

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

July 19, 2016

MEMBERS PRESENT:

Regular members Mr. Kettenring, Mrs. Hiltz, Mr. MacDonald, Mr. Hays, Mr. Mertz, and Mr. Broadhurst were present.

OTHERS PRESENT:

Permitting Assistant Mr. Pollock

CALL TO ORDER:

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

MINUTES

The minutes of May 17, 2016 were read by the members prior to the meeting. Mr. Kettenring asked if there was any discussion. Mr. Broadhurst said that in the minutes there was a discussion in which he did not take part. The board remembered that it was Mr. Hayes that took part in the conversation. Mr. Hayes motioned that the minutes be approved as modified. Mr. Broadhurst seconded the motion.

The minutes of June 21, 2016 were read by the members prior to the meeting. Mr. Kettenring asked if there was any discussion. Mr. Broadhurst motioned that the minutes be approved as written. Mr. Mertz seconded the motion.

CORRESPONDENCE:

A letter from the New Hampshire Department of Environmental Services addressed to the Ashland Water and Sewer Commission was read regarding the fact that the Ashland Water and Sewer Commission is violating RSA 485: a13 by discharging waste to a surface water of the town without a written permit from NHDES.

**(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.*

The applicant is still waiting to hear from DOT to be able to continue.

Mr. MacDonald made a motion, seconded by Mrs. Hiltz, to continue this item to 8/16/16 at 7:00 pm. Vote was unanimous.

Mr. Kettenring said that the board will notify the abutters again because of how long the process has taken before there is an actual hearing.

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

*Scott Buitta: Site Plan Review to
create a BBQ food service and*

Mr. Buitta said that he now owns the property. Mr. Kettenring said that they received the driveway permit from DOT, a letter from Ridgely Mocks that there is not anything more needed so long as the disturbances are less than 100,000 square feet, a letter from Wetlands, and a letter from Rhonda Thomas from the Department of Health and Human Services: Division of

*(Planning Board, July 19, 2016, cont.)
Catering Business at 599 Route 104
Tax Map R5, Lot 5 owned by G10
LLC.*

Public Health Services and Food Protection mentioning the use of a mobile food unit.

Mr. Kettenring mentioned that he did not recall anything from prior discussions about the use of a mobile food unit. The board was under the impression that Mr. Buitta would be using the existing building.

Mr. Buitta said that with talking to the Board of Health he decided to use a mobile food unit due to not having a well, and to test the property as a BBQ without any investment to the current building.

Mr. Mertz asked if it was a food truck.

Mr. Buitta said that it was an 8.5' x 20' fully equipped kitchen trailer.

Mr. Kettenring said that the letter also mentioned that the cooking would take place inside.

Mr. Buitta said that the smoking of foods was okay to do outside, but that BBQ had to be done in a screened in/closed in environment according to NH laws.

Mr. Kettenring asked if the smoking unit was propane and where the tank would be located.

Mr. Buitta said that it was propane and that it would be located with the smoker.

Mr. Kettenring asked where he would keep the wood that goes with the smoker.

Mr. Buitta said that there was a little door at the bottom for charcoal and the wood. He said that this would be in a safe outdoor environment.

Mr. Hayes was concerned that smoke would go into the trailer from the smoker due to the close proximity.

Mr. Buitta said that it would not due to that it would have ventilation.

Mr. Kettenring asked if the mobile unit and the smoker would be able to fit into the proposed smoker site.

Mr. Buitta said that it would. The trailer would be located between the existing building and the smoker.

Mr. Buitta said that the proposed smoker area was larger than he needed so both should fit.

Mr. Kettenring read a number of concerns from the letter from the Department of Health and Human Services that the board had about the use of the mobile unit. Some of the concerns include:

1. The unit will have Hot and Cold water on at all times during operation

2. A sewage holding tank shall be 50% larger in capacity than the water supply and sloped to a drain that is one inch in diameter or greater and is also equipped with a shutoff valve
3. The unit shall be fully enclosed and outside cooking is not permitted and the unit will be moved frequently for servicing.
14. Outside garbage cans and/or dumpsters should be on a cleanable surface such as a reinforced concrete or rolled asphalt and shall be kept enclosed

Mr. Buitta said would be taken care of because the Division of Public Health Services and Food Protection would not let him operate otherwise.

Mr. Kettenring said that the board would make it apart of their conditions also.

Mr. Kettenring asked if a concrete pad was going to be a part of the proposal.

Mr. Buitta said that it would.

Mr. Kettenring asked what was going to be going into the existing building as it is no longer going to be the cooking area as originally planned.

Mr. Buitta said that it would be an office, dry storage, and refrigeration. It was cleared by the Department of Health.

