

**MINUTES
GILFORD PLANNING BOARD
APRIL 6, 2009
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in regular session on Monday, April 6, 2009 at 7:00 p.m. in Conference Room A in the Gilford Town Hall.

In attendance were: Chair Polly Sanfacon; Vice Chair John Morgenstern; Selectmen's Representative Kevin Hayes; Regular Members Richard Vaillancourt, Jerry Gagnon, Richard Waitt, and Richard Sonia; and Alternates Andy Garfinkle, Wayne Hall and Dennis Corrigan.

Member(s) absent: Alternates Carolyn Scattergood and David Arnst.

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

P. Sanfacon led the Pledge of Allegiance. She welcomed the newly appointed board members and allowed staff and Board members to introduce themselves, and she read the rules of procedure.

K. Hayes spoke about having a Selectman serve as an alternate if he cannot attend.

P. Sanfacon read a letter into the record from Rod Dyer, Attorney for the Alan Beetle/Bertha Mae Enterprises, LLC applications, requesting the applications be tabled until the May 4, 2009 meeting.

1. Alan Beetle/Bertha Mae Enterprises, LLC
Applicants are requesting a Revocation of an approved Site Plan for Bertha Mae Enterprises on Tax Map & Lot#223-414.000 located at 1934 Lakeshore Rd. in the Resort Commercial Zone. File #2009003324. *Tabled from the March 2, 2009 meeting.*
2. Alan Beetle/Bertha Mae Enterprises, LLC
Applicants propose to subdivide Tax Map & Lot #223-414.000 into two lots of 1.31 and 1.25 acres, located at 1934 Lakeshore Rd. in the Resort Commercial Zone. Subdivision Plan Review. File #2009003322. *Tabled from the March 2, 2009 meeting.*

Motion made by R. Waitt, seconded by R. Sonia to take the applications off the table. Motion carried with J. Gagnon abstaining.

Motion made by R. Waitt seconded by R. Sonia, to table the Alan Beetle/Bertha Mae Enterprises, LLC applications until the May 4, 2009 meeting. Motion carried with J. Gagnon abstaining.

P. Sanfacon noted that the representative for the third agenda item was not yet at the meeting, so she introduced the next applications and said they would take up the third item last.

4. Astoria Properties

Applicant proposes to construct a 16,031 square foot professional office building on Tax Map & Lot #204-003.009 located at 369 Hounsell Ave in the Lakes Business Park in the Industrial Zone. Site Plan Review. File #2009003345. *Tabled from the March 16, 2009 meeting.*

5. Astoria Properties

Applicant is seeking condominium subdivision approval for up to eight (8) units on Tax Map & Lot #204-003.009 located at 369 Hounsell Ave in the Lakes Business Park in the Industrial Zone. Site Plan Review. File #2009003365.

Motion made by R. Waitt, seconded by R. Sonia, to take the site plan application off the table. Motion carried with all in favor.

J. Ayer explained there was a suggested motion submitted by Greg Kirsch to combine the two applications and have them heard as one application. He said that Town Counsel had reviewed the suggested motion and had no issue with it as well as he had no issue with the Condominium documents.

Motion made by R. Vaillancourt, seconded by R. Waitt, to accept as complete the Subdivision Application of Astoria Properties LLC for an office condominium project and that the public hearing and Board deliberations be combined with the applicant's Site Plan application for the same project. Motion carried with all in favor.

Greg Kirsch, representing the application, gave a brief presentation to the Board. He explained the revised plans included the site plan and condominium and distributed them to the Board. He began explaining the revisions to the site plan and the condominium plan based on Site Study review comments.

J. Morgenstern asked about the location of the pedestrian trail easement, as it is not shown on the plans. G. Kirsch said it is shown on the original, recorded subdivision plan. He said on the final site plan and condominium plan, the trail easement will be shown.

J. Gagnon asked about providing a maintenance parking spot for the condominium and J. Ayer said that is only required for a senior housing development.

R. Sonia asked about the pedestrian trail easement. G. Kirsch said the Town of Gilford and the City of Laconia designated the first fifteen (15) feet of all the lots in the Business Park as an easement area for the pedestrian trail to be located. He said there does not seem to be a desire to construct the trail now however, the easement will be shown on the plan and they would construct the trail if it is needed in the future.

