

Fair Haven Planning Commission

Town of Fair Haven

September 1, 2021

Commissioners Present: David Eighmey - Chair, Deborah Fallon, Robert Richards, Cindy Pritchard

Commissioners Absent: Patrick Frazier

Others Present: Phil Adams - Zoning Administrator, Jennifer Jackson - minute-taker, William Dodge - Adjoining Landowner, Caryn Mlodzianowski - Applicant, Barbara Mlodzianowski

1. Call to Order: 7:02pm by David Eighmey

2. New Business:

- "McDonalds USA, LLC, represented by Brian Sheedy, Applicant A2021-046 for approval of site improvements to reconfigure the drive-thru services to two lanes with updated, digital, side-by-side menu boards, order here canopies, and pre-browse menu boards. Property owner: McDonalds, LLC. Location 22 Washington Street. Tax map # 20-01-01-02.." McDonalds is wanting to re-route traffic by adding a second drive through lane. Ms. Mlodzianowski's, from Bohler Engineering Firm representing McDonalds, hope is to create 2 lanes for the ordering site in the drive through. Drive-through orders have been up since the pandemic started. Each lane will have a pre-order menu board and a menu board. There will still only be one person taking orders so cars will have to funnel back into a single line to pay and receive their order. The plan will create a bit more green space and will refresh striping to clearly identify the lanes at the entrance to the restaurant. The plan isn't to widen the width of the entrance to the lot.

Ms. Pritchard asked what the benefit is for McDonalds to do this work? Ms. Mlodzianowski responded that cars should not have to wait as long in line because of the addition of the pre-order menu, that customers will be able to decide on their orders faster and move through the drive-through process quicker.

Mr. Richards asked ZA Adams if this project would lose any setbacks and ZA Adams responded that they are only losing 1 parking space with the current design. Ms. Mlodzianowski responded that the restaurant has 58 seats inside which warrants 19.3 parking spaces outside. There are 29 parking spaces in the design, leaving 9 spaces for employees which should be adequate because the code is one space per three employees.

ZA Adams asked if there was to be any new lighting other than the digital displays. Ms. Mlodzianowski responded that no new lighting was to be added, but that they are moving the Welcome sign back slightly.

Mr. Eighmey invited Mr. Dodge to speak. Mr. Dodge's first statement was to request a site visit so the Planning Commission could see the traffic issue that McDonalds creates

on a daily basis. Mr. Richards told him that they could have a site visit if one was needed. Mr. Dodge went on to explain that traffic issues have been an increasing problem in the area since the McDonald's rebuild. Mr. Dodge, trying to be a good neighbor, allowed construction vehicles to park in his space during the construction. Since this allowance there have been three hit and runs at Fair Haven Motors. Mr. Dodge is concerned with the number of cars that use his parking lot to turn around because of the congestion they discover after trying to turn into the McDonald's building lot and are unable to because of the congestion. He was told by Mr. Hearburg, the owner of the Fair Haven McDonalds, that business is currently 83% drive through business, up from about 75%. Mr Dodge would like to see less green space, a wider entrance to McDonalds, and removal of side parking spaces to help large vehicles or vehicles with trailers to exit the property or turn around as needed.

Ms. Fallon asked what the parking requirements were for McDonalds and if there really needs to be as much parking for the McDonalds lot as there is. She asked if the restaurant would think about becoming a drive through only to alleviate some of the drive through and parking issues. Ms. Mlodzianowski responded that McDonalds just spent a lot of money upgrading the building so it is unlikely they will close seating, but there is an opportunity to reduce parking. By adding the second drive through lane you add the opportunity to stack cars which hopefully will reduce the congestion by bringing the cars forward into the lot.

Mr Richards asked how many parking spaces would be lost if McDonalds followed Mr. Dodges requests and if widening the opening would foul any current restrictions on the location. Ms. Mlodzianowski stated 6 spaces would be lost and widening would not violate any restrictions.

Ms Prichards reiterated her feelings that adding another lane would not fix the traffic issues that McDonalds creates, but maybe more staff would. Mr. Richards stated that the status quo doesn't work either so doing nothing isn't helpful. Ms. Mlodzianowski said that adding a lane does decrease wait time in other locations and that McDonalds wants to move people faster so they can have more business.

Mr. Eighmey asked if the 22a exit could be changed to allow flow of traffic out in both directions, not just Right only. ZA Adams wasn't sure it could be changed because he wasn't sure what their Act 250 permit involved or their access way onto the State Highway restrictions were and that McDonalds would have to take up the matter with the state if they wanted it changed. Also that permits to change the way cars enter a state highway is a challenge to obtain.

Mr. Eighmey suggested to Mr. Dodge a fence at his property might help off hours turn-arounds. Mr. Dodge stated that they have night drops and other work that happens and a fence would be an added challenge to their business. There is signage indicating that Fair Haven Motors isn't a tractor trailer turn around.

