

CONWAY PLANNING BOARD
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CONWAY PLANNING BOARD

MINUTES

MAY 22, 2003

A meeting of the Conway Planning Board was held on Thursday, May 22, 2003, beginning at 7:07 p.m. at the Conway Town Office in Center Conway, NH. Those present were: Chair, Sheila Duane; Selectmen's Representative, Dick O'Brien; Vice Chair, Robert Drinkhall; Conrad Briggs; David Robinson; Town Engineer, Paul DegliAngeli; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Briggs made a motion, seconded by Mr. Drinkhall, to approve the Minutes of May 8, 2003 as writing. Motion carried with Mr. O'Brien abstaining from voting.

ROBERT HANSEN, JR. – FULL SITE PLAN REVIEW CONTINUED (PID 253-24, 25 & 26) FILE #FR03-03

Robert Tafuto of Ammonoosuc Survey Company appeared before the Board. Mr. Tafuto explained the application. This application was accepted as complete on April 24, 2003.

Ms. Duane read the requirements to grant a waiver. Ms. Duane read the waiver request for Articles 123-20.I.; 123-22.B; 123-29.A.2. & A.3. and 123-29.D.8. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to grant the waiver requests for Articles 123-20.I.; 123-22.B; 123-29.A.2. & A.3. and 123-29.D.8. Motion unanimously carried.**

Ms. Duane asked for public comment; there was none. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to conditionally approve the full site plan for Robert Hansen, Jr. conditionally upon the submittal of \$23.00 to record the common easement; a performance guarantee for 50% of all site improvements and 100% of landscaping; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval expires on August 28, 2003. Motion unanimously carried.**

RICHARD AND JOY CHECK – FULL SITE PLAN REVIEW CONTINUED (PID 252-52) FILE #FR03-04

Edgar Allen of Thaddeus Thorne Surveys appeared before the Board. This application was accepted as complete on May 8, 2003.

Mr. DegliAngeli reviewed the revisions necessary for the drainage. Mr. DegliAngeli stated that the septic design will need to be redesigned to show that the leach field would be replaced in-kind if it fails rather than showing a separate replacement area. Ms. Duane

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asked if we see a problem with changing the septic approval. Mr. DegliAngeli answered in the negative. Ms. Duane asked for public comment; there was none.

Ms. Duane read the waiver request for Articles 123-20.E. & 22.B.; 123-20.F. & 131-67.C.8.c. & 123-29.A.4; 123-20.F. & 131-67.C.8.g.; 123-20.I.; 123-29.A2. & A.3.; and 131, Article X, Table 2. **Mr. Drinkhall made a motion, seconded by Mr. O'Brien, to grant the waiver requests for Articles 123-20.E.; 123-20.I.; 123-22.B; 123-29.A.2. & A.3. and 123-29.D.8. Motion unanimously carried.**

Mr. Briggs made a motion, seconded by Mr. Drinkhall, to conditionally approve the Full Site Plan for Richard and Joy Check conditionally upon changing the waiver request from “Table 2 Distance between collector roads” to “§131, Article X, Table 2 Distance between a Collector and a Collector”.; submittal of revised septic plans to the State with a note that the leach field will be replaced in-kind if it fails; Add State Septic Approval number to the plans; Obtain Town Engineer Drainage Approval; Surveyor Certification on the plans; a performance guarantee for 50% of all site improvements and 100% of landscaping; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on August 28, 2003. Motion unanimously carried.

ROUTE 112 REALTY, INC. – MINOR SITE PLAN REVIEW (PID 264-35) FILE #MR03-06

Shawn Bergeron of Bergeron Technical Services and Stan Szetela appeared before the Board. Mr. Bergeron explained the application. **Mr. O'Brien made a motion, seconded by Mr. Briggs, to accept the application of Route 112 Realty, Inc. for a Minor Site Plan Review as complete. Motion unanimously carried.**

Mr. DegliAngeli referred to the Staff Report and referenced the highlight issue. Mr. DegliAngeli stated that there are concerns with the configuration of the parking area and driveway, specifically the aisle width and the parallel parking. Mr. Bergeron stated that he can understand staff's position, however, staff is not familiar with the history of the property. Mr. Bergeron stated that this site has existed this way for more than 30 years. Mr. Bergeron stated that this site does not meet the Town of Conway regulations, but it does work. Mr. Bergeron stated that there is no increase in site intensity. Ms. Duane asked if they park on the side of the road for the gift shop. Mr. Bergeron answered in the affirmative, however, they don't stay long.

