

SOMERSWORTH SITE REVIEW TECHNICAL COMMITTEE

Minor Site Plan

MINUTES OF MEETING

July 28, 2021

MEMBERS PRESENT: Michelle Mears, George Kramlinger, Tim Metivier, Tim McLin and Paul Robidas

Excused Members: Michael Bobinsky, Michael Hoage

STAFF PRESENT: Dana Crossley Planning Secretary

The meeting was called to order at 10:31 AM.

1) **Approval of the minutes:** No minutes for approval.

2) **OLD BUSINESS**

A) **Albert Lavalley is seeking a minor site plan approval for expansion of restaurant use on a property located at 222 Route 108 in the Commercial/Industrial (CI) District, Assessor's Map 61 Lot 11, SITE#10-2021 PUBLIC HEARING**

Mears stated this site has an existing site plan approved in 2007. The applicant is seeking a minor site plan to enclose the 600 SF pavilion area for an outdoor seating and bar area adding an additional 20 seats. The applicant has existing parking on site shown on the 2007 site plan provided to the Board.

Albert Lavalley was in attendance to represent the application.

Lavalley stated the pavilion was a previously screened in, open air building and they have closed that in but the intent is to remain a seasonal use. He stated they will have the bar area in the pavilion and continue to provide takeout food and ice-cream from the main building.

Robidas inquired if there would be a change from the original use.

Lavalley stated no, there will still be the takeout use and the pavilion will be the bar service area. He explained the State requirements for seating in order to obtain a liquor license. He stated the only structural change was to add the paneling that enclosed the pavilion. He stated he hoped the pavilion had an occupancy permit from when it was first constructed.

Metivier stated it was constructed prior to him and does not have a specific recollection if there is an existing occupancy permit in the file for the pavilion.

Lavalley explained he did not expect a full change of use required at the property since he is continue to the use it as it has historically been used and ultimately adding the alcohol service.

Kramlinger asked for information on the access points of the pavilion, the intended max capacity and hours of operation.

Lavalley stated one double door in the front. He stated they will have at least 20 chairs but the SF of the area would allow for more than 20 people. He stated he intends to close at 10PM.

Kramlinger stated he wanted to ensure there would be appropriate lighting on site for safety purposes (slips, trips and falls).

Lavalley stated they have installed blue stone gravel for a flat surface and in the future would like to build a pavilion with a cement slab and have leveled the property fully.

Kramlinger stated during the Certificate of Occupancy review the Fire Department will review egress and the egress path as well as how it is lit. He inquired if there will be emergency lighting installed in the pavilion.

Lavalley stated they are limiting the amount of electrical items in the pavilion area. There will be a handwashing sink. He stated the pavilion was closed in for a measure of security purposes. He noted he may construct a pergola that has LED lights.

Robidas inquired what the overall plan for this site is in the future.

Lavalley stated he imagines the site to be a smaller scaled Lobster in the Rough and would become a destination place in Somersworth with outdoor seating.

Mears noted there are 45 parking spaces on the entire site, where there are multiple uses on site please provide verification that they are allowed to use all parking on site and not just a designated area.

Lavalley stated that is in his lease and can provide a copy of that.

Metivier noted that the space will need to be ADA accessible and inquired the intent for seating. There will need to be at least one table that would meet ADA requirements.

Lavalley stated the seating accommodations are still under consideration.

Metivier inquired the intent for restroom provisions.

Lavalley stated for this season they would use temporary portable potties but moving forward would consider constructing a full facility.

Metivier stated he would confer with the State for code compliance regarding ADA and temporary bathrooms. He noted all service areas need to be wheelchair accessible.

There was a brief continued conversation of ADA compliance and the existing permits that have been applied for or required.

McLin stated his only concern is the liquor license.

Lavalley stated they will be putting up a new fence.

Mears stated the Public Works Director and Water Division Representative were unable to attend but have provided the following comments:

1. **Since the applicant will be expanding the existing restaurant, to include adding tables and chairs, and enclosing an existing pavilion, the applicant will be required to**

apply for a new water and sewer use application. This application will establish what the new account fees will be for this use/property. That application can be obtained from our Utility Clerk, or staff can arrange to provide the form to the applicant.

- 2. Any adjustments to the entrance driveway will need to be coordinated with the NH DOT for a driveway permit if applicable, as the property is located on Rte. 108 and the State DOT has jurisdiction for this corridor, to include driveway permits, etc.**
- 3. Verify if an upgraded or new installed fire suppression system is needed for this property. Not sure if existing building/use was already equipped.**

There was a brief discussion on the history of this project.

Mears stated any future expansion of this pavilion, such as bathrooms, please note that this existing structure is only 5' from the property line. Will there be another dumpster added.

Lavalley stated it is possible.

Mears noted there are specific requirements for dumpsters. She asked what the intent of the food truck on site was.

Lavalley stated it would be moved when this use opens.

Mears inquired if there is any new landscaping being proposed.

Lavalley stated not at this time.

Mears asked for more information on the outdoor lighting.

Lavalley stated there is some existing lighting on the building and might add more.

Mears stated any new lighting needs to be fully shielded and down lit, if they add any lighting please provide the lighting specifications. She noted they should also be cognizant of the noise crossing the property boundaries and residential abutters.

Discussion of the noise ordinance and State ordinance.

Lavalley reviewed the final steps he will be taking at the site.

Mears opened the public hearing.

No comments were received.

Public Hearing closed.

The Board discussed proposed conditions of approval.

Motion: Robidas stated, I move that the request of Albert Lavally to expand an existing restaurant use at 222 Route 108 be **APPROVED WITH THE FOLLOWING CONDITIONS:**

1. The applicant shall apply for a new Water and Sewer Connection Permit; The applicant will be required to pay standard water and sewer connection fees assessed on new properties connecting to the water and sewer system. Water fees will be based on the size of water meter needed and the sewer connection fees will be based on estimate of water used and equivalent number of bedrooms. This shall be completed prior to the issuance of the CO;
2. All new outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
3. Applicant shall install emergency lighting in the pavilion area;
4. The site shall be ADA compliant; and
5. The applicant shall supply adequate proof that they are able to utilize all parking on site for their use.

The MOTION is SECONDED by Metivier.

The MOTION CARRIES by a 5-0 vote.

B) Any old business that may come before the Committee. – No other old business.

3) **NEW BUSINESS**

A) **Any other new business that may come before the Committee.**
No other business.

MOTION: Robidas MOTION to ADJOURN at 11:06 AM

The MOTION is SECONDED by McLin.

The MOTION CARRIES by a 5-0 roll call vote.

Respectively submitted:

Dana Crossley, Planning Secretary
Site Review Technical Committee