

**TOWN OF NEW HAMPTON
PLANNING BOARD
MEETING MINUTES
NEW HAMPTON TOWN OFFICE
NEW HAMPTON, NH 03256**

February 16, 2016

MEMBERS PRESENT:

Regular members Mr. Kettenring, Mrs. Hiltz, Mr. Conkling, Mr. MacDonald, Mr. Mertz, and alternate member Mr. Joseph were present.

OTHERS PRESENT:

Permitting Assistant Mr. Pollock

CALL TO ORDER:

Chairman Kettenring called the meeting to order at 7:00 p.m.

Mr. Kettenring appointed Mr. Joseph to vote in place of the vacant regular member position.

MINUTES

There were none.

CORRESPONDENCE:

1. ZBA Notice of Decision – Approval for a Variance for a septic system and approval for Variance for a balcony for Andrew & Marion Wrobel.
2. ZBA Notice of Decision – Approval for an Equitable Waiver for Dimensional Requirement for a garage/barn constructed within a side setback for JBR Keating, Inc.
3. Memo to Town Clerk Mrs. Torsey, advising of the final proposed amendments to the warrant article for zoning.
4. Copy of letter to from NHDES to NHS asking for further information on their Alteration of Terrain application for the Kennedy Field parking lot.
5. Copy of Ames Associated survey on property belonging to Paul Epstein 2000 Rev. Trust.
6. Copy of letter from Town Administrator Mrs. Lucas to Belknap County Delegation supporting funding for Belknap County Conservation District pointing out the services they provide the town.

**(Cont) PUBLIC
HEARING/ABUTTERS
HEARING**

Michael Sharp; NH Route 104 & Riverwood Drive; Tax Map U-17, Lot 55 – Site Plan Review for health focus facility.

Mr. Pollock distributed a copy of the ROW access agreement between the Town and NHDOT. Mr. Pollock said the applicant is requesting a continuance until he obtains this approval.

Mr. Mertz made a motion, seconded by Mrs. Hiltz to continue this item to 3/15/16 at 7:00 pm. Vote was unanimous.

**(Cont) PRELIMINARY
HEARING/ SUBMISSION OF
APPLICATION:**

Ty Shute, Straits Road, Tax Map R-6, Lot 2; 93.96 acres, 4-lot subdivision.

Advanced Land Surveying Carl Johnson email requests a continuation as neither he nor the applicant can be present.

Mr. Mertz made a motion, seconded by Mrs. Hiltz to continue the hearing to 3/15/16 at 7:00 pm. Vote was unanimous.

PUBLIC HEARING

Eversource Energy - Pinnacle Hill Road and Ridge Road, tree

Mr. Kettenring advised that this hearing was pursuant to RSA 231:158.

Eversource Energy Arborist Bea Hebert and Public Relations Specialist

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*trimming and removal on
designated Scenic Roads*

Donna Keeley were present. Ms. Hebert said every 4 years tree trimming and removal is done routinely for reliability and safety. She said all property owners are notified and must give permission to Eversource. They typically remove 8' to the side, 10' to ground, and 15' above. She said there are 3 trees on Pinnacle they would like to remove as they are a hazard.

Roger Leighton expressed concern with a large ash tree at the edge of his property and its close proximity to a guy wire. Ms. Keeley said she could put him in contact with the appropriate person to talk to relative to removal of the tree.

Mr. Joseph made a motion, seconded by Mrs. Hiltz, to allow Eversource Energy to perform tree work on the designated scenic roads.

**INFORMATIONAL/
CONCEPTUAL**

*Harold Lamos/Jae Demers,
Sanborn Road, Tax Map R-19, Lots
23A, B & C; Farmers Market and
Home Occupation*

As no one was present to represent this item, Mr. Mertz made a motion, seconded by Mrs. Hiltz, to table this item until later in the meeting. Vote was unanimous.

**INFORMATIONAL/
CONCEPTUAL**

*Rick Currier, NH Vapor Supply;
345 NH Route 104, Tax Map R4,
Lot 90K, Retail store*

Mr. Currier was present. He said he would like to sell e-cigarettes, e-liquids and associated products in the Exit 23 Plaza next to the Subway restaurant. He said he's been approved in other towns and likes this location in town.

He explained the product is to help with quitting standard cigarettes.

Mr. Joseph expressed concern with recent reports of cigarettes blowing up and Mr. Currier said it is his understanding that it was related to incorrect battery storage, outside of the unit.

