

Change of Use Determination

Change or Expansion of Use: the creation, alteration, modification or enlargement of a non-residential use which increases, intensifies or otherwise negatively impacts any of the following: site lighting, sewage, water, drainage, pedestrian or vehicular traffic, parking or loading, sign usage, landscaping or buffer zones, site access, noise, or other public health, safety or welfare consideration.

Situations not ordinarily constituting "change or expansion of use" include: a mere substitution in tenant, owner, service or product, with no impact regarding the above considerations; interior remodeling which does not increase square footage. Whether a "change or expansion of use" occurs is a determination to be made by the planning board (11/19/91).

Applicant: RGGGS Realty, LLC & MYS Realty, LLC

Address: 103 Route 13

Map/Lot: H-025

Last approved Site Plan: Last update was 09.16.2010 – LeBaron Brothers Audio and Grandmothers House

Notes from Site Plan: Hours of operation Sun – Sat 8:00 AM to 8:00 PM, Signage according to Ordinance, 8-10 parking spaces in front with not more than 5 vehicles at any one time, no employees other than the two owners.

Additional notes from the Fire Chief dated October 8th, 2010 listing nine (9) items to be addressed and the lack of smoke detectors in the building.

Proposed changes in 2023:

From the Applicant: *Converting the existing 855 sf commercial building (log cabin building) to a take-out only restaurant. The project scope also includes adding automotive sales to the automotive fueling, service and repair.*

Use	Current	Proposed	Notes
Site Lighting	None noted	Changes to be expected	Recommendation: Must follow Outdoor lighting ordinance including a lighting plan and with this adjacent to a residential district, timing of lighting
Sewage	None noted	Likely to be impacted with addition of commercial kitchen and bathroom in cabin	
Water	Noted that there would be no public access to water	Applicant says not to become a public water supply	With the addition of a bathroom and a commercial kitchen, this

			will have additional impacts on water
Drainage	None noted	No change in impervious surface expected	
Traffic (car or ped)	Traffic around the corner from Route 13 to Bond was expected to be impacted – and edge of lot was to be painted	Expect greater traffic usage	
Parking/Loading	8-9 parking spaces were noted but only 5 were expected to be used per day	Anticipating needing 30 spaces, shows 29.	Recommendation: Clarify the Use of each building and staff # on largest shift. How much of the cabin is kitchen, how much is restaurant, how much is office? Can employees get out of the parking area? What about UHaul rental parking?
Sign Usage	Single sign on cabin, two signs on automotive repair/inspection, 1 monument sign, Fire Danger sign, canopy sign, various temp signs	New signs needed, but not sure yet what	Recommendation: with multiple businesses on a lot, a Sign Master Plan is needed. All signs must be permitted.
Landscape or buffer	None noted	No expected change	Consider if buffers are needed with longer hours and more traffic.
Site Access	None noted	No changes expected.	
Noise	None noted	No changes expected.	Amplified music?
Public Health	None noted	No changes expected.	
Public Safety	None noted	No changes expected.	
Public Welfare	None noted	No changes expected.	

Final notes:

1. Confirm the lot bounds.
2. Fire department concerns from 2010 were not followed up on and no annual inspections since.
3. Fire department concerns about adding a commercial kitchen and hood
4. Septic and Well access easements should be confirmed.
5. This lot is in the aquifer protection district. Lot coverage and drainage might need review.