

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

March 21, 2017

**MEMBERS PRESENT**

Regular members Mr. Kettenring, Mrs. Hiltz, Mr. MacDonald, Mr. Hays, Mr. Broadhurst, Mr. Katz, and Mr. Mertz (7:01 pm) were present.

**OTHERS PRESENT**

Town Administrator Mrs. Lucas and Permitting Assistant Mr. Pollock

**CALL TO ORDER**

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

**MINUTES**

There were none

**CORRESPONDENCE**

Letter from NHDES requesting further information on a Wetlands Application for work on the water line on Gordon Hill Road for the New Hampton Precinct.

**NHDOT I-93 EXIT 23  
NORTHBOUND OFF-RAMP  
AND NH ROUTE 104  
INTERSECTION PROJECT**

Mr. Kettenring advised that a Road Safety Audit was performed following a request and recommendation of improvements by the Board of Selectmen.

Mr. Pollock said LRPC, through their TAC Committee, recognizes that due to the number of accidents (typically for vehicles heading east on 104) at the northbound exit off of I93, the intersection needs immediate improvement. He explained the design desired by the Selectmen, which hopes to improve safety while keeping the commercial properties viable. NHDOT will need to review. Mrs. Lucas advised that the Police and Fire Chiefs are satisfied with the proposed improvement.

**CONTINUATION PUBLIC  
HEARING**

*Michael Sharp: NH Route 104 and Riverwood Drive, Tax Map U-17, Lot 55; proposed health focus facility with two 10,000 sq. ft. buildings, Site Plan Review*

There was no one present to represent the application.

A resident from Riverwood Drive expressed concern with any development of this site using access from Riverwood Drive. The board said that at this point there were no plans for that. Mr. Kettenring advised that when the applicant is ready with input NHDOT will be providing, abutters would be sent new notifications.

Mr. Mertz made a motion, seconded by Mrs. Hiltz to continue the Hearing until April 18, 2017 at 7:00 p.m. Vote was unanimous.

**PRELIMINARY HEARING/  
SUBMISSION OF  
APPLICATION**

*Peter & Beth Cormier on property belonging to Hilshar Assoc. Inc.: Site Plan Review to create sales and display of storage sheds at 307 NH Route 104; Tax Map R4, Lot 92A.*

Mrs. Hiltz advised that she has a connection to the property, and though she felt she could act impartially there were enough members present to vote, so she recused herself from acting on this application.

Mr. Cormier was present. He showed a catalog of what some of the sheds look like. Relative to signage the current "For Lease" sign would be suitable size for his business. He showed an example of the sign and other smaller signs. Mr. Cormier said there was a restriction on signage being limited to 5% of the

building face and was unsure whether he would be allowed signs on each building which met this restriction.

Mr. Katz asked if this was a seasonal business and Mr. Cormier said it would operate after snow has melted until typically November. This is the agreement they would have with the landowner.

Mr. Cormier said there is no need for water and would install a porta-potty if needed.

The board asked about exact measurements and location of signage, which wasn't shown on the site plan submitted. Mr. Cormier said he was only proposing a sign similar to the For Lease sign.

Asked if he would use a shed as office space and Mr. Cormier said he would. Asked about hours of operation, Mr. Cormier advised it would typically be 10am-4pm, Tues.-Fri. and Saturdays 9-4 therefore lighting wasn't necessary.

The board advised that the square footage of the outside display must be calculated and shown on the site plan to ensure it meets the restrictions for maximum lot coverage. Mr. Cormier said the building sizes vary but there are some typical sizes they sell. He said the required handicapped spaces will be provided and there are 6 parking spaces shown on the plan. It was noted that the buildings and parking spaces need to be part of the lot coverage calculation. The board agreed the shed used for office space could be deducted from the maximum lot coverage. Mr. Cormier said they don't bring a new shed to the lot until one sells and the inventory is stored in Cornish, ME. He said most times sheds are ordered with changes and shipped directly from ME to the buyer.

The board reviewed what was still required:

1. Written calculations showing lot coverage;
2. Location, size and description of signage;
3. Months & hours of operation;
4. Written input from Fire and Police Chiefs.
5. Submission of Sign Permit to the Selectmen.

Mr. Kettenring read into record a letter from NH DOT, dated 3/14/17, advising that they remain neutral to the proposed use of this lot. No increase in water run-off, or changes or construction, within the department's ROW.

Mr. Katz asked if there was going to be any site preparation and asked what the sheds sat on and Mr. Cormier said the site was sufficient as it is currently and the sheds are on 4"x6" runners.

Mr. Kettenring asked for input from any abutters or members of the public. Mrs. Hiltz asked the board to consider approving this contingent upon receipt of the items required by the board, as his sales season is about to begin.

Mrs. Lucas noted that the use was similar to the previous use and was temporary in nature.

Mr. Mertz, seconded by Mr. Hays, to accept and approve the application with the conditions noted, having the Permitting Assistant review the items submitted to ensure compliance with any concerns brought up by Fire and Police Chiefs that are significant being reviewed by the Planning Board. Vote was unanimous.

**Scott Buitta**

Mr. Buitta was present.

Mr. Kettenring advised that Mr. Buitta should have been on the agenda for an Informational/Conceptual meeting and asked the board if he could speak prior to the Master Plan discussion. The board agreed.

Mr. Buitta said he is proposing a wood shed/lean to for protection of the smokers from weather and a storage building for items related to smokers.

Mr. Kettenring said that he had been asked previously if shelter was needed for the smokers and Mr. Buitta had said it was not needed. Mr. Buitta said shelter is necessary.

Mrs. Lucas reviewed that the previous site plans approved showed 2 structures. These structures are in addition to the previously existing structure, with those being a wood shed and a storage building further back on the property. The office had to ask Mr. Buitta to submit a building permit as he had begun construction of a building in an area on the approved plans labeled "smokehouse area", which did not indicate a structure. On the previous plans there are 2 buildings partly constructed, one of them being the structure for which no building permit had been submitted. Another permit was then submitted for a lean to, which has not been constructed yet. Mrs. Lucas advised that previous minutes had mentioned some kind of coverage, but there was no discussion of any structure for that purpose.

Mr. Buitta distributed structure plans for the 2 buildings. He said he needs one building for the wood and 2 for the smokers. He said the lean to is not connected to the ground so it is movable.

Mr. Kettenring advised that this change could be accomplished with an amendment to the original site plan.

Mr. Buitta said the Fire Chief will review the operation prior to opening.

Mr. Kettenring advised that the board would need the plan to show the buildings and dimensions. Mr. Buitta explained that one building is a 12'x12' locker, which has windows and will be placed in the smokehouse area. He said this is where he can store implements, electronics, charcoal, etc. He said it is also possible to put a smoker in there. Mrs. Lucas pointed out that the Fire Chief may have concerns with this structure possibly being used for smoking food. Mrs. Lucas asked if one of the open structures was going to be attached to the locker, as it appears that way on the plan. Mr. Buitta said it does not need to be attached. Mr. Kettenring said dimensions need to be shown, on a revised plan, for all structures. Mr. Broadhurst said he recalled a lot of confusing presentations during the site plan review process of this property in 2016 and asked Mr. Buitta to make the revised site plan with buildings - understandable

and clear. Mrs. Hiltz said she wants to be sure what structure is being used in what way, and not that a smoker can move based on the wind, etc. and that the Fire Chief is satisfied with what it now proposed. Relative to possibly smoking foods in the locker, Mr. Buitta said he can work that out with the Fire Chief. Mrs. Hiltz asked why the smoker would need to be moved if it has an overhang to protect it from weather to the locker and Mr. Buitta said he didn't know he was dealing with a structure and saw it more as a portable building on blocks. Mrs. Hiltz expressed concern with the wind being able to move a structure which is portable. Mr. Kettenring asked how the structures would be fastened to the ground. Mr. Katz said he has concerns with employee safety given the photos shown of the present structures and that a strong storm could cause a building to be blown over and whether or not the structures could handle snow loads. Mr. Buitta said he could fasten the buildings to the ground. Mr. Mertz said Mr. Buitta needs a clear definition and diagrams on a plan.

The board said they need clear definition for each structure proposed of use, location, size, orientation, setback distances to property lines and each other, with review by Fire Chief for safety.

The board agreed to hold a site visit to the property. Mr. Buitta was asked to submit an application first, and the board agreed to hold site visit at 6:00 pm on 4/18/17, with the regular Planning Board meeting to occur at 7:00 pm in the Town Office.

**DISCUSSION ON MASTER PLAN UPDATE**

Mrs. Hiltz made a motion, seconded by Mr. Mertz, to table this discussion to the meeting on 4/18/17. Vote was unanimous.

**APPOINTMENT OF A 3-MEMBER CAPITAL IMPROVEMENTS PROGRAM COMMITTEE**

Mrs. Lucas advised that several years ago department heads were asked to provide lists of their capital improvement needs. Several items have been fulfilled but a committee needs to meet with department heads, review items needed, and put them into a plan format for review by the Selectmen for budget purposes. Mrs. Lucas distributed and reviewed sample forms to the members.

Mrs. Hiltz, Mr. Broadhurst, and Mr. Katz offered to serve on this committee. Mrs. Lucas said she would send them the statutes that apply and previous cover letter that was sent to dept. heads for their comments. Mrs. Lucas said she would then send them to dept. heads and schedule a committee meeting to discuss what's submitted.

**OTHER BUSINESS**

Mrs. Lucas advised that NHEC sent a notice in their mailing that co-op users are being burdened with huge property taxes assessed to the utility and they asked their ratepayers to contact their legislatures to try to change the assessing process. Mrs. Lucas pointed out that the town has a hydro dam (Ayers Island) and other utilities appraised by a subcontractor who is very experienced in these appraisals. She said these utilities have been appealing their assessments for many years to many towns. The DRA also does appraisal based on a different method which allows the utility to provide their opinion of taxable items and their original construction costs which is being apportioned and doesn't accurately reflect the value in our town. She said that currently the value of utilities in New Hampton is twice the value assigned by the DRA. Using the DRA valuation would have a large impact on the town's overall assessed value and the tax rate with possibly several \$100 increase on an assessment of a

\$200,000 property. Mrs. Lucas said that according to NHEC at a legislative hearing, the claim is that if DRA assigned the assessments it would save ratepayers money, with their example given of \$34 savings in one year. Currently the towns have been successful at the Superior Court level and will like prevail in the Supreme Court.

