

**ZONING BOARD OF ADJUSTMENT
PLAINFIELD, NEW HAMPSHIRE**

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold a public hearing on the following application on **Monday December 12th 2016 at 7:00pm at the Meriden Town Hall:**

Case 2016-05 Priscilla & Robert Wheeler: The application looks to modify the terms of the board's 14-02 decision establishing a restaurant use on the property. Specifically the applicant is requesting an expansion of the approved hours of operation from Friday-Saturday 12pm to 8pm, Sunday 8am to 1pm to **seven days per week 11:30am to 8:00pm.**

The full project file is available for public inspection at the town office. An electronic version of the application plans is available online at www.plainfieldnh.org/zba.htm

While not required to attend, abutters and interested parties are encouraged to attend either in person or by counsel and state reasons why the application should or should not be granted.

Notice prepared by Stephen Halleran on behalf of the
ZONING BOARD OF ADJUSTMENT
November 29th 2016.

PLAINFIELD ZONING BOARD OF ADJUSTMENT
APPLICATION FOR APPEAL

PLEASE READ: This form should be completed after discussions with the town's zoning administrator about the proposal. If you have not already done so, please contact the zoning administrator (469-3201).

Applicant's name: Priscilla & Robert Wheeler

Mailing address: PO BOX 2 Plainfield NH 03781

Property Street address: 1097 Route 12A, Plainfield NH 03781

Tax Map / Lot Number: 017-37

Zoning district: VR

Property owner of record:

Type of appeal (check one):

- variance
- special exception # _____
- administrative decision

WHEELER.PRISCILLA

Digitally signed by
WHEELER PRISCILLA.1411369834
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=DCMA, cn=WHEELER.PRISCILLA.1411369834
Date: 2016.11.28 09:58:31 -05'00'

Applicants signature: LLA.1411369834

- Required Attachments:
- a) applicant signed description of the proposal.
 - b) site map(s) exterior/interior.
 - c) abutter list with mailing addresses.

Fee: application
notification

\$ 50 + \$ 75 + 33
\$ _____ Total \$ _____ \$ 160

Hearing Date: 11/21/16

In order to be on the meeting agenda for the above date, your paid application must be received at the town office no later than Monday 11/28/16 (ZBA rule 9.3).

Office Use

date filed: 11/20/16
case number: 16-05
attachments: y/n
fee paid: y/n

Plainfield Zoning & Planning Boards

Olde Village Haunt
1097 Route 12A
Plainfield NH 03781
Priscilla & Robert Wheeler

Case # 2014-02

The Haunt has been open for over a year now, and has had no concerns or issues with neighbors, town or state.

#4 of the ZBA approval: The application is for a restaurant with 25 seats. Hours of operation to be Fri-Sat 12pm- 8pm, Sunday 8am -1pm.

Requesting approval to be open Sunday Thru Saturday 11:30 am to 8 pm.

List of abutting neighbors:

Mac's Happy Acres – 1121 Route 12A
Ronald Bailey – 1103 Route 12A
Merilyn Smith – 9 Peterson Road – PO Box 49
Erin & Paul Yates – 1100 Route 12A
Community Baptist Church – 1094 Route 12A
John Tomlinson – Rental property – 1093 Route 12A

COPY
Robert and Pricilla Wheeler
PO Box 1
Plainfield, NH 03781

NOTICE OF DECISION

Case 2014-02

Your are hereby notified that the appeal by **Robert and Pricilla Wheeler** for the necessary zoning approval to operate a restaurant (special exception # 17) in the Village Residential Zone at #1097 Route 12A has been **granted** by the affirmative vote of at least three members of the Zoning Board of Adjustment.

In granting the appeal the Zoning Board has made the following **findings**:

- 1) A restaurant use is permitted as a special exception in the Village Residential Zone and is consistent with the general purpose of the zone as stated in the zoning ordinance to "serve as a nucleus of community activity."
- 2) The small lot on which the use is to be located is nonconforming in area. However, the lot coverage has not been made substantially worse with the renovated structure. The Zoning Board determined lot coverage to be approximately 25% depending on the final parking lot configuration.
- 3) The board heard testimony that the relatively short distances to neighbors makes it likely that noise from patrons and the kitchen as well as smells from the dumpster could be offensive unless adequate controls are in place.
- 4) The application is for a restaurant with 25 seats. Hours of operation to be Fri-Sat 12pm-8pm, Sunday 8am-1pm. A maximum of three (3) employees other than the owners.
- 5) Based on its review the zoning board found the application, with conditions, to be compatible with section 5.6 of the Zoning Ordinance.

In granting this approval the Zoning Board has established the following **conditions** for the project:

- 1) Application to be as amended at the March 10th 2014 meeting and to include only the indoor restaurant use with personal use space for the owners upstairs.
- 2) Applicant shall provide an improved parking plan for at least 11 spaces to the Planning Board for approval.
- 3) Applicant will work with the adjacent neighbors on measures to control noise and odor.
- 4) Site Plan Review approval by the Planning Board.
- 5) A code review by the town's building inspector resulting in an issued certificate of occupancy for the buildings.
- 6) Any expansion of the restaurant or other significant change to the property as determined by the Zoning Administrator shall require a Zoning Board review.

