

PLANNING BOARD MINUTES  
September 14, 2016

**APPROVED: 9/28/16 cmg**

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AGENDA: PCC: ALAN BARNARD, 164 Barron Rd & 4071 River Rd, #209-050 & -055  
16SUB02 CONTINUED SUBDIVISION: MICHAEL F. SHARP REV. TRUST/BRANDY V.  
GUYOTTE & MICHAEL F. SHARP, 160 Jenness Hill Rd., #209-013, -014, -015  
15SPR02B CONTINUED SITE PLAN: NEW ENGLAND FAMILY HOUSING, 409 Lake St.,  
#112-036, -037 & 224-001

ATTENDING: Clay Dingman (Acting Chairman), Paul Manganiello (Sel. Rep.), Steve Favorite, Dan Paradis

ABSENT: Denice Destefano, Bob Curtis, Betty Seeler

OTHER: Scott Lacroix (Land Use Officer), Christina Goodwin (Assessing/Land Use), public, applicants

The meeting opened at 7:00 p.m. with a quorum.

16 SUB02: CONTINUED SUBDIVISION: MICHAEL F. SHARP REV. TRUST/Colin Brown  
Mr. Colin Brown was present on behalf of the subdivision applicants requesting a continuance. They are still waiting for the State approvals.

P. Manganiello made a MOTION, second by S. Favorite, to CONTINUE THE SUBDIVISION FOR MICHAEL F. SHARP REV. TRUST TO OCTOBER 12, 2016, 7:00 PM. The motion CARRIED.

PCC: ALAN BARNARD

Alan Barnard presented the proposed project to the Planning Board on behalf of Matt Bourque & Lisa Buitenhuys, who were also in attendance. The applicants would like to subdivide Map/Lot #209-055 4071 River Road, in conjunction with completing a Boundary Line Adjustment for Map/Lot #209-050 164 Barron Road. Mr. Barnard reported that Lisa owns Lot 055 and Lot 050 is owned by both parties.

Mr. Barnard inquired how this application would be categorized as there are two Zoning districts involved, which are the Pemigewasset Overlay District and the Rural District. Mr. Dingman stated that it is his expertise with the overlays that the more stringent rules/regulations apply.

Mr. Barnard inquired if the survey for Map/Lot #209-055 will be sufficient and Mr. Dingman reported that he is comfortable with just doing the new lot that will be created. Mr. Lacroix agreed.

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CONTINUED COMPLIANCE HEARING: 15SPR02B: NEW ENGLAND FAMILY HOUSING, Kevin Lacasse (owner), Kevin French (Surveyor)

Mr. Dingman explained information packets that were shared with the other members of the Planning Board in preparation for the compliance hearing for New England Family Housing (NEFH), which included 1) the conditions of approval for the Site Plan, 2) the memorandum from Stephen Pernaw with recommendations for driver safety, 3) the amended New Hampshire Department of Transportation (NHDOT) Driveway Permit, 4) confidential email correspondence with the Town's Attorney, Bernie Waugh who provided feedback on the conditions and DOT amended permit, 5) email from Mark Bucklin, Town's Highway Superintendent, which indicates that State specs are more stringent than the towns which would indicate it meets town specs, and 6) email from the applicant regarding Bernie Waugh's response and the applicant's interpretation.

Mr. Dingman reviewed the conditions of approval with the other members of the Board.

Number 1 indicates the project will be constructed and implemented in accord with the revised plans, testimony and representations made and any substantial or material deviation from those plans shall require further action by the Board. The members agreed that this condition is met.

Number 2 addresses the Maintenance Manual. New England Family Housing submitted a revised manual, which indicates that anyone who owned the property would also have to follow. The members agreed that the revised manual meets the condition.

Number 3 addresses the access for the project requiring that either (a) or (b) of the conditions be met and that the Applicant provide the Planning Board with evidence that the DOT will permit the Applicant to install the improvements set forth in the Stephen Pernaw letter of June 6, 2016. Mr. Dingman pointed out that he feels that option (b) of the conditions has been met with the email from Mark Bucklin which indicates that the access meets town standards because State standards are more stringent, but his concern is with the evidence that the State approves any changes as requested in the Pernaw letter.