Ms. Duane expressed concern regarding the handicap space. Mr. Bergeron stated that the handicap space is 12 feet wide leaving 17-feet for passing traffic. Mr. Bergeron stated that this is a low intensity of use.

Mr. Briggs stated that he does not agree with the box trailer. Mr. Briggs stated that the Planning Board has been working to get rid of box trailers. Mr. Bergeron stated that it is behind a fence and doesn't think it can be seen. Ms. Duane asked the height of the fence. Mr. Bergeron answered six-feet. Ms. Duane asked the height of box-trailer. Mr.

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Bergeron stated that it is greater than six-feet. Ms. Duane asked if the square footage of the box trailer could be incorporated into an addition of the gift shop. The applicant agreed. The Board then discussed the parking layout. Ms. Duane suggested squaring the parking area and having head-in parking. Mr. Szetela agreed. Ms. Duane asked for public comment; there was none.

Mr. Briggs made a motion, seconded by Drinkhall to continue the minor site plan review for Route 112 Realty, Inc. until June 12, 2003. Motion unanimously carried.

**RONALD AND GINA CORNILA – SUBDIVISION/BOUNDARY LINE
ADJUSTMENT REVIEW (PID 291-2 & 3) FILE #S03-09**

Diane Smith of Thaddeus Thorne Surveys appeared before the Board. **Mr. Briggs made a motion, seconded by Mr. O'Brien, to accept the application of Ronald and Gina Cornila for a Subdivision/Boundary Line Adjustment Review as complete. Motion unanimously carried.**

Ms. Duane read the waiver requests for Articles 131-26.A., B., & C. and 131-24.N. & O.; 131-24.T., U., & V.; and 131-26.A.(3). Ms. Duane asked for public comment; there was none. **Mr. Drinkhall made a motion, seconded by Mr. O'Brien, to grant the waiver requests for Articles 131-26.A., B., & C. and 131-24.N. & O.; 131-24.T., U., & V.; and 131-26.A.(3). Motion unanimously carried.** Ms. Duane asked for public comment; there was none.

Mr. Drinkhall made a motion, seconded by Mr. O'Brien, to finally approve the Boundary Line Adjustment for Ronald and Gina Cornila. Motion unanimously carried. The plans were signed.

JAMES PITMAN – 3-LOT SUBDIVISION REVIEW (PID 263-77) FILE #S03-10

Ronald Briggs of Briggs Land Surveying appeared before the Board. Mr. Briggs explained the application. **Mr. O'Brien made a motion, seconded by Mr. Briggs, to accept the application of James Pitman for a 3-Lot Subdivision Review as complete. Motion unanimously carried.**

Mr. DegliAngeli reviewed the items still needed. Ms. Duane asked for public comment; there was none. Ms. Duane read the waiver requests for Articles 131-24.O. & 131-26.A.; 131-24.T.; 131-30.E.; and 131-37.1.A. **Mr. Briggs made a motion, seconded by Mr. Drinkhall, to grant the waiver requests for Articles 131-24.O. & 131-26.A.; 131-24.T.; 131-30.E.; and 131-37.1.A.**

Since the applicant is still awaiting State Subdivision approval, **Mr. Drinkhall made a motion, seconded by Mr. Briggs, to continue the 3-Lot Subdivision Review for James Pitman until June 12, 2003. Motion unanimously carried.**

OTHER BUSINESS

Lawrence Smolinsky/Car Wash (PID 277-287) File #FR02-08 - Extension of Conditional Approval: Ms. Duane read a letter from Mr. Smolinsky requesting a 90-day extension. **Mr. O'Brien made a motion, seconded by Mr. Briggs, to extend the conditional approval for Lawrence Smolinsky/Car Wash for 90-days [August 20, 2003]. Motion unanimously carried.**

Daren Levitt/Former Jay Ironfield Building (PID 218-17): Daren Levitt appeared before the Board. Mr. Levitt stated that they would like to enclose a 161 square foot porch, but was told that it would be an increase in floor space and should come and ask the Board if this will require site plan review. Ms. Duane asked if this is small undertaking to allow the enclosure of a porch. Mr. Levitt stated that Mr. Irving recommended Article 123-4..A.(5). Mr. DegliAngeli stated that he visited the site today and there is a permanent concrete pad and a roof over it, not an awning.