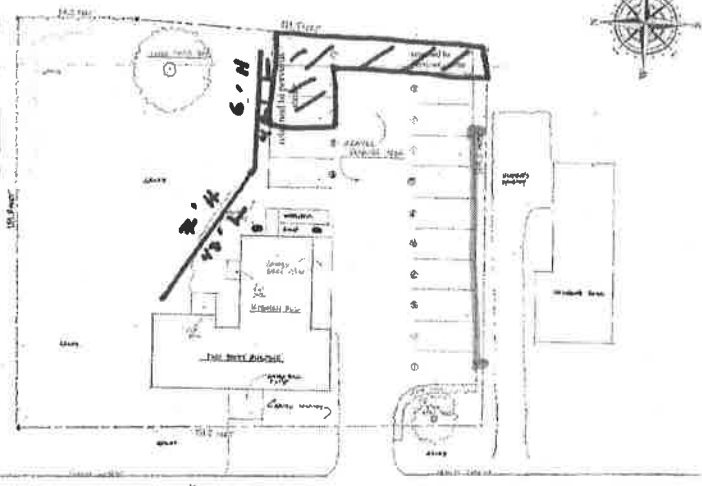

Richard Colburn, Chair
Board of Adjustment

19 March 2014

Date

Note: Any person affected has a right to appeal this decision. See New Hampshire Statutes RSA Chapter 677 for details.

SITE SQUARE FOOTAGES & PERCENTAGES
 LOT AREA: 20,114 square feet or 0.46 ACRES
 STRUCTURE: TWO FIFTY FIVE FOOTPRINT = 100 sq-ft lot
 COVERED PORCHES & DECK = 100 square feet
 DRIVE & STAIRWAY DECKS = 3,125 sq-ft & WALKWAYS = 1,110 square feet
 PERCENTAGE OF LOT TO BROWNSHIPS RESIDENCE:
 1,114 sq-ft DECKS
 + 100 sq-ft PORCHES & DECKS
 = 2,114 sq-ft (10.5%)
 PERCENTAGE OF LOT TO 12A SQUARE FOOT (LOT) = 0.24%
 PERCENTAGE OF LOT TO 12A SQUARE FOOT (LOT) = 0.24%



Site Plan
 Scale: 1" = 10 Feet

- Additional Landscaping Spring 2016
- Fence
Solid wood/White
Straight top
Color white
Installed by 8/1/10
- Vegetative Plantings
Anemone
210' 6" x 100'
Fall 2013 to 2015 (smaller)
- Handpik
to be
removed
Fall 2015
- - Lights
Dark grey cabinet
Fall 2015

Straight Edge ARCHITECTURE
 Little Bits of Love, LLC
 #1997 Route 120 - Plainfield, NJ
 Date: July 2, 2011

Site Plan Approval
 11/2/13

 Chau

COPY

TOWN OF PLAINFIELD, NEW HAMPSHIRE
110 Main Street
Plainfield, NH 03781

PO BOX 380, Meriden NH 03770
e-mail: plainfield.ta@plainfieldnh.org
www.plainfieldnh.org

Telephone (603) 469-3201
facsimile 3642

11/03/2015

Priscilla & Robert Wheeler
PO Box 2
Plainfield, NH 03781

Re: Restaurant #1097 Route 12A (map107 lot37)

Dear Mr. and Mrs. Wheeler

This letter, in combination with the Zoning Board of Adjustment approval (case 2014-02) dated March 19th 2014, constitute your Town of Plainfield land use approvals for your restaurant at #1097 Route 12A.

The Planning Board's site plan review approval is conditional based on the following:

1. A minimum of 1,000 sq ft of hardpak shall be removed before the restaurant is opened and replaced with a permeable material, preferably grass. A suitable barrier shall be placed adjacent to this area from April 1st to December 1st to prevent vehicles from using the area for parking.
2. All outside lighting shall be dark sky compliant.
3. A fence on the north side and plantings on the south side shall be installed as shown on the approved site plan map; see attached. The fence shall be solid in nature with a uniform straight edged top and be white in color. The parking lot section of the fence shall be at least 6' high and 48' long, the restaurant section of the fence shall be at least 7' high and 48' long. The vegetative plantings, south side, shall include at least six (6) new 5'-6' high arborvitae located so as to screen the driveway and parking from the property to the south. In addition, six(6) existing small arborvitae shall be relocated and set into this planting as part of the screen.
4. The applicant has indicated additional landscaping is planned in the spring of 2016 for the northeast corner of the property. These plantings will provide additional screening for the north side abutters and will serve to "soften" some of the development on the site.
5. During summer months, planters and benches shall be placed along the front of the building making it clear that parking is not allowed near the front door.
6. Receipt of a New Hampshire Department of Transportation approved change of use for your existing curb cut onto Route 12A.
7. If you are unable to install the required fence prior to opening, the Town shall receive funds, amount as determined by the Zoning Administrator, to insure that the required fence will be installed no later than May 1st 2016. Such funds to be returned after the fence is installed.
8. Any substantive changes, as determined by the Zoning Administrator, to the operation of the restaurant will require Town approval.

As was the case with the Zoning Board of Adjustment, in granting this approval the Planning Board has recognized the following: One, that our zoning ordinance promotes business development in the Village Residential zone along state highways. Two, the difficulties often encountered in converting an existing residence on a small lot to a permitted use such as a restaurant. The Planning Board stresses the need for you to continue to work with your immediate abutters to insure that the use does not significantly detract from their enjoyment of their property. It is impossible to accurately predict all the impacts of a new use. As your business opens, the Town asks for your cooperation in addressing any future concerns that might come up.

Signed,



Jane Stephenson, Planning Boar Chair

Date

11/3/15