The amended DOT permit references that it authorizes paved access to be used as the driveway for the 32 Unit Apartment Complex as shown on plan 15 of 15 prepared by Brown Engineering and Surveying with a revision date of 8-15-16. Mr. Dingman feels this is the main point that the Board needs to discuss. Mr. Lacasse felt that the amended DOT permit meets the conditions of approval as the DOT can't catch all the information in words. Mr. Lacasse reported that they met with the DOT and the DOT said this is what we can do and by referencing the plan it now makes it part of the permit approval. Mr. Dingman felt that there is ambiguity that could be misinterpreted. Mr. French stated that those requirements are tied to the plan and that it is now the official record.

Mr. Dingman was concerned that everything the Board and the project has done up to this point has been very detail oriented and specific, but this change is out of character for how the Board does things. Mr. Manganiello reported that in his history, the drawing is what stands up as it tells what everything is

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NEW ENGLAND FAMILY HOUSING continued:

made of, etc. Mr. Dingman was concerned that if it is not detail oriented it will be harder to enforce and the project might not repaint lines if needed or some similar requirement. Mr. Lacasse stated the maintenance is in the manual and is the responsibility of NEFH. Mr. Paradis felt that the drawing is very clear in the letter and the plan and that there was no incentive on the part of the applicant to fudge on this. Mr. Dingman asked the Board to consider if they are doing due diligence or not.

Mr. Lacasse asked if the Pernaw recommendations are written on Plan 15 of 15, would this be sufficient to meet the concerns of the Board. Mr. Dingman advised that they not be handwritten. After further discussion the members of the Board agreed with this change.

P. Manganiello made a MOTION, second by D. Paradis, to APPROVE THE SITE PLAN AS THE CONDITIONS HAVE BEEN MET WITH THE ADDITION OF PERNAW RECOMMENDATIONS ON PAGE 15 OF THE SITE PLAN. The motion CARRIED with one abstention from S. Favorite.

The Notice of Decision and Plans will be signed once available for the Board. Christina Goodwin will contact Mr. Dingman to advise and update the applicant once signed. Mr. Manganiello also thanked Mr. Dingman for all his hard work and solutions for the project.

MINUTES OF AUGUST 24, 2016:

The following amendments and clarifications were made: Page 1, under SIGN ORDINANCE, 2<sup>nd</sup> paragraph, 1<sup>st</sup> line, replace "Stop" with "Park" and 4<sup>th</sup> paragraph, replace "it" with "a conditional use permit" and 5<sup>th</sup> paragraph, 1<sup>st</sup> line, replace "Stop" with "Park". Page 2, under COMPLIANCE HEARING: NEW ENGLAND FAMILY HOUSING, 3<sup>rd</sup> paragraph, 1<sup>st</sup> line, replace "this" with "the revised DOT permit" and 2<sup>nd</sup> line, add after "has been involved" the words "thus far," and at the end of the sentence add "on this"; Page 3, under PCC: DON BOOTH, 3<sup>rd</sup> paragraph, 1<sup>st</sup> line, replace "puts" with "put" and 2<sup>nd</sup> line, add word "grandfathered" at end of sentence and 4<sup>th</sup> paragraph, 1<sup>st</sup> line, replace "as" with "was"; Page 4, under LAND USE, 4<sup>th</sup> line, replace "the" with "its"; Page 5, under LAND USE, 1<sup>st</sup> line, add words "for the siding" after "dye lots" and 3<sup>rd</sup> paragraph, 1<sup>st</sup> line, add "for conditional approval of Site Plan" at the end of the sentence and last sentence on the page, remove "0" from the "p.m.".

S. Favorite made a MOTION, second by P. Manganiello, to APPROVE THE MINUTES AS AMENDED. The motion CARRIED.

COMMUNICATIONS:

An invitation was received for the 9/23/16 Small Woodlot Management & Sawmilling program by NHSFI-SIC if any of the members of the Board are interested in attending.

The Town of Plymouth submitted a Regional Impact Notification for Site Plan Review for a 100-foot Ground-mounted Personal Wireless Communications Tower at 583 Tenney Mountain Highway in Plymouth to the Planning Board.