Mr. Kettenring advised that a letter was sent from town counsel to himself, Conservation Commission Chair Mr. Moore, Selectman Irvine and Mrs. Lucas to answer a series of questions related to the Northern Pass project. Mr. Kettenring said he is going to answer 9 of those questions. He said the 1<sup>st</sup> question asks if the Planning Board authorized him to submit the supplemental testimony, and if so, on what date. He reviewed the questions he would answer.

Do you believe the project will have an unreasonably adverse visual impact in the Town of New Hampton, and if so, why. He said he's been then asked to list visual impacts that we feel are the most important. Mr. Kettenring suggested views along the Pemigewasset corridor, Route 132N and I93, and along Coolidge Woods Road explaining why these are important to area tourism and related activities. Views from Gordon Hill, Burleigh, and Carter Mountains towards the Pemi and Mount Washington Valley. The board pointed out views would also be affected by the taller towers in abutting towns.

Would the vegetative screening be sufficient, with Mr. Kettenring advising his answer was "no". Currently most of the towers are below tree line with the taller ones more easily seen and from farther away. Mr. Katz pointed out the possibility that wireless companies may use these new towers for mounting some of their equipment as it is a standard practice countrywide.

Have you reviewed TJ Boyles Dec. 30<sup>th</sup> submission regarding visual impacts pertaining to New Hampton. Do you agree with the findings for the particular locations in New Hampton, and if so - why. Mr. Kettenring said this was a study done by the public attorney which he mostly agrees with it as the power company's visual assessment only saw 680 scenic resources in the 3,000+ sq. miles within 10 miles of the project's overhead structures and the Boyle group discovered over 18,000 that should be considered. They were eliminating many locations using bad methodology. His overall answer will be that it addresses more than the power company, but not enough.

Do you believe the project will interfere with the orderly development within New Hampton and do you agree with the assessment by Mr. Varney on the project's stated consistency with the town's orderly development and why or why not. Mr. Kettenring said he will answer by reviewing the Master Plan in detail.

Will the project be consistent with the town's site plan regulation, Article X, Section P and if so – why, and what is the origin and intent of that provision in the site plan. Mr. Kettenring said this regulation requires that all future utilities and transmission lines shall be buried and this question is asking what the town means by this. He said this regulation was adopted in 2005 during which time the town was also dealing with cell towers and their impact and the inclusion of the words "transmission lines" shows the board's concern with their impact also.

Did you or anyone you know in town speak to Robert Varney on behalf of NPT to discuss whether the project was consistent with New Hampton's Master Plan, Zoning Ordinance or prevailing land uses. Mr. Kettenring said he did not, but did discuss wetlands and their mitigations that included a meeting with

Selectmen and the Conservation Commission and at that meeting the Master Plan and Zoning Ordinance were not discussed. Mr. Kettenring said he was asked if any other board members had spoken with Mr. Varney about these issues and he said no which the other members agreed was the case.

Are any of the projected structures within the Pemigewasset River Overlay District. If so, please identify which ones and do any of those structures violate the overlay district. If so, which ones and why. Mr. Kettenring said he made a chart of 7 towers that are in the 500' overlay, with 4 of those within the 200' structure setback.

Do you believe the project will have a net positive or negative impact benefits to the town; why and why not. Mr. Kettenring said he stated it would be a net negative and there may a temporary boost to our economy during construction if local contractors are hired to do the work and there will be no long term benefits to New Hampton who would be permanently saddled with an industrial eyesore that will damage the town's economy by degrading views and making the town less attractive to our residents and the visitors to our rivers, campgrounds, snowmobile trails and other recreational facilities. Mr. Katz asked if the current ROW is being assessed and taxed and Mr. Kettenring said it is assessed but the utility wants it to be assessed for less and said the Selectmen will be addressing that issue. Mr. Broadhurst asked if there's been any discussion about the electromagnetic effects of the wires and Mr. Kettenring said he doesn't believe there's any scientific evidence of negative effects but the fact that people feel that way has a large impact.

Do you believe the project's construction in town will have negative impacts and if so, explain? Mr. Kettenring said he's stated that a construction project of this size will have significant impacts on tourism, other town businesses, and traffic even if buried - the town's preferred mitigation method, but these will be short term and minor compared to the permanent damage that will be done if numerous excessively large industrial looking towers disrupt our views and make the town less attractive to visitors and residents.

Mr. Mertz made a motion, seconded by Mr. Katz, to authorize Mr. Kettenring to submit testimony to the SEC on behalf of the Planning Board, which answers the attorney's questions concerning Northern Pass. Vote was unanimous.

## **ADJORNMENT**

Mr. Hays made a motion, seconded by Mrs. Hiltz to adjourn at 8:23 pm. Vote was unanimous.

Respectfully submitted,  
Pamela Vose