

**W. T. PLANNING BOARD MEETING, APRIL 2, 2007, 7:30 P.M.**

**PRESENT:** David Douglas, Ginny Jones, Mark Yale, Erik Hammarlund

**ABSENT:** Leah Smith, Susan Silva

**ALSO PRESENT FOR ALL OR PART OF THE MEETING:** Nancy Dole, Glenn Provost, Kara Peters, Paul Davidson, James Ferry, Simone DeSorcy.

**CORRESPONDENCE**

**In:** Zoning Inspector to Nancy Dole re. retail use;  
Kara Peters re. dog grooming business;  
Joe Eldredge re. Indian Hill Road

**Out:** MVC re. Rutkiewicz Covenant

**MINUTES**

Minutes of the March 19, 2007 meeting were approved as amended.

**NEW BUSINESS**

**Kara Peters, Pet Grooming Business at 497 State Road, MB District:** Board members read Kara Peters' letter outlining her proposal to locate her pet grooming shop in the MB District. The shop would be open two to four days a week, from 8 a.m. to 5 p.m. She will not have any more than three dogs (excluding her own pets) at any given time. She will be the only employee. She is applying as a service business, requiring Site Plan Review within the MB District. Kara Peters said that she might pick up and drop off some of her clients' animals. She said she would not mix dogs from different households on the premises at the same time; she will only work with one client at a time.

Mark asked whether clients could leave their dogs there all day. Kara Peters said no, and that she would not be boarding any animals, either. She said appointments can take anywhere from 15 minutes to 2 hours, depending on the size and condition of the dog.

David said that if her business grows, for instance having more than 3 dogs on-site at any one time, or if she begins boarding services, she would then be considered a kennel which requires a special permit from the ZBA. Ginny said that kennels can be very noisy. Property owner James Ferry said he had no interest in having a kennel there, as he will be next door himself and doesn't want the noise. Ginny asked whether Kara Peters would also be living on-site; James Ferry said she would, and that this was basically an affordable housing with home business proposal.

James said that the Board of Health was requiring a 1,500 gallon tight tank for the grooming use. All of that wastewater would be trucked away. The proposed use removes an existing bedroom from the building. He said the building has 7 parking spaces.

David asked whether a site visit was necessary. Ginny and Mark said they know the site and did not need to make a site visit. Mark made a motion to approve the service business as proposed, subject to sign and lighting bylaws and Board of Health approval. David said it was appropriate for the MB District. All in favor.

**OLD BUSINESS**

**Nancy Dole, Discussion re. Second Driveway, M32, L78:** Mark said that some members had made a visit to the site. No survey has been done, but Nancy Dole gave them a ballpark idea of the boundaries and where she would like her second curb cut. Members toured the property. He said he thought the case could be made for hardship accessing her driveway through gas station traffic. The overall increase in traffic on the entire island was probably not imaginable when the easement was created. Still, he stated that he is going back and forth whether to allow two accesses. David noted that she could move her existing driveway to the other side of the building, but would lose her right to keep the existing one unless she applies for and receives a special permit. Mark said he was leaning towards 2 accesses only if one is restricted as the entrance and the other as the exit; he said he didn't feel this would be overly detrimental to the neighborhood given the commercial use next door. David said he agreed.

Ginny said she disagreed. She said the property should have one or the other driveway, not both. She said she found the house attractive the way it is, and that confusion will be generated by creating two driveways. She said it was unfortunate that there was no possibility of accessing the property from Runner Road. She said that she doesn't see how the situation will improve by having 2 driveways. Further, it will be confusing for the trucks who will have to enter through the exit to avoid driving over the septic system.

Nancy Dole said she is trying to improve the building's appearance. Mark said the appearance of the building is not the Board's concern; the issue for the Board is the number of accesses. Nancy Dole said that her property shouldn't be covered with asphalt. Mark said he wasn't doubting that she was a good steward of her property, but the Board wrestles with allowing more than one access per property. David said an access off Runner Road was the best solution, and asked why she couldn't reach an agreement with Faith Runner. Nancy Dole said Faith Runner won't let her use her road.