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COMMUNICATIONS continued:

Christopher Dolloff, Interim Fire Chief, submitted a letter regarding the Dollar General project and the request to remove on or one half of a parking space at the location due its impact on the Fire Department's connection for the sprinkler system of the building. Mr. Dingman stated that the approval was from a variance two years ago and they can't change that. Mr. Lacroix reported that Dollar General is not asking for this. Mr. Favorite felt that the number of spaces that with the number of spaces that were approved there wouldn't be an issue to remove one. Mr. Dingman felt that Dollar General had to get a variance for a specific number of spaces and that they can't amend the plans without coming back to the Planning Board. Mr. Paradis pointed out a section of the Site Plan that allows changes for things that are not anticipated. The Board agreed that Dollar General will need to propose a solution to the Planning Board and asked that Mr. Lacroix talk to the Fire Department and Dollar General to work out a solution, if possible, that will not change the current Site Plan.

Email from Christina Goodwin, Assessing/Land Use, to update the Board regarding the prior implication that a Land Use Permit was posted blank on North Main Street. A copy of the permit was supplied to the Board with an update that the permits often fade in the sunlight.

UNFINISHED BUSINESS  
REPORTS:

HDC: None.

SELECTMEN: Mr. Manganiello reported that the Eagle Scout project is almost done. They are getting curbing and some changes to protect the entry. Mr. Favorite inquired where the money came from. Mr. Manganiello advised that there was \$500 budgeted and other funds were raised by fundraisers completed by the Eagle Scout.

Mr. Manganiello reported that the wage study has been implemented by the Select Board.

Mr. Favorite inquired where we are with bids for the tower. Mr. Manganiello reported that multiple agencies are involved in determining what location is best but no definitive decisions have been made.

CIP: To meet next week.

LAND USE: Mr. Lacroix reported that Dollar General is expected to meet their target date for opening after inspections by the Fire Department on the 21<sup>st</sup> and the Town on the 25<sup>th</sup>. He commented that Bristol has one of the nicest looking Dollar Generals with a great drainage system. Concerns have arisen about noise, which have been addressed. Mr. Favorite inquired on the outside light as there should be no light trespass. Mr. Lacroix will look into.

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LAND USE REPORT continued:

Mr. Lacroix reported that Family Dollar has cleaned up the mess from the dumpsters being outside the fence. The plan is remove the smaller dumpsters and install a larger one that can go behind the fence better. Mr. Dingman asked Mr. Lacroix to email the concerned parties with a status.

Mr. Lacroix reported that the Kathleen's Cottage is working on the conditions issued by the Planning Board previously. Two of the storage trailers have been removed and the third is supposed to be cut up as it cannot be towed over the road. They have begun clean-up of the property. The sprinklers are supposed to be installed the 3<sup>rd</sup> week of September.

Mr. Lacroix reported that he is still working with properties on clean-up. Crescent Street is working with the Land Use Office on cleaning up and also trying to make the barn more structurally sound. Danforth Brook Road is completed the clean-up, will be registering and making roadworthy vehicles. Mr. Lacroix is meeting with the property owner on Friday. Lake Street property has registered vehicles. Robieson Road has a hobby car repair, but the owner has assured Mr. Lacroix that one vehicle is registered, that the parts will be cleaned up and the vehicle being worked on will be in the garage.

Mr. Lacroix reported that the Smith property has been cleaned out. There are some items that will be removed to sell at the Boutique and the old tin ceiling will be removed for salvaging for potential use at the Old Town Hall. The Fire Department is looking to use the building for training at night. The Historic District walk through is to be scheduled as well.

NEW BUSINESS:

Mr. Lacroix gave a brief synopsis of the International Property Maintenance Code. His intent is to try to bring to Town Meeting. Mr. Dingman advised that the Town has tried to adopt Building Code previously and failed but the vote was closer the last time and the last opinion survey was very much in favor of some type of code. He suggested that Scott present why a specific version of the code should be presented and then sell it to the Town.

Mr. Lacroix advised the Board of a property on Worfield Circle where the garage was improperly built and now he doesn't believe that the building will last the winter. He said that the Code is what protects property owners from having something like this happen to them.

NEXT MEETING: The next Planning Board meeting will be September 28, 2016 at 7:00p.m. It is a workshop meeting, to be determined by the Chair and it is anticipated that there will be at least three PCC's.

The secretary will be on vacation for the next September meeting and Christina Goodwin will be doing the minutes.

With no other business, P. Manganiello made a MOTION to adjourn at 8:49p.m.

Respectfully submitted,  
Christina Goodwin, acting recording secretary