

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

May 20, 2014

MEMBERS PRESENT:

Mr. Kettenring, Mr. Mertz, Mr. Luciano, Mr. Irvine, Mr. Fielding, and Mr. Conkling (7:01 pm), Mr. Love (7:02 pm) and Ms. Gregg (7:05 pm) were present.

OTHERS PRESENT:

Town Administrator Mrs. Lucas, Fire Chief Michael Drake, and Deputy Kevin Lang were present.

CALL TO ORDER:

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

Mr. Kettenring appointed Mr. Fielding to vote in place of Ms. Gregg, unless she attends.

MINUTES:

4/15/14

Mr. Mertz made a motion, seconded by Mr. Irvine, to accept the minutes as written. Vote was unanimous.

CORRESPONDENCE:

There was none

ANNUAL ELECTION OF OFFICERS

Mr. Mertz made a motion, seconded by Mr. Conkling, to nominate Mr. Kettenring as Chairman.

Mr. Irvine made a motion, seconded by Mr. Luciano, to nominate Mr. Mertz as Vice Chairman.

Mr. Irvine made a motion, seconded by Mr. Fielding, to nominate Mr. Luciano as Secretary.

All votes were unanimous.

Mr. Kettenring pointed out that the agenda the members had was missing an agenda item for Mike Sharp – Preliminary/Submission of Application for Site Plan Review, Tax Map U17, Lot 55, Health Focus Facility. He said it needed to be determined whether or not it was properly noticed, therefore if it wasn't, no decisions could be made tonight.

MASTER PLAN UPDATE

Mr. Irvine advised the committee met last night and reviewed the Vision, Introduction and Economic Development sections, which need finalizing. He said they would be presenting it to the full board for input and possible adoption at the June meeting. Mr. Mertz advised that the next sub-committee meeting would be June 16th at 6:30 pm.

CAPITAL IMPROVEMENT PLAN

Mr. Irvine advised they have asked department heads for information regarding their future capital expenditures and are waiting for responses. He said that once the Master Plan is updated a sub-committee can be formed to address this.

**DISCUSSION ON PROPOSED
CHANGES FOR SPECIAL TOWN
MEETING**

Mr. Kettenring reminded the board that they were discussing proposed changes to language in the ordinance that would go to a special town meeting that coincides with the state election in September.

Mr. Kettenring advised that the 1st amendment discussed was relative to Definitions and an Inn. Mr. Irvine made a motion, seconded by Mr. Luciano, to amend the definition of an “Inn” to be “...10 lodging rooms, *with or without* meals, ...” and to go forward to public hearing. Vote was unanimous.

Mr. Kettenring advised there had been discussion on amendments relative to agricultural uses in the Village District:
Under Article V, Section F.6.vi)2 relative to agricultural uses adding that the “agricultural uses *are permitted* for personal use...”.
Under Article V, Section F.6.vi)2.d strike “animals and” so that structures are only used to house poultry as only poultry is allowed.

There was discussion on whether having a rabbit or pot-bellied pig could be kept and the board determined that as long as they were pets, it would not be an issue. The board agreed that further discussion on this issue could take place at public hearing.

Christine Perron asked if roosters were allowed and Mr. Kettenring advised they were not.

Mr. Irvine made a motion, seconded by Mr. Conkling, to accept the amendments and bring them to public hearing. Vote was unanimous.

Mr. Kettenring advised there had been discussion on amendments in the Mixed Use, BC1 & BC2 Districts relative to maximum lot coverage for outside display. Mr. Conkling made a motion, seconded by Mr. Irvine, that under Article V, Sections C.4.v, D.4.v and E.4.v - to increase the maximum lot coverage for outside display from 3,000 sq. ft. to 5,000 sq. ft. Vote was unanimous.

Mr. Kettenring advised that at a previous meeting there was discussion on whether to amend the prohibited agricultural uses in the Mixed Use District to consider allowing some kinds of animals. He said that the language in the MU district is very similar to that of the Village district. If this was considered Mr. Kettenring said they may want to discuss minimum lot sizing, distance to abutters, proximity to water and handling of waste products.

Mr. and Mrs. Perron were present. They advised that they had submitted a letter to the board for discussion purposes. The Perrons proposed a change to the district line so their property would be contained in the GR District or to amend language in the ordinance. Mrs. Lucas advised that the Perrons provided some suggested language. Mrs. Perron said that the Village district allows for 12 poultry, so she feels that 25 poultry situated outside of that district was appropriate. The proposal includes 25 livestock, which takes into consideration a breeding pair of more than one type of animal, and some offspring.

Relative to change the district line, Mr. Irvine expressed concern with it being construed as setting a precedent, and Mr. Kettenring agreed. There was discussion that amending the language was more appropriate and Mr. Kettenring suggested the number of animals coincide with lot sizing. Relative to manure handling and distance to abutting properties, Mrs. Lucas pointed out that this issue is controlled by Best Management Practices (BMP's). Mr. Kettenring said they want to ensure that high density operations are not created.

The board discussed having another work session in June to further discuss possible amendments to the MU district agricultural uses. Mr. Irvine asked the board if they felt it appropriate to consider amended language. Mr. Mertz advised he thought there should be a correlation between lot size and number of livestock and look into the BMPs to see what that covers. He said a mixed use area is for mixed use, and not allowing animals, does not seem appropriate. Mr. Love asked what the concern is with livestock for which the limitations were created. Mr. Kettenring advised they were trying to prohibit a large scale operation. Mr. Irvine said that if the MU district was developed as envisioned, large population density with retail activity, large scale intensive farming would not fit in. He pointed out that the Perrons is a unique situation with a large lot that is split into two districts. Mr. Kettenring advised that as there are still large lots available in the MU District, it may make sense to put less restriction on them as compared to the Village District in which the lots are typically less than an acre. The board agreed to look at revisions to the language.