There was discussion regarding the architectural standards. The applicant agreed to maintain the log cabin look of the building and that the front of the building will meet the window requirement. **Mr. Briggs made a motion, seconded by Mr. O'Brien, to allow the enclosure of the porch [161 square feet] under §123-4.(5) with the condition that the exterior of the building maintain the log cabin look and that the window requirement is met. Motion unanimously carried.**

Joe Berry – The Met (PID 218-42): Ms. Duane stepped down. Joe Berry appeared before the Board. Mr. Berry stated that the Town received an inquiry about the outdoor seating at the Met and he is here this evening to see if the Planning Board has an issue with the seats remaining. Mr. DegliAngeli stated that the seats are located on the applicant's property, but are within the setback. Mr. Briggs asked if there is any change in the seating numbers. Mr. Berry answered in the negative. Mr. Briggs stated that this is a nice addition and compliments the town. Mr. Drinkhall asked for public comment; there was none. **Mr. O'Brien made a motion, seconded Mr. Robinson, to allow the outdoor seating within the setback. Motion unanimously carried.**

Peter Gagne – Northern Extremes/Ye Garden Center (PID 262-60 & 61): Ms. Duane rejoined the Board at this time. Peter Gagne appeared before the Board. Ms. Duane read a letter from Mr. Gagne. Mr. DegliAngeli stated that there have been two-applications for this site and the Planning Board had put limitations on their approvals. Mr. DegliAngeli stated that he doesn't see a problem with the two businesses overlapping, but they were trying to contain it on the one parcel. Mr. DegliAngeli stated that the owners own the adjacent five-acre parcel.

Mr. DegliAngeli stated that the parking and river access are being proposed on the adjacent lot. Mr. DegliAngeli stated that staff believes that site plan review is necessary. Donna Beck, owner of the property, stated that they do operate the businesses on both lots.

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Peter Gagne stated that he was under the assumption that this was an existing use and could be taken over. Dick Stevens stated that he has been working for Donna Beck in the garden center for fourteen years and they have operated very successfully the businesses at the same time. Mr. Stevens stated that he has been operating illegally, but not knowing it. Mr. Stevens stated that the canoe business has not been operated on the garden center site.

Mr. Gagne stated once the flower season ends he would not have a problem operating the canoe business. Ms. Duane stated that you have approval to operate two-businesses, but not at the same time. Daniel Boatwright stated that he owns Eastern Slope Campground and stated that he rents canoes and kayaks to his customers through Northern Extremes and asked if his customers will still be allowed to exit the river on his property. Mr. DegliAngeli stated that as the owner of the campground he could rent canoes and kayaks to his customers, which can be leased out to a separate entity. Mr. Duane stated that his paying customers who are renting a site at the campground could exit the river at his site.

The Board agreed to allow the applicant to operate the canoe/kayak business under the conditions of the 1994 approval with the understanding that the applicant will be submitting a site plan application for these sites. The applicant agreed.

Signs on North-South Road: Mr. O'Brien asked the Board to address the sign issue on the North-South Road. The Board agreed to wait for Tom Irving to return from vacation and discuss this with him.

New High School: Mr. Briggs stated that he thinks the Board should endorse the Pine Hill area for the new high school. The Board decided to review all proposed sites and decide at the next meeting.

David Robinson/Economic Council - Housing: Mr. Robinson stated that he has attended the first meeting and will keep the Board updated.

2" vs. 3" trees: Mr. Briggs stated that he checked into the difference between 2" and 3" caliber trees and their survival rate and he has gotten mixed reviews.

Willow Place (235-40): Mr. O'Brien stated that he has received a lot of phone calls in regard to the conversion of retail space to apartments and if they are affordable. The Board agreed to wait to discuss with Tom Irving once he returns from vacation.

Meeting adjourned at 9:08 p.m.

Respectfully Submitted,

Holly L. Meserve
Recording Secretary

River Run Co., Inc.

DEVELOPER OF VACATION OWNERSHIP PROPERTIES
COMMERCIAL & RESIDENTIAL REAL ESTATE

**Eastern Slope Inn
Resort**

**The Oxen Yoke Inn
& Motel**

**Attitash
Mountain Village**

**Attitash
Marketplace Motel**

Attitash Realty

Glen Warehouse

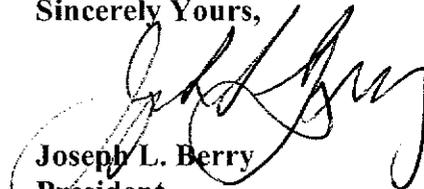
May 9, 2003

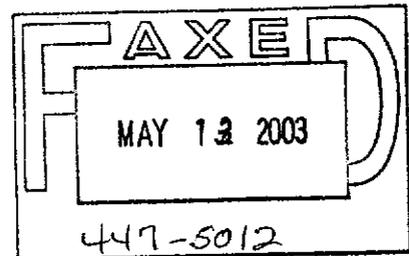
Tom Irving
Town of Conway
1634 East Main Street
Center Conway, NH 03813