Mark asked about the current use of her building. Nancy Dole said it is commercial with two apartments upstairs. There is a chiropractor's office downstairs, as well as a real estate business which might be moving. She said the chiropractor has 3 sessions per week. The real estate business is failing, so it is hard to estimate how much traffic that use generates. Mark said it sounds like presently there is not heavy traffic generating the need for a second driveway. Nancy Dole said that she does not want to have a dying building. She is hoping to rent the downstairs to a new tenant doing retail. She wants it to be a more active building as it was in the past. She wants a successful property. Mark said that the Board needs a pressing reason to grant a second access. Ginny said she had never had any problem getting on to the property. She said the access is not what is affecting the real estate business. Nancy said no, but it is affecting her. She will have a single retail business downstairs, so she is not creating additional use. Ginny said she would be creating additional use if she added retail, which requires more parking spaces. Nancy Dole said the property would look a lot better if she were allowed to make her proposed changes.

Nancy Dole said she no longer wants to have a war about not being able to get into her driveway. David said he agreed it was safer to turn into a drive from a public road that was not blocked. Ginny said the same was true about pulling onto a public road from a drive. Nancy Dole said not getting the second access would destroy her property.

Ginny said there is intensive use of the lot already, and Nancy Dole is proposing something even more intense (retail) in a residential area. Mark stated that he hoped Nancy Dole realized that if it granted her the right to have a second access, it did not mean tacit approval for intensifying the use on the site by adding retail.

Nancy Dole said she already has enough parking as well as a special permit that allows retail. She noted that she is losing one parking space by adding the second driveway. She said that in 35 years she has never had a single complaint from any neighbor over something she had done. She is only now having a problem with one neighbor, the gas station, because they have an easement but not a right to block her driveway.

Mark noted that retail businesses are not permitted in the VR district. He said that the Board cannot vote on her proposal until she submits an application with a detailed plan. Nancy Dole said she doesn't want to spend any money on a plan until she gets some indication from the Board on how it will vote. Mark said that at the moment, he could potentially support the application based on access hardship, but ideally he does not like to see looped driveways. He needs to see a finite plan before making any decision. He said he hopes the plan will make it painfully obvious how the parking would work, how the entrance and exits would be marked, etc. Ginny said she had no problem with changing the location of her driveway, but has a problem with 2 driveways. She doesn't like the idea of additional curb cuts. David noted that two voting members were absent; one has indicated support for 2 driveways, the other member has not commented. David said that turning around might be difficult if only one driveway is allowed. He said he did not like the proposal, but it could turn out to be the best solution once they see a plan.

**Glenn Provost for Dixon Rogers, Meadow Brook Farm Nominee Trust, Indian Hill Road, Form A:** Glenn Provost presented a plan to divide Map 15, Lot 2.1 into 5 lots. He pointed out Note A which states "Lots 1 thru 5 shall not be further subdivided to create additional building lots." He noted that the conservation restriction on the property had been signed by the Con Com and the Selectmen. David said that the plan Glenn Provost presented at the March 5, 2007 meeting had a note stating "the only access to Lot 2 will be off the existing traveled road that leads to the pit. No new access is permitted to Indian Hill Road." He asked why that note had been dropped. Glenn Provost said the owner did not want to preclude the ability to use the "existing roadway" off Indian Hill Road, as shown on the plan. Ginny noted that it goes over a stream. Glenn Provost said it would require Con Com review, and that it is not a right of way to Lot 2. Ginny said that the Con Com didn't want the "existing roadway" to be an access toad to lot 2 as it traverses the conservation restriction.

Mark said that note A states that lots could not be further “subdivided” and asked whether this shouldn’t state “divided” so as to prevent future Form A divisions. David and Ginny agreed.

Ginny made a motion to endorse the plan with note A amended to read “division” instead of “subdivision;” all in favor. David signed the plan. Glenn Provost will provide prints of the plan with the amended note A to the Planning Board and the Clerk. Ginny asked Glenn Provost to extend the Board’s thanks to the family.

**Letter from Zoning Inspector to Nancy Dole re. Retail Use:** Board members reviewed the letter from the Zoning Inspector to Nancy Dole stating that her special permit for a retail use at her property next to the gas station had expired. They directed Simone to draft a letter to the ZBA supporting the Zoning Inspector’s decision.

The meeting was adjourned at 9:40 p.m.

Respectfully submitted,  
Simone DeSorcy, assistant

**Approve May 7, 2007**