It was the consensus of the board to meet for a work session on 6/10/14 at 7:00 pm, in the upstairs meeting room.

FINAL REVIEW & SIGNING OF PLANS

Paul Rossi, on property belonging to Onorio & Filomena Rossi; 322 NH Route 104; Tax Map R-11, Lot 10 – Site Plan Review and Conditional Use Permit for used vehicle display & sales

Onorio and Paul Rossi, and Surveyor Anthony Randall were present.

Mr. Kettenring advised the board of a letter submitted by Police Chief Salmon relative to the proposal. Chief Salmon letter advised that he had previously looked at the plans in 2013 advising the board of his concerns at that time and has looked at the revised plans. He stated his original concerns from the prior year have been addressed relative to parking of the vehicles to be displayed, and traffic and pedestrian travel. He expressed concern with the possibility of vehicular traffic across the front of the building and that it poses a threat to pedestrians. He advised that clear zones needed to be maintained at all entries and exits and marked.

Mr. Randall said that the parking has been revised. He said he met with the Fire Chief Drake and Mr. Rossi to discuss parking. It was discovered at that time that parking spaces (#8-#18) are 9' x 16' instead of the required 10' x 20'. He said Mr. Rossi would like to keep those existing spaces as opposed to grinding and repainting that portion of the parking lot. Mr. Randall proposed increasing the length to 20'. There was discussion on these particular parking spaces being created as the restaurant was built prior to zoning, and are grandfathered as they exist. It was pointed out that the site plan is being reviewed for the new use and not the existing restaurant. There was also discussion on there

being sufficient area to create 10' x 20' spaces. There was discussion on considering the spaces as grandfathered and in the future when restriping is necessary, create spaces to meet zoning. The board agreed that spaces 8-18 would be considered grandfathered with no future requirement to restripe them to meet current zoning.

Mr. Randall advised that after meeting with the Fire Chief they made the following changes to the plan:

1. Striped the egress pathways from the building.
2. Propane gas tanks located next the garage will be protected by cement bollards.
3. The concern with the having a vehicle pass across the front of the restaurant has now been addressed by the parking design and the 2 large planters in front. Mr. Randall said he adjusted some arrows at the entrance and exits.

He also stated that the required Knox box has been installed.

Fire Chief Drake advised he was satisfied that his concerns were addressed.

The board signed the plans.

Mr. Irvine read the conditions set on the Conditional Use permit:

1. Limit to detailing only in the garage on the property.
2. The hours of operation 7 days per week, 9 am to 9 pm or less.
3. Vehicles offered for sale would be in the designated area only as illustrated on the plan.
4. No further cutting of trees on the property.

The applicant and the board were satisfied with the conditions. Mrs. Lucas explained that the Conditional Use permit with its list of conditions would be registered.

**PRELIMINARY HEARING/
SUBMISSION OF APPLICATION**

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

Mr. Sharp and Engineer Kent Brown were present.

Mr. Brown advised that this concept is the same as what was presented to the board at a preliminary meeting several months ago. He said the site is east of Hwy 93 near the interchange and adjacent to a Class VI roadway. He said this facility would be run by Summit Health who specializes in health services and feels the location is good for area patients. The buildings would be similar to the facility in Belmont. They are proposing two buildings at 10,000 sq. ft. each, with 2 entrances each - for customers, and one entrance each - for employees. Compared to the Belmont facility there will be more parking with closer proximity to the buildings and more handicapped parking. There would be complete access around the building. The proposal would be constructed in two phases, with one building and parking, then the 2nd building if the project is successful. The plan relocates the class VI road so it connects to the main entrance of the facility, eliminating its present curb cut at Route 104. He said they were working on the driveway permit with NH DOT and have obtained the Alteration of Terrain permit.

Mr. Conkling asked if the abutting property owners served by the Class

VI road would have any issue with the change in its access point and Mr. Sharp advised they were satisfied with the change. Mrs. Lucas advised that documentation attesting to the abutter's agreement may be necessary.

Mr. Irvine asked about the extent of the AOT permit and how much material would be removed. Mr. Brown said he did not know the amount but explained the drainage and infiltration system. Given the sandy soil Mr. Irvine asked how it would be stabilized and Mr. Brown explained the area would have an erosion control blanket with loam on top and edging. Mr. Kettenring asked what the maximum slope would be at the back and Mr. Brown advised it was 3 to 1 and that the top of the hill would be lowered. Mrs. Lucas asked how the change in elevation would affect the class VI road and Mr. Brown said on that side of the property the grade would remain the same.

Mr. Kettenring reviewed the checklist and advised that architectural plans are required, to include floor plans for the Police and Fire Chiefs to review. Fire Chief Drake advised that his department would need final building plans prior to construction and will work with the Planning Board during the site plan review process. Mr. Irvine stated that he didn't see any plans for any propane tanks and Mr. Brown said those are not included in the plan. Mr. Kettenring advised that propane and septic information would be necessary, prior to considering the application as complete. Mrs. Lucas advised that as this lot is in the Village District documentation should be provided as to whether or not the Precinct would be providing services. Mr. Mertz suggested that for the 1st phase of construction they make an allowance for complete access around the building. Mr. Irvine asked if a traffic study was done and Mr. Brown said one had been done and he submitted a copy performed by Stephen Pernaw. Relative to the driveway permit application Mrs. Lucas advised that the Selectmen would need to be involved due to the relocation of the Class VI town road and may require a vote of the town. When asked about hours of operation, Mr. Brown said he would have to find out. Mr. Mertz said that when Ms. Charest came for the conceptual meeting she had said that appointments could go into the evening. Relative to the 2 neighboring residential properties, Mr. Irvine asked what type of buffers would