

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

The Gilford Planning Board met in regular session on Monday, December 7, 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, Selectman's Representative, Kevin Hayes; Regular Members: Jerry Gagnon, Richard Vaillancourt, Richard Waitt and Richard Sonia. Alternate(s): Wayne Hall and Dennis Corrigan.

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

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

P. Sanfacon led the Pledge of Allegiance, introduced Board members and staff.

P. Sanfacon introduced the only application.

**Paugus Bay Plaza Condominium Association**

Applicant is proposing to renovate 3045 sq. ft. of vacant existing commercial space into a 42-seat restaurant/bar that will also offer food delivery service proposed in Paugus Bay Plaza on Tax Map & Lot #201-001.000 located at 131 Lake Street in the Commercial Zone. Change of Use Plan Review.

File #2009003817. *Tabled from November 16, 2009.*

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

Jon Rokeh, agent representing the application, gave a brief presentation to the Board. He reviewed the plan revisions that the Board discussed at the November 16, 2009 meeting and as outlined in the Notice of Decision dated November 17, 2009.

Discussion ensued about limiting the number of occupants. J. Gagnon discussed the number of occupants the fire department determined to be 72 people. He wants the language on the plan to be changed to say the maximum number of occupants shall be determined by the fire department.

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

**DELIBERATIONS**

## **Paugus Bay Plaza Condominium Association**

Motion made by R. Sonia, seconded by R. Waitt, to approve the application with the following condition(s):

- 1 Approve the application subject to the applicant obtaining any other federal, state, or local approvals that may be required.

Motion carried with all in favor

### **Other Business**

#### **Petitioned Warrant Articles**

J. Ayer explained we have received a petitioned warrant article from Barbara Aichinger and a petitioned article regarding a wetlands setback will be scheduled for the first public hearing on January 4, 2010.

#### **Town Engineer Review Process**

J. Ayer reviewed the process for the Town Engineer. J. Ayer said it will go through the Site Study process and town counsel said the application can be accepted as complete and the Board can then request a review by the engineer. Town Counsel said acceptance of the application by the Planning Board does not mean the P. Board will not, or does not, ask for more information or further reviews.

#### **2010 Proposed Zoning Amendment review**

J. Ayer reviewed the proposed changes for the amendments.

#### **Stormwater Management Ordinance**

J. Ayer said Town Counsel explained it is not necessary to put the proposed amendment in the zoning ordinance, it can be placed in the Site Plan and Subdivision Regulations and that was an appropriate method. J. Ayer said he will ask Town Counsel if the amendment gets voted down, if it can still be proposed to be put into the site plan and subdivision regulations. He would like to hold the first public hearing on December 21, 2009.

#### **Workforce Housing Ordinance**

J. Ayer said they are still working on the wording and some procedural issues for the ordinance and will hope to have another draft for the work session meeting on December 15, 2009.

#### **Steep slopes**

J. Morgenstern asked if steep slopes should be removed from consideration. K. Hayes and P.

Sanfacon said it needs a little more work. J. Ayer's recommendation is to remove it for this year. The Board agreed. P. Sanfacon wants it to be carried over into next year.

### **6.20 Fire Protection for Residential Property**

K. Hayes asked if a previous approved subdivision wants to put in a fire pond after these regulations are passed are they able to and J Ayer said yes they could.

### **5.1.4 Side Setback Area**

J. Ayer said no changes were recommended by town counsel. J. Gagnon asked about the inclusion of the term "living" in the language and he does not want to "living" to be included. P. Sanfacon agreed.

### **6.2 Nuisances**

J. Ayer said town counsel suggested a few changes to the proposed ordinance that J. Ayer reviewed. Wayne Hall is concerned about the title "nuisances" he thinks "obnoxious" gives a better use of stronger language. J. Morgenstern is still bothered by the approved use that can be classified as a nuisance. D. Corrigan explained how approved uses can become nuisances and the Board agreed.

### **6.6 Unlicensed and Commercial Vehicles**

The Board agreed with the new language revised by Town Counsel.

### **2010 Meeting Schedule**

Motion made by R. Sonia, seconded by J. Morgenstern, to approve the 2010 calendar of meeting schedules.

**Minutes** –Motion made by K. Hayes, seconded by R. Vaillancourt, to approve the minutes from November 16, 2009, as amended. Motion carried with all in favor.

Motion made by J. Morgenstern, seconded by J. Gagnon, to approve the minutes from November 30, 2009, as amended. Motion carried with R. Sonia, K. Hayes, and R. Waitt abstaining.

**Adjournment** – Motion made by R. Sonia, seconded by K. Hayes , to adjourn at 8:00 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte  
Technical Assistant