Mr. Kettenring asked about what the proposed storage unit in the back would be for.

Mr. Buitta said that it would be for tools, picnic tables, umbrellas and storage for the winter. All items to be stored will be business related.

Mr. Kettenring asked if the board had any questions for Mr. Buitta.

Mr. MacDonald asked what item three meant about being movable to be serviced frequently.

Mr. Buitta said that it has to have wheels to be hitched up to be serviced.

Mr. MacDonald asked what serviced frequently meant.

Mr. Buitta said that it would need to be moved to empty the water, and for repairs.

Mr. MacDonald asked if Mr. Buitta asked how the Department of Health and Human Services defined "mobile to be serviced frequently".

Mr. Kettenring asked what Mr. Buitta's plans were to empty the holding tanks.

Mr. Buitta said that the Port-A-Potty would deal with the grey water. The grey water would go into a 30 gallon tank, then to a 35 gallon tank connected to the unit and removed from the 35 gallon tank by Port-A-Potty company.

Mr. Kettenring asked what Mr. Buitta was going to use for portable water.

Mr. Buitta said that he would use spring water from either Bristol or Plymouth.

Mr. Kettenring confirmed that Mr. Buitta would be trucking water in and trucking it out, so as to not use well or septic.

Mr. Buitta said that that would be so.

Mrs. Hiltz asked if it was okay to use spring water for a business.

Mr. Buitta said that it was as long as the spring is public.

Mr. Mertz said that the springs mentioned are monitored by the Department of Health and Human services and will shut the spring down if it gets contaminated.

Mr. Kettenring asked if the board if there were any more questions.

Mr. Kettenring asked if the public had any questions.

Mr. Deturk (prior restaurant experience), of 73 Blake Hill Road, was concerned that the 30 gallon holding tank would not be sufficient enough for the number of people and the cleanliness of the kitchen at the BBQ. He believes that if Mr. Buitta is going to have the high volume of business that he expects, then he should have a septic and a well put in.

Mr. Buitta said that he does not know what the volume of people there would be and he feels that he will not have a lot of grease build up. He feels that if the Department of Health and Human Services is in agreeance to this plan, then it is good enough. He said that the Board of Health would be visiting on a regular basis.

Mr. Kettenring asked if Mr. Buitta had a way of removing the grease that the smoker produced.

Mr. Buitta said that most of the grease collects on the inside of the machine. Any excess would go into the garbage.

Mr. Broadhurst asked if it was the board's concern on how Mr. Buitta runs his business or is it the States responsibility.

Mr. Kettenring said that it was both. The town is only concerned with water supply, waste removal, public safety, and public health. The town is not concerned with most of the items addressed in the letter from Department of Health and Human Services. Mr. Kettenring suggested that some aspects of the letter to incorporated into the site plan.

Mr. Kettenring noticed that the smoker was not listed in the letter from the Department of Health and Human Services. Mr. Kettenring asked if Mr. Buitta discussed the smoker with them.

Mr. Buitta said that he was NH Smoke House.

Mr. Deturk asked if he was going to have a frialator.

Mr. Buitta said that he was not.

Mr. Deturk said that grease disposal was not typically done in a dumpster. It is done in a grease collecting unit that is then collected by a grease collecting company. But since Mr. Buitta was not going to have a frialator, then he would not have that grease collecting unit.

Mr. MacDonald said that he understood that the Department of Health and Human Services would want the owner to take the mobile food unit to get serviced and cleaned. Would the Department of Health and Human Services expect Mr. Buitta to do this or would he leave the unit on site to clean and service it there. Mr. MacDonald said that with limited water it would be hard to clean a unit of that size properly. Mr. MacDonald would like clarification on what the Department of Health and Human Services means by saying "the unit shall be mobile to be serviced frequently".

Mr. Buitta said that the water on the inside of the unit is meant for utensils. He in intending to use paper goods and all throw away items.

Mr. Hayes said that he thinks what the question really is, is where is the water coming from and will the unit be taken off site.

Mr. Buitta said he would clean it with rags.

Mr. MacDonald said that it would benefit Mr. Buitta to have the Department clarify "the unit shall be mobile to be serviced frequently".

Mr. Buitta said that the Department of Health and Human Services monitors new food services frequently.

Mr. Kettenring said that the board was aware that they monitor. But as this term falls into the town jurisdiction as well as the states, the board needs it to be clarified. The board needs to know where the water is coming from, where the waste is going, and if the letter will be incorporated into the findings.

Mr. Mertz asked if a wet area was in the area of the proposed picnic table site.

Mr. Buitta was not aware of anything wet on the property.

