon asked if J. Ayer had contacted the ZBA and Conservation Commission regarding having a meeting with them to discuss zoning amendments. J. Ayer had not contacted them yet.

J. Gagnon spoke about Lily Pond Rd. being rezoned from Route 11 up to Kimball Rd. being rezoned Commercial.

J. Ayer spoke about Kitchen Cravings being open and the site is currently not developed according to the approved site plan. He said the office building development has not started yet and D. Andrade told them they could have a year to operate under the current conditions and if they are not going to build the office building they should come in for an amended plan. J. Ayer spoke about the outdoor seating that was installed and not approved on the original plan and that they should have removed that by now. He said he is not sure the site complies with parking requirements but will follow up on that. He asked if the Board would be willing to allow them to operate "as is" for one year and then come in for an amended site plan. The Board discussed what an improvement the owners have made to the site and agreed to allow them one year to amend the site plan.

#### **Sale of 43 Potter Hill Rd.**

J. Ayer explained the process for the Planning Board to make a recommendation to the Board of Selectmen to comply with RSA 41:14-a regarding the sale of town owned property.

C. Grant explained the process of selling 43 Potter Hill Rd.

Motion made by C. Scattergood, seconded by R. Waitt, to recommend the Board of Selectmen act within their authority to sell 43 Potter Hill Rd. to the highest bidder with the following terms:

- a) Sealed bids with accompanying deposit required.
- b) Minimum purchase price/bid of \$150,000.00.
- c) Successful bidder pays all sales costs incurred by the town.
- d) Future use of the property shall be subject to all applicable property taxes and land use regulations as set forth in NH State law and Gilford Zoning Ordinance.
- e) The sale is authorized and subject to all other conditions as set forth in RSA 41:14-a, as approved by the voters on Article 25 of the 2007 Annual Town Meeting.

Motion carried with all in favor.

J. Ayer recommended the Board come up with standard language to address this issue for future

sales.

**Minutes**

Motion made by J. Gagnon, seconded by C. Scattergood, to table the minutes from August 18, 2008 and September 2, 2008 to October 6, 2008. Motion carried with all in favor.

**Adjournment**

Motion made by C. Scattergood, seconded by J. Gagnon, to adjourn the meeting at 7:45 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte  
Administrative Assistant