Mr. Mertz expressed concerns with fire breaks within the building he wants to locate in. Mr. Kettenring said the Fire and Police Chiefs would need to review the use. Mr. Kettenring said it would need to be shown that there would not be a significant increase in traffic to the area compared to the previous use of the unit. Mr. Mertz said a drawing would also be necessary to show entrance, exits, display area, etc. Mr. Kettenring said he would need to supply information for any signage for the business. Mr. MacDonald asked this would also be a lounge area and Mr. Currier said it would not be, that purchases would be made and the customer would leave. It was the consensus of the board that Mr. Currier's use could be considered through an expedited Site Plan application.

**INFORMATIONAL/
CONCEPTUAL**

*Scott Buitta; 599 NH Route 104,
Tax Map R5, Lot 5, Outdoor
seasonal food service*

Mr. Buitta was present and said he was interested in purchasing this property and wants to create an outdoor BBQ food service. He wants to offer smoked foods and sides, creating an atmosphere to eat outdoors. The existing building would not offer seating inside. He said he would need to get a well drilled for a water supply. Mr. Buitta said there is no septic system, would be using outhouses and has spoken with an engineer about design plans. He showed a drawing of the areas where he'd like to put picnic tables.

Mrs. Hiltz asked if there would be additional buildings and he said the current building is sufficient for preparation and serving. He said he wanted to add an awning, create a door entry, which proceeds to an indoor service

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area, followed by an exit area. Mr. Kettenring advised that the structure is within the setback and Mr. Buitta said it could be moved. Mr. Kettenring pointed out that the previous owner had compliance issues with NHDES relative to wetlands on the property, which may need mitigation. It was noted that the town has information from previous meetings which may be helpful. Mr. Kettenring said the ordinance allows restaurants and the board discussed whether this could be considered a restaurant, with a consensus that this is a restaurant. Mr. MacDonald asked if this would be a drive-thru or if liquor would be offered and Mr. Buitta said it would not be a drive-thru with no liquor and hopes to create some walkways and will have umbrellas over the picnic tables. There was a discussion on estimated trips and the need for Mr. Buitta to get approval from NHDOT for a change in use on the driveway permit which he said he was already working on.

**INFORMATIONAL/
CONCEPTUAL**

*Harold Lamos/Jae Demers,
Sanborn Road, Tax Map R-19, Lots
23A, B & C; Farmers Market and
Home Occupation*

Mr. Mertz made a motion, seconded by Mrs. Hiltz, to address the agenda item for Mr. Lamos and Ms. Demers, as they were present. Vote was unanimous.

Mr. Lamos explained that currently run a farmer's market on their property in New Hampton. They recently purchased additional property in town and in Ashland, which is contiguous and abuts their home/business in Ashland. He showed the lots they owned, what was on each lot, and said they want to construct a 32' X 48' barn one of the lots in New Hampton to use for the farmer's market during inclement weather. They also want to store material for their personal items, their in-home graphic design business and possibly do some vehicle lettering in the winter. They plan to increase their farmer's market to 2 times a month.

Mr. Kettenring advised that after discussion with town counsel it was determined the lots can be considered combined even though they are in different towns. He said lots must be in the exact same ownership and then be combined to consider this proposed barn as an accessory use to their home/business. One lot in Ashland has a mobile home currently, which will remain separate. Mr. Kettenring stated that any future sale of just the home would require the barn lot be subdivided. He said a lot merger would be required of all lots in New Hampton and Ashland with approvals of both Selectboards. It was noted that a boundary line adjustment may be necessary to keep lots contiguous, while keeping the mobile home parcel separate and may require further review by town counsel. Mr. Pollock pointed out the zoning requirement that no more than 25% of the combined floor area of the residence and any accessory structures can be used for business purposes. Mr. Lamos said they shouldn't have any problem with complying and said there would be no signage on the barn. Ms. Demers asked what would need to happen in the future if they decide to sell their home. Mr. Kettenring said they would need to subdivide the home lot from the barn lot and the use of the barn could no longer be accessory to the home business and used for the vehicle lettering or business storage unless a home was constructed on the barn lot. It was noted the farmer's market use would still be allowed but the graphic design use would not be.

Agritourism

Workshop overview

Mr. MacDonald reviewed a workshop covering Agritourism. Example given of a farmer who used the farm to hold weddings and events and the courts determined this was not an agricultural use. There had been discussion at the workshop on how farmers can make money in business while respecting

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their neighbors and the town.

OTHER BUSINESS

Mr. MacDonald asked if the board ever looks at viability of, or the physical appearance of, a proposed business prior to approvals. Mr. Kettenring said they can only address that if there is a regulation that addresses those issues.

ADJOURNMENT

Motion to adjourn was made by Mr. Mertz, seconded by Mr. Joseph. Vote was unanimous. The meeting was adjourned at 8:39 p.m.

Respectfully submitted,
Pamela Vose

DRAFT