J. Gagnon asked about mail delivery and G. Kirsch said they may have to install a mailbox but they will wait to finalize the location based on the US Post Office regulations and what the condominium unit owners want.

J. Ayer said Town Counsel reviewed the condominium documents and they meet the requirements of the regulations. He said if the Board approves conditions of approval, Town Counsel would perform a final review to ensure that the conditions of approval were addressed in the documents.

P. Sanfacon opened up the hearing for public input. Being none, she closed the public hearing.

P. Sanfacon introduced the next case.

3. LRGH Healthcare

Applicant is proposing to re-stripe parking to create more handicap parking spaces and add a dumpster for recycling materials on Tax Map & Lot#211-002.003 located at 14 Maple St. in the Professional Commercial Zone and Aquifer Protection District. Amended Site Plan Review. File #2009003343. Tabled from the March 16, 2009 meeting.

Motion made by R. Sonia, seconded by R. Waitt, to take the application off the table. Motion carried with all in favor.

Steve Smith, representing the application, gave a brief presentation to the Board. He explained the location of the property and that the proposal is to add a dumpster for recycling materials and create more handicap parking. He explained the mistake in abutter notification has been cleared up and all the abutters have been notified.

R. Sonia asked about the parking configuration and S. Smith explained they had to reorganize it for the additional handicap parking.

P. Sanfacon opened up the hearing for public input. Being none, she closed the public hearing.

BOARD DELIBERATIONS

Astoria Properties Site Plan and Condominium Review

Motion made by R. Vaillancourt, seconded by R. Waitt, to conditionally approve the Site Plan Application and Subdivision Application of Astoria Properties, LLC for an office condominium project with up to eight (8) condominium units at 369 Hounsel Avenue in the Lakes Business Park, with the following conditions:

1. The site plans are approved as submitted with the changes indicated on the plan set marked "Revisions to Original Plans" that has been submitted to the Board at the April 6, 2009 meeting. The applicant shall incorporate all indicated changes into a plan set marked Final Draft to be submitted to staff for review.
2. The pedestrian walkway easement to be included on both plans.

3. Final condominium documents being satisfactory to Town Counsel.
4. The applicant, all condominium unit owners, and the condominium association shall comply with the Declarations of Covenants and Restrictions for Lakes Business Park Phase II as amended from time to time.
5. The applicant may construct up to eight (8) office condominium units in the approved building, and may relocate or eliminate unit dividing walls within the building without further action from the Board, provided that each unit shall comply with all applicable building and life safety codes and that a Building Permit application is submitted and approved for the interior construction of each unit.

Discussion on the motion.

J. Gagnon asked about requiring as-built plans being submitted prior to issuance of occupancy permits for each unit as part of the conditions of approval. J. Ayer said that is a subdivision regulation and statutory requirement and does not need to be added into the conditions of approval to be enforceable. J. Morgenstern and P. Sanfacon said they agree with J. Gagnon about the submission of as-built plans being included as part of the conditions of approval.

6. As-built plans required for each unit prior to any Certificates of Occupancy being issued.
7. Subject to any other federal, state or local approvals that may be required.

Motion carried with all in favor.

LRGH Healthcare

Motion made by J. Morgenstern, seconded by R. Sonia, to approve the application subject to any other federal, state, or local approval that may be required.

Motion carried with all in favor.

Minutes –Motion made by R. Waitt, seconded by R. Sonia, to approve the minutes from March 16, 2009 as amended. Motion carried with K. Hayes abstaining.

Other Business

Discussion ensued about the upcoming OEP training workshop and Master Plan revisions. R. Sonia suggested the Board look at where Methadone Clinics are allowed and cited the recent situation that happened with the City of Laconia. Discussion ensued about considering that for zoning amendments for 2010.

R. Waitt spoke about utilizing the Comprehensive Economic Development Strategy (CEDS) program through the Lakes Region Planning Commission.

Adjournment – Motion made by R. Sonia, seconded by K. Hayes, to adjourn at 8:10 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant