

TOWN OF CENTER HARBOR
PLANNING BOARD
Tuesday, October 4, 2022
Meeting @ 6 p.m.

Chair Charles Hanson called the meeting to order at 6:00 p.m. Present, Vice Chair Peter Loudon, Selectmen's Rep Bill Ricciardi, Member Mark Hildebrand, Alternate Members Alan Rilla and Steven Brown, Code Compliance Officer Bill Doucette and Clerk Linda D'Auria. Absent: Kelli Kemery. Absent with notice: Rachel Xavier, Secretary, David Nelson.

Voting Members: Charles Hanson, Peter Loudon, Bill Ricciardi, Mark Hildebrand, Steven Brown and Alan Rilla.

I. MINUTES:

Peter Loudon made a motion to accept the September 6, 2022 minutes as read. Steven Brown seconded the motion. All were in favor. Charles Hanson abstained from voting as he was not at the last meeting.

II. Public Attendance: David Harrington, Abutters, Paul Nardone and Robert Heath

III. HEARINGS:

- Site Plan Review / Case 2022-10-04. A
Coe Winners, LLC Map 102-060 Lot 014

Chair Hanson turned the meeting over to David Harrington, of Coe Winners, LLC

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David Harrington stated this is a follow up to a hearing from April 2021 where there was approval to put up an outdoor patio. This site was approved for 149 seats, which is a total for interior and exterior seating. The patio has been in use for two summers and they haven't had any issues.

Significant investments into the 200-year-old building have been done and now adding a secondary business to the upstairs is being looked at. Downstairs currently is a high-end Italian Restaurant. Discussions with Paul Nardone who came in and bought the Raines building and he is also in the Condo association that both myself (Harrington) and Bob Heath are in. There have been many discussions regarding this application to expand with both Bob Heath and Paul Nardone. Paul is a partner of Notch Brewing and has been talking to the current owner of the Osteria Poggio about bringing some beer in. Mr. Harrington sees

these additions; an outdoor seating area and upstairs tap room would be a great opportunity to expand the offering.

Mr. Harrington, after looking at the codes, there is a footprint of 15 square feet per person. The building has 5300 sq. ft / 2100 sq ft per floor. That would come to 140 seats per floor. We can have a lot more than what we are approved for. After talking with Paul, I'm looking to increase the capacity to no more than 250 seats and that would be combined inside and outside the site.

Looking at the two primary concerns, first would be what is allowable per code and it would be under the IBC 2018 parameters, which is 15 sq. ft. per person. Secondly would be parking. We have the capacity for 200 spots now and an area approved for expansion by the town. We have been told to keep it unpaved. It is located out by the propane tanks. It's near the dumpsters. Based on the square footage we have room for an additional 75 cars. The upstairs would be a tap room with light fare.

Question -to Bill Doucette, Code Commissioner, Is the upstairs up to code in order to safely accommodate 100 or so patrons?

Answer- Bill states he hasn't been up there as yet, however waiting to see if there was a positive feeling to see if this project can move ahead.

Mr. Harrington said he had some informal discussions on the process with Fire Chief, Tyler Driscoll. Once approved for the 250 seats, then the next step is to the Liquor Commission, they actually tell you whether the site is approved and how many seats it can be licensed for.

Mr. Harrington – The plan for the patio will be an outdoor pavilion, open air, roof structure over the existing patio. The patio now is 1500 square feet, and you can have up to 100 people in it per code. Its purpose would be covering the area from sun/rain and would enhance the location.

The building itself is over 200 years old. We have replaced a tremendous amount of rotten wood on the exterior, a new roof and extensive landscaping. Mention about the staircases and other additional work would be needed to bring it up to code.

Mark Hildebrand- Is the parking based on the 250 seats based on 2 people per parking space? Does it include all of the parking spaces all around Heaths parking lot all the way to Bean Rd?

Mr. Harrington - Yes

Chair Hanson brings up there is a time factor with parking, and that there hasn't been an issue since daytime business parking and evening business parking don't overlap.

Steven Brown- Has there been any thought regarding winter sports business? What's it going to do for the ice fishing and pond hockey crowds? Regarding the 75-space lot, is there sufficient room for snow removal?