Dear Tom,

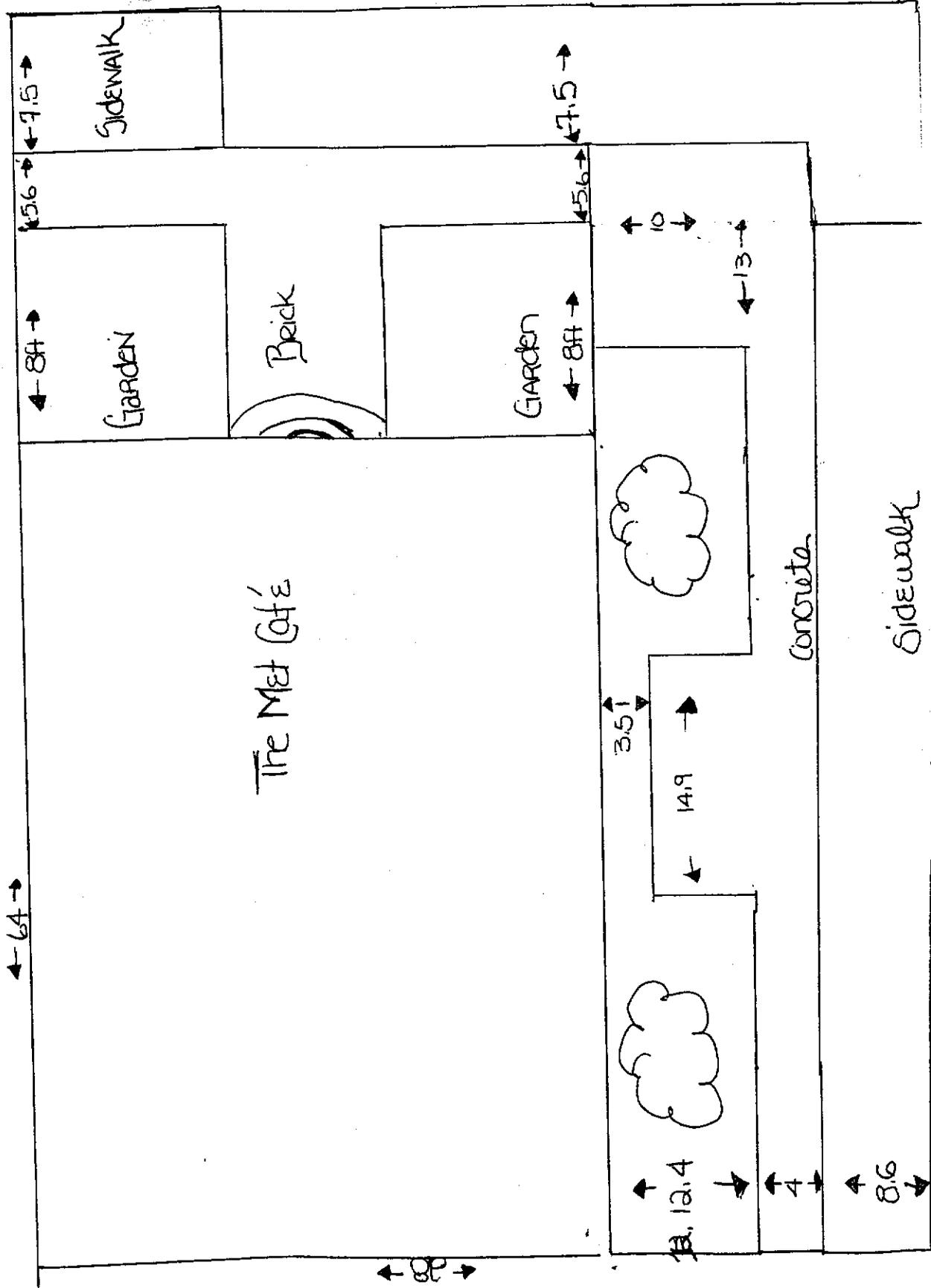
I would like to meet with The Planning Board at the May 22, 2003 meeting for a conceptual review of the outdoor seating at The Met Café.

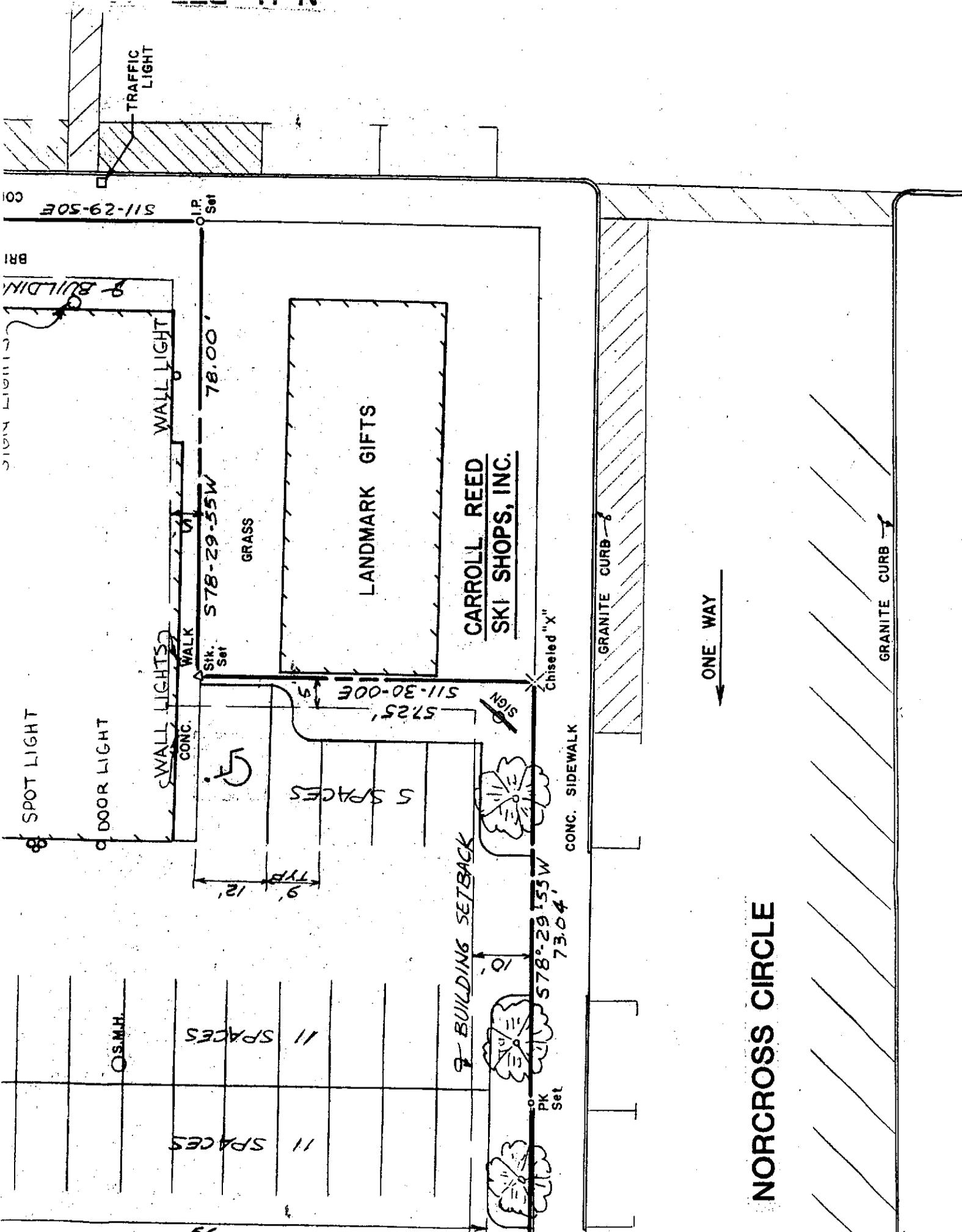
Sincerely Yours,


Joseph L. Berry
President
River Run Company



Pt. 16





NORCROSS CIRCLE

ONE WAY

CARROLL REED
SKI SHOPS, INC.

LANDMARK GIFTS

GRASS

WALL LIGHT

TRAFFIC LIGHT

DOOR LIGHT

SPOT LIGHT

BRIDGE BUILDING

CO

WALL LIGHTS

11 SPACES

11 SPACES

Q.S.M.H.

S78°-29'-55W
73.04'

S11-30-00E
57.25'

78.00'

S78-29-55W

Sik. Set

Chiseled "X"

CONC. SIDEWALK

GRANITE CURB

GRANITE CURB

7' BUILDING SETBACK

9' TYB

12'

5 SPACES



PK Set

Set

Set

Set

Set

Set

Northern Extremes LLC
Po Box 71
Glen, NH 03838

Town of Conway
Route 302
Conway, NH 03818

May 19, 2003

RECEIVED

MAY 20 2003

TOWN OF CONWAY

Dear Panning Board Members:

267-61

My name is Peter Gagne, owner of Northern Extremes LLC. I am writing in regards to my new lease at Ye Garden Centre on route 16 in Conway. (Map 42 Parcel 2 & 2B) It is my intention to move my existing canoe and kayak rental business from 2729 White Mountain Highway to this property where Kayak Jack Fun Yak rentals formally operated.

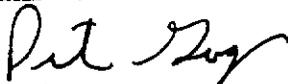
Upon my sign permit submittal, Jim Yeager informed me there were some underlying conditions placed on this parcel regarding the operation of the Ye Garden Centre and the canoe/kayak business simultaneously. According to a planning board site plan review dated September 29, 1994, "6) deadlines for operation of the business to be noted on plans: from April 1- September 30 for the Garden Centre. 7) the two businesses cannot be operated at the same time."

I am writing to the planning board in the hopes of removing this stipulation and to allow both businesses to operate simultaneously. For the past 6 years I believe both businesses have been operating at the same time with no major problems. Kayak Jack operated Memorial Day to Labor Day and the Garden Centre operated May 1 to July 20. Given the nature of our businesses we operate in two different seasons. The Garden Centre is busiest from May 1 to June 20. The canoe/kayak operation is very quiet until June 20. After June 20th flower sales slow and kayak rentals increase. Impact from both business operating together are minimal.

This site is ideal for my business with its Route 16 and the Saco River access. It has 5 acres of land which will be used for parking. All parking will be located away from the house and Garden Center. All canoe/kayaks will be stored on trailers or in the green house once the Garden Centre closes for the season.

In closing I am asking the planning board to remove the stipulation from the September 29, 1994 Conway Planning board that does not allow both the Garden Centre and Canoe/Kayak business to operate together at the same time.

Thank You



Peter Gagne
Northern Extremes

to move the tanks and shed to the locations shown on the plan. Mr. Krebs again stated that he would like to see these items moved before the issuance of a building permit. Mr. Krebs stated that a few items need to be addressed: 1) the Zoning District is labeled incorrectly, it should be Highway Commercial; 2) plans notes, Article 123-40.2, need to be added; and 3) the dumpster should be screened.

Mr. Couture asked if there were any provisions for drainage. Mr. Howe explained that no drainage structures were proposed. Mr. Quint was concerned with drainage when the ground was frozen. Mr. Howe explained that the snow will be plowed outback where the lot slopes back.

Mr. Hill stated there did not need to be a waiver for lighting, but that he would not waive the landscaping requirements. Mr. Kaler requested that the Town Engineer, Paul DegliAngeli, take a look at the drainage.

Mr. Quint made a motion, seconded by Mr. Hill, to deny the waivers for lack of justification. Motion unanimously carried.

Mr. Burke asked for public comment; there was none.

Mr. Hill stated that a waiver for the lighting was not necessary. Mr. Quint stated that a note should be put on the plan stating that there is no exterior lighting. Mr. Burke asked Mr. Howe if he felt there would be any need for lighting. Mr. Howe stated that he would check with Mr. Hanson.

Mr. Krebs stated the few items that needed to be addressed: 1) bonding to cover the cost of relocating the structures, or relocation prior to the issuance of a building permit; 2) Zoning District changed; 3) two plan notes added (Article 123-40.2); 4) screening of the dumpster; and 5) loaming and seeding of the front buffer area, also to be bonded.

Mr. Hill made a motion, seconded by Mr. Quint, to continue the Site Plan Review on Thursday, October 6, 1994. Motion unanimously carried.

THE GARDEN CENTRE - SITE PLAN REVIEW

Ms. Donna Beck and Mr. Ed Morrison came before the Board seeking approval to construct a 25' x 40' greenhouse/tent on Route 16 in Conway (Map 42 Parcel 2 & 2B). Ms. Beck explained to the Board that they would like to put a hot house or tent in an area where flowers are currently being displayed. Mr. Burke asked if the tent would be movable. Ms. Beck stated that the tent would be portable.

Mr. Burke asked Mr. Krebs if there was enough information to accept the application. Mr. Krebs answered in the affirmative. Mr. Kaler made a motion, seconded by Mr. Quint, to accept the application for a Site Plan Review. Motion unanimously carried.

Mr. Krebs stated the Board currently has a 1979 Site Plan stamped by Mr. Eugene O'Brien. Mr. Krebs stated that the plans do not show: 1) the parking lot layout; 2) how traffic moves on the lot; 3) the total parking spaces available and any marked handicap parking spaces; and 4) the two notes (Article 123-40.2) are required to be on all plans. Mr. Krebs stated that the parking lot is gravel.