The board reviewed the map and it showed some wetlands, but none of what was proposed would be impacted.

Mr. Kettenring did notice that the picnic tables were close to the setback line. The board would like to know that the tables would not creep over into the setback line.

Mr. Buitta said that the board had said that nothing could go into that area. He asked why that was, and what readily movable items not allowed in the

setback.

Mr. Kettenring said that it was because there is a conservation area behind the property, and there was plenty of room on the property without going into the setback areas.

Mr. Buitta asked about putting in a garden in the setback area because it is a flat area. He said that he didn't have a lot of flat area on the property and that it was rocky.

Mr. Kettenring said that because the garden would be in the setback area, it could not be allowed.

Mr. Hayes said that setbacks are there for a reason. They are there for a buffer, so the business is kept separate from adjacent properties.

Mr. Buitta asked if he cutting the grass would be a violation.

Mr. Hayes told him that it would not.

Mr. Kettenring clarified what was not allowed in the setback area.

Mr. Kettenring asked if there were any other questions.

Mr. Kettenring asked if Mr. Buitta received the list of a number of issues that the board were concerned about. Such as:

1. Applicant should provide as part of the application package a picture of the proposed sign for the business

Mr. Buitta said that he had not picked out a sign, but that he brought a Picture of what he would like it to look like. He said that he has not applied for a sign permit yet.

Mr. Kettenring said that the board would like something in writing what will be in the existing building.

Mr. Buitta said that he wrote an email stating what it would be used for.

Mr. Mertz gave clarifications on the setbacks and dimensions for the district that the proposed business would be in according to the Zoning Ordinance page 16 paragraph 3: Side and Rear Lot Line Setback. There is a minimal distance of 25' from any building and the side lot. There is a minimal distance of 35' from the rear lot line and a 50' buffer zone maintained in perpetuity between any building or pavement abutting residential property in an adjacent zoning district of undisturbed native vegetation. If there is not sufficient vegetation the planning board may require proper vegetation to be planted.

Mr. Kettenring clarified that the setback zone cannot be mowed.

Mrs. Hiltz said that by looking at the map there were a lot of proposed items in the buffer zone.

Mr. Kettenring asked for clarifications that what was printed on the map was

already existing.

Mr. Kettenring asked the board and audience if there were any questions.

Mr. Hays asked about future growth for the site. If the board would require a future site plan before the approved the current site plan.

Mr. Kettenring said that if the board approves the plan at this time, Mr. Buitta is asking to put in a portable unit and a portable smokehouse that will be in the smokehouse area. If Mr. Buitta wants to change the current plan in the future he will have to come back for modifications.

Mr. Deturk member asked what the dimensions were on the site and if the mobile unit and everything would be able to fit in the designated area.

The board said that it was about 50x50.

Mr. Kettenring said that they need to have everything on the plan. The locations of everything for the business, details to how Mr. Buitta will be addressing the water, grey water, and grease to be in writing. The board needs details about the uses of buildings. The map needs to show where everything is going in detail.

Mr. Buitta asked if he needed to go through the engineering process again or just place them himself.

Mr. Kettenring said that he does not want a modified plan. The board wants to see a detailed plan.

Mrs. Hiltz said that the board needs to see specific answers for the list that was sent to him. Preferably answered in order of the way the list was written.

Mrs. Hiltz asked about a backup plan if he runs out of water.

Mr. MacDonald reminded Mr. Buitta that he would like to see how the Health Board defines frequently and how it defines service. He feels that it would be good for Mr. Buitta, so that he knows what the state will be expecting from him.

Mr. Deturk was concerned about traffic flow.

Mr. Kettenring said that it was a state issue, and that Mr. Buitta had been in contact with them already. There is also fairly good sight distance. Mr. Buitta has already received a driveway permit from the state.

Mrs. Hiltz moved that they continue this item at the next meeting. 8/16/16 at 7. Mr. MacDonald seconded the motion.

Mr. Hays made a motion to table the signing until further down the agenda. It was seconded by Mrs. Hiltz.

SIGNING OF PLANS

*Rodney & Elizabeth Bascom and
Laurence Blood Jr.
204 Pinnacle Hill Road, Tax Map
R4, Lots 19A & 19B, subdivision
and reconfigure two lots into three*

lots.

**PRELIMINARY HEARING/
SUBMISSION OF
APPLICATION**

Colin Brown for William Cannon II and Christopher Sanborn, 29 & 47 Old Bristol Road, Tax Map U1, Lots 11 & 11A, boundary line adjustment and 2-lot subdivision.