Mr. Richards asked about handicap parking at McDonalds. There are 2 spaces located near the bank exit side of the lot. Mr. Eighmey asked how many parking spots could be lost and still be within code. Ms. Mlodzianowski responded 3 spaces. Mr. Richards stated that we have made this issue by allowing buildings without thinking of future traffic increases.

Ms. Fallon stated the fact that people are doing business in Fair Haven is good. That they are frequenting our McDonalds and not going elsewhere is a good thing. We need to allow the property that they have to be a use to them. Maybe McDonalds needs to think about reducing inside seating and removing parking spaces to allow the parking lot to be better utilized for the traffic it has. Mr. Richards stated that if he was a business owner it would be hard to give up seating. Remember we service ski patrons who have driven a long way and like an inside break. Fair Haven has a traffic problem, McDonalds is trying to alleviate it. He asked Ms. Mlodzianowski what the average wait time is in the drive through line. She stated she would have to check into that, but reminded the PC that with the new upgrade there are order touch screens which allows employees to help more in the back of the store.

Mr. Eighmey asked the PC to go through the exemptions for a site plan review and see if there is a need for a site plan review. ZA Adams stated that the PC could visit the site without doing a site plan review. If the meeting warrants you to check the site to clarify a point then it's ok to visit the site without a site plan review and would not require special warning.

ZA Adams asked about the area at the back of the property and why the area is not marked for parking. Ms. Mlodzianowski stated that nothing indicates that it is a space for large vehicles and there is space needed there for tractor trailers to be able to drive around the building. ZA Adams then asked if the entrance could be widened and stay within the requirements of McDonalds. Ms. Mlodzianowski responded that yes it could, she didn't see any harm. ZA Adams followed up by asking Ms. Mlodzianowski if McDonalds would be open to modifying their plan or if they are set on the design that is presented. She didn't see any harm in modifying the plan and widening the lanes. Ms. Fallon asked if the green space beside the drive through lane needed to stay. Ms. Mlodzianowski stated yes it did as there are underground propane tanks located there and that shortening the green space would not increase the stacking of vehicles they are trying to create to reduce congestion.

Mr. Eighmey asked Ms Mlodzianowski how long it would take them to revise the map of McDonalds construction to show a larger opening for the entrance to the location. Ms Mlodzianowski stated not that long, it could be ready next week. The PC was in agreement that they would like to look at the entrance before they make any decisions concerning the construction. Ms Mlodzianowski said she could bring the new map to the site visit. The PC and Ms Mlodzianowski decided to plan on a visit at 6:30pm before the

next regularly scheduled PC meeting on September 15th. The site visit will give the PC a chance to check out revision and idea of traffic before they make any further decisions on the application.

7:50 pm Ms Mlodzianowski and Mr. Dodge departed. No decision was made on the application. It was postponed until the PC sees the site and they will decide if revisions are needed.

3. Review of Minutes of Previous Meeting:

Approval of minutes: Mr Richards made a motion to accept the minutes of August 18, 2021 as written, seconded by Ms. Fallon. All in favor and motion carried.

4. Other Business:

Election by majority vote of a Planning Commission Clerk.

The PC needs to elect a clerk, a person who knows something about legal documents to write up site plan review decisions. Deborah Fallon was recommended. There are guidelines in the PC Procedures and previous Site Plan Reviews can be used as guidelines. ZA Adams stated he would help as needed.

Mr. Richards motioned to elect Ms. Fallon as the Planning Commission Clerk. Ms Pritchard seconded the motion. All were in favor and Ms. Fallon was elected as PC Clerk by majority vote.

Review of Mail:

No mail

Zoning Regulation Update - Thirty minutes:

Put on hold until Ms Fallon can bring in a computer and there is an accessible, modifiable Microsoft Word copy of the Zoning Regulations. Once these are obtained the PC will spend their allotted 30 minutes modifying the document together this will allow edits to be kept in one location and appear more clearly for approval by the town council.

As the September 15th meeting is already planned for the Dunkin Donuts application, zoning regulation updates will be postponed until the October 6th meeting.

Ms Fallon stated she will not be in attendance on the October 20th meeting, she has a prior engagement. Mr Richards called Mr. Bove and is awaiting a call back.

Public Comment:

Mr. Eighmey restated the upcoming important dates for meetings;

Sept 13, 2021 - 6:30pm at Dunkin Donuts proposed location, 71 Washington Street, for a site plan review. 7:15 at the Fair Haven Municipal Building for hearing.

Sept. 15, 2021 - 6:30 pm at 22 Washington St for McDonalds site visit. 7:00 pm at Fair Haven Municipal Building for Planning Commission Meeting.

5. Adjournment:

Meeting Adjourned: Mr. Richards motioned to adjourn at 8:21pm. Ms. Pritchard seconded the motion. All agreed and motion carried.

**** Next Scheduled Regular Meeting in on September 15, 2021****

Respectfully Submitted,
Jennifer Jackson, Minute-taker
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