Mr. Couture asked if Mr. O'Brien put together the plan. Mr. Morrison stated that Mr. O'Brien did not. Mr. Couture stated that Mr. O'Brien's stamp on the plan should be removed. Ms. Woodall asked if the applicants had to have the plans registered. Mr. Krebs stated that a Minor Site Plan is not required to be.

Mr. Kaler asked if the parking space requirement were met. Mr. Krebs stated that for 200 square feet, 1 parking space is required. Mr. Krebs stated that 4 parking spaces would be required for the proposed greenhouse/tent.

Mr. Couture questioned what type of material the applicants were considering. Ms. Beck stated that they still have not decided, but are looking for something portable.

Mr. Kaler asked Ms. Beck and Mr. Morrison what the business hours were and if there was any exterior lighting. Mr. Morrison stated that the hours were approximately 8 a.m. to 7 p.m. Ms. Beck stated that there was a light on a tree. Mr. Kaler asked if they were proposing any lighting. The applicants responded that they were not.

Mr. Couture stated that he would like the Board do a site visit. Mr. Quint asked Mr. Krebs if he had looked at the parking lot. Mr. Krebs answered in the affirmative. Mr. Krebs questioned the location of the tent and if it would be going in a parking area. The applicants stated that it would not be located in a parking area.

Mr. Quint asked the applicants if there was more than one business on the lot. The applicants stated that from the end of April to July they had the plant shop and from June on was the Kayak rental business.

Mr. Burke asked if there were any public comments; there were none.

Mr. Burke expressed some concern with the parking and would like to do a site visit to check if there is adequate parking. Mr. Krebs stated that there was plenty of parking. The applicants stated they have been there for 11 years and had never seen a problem with parking.

Ms. Woodall questioned the handicap parking requirements. Mr. Krebs stated that a car could be pushed reasonably well through the parking area.

Mr. Hill stated that the 50' driveway would have to be closed down to the driveway standard. The applicants asked what the driveway standard was. Mr. Hill stated the driveway had to be between 18' and 36' wide.

Mr. Couture stated the Board should have the drainage checked. Mr. Krebs stated that he would have the Town Engineer, Paul DegliAngeli, check the drainage.

Mr. Krebs stated that there should be a note stating the period of time the tent can be in place. The applicants stated they would like to put the tent up from April 1 to September 30.

Mr. Krebs stated that the items that needed to be addressed were: 1) the adding of the two plan notes (Article 123-40.2); 2) the removal of the surveyors stamp on the plan; 3) reduce the driveway width to 36" maximum, if necessary; 4) have Town Engineer, Paul DegliAngeli, check the drainage; and 5) do a site visit to check for adequate parking.

Mr. Hill asked the applicants about the storage of the kayaks. Mr. Morrison stated that the kayaks were stored on a trailer that goes home with him at night. Mr. Hill asked if there was a display area for the kayaks. Mr. Morrison stated that a few kayaks were displayed around a tree.

Mr. Kaler made a motion, seconded by Ms. Woodall, to conditionally approve the Site Plan Review with the following conditions: 1) add the two plan notes (Article 123-40.2); 2) surveyors stamp be eliminated; 3) entrance be checked for driveway standards; 4) check to see if there is adequate parking; 5) have Town Engineer, Paul DegliAngeli check drainage; 6) deadlines for operation of the business to be noted on plans; from April 1-September 30 for the Garden Centre; 7) the two businesses cannot be operated at the same time. Motion carried with Mr. Hill and Ms. Boelzner voting in the negative.

Will be continued on Thursday, October 6, 1994

RICHARD CHAPLICK, JR. - SUBDIVISION

Mr. Edgar Allen of Thaddeus Thorne-Surveys came before the Board seeking approval for a subdivision on Davis Hill Road in Center Conway (Map 9 Parcel 34). Mr. Allen stated that all three lots have driveway permits from the Town Engineer, Paul DegliAngeli.

Mr. Hill made a motion, seconded by Mr. Kaler, to accept the application. Motion unanimously carried.

Mr. Krebs stated that a house is currently being built on lot 1 and the lot meets the 3-to-1 ratio; lot 2 is a dog leg lot; and lot 3 does not meet the 3 to 1 configuration. Mr. Krebs stated a few items that needed to be met: 1) State subdivision approval; and 2) two plan notes (Article 123-40.2) needed to be added.

Mr. Hill stated the driveways were not shown on the plans for any of the lots. Mr. Allen stated that he will add them to the plans. Mr. Hill asked if there was a test pit for lot 3. Mr. Allen stated that Lot 3 does not need one because any lot over 5 acres is not necessary.