Mr. Harrington - We have been working on the landscaping over the last two years. The back of the plaza was overgrown, it's since been cleaned out, gravel brought in to help with the drainage. We have a 3-year contract with Stephen's for plowing and for snow removal from the site if needed. Once we have the ability to get the 250 from the town, the next layer is the state liquor commission.

Bill Ricciardi- the building is not on the historical register which would limit the amount of work you can do inside.

Hanson – Mr. McGuff (a prior owner of the building) went to the ZBA to get a variance, to try to keep the building as original as possible.

Mr. Harrington – most of the external work is important to maintain the look of the original building, however currently the interior is kind of chopped up, painted and eclectic, it does not look historically preserved inside.

Chair Hanson –Before we give approvals for things like this, we to have something more tangible than the concept. From what we've heard, it sounds like what you propose to do is fine, but we would like a little more specificity from both the Code Enforcement Officer and the Fire Chief. Chief Driscoll sent a follow up email yesterday after looking at the application and would like to do a walk with you with the Fire Marshalls office, which is who we use these days for commercial businesses. It would be good if you had the approval from the liquor commission along with your final permit with exactly what is planned when you come to us, then we could approve your application as is.

Chair Hanson - you can go 2 ways,

- One is to withdraw your application and come back and with approvals from Liquor Commission Code Commissioner and Fire Chief and resubmit.
- Second option is to do a continuance of this application.

Mr. Harrington - I've spent considerable money getting this started and would like to continue it from here. It was estimated the architectural could take approximately 30 – 40 days to have the architect draw up the proposal and as far

as the liquor commission, it could be anywhere from 3 to 6 months? No one was sure about the amount of time.

Engineering point of view... where would the flow of the 250 people go? If there was a wind storm, and everyone went inside the building, now there is a safety issue in the building so as you are working with the architect you may want to include a structural engineer to be able to accommodate the weight of these people on the top floor?

Kevin McBurnie who would do the construction and Dan Anderson, was the architect I used on the first go around he is familiar with all the codes and he said he would do an assessment of the building, it's quite expensive, its \$7500 and they would go in and look at all the walls and look at all the beams and put the information into a CAD or put into whatever his software is, and he would have an accurate structural survey of the building.

Bill Ricciardi - Those are the things that concern the town is the safety of the building and the numbers you are talking about.

Chair Hanson - Your concept sounds great, it is just a matter of getting the specifics, we just want a safe structure.

Chair Hanson opened the meeting up to the public for comments. Bob Heath, an abutter, was asked if he had anything to add? said he was in favor of this application.

Charley Hanson made a motion to continue this application until the November 1st Planning Board meeting, Peter Loudon seconded it. All were in favor.

IV. **PERMITS:** Building Permits, #3043, #3044 and #3045 were presented. There was no discussion regarding these permits.

V. **OTHER:**

Alan Rilla brought up the topic of tiny houses, continued from last meeting.

Bill Doucette, mentioned he has been approached by several people over the last few months asking about the possibility of having tiny housing for family members.

- Discussion regarding types of structures, i.e.: accessory dwellings (needs to be attached to the house), Mobile homes, RV's, etc.
- There is no specification as to how many you are allowed to have on a property. How would you differentiate that from a shed?

- Taxation?
- Noxious use?

Bill Doucette – there are a fair number of RVs with full time people sharing parcels of land. The issue is the town responsible to inspect these?

Alan Rilla - said every state seems to be a bit different. Some require foundation. Regulated as a dwelling. SUV's if on wheels. I will look into this more and will have something more for people to see at the next meeting.

Steven Brown- Then comes up the septic issue. He knows a person who has a tiny house on wheels, which has one of those biodegradable bathrooms in it. So, it doesn't have a septic load.

Bill Ricciardi, mentioned it should perhaps be added into Ordinance **Section 5** /Construction, Buildings, non-conforming uses and Structures.

It was agreed that further discussion is needed and will be continued next meeting. Alan Rilla will get more information on Tiny Homes.

VI. ADJOURNMENT:

Chair adjourns the meeting at 6:48 p.m. Mark Hildebrand motioned to close the meeting Peter Loudon seconded, all were in favor.

The next Planning Board meeting is scheduled for November 1, 2022 at 6 p.m.