



**TOWN OF
BROOKLINE, NEW HAMPSHIRE**

PLANNING DEPARTMENT

**P.O. BOX 360 – 1 Main Street
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MEETING DATE: March 8, 2018 March 20, 2018	APPLICANT: 364 Route 13, LLC Joan & Edward Delage	APPLICATION TYPE: Site Plan – <i>Sundae Drive, Ice Cream Shop</i>
APPLICATION NO: NRSP # 2018-C:C-20-1	APPLICANT'S REP: Joan & Edward Delage	REVIEWED BY: Valérie Rearick, Town Planner
EXECUTIVE SUMMARY: The applicant is proposing to operate an ice cream chop at 346 Route 13 (former Ladd's Convenient Store)		

BACKGROUND

Location: 346 Route 13
Total Area: 0.76 acres
Zoning: Residential/Agricultural
Land Use: Residential/Agricultural

The proposed ice cream shop is to be at the former Ladd's convenient store location. The Property is in the Agricultural/Residential District and the convenient store had a grandfathered status that lapsed 8 years ago. The commercial use has been abandoned 9 years ago.

The applicants have requested a Special Exception under Section 2600 (b) of the zoning ordinance to allow a "family-operated" ice cream shop in the residential district and are meeting with the Zoning Board of Adjustment on Wednesday, March 7th, 2018.

The Public Hearing with the Planning Board may or not be maintained depending on the ZBA decision.

PROPOSED SITE PLAN

The applicants have submitted a details site plan showing all proposed improvements to the property and includes:

Building redemption and floor plan:

- Façade with 3 "service" windows and 2 solid glass windows between service windows
- New bathroom, storage, preparation, cleaning and ice cream selling area
- Exit doors

Outside improvements:

- Seating area
- Parking spaces for customers, including 1 handicap space, all in the front of the property.
- Parking for employees has been provides on the back right of the building
- New fences to (1) separate the seating area from the parking and (2) to block the access to the right of the building (except for employees and dumpster access).

Signage:

One sign on the existing street light (same dimension as the former Ladd's sign) and one 5x5 sign on the building which is less than the maximum authorized size for a wall sign.

Other information provided by the applicant:

- This will be a seven days per week operation and the shop will be open from 10 am to 10 pm.
- This will be year-round operation.
- 3 persons will be working on the premises: the applicants and their daughter. This may increase in the future but as a commercial application the number of employees is not restricted.
- They would start with selling ice cream products and are planning on proposing items such hot dogs, cold sandwiches, etc. in the future. There will be no cooking on the premises, only steaming available to reheat food such as hot dogs. Note: any cooking would require the installation of a grease trap for the septic system.
- A new septic system application was approved by the NH DES on September 2017 and is valid for 4 years.
- A new well has recently been installed.
- There will not be bathroom available to customers. This is typical for this type of business. The applicants may want to consider portable toilet but are not obligated to do so.
- The applicants have contacted the NH DOT regarding a driveway permit but there will be no alteration to what is already in existence. This driveway permit would be a renewal only.
- A fenced dumpster will be located to the back of the property.
- Parking in front. The paved parking area was already in the front when the Ladd's convenience store was in operation. The Board may request a waiver from Section 4.6.03b (parking location) but Staff believes this is not necessary as the paved area stays exactly at the same location.

COMMENTS FROM OTHER DEPARTMENTS

Fire Department (letter dated February 21, received February 28, 2018)

"I have reviewed the proposed site plan for Sundae Drive. Following is the list of items that the Fire Department will require:

1. *The Knox box will be needed*
2. *Exit doors need to be properly marked with an illuminated sign*
3. *Emergency lights will need to be installed to provide light in the event of an emergency*
4. *If a fire alarm system is installed, it shall meet the requirement set forth by NFPA 72 as well as the following specific requirements: a) occupant notification shall be by both audible and visual means, and b) pull stations shall be installed by every exit door.*
5. *Fire extinguishers shall be installed in accordance with NFPA 10.*

Charles Corey, Fire Chief"

Building Inspector

The applicant shall contact the building department and pull all the necessary building permits prior to the beginning of work on the property.

Sign design(s) shall be provided prior to the issuance of a sign permit.

Zoning Board of Adjustment:

An update will be provided to the Planning Board on the day of the scheduled public hearing as the applicants are meeting with the ZBA the night before.

RECOMMENDATIONS

The application is complete, abutters have been notified and fees have been paid.

Staff recommends that the Board **accepts** the application.

Staff recommends that the Board **approves** the application with the following conditions:

- Fees for Staff review and meeting attendance shall be paid by the applicant within one month of the issuance of the final invoice.
- All items listed in the February 21, 2018 letter from the Fire Department shall be addressed and a final satisfactory report from the Department shall be submitted to the Planning Board.
- Any future changes on the properties or use of the property shall be submitted to the Board for review and approval.