Mr. Burke asked Mr. Krebs if he did a site visit. Mr. Krebs answered in the affirmative. Mr. Krebs stated he had some concerns with there being 3 driveways. Mr. Burke stated the driveway permits were already issued and could be put on the plans.

CONWAY PLANNING BOARD

MINUTES

OCTOBER 6, 1994

A meeting of the Conway Planning Board was held on Thursday, October 6, 1994, beginning at 7:00 p.m. at the Town Hall in Center Conway, NH. Those present were: Chairman, James Burke; Selectmen's Representative, Chad Hill; Richard Kaler; Catherine Woodall; Lianne Boelzner; Town Planner, John Krebs; and Recording Secretary, Holly Meserve.

MINUTES

Mr. Kaler made a motion, seconded by Ms. Woodall, to table the Minutes of September 15, 1994. So carried.

Mr. Kaler made a motion, seconded by Ms. Woodall, to table the Minutes of September 22, 1994. So carried.

YE GARDEN CENTRE - SITE PLAN REVIEW CONTINUED

Mr. Krebs reviewed with the Board the status of the issues that needed to be resolved: 1) the NH Licensed Land Surveyor's stamp has been removed from the plan; 2) the curb cut is 32' wide; 3) there is adequate parking spaces available; 4) a memo from the Town Engineer concerning the adequacy of the drainage has been received; and 5) the two plan notes regarding landscaping and private deed restrictions have been added to the plan.

Mr. Krebs stated that he had some concerns with the two businesses, the plant shop and the kayak rentals, operating at the same time and suggested that the Board grant an approval with the following stipulations: 1) operation deadlines for the greenhouse/tent to be in place; and 2) the two businesses shall not be in operation at the same time.

Ms. Woodall asked what time frame the two businesses operated. Mr. Krebs answered that the plant shop ran for about 6 weeks, May through early June and the kayak rental business ran from June through Labor Day. Mr. Burke asked if the plant shop only runs through June, why do they want the tent until September 30. Mr. Krebs answered that the applicants would like to use the tent for storage after June.

Mr. Kaler asked if a permit was required to allow two businesses to operate at the same time. Mr. Krebs stated that the Board should include in the motion to approve the site plan that only one business can operate at a time.

Mr. Kaler made a motion, seconded by Mr. Hill, to approve the Minor Site Plan review for the Ye Garden Center with the following stipulations: 1) the two businesses cannot be operated at the same time; and 2) operational deadline would be from April 1 - September 30 for the Garden Centre. Motion unanimously carried.

Mr. Hill suggested that the plans reflect the two businesses cannot be overlapped.

ROBERT HANSON, JR. - MAJOR SITE PLAN REVIEW CONTINUED

Mr. Jon Howe, representing Mr. Hanson, reviewed with the Board the status of the issues that needed to be resolved: 1) the two plan notes regarding landscaping and private deed restrictions have been added to the plan; 2) the Zoning District has been changed to Highway Commercial; 3) an exterior light has been added in the front of the building; 4) a fence around the dumpster has been added for screening; and 5) the area around the driveway will be loamed and seeded. Mr. Howe stated to the Board that Mr. Krebs suggested that the shed be moved before building the garage, but Mr. Howe explained that the shed has underground electric that will be needed as a power source and Mr. Hanson would like to move the shed once the garage is built. Mr. Krebs explained to Mr. Howe that that issue can be handled at the time of the Certificate of Occupancy needs to be issued.

Mr. Krebs explained that the Fire Inspector, Mr. Larry Wade had given two verbal verifications of his approval, but he was unable to get a memo from him. Mr. Krebs also explained that he had received a memo from the Town Engineer verifying the adequacy of the drainage.

Ms. Woodall asked if Mr. Hanson would consider planting any trees. Mr. Howe explained that Mr. Hanson would prefer to keep it grass. Mr. Krebs stated that their were a lot of trees along the sides and in the back of the lot.

Mr. Burke asked if there were any public comments; there were none.

Mr. Hill made a motion, seconded by Mr. Kaler, to approve the Major Site Plan for Robert Hanson conditionally upon: 1) bonding being in place for the loaming and seeding in the front of the lot; and 2) letter of approval from the Town Fire Inspector; and further that the Certificate of Occupancy should not be issued until the shed is moved to the location shown on the plan. Motion unanimously carried.

Mr. Kaler made a motion, seconded by Mr. Hill, that when the conditions are met the Chairman will be able to sign the plans out of session. Motion unanimously carried.