Mr. Brown is a surveyor for Mr. Cannon and Mr. Sanborn. Mr. Brown said that Mr. Cannon had a little over 5 acres that he would like to subdivide into two lots. Lot 2 is where the existing house sits with electric, utilities, driveway, etc. Lot 1 is vacant and has 3 acres. Mr. Brown showed where a possible septic and well areas could go on the proposed plan. Mr. Sanborn would give an easement from the end of his existing driveway to access Lot 1.

Mr. Brown met with Mr. Boucher for a driveway permit. Mr. Boucher thought the plan was good, but would not issue a permit until the subdivision was approved.

Mr. Kettenring asked if Mr. Brown had a legend to explain where the property line was.

Mr. Brown said that he did not.

Mr. Mertz asked if Mr. Sanborn would be receiving parcel A.

Mr. Brown said that he was.

Mr. Mertz asked what portion Mr. Sanborn would be giving up.

Mr. Brown said the easement to the driveway.

Mr. Mertz asked if this property was passed the precinct area and that is why Mr. Brown included a septic and well site.

Mr. Brown said that it was.

Mr. MacDonald said that this property was a part of the village precinct.

Mr. Mertz explained that the property was only in the zoning district, but not a part of the village's water and sewer.

Mr. MacDonald asked what the grade of the proposed driveway was.

Mr. Brown said that it would match the grade of Mr. Sanborn's driveway.

Mr. Mertz asked about road frontage.

Mr. Brown said that the village district requires 175 feet. Lot 1 has less than 175 feet at 153 feet. Lot 2 has more than 175 feet. Mr. Brown went to the Zoning Board for a variance on the lower road frontage.

Mr. Kettenring was shown the findings of the Zoning Board approved a variance for the 136 feet of road frontage.

Mr. Brown said that they received subdivision approval for Lot 1, but not Lot 2.

Mr. Kettenring asked if Mr. Brown had a completed set of plans and a Mylar.

Mr. Brown said the plan was complete, but that he did not have a Mylar.

Mr. Kettenring asked if the board had any questions, and if they wanted to take any actions.

Mr. Mertz moved that they accept the application as presented. Mr. Hays seconded the motion. Vote was unanimous.

Mr. Kettenring asked if the board would like to approve the plan.

Mr. Mertz asked about the road frontage finding.

Mr. Pollock said that the Zoning Board variance for the road frontage was granted on October 7, 2014.

Mr. Kettenring said that since the last variance was within the 2 year limit, Mr. Brown would not have to get another variance from the Zoning Board.

Mrs. Hiltz moved to approve the plan. Mr. MacDonald seconded the motion. Vote passed unanimously.

OTHER BUSINESS

Kate Bruning, 899 Old Bristol Road, New Hampton, NH 03256 Horse Property.

Mrs. Bruning met with the board last fall about their property and the construction of an indoor horse stalls and arena. Her father in law offered her 20 acres across the street, and now she would like the horse facility on that lot instead of the lot discussed last fall.

Mr. Mertz gave a brief overview of what the property used to be. The property was recently subdivided.

Mr. Mertz suggested to have the land surveyed to see what the boundaries are and to merge the two lots together.

Mr. Kettenring mentioned that there might be an issue with this lot still being as a part of the farm as it is across the road. He suggested to keep it one lot, so that when the Agritourism goes into effect that it will still cover the horse farm. It might make it harder when you have a farm on one side and a commercial business on the other. Someone in years to come might not see that the lots are related.

Mrs. Bruning asked when does it change from agricultural to commercial in regard to it's the same type of building and work.

Mr. Kettenring said that the proposed building on a separate lot would not be ancillary it would be a separate business, where if it is on the lot with the existing farm then it would be accessory to the operation of the agricultural farm..

After a lengthy discussion it was agreed that Mrs. Bruning wanted to talk it over with her husband and would be back at a future date.

(Planning Board, July 19, 2016, cont.)

OTHER

The Board members signed the Bascom plans that were approved last month.

Mrs. Hiltz expressed concern with applicants that come back for several meetings and doesn't provide what is being requested. Ken K. said we do the best we can in helping the public and our main job when someone doesn't hire professionals that we help them and try to ensure we have clear and precise plan that is going to be approved.

**DISCUSSION ON
AGRITOURISM AND
POSSIBLE ZONING
AMENDMENT &
DISCUSSION ON MASTER
PLAN UPDATE**

The board motioned to table the discussions on Agritourism and the Master Plan update to the next meeting.

ADJOURNED

Mr. Kettenring asked for a motion to end the meeting. It was motioned by Mr. Broadhurst to adjourn. It was seconded by Mrs. Hiltz at 9:03 pm.

Respectfully submitted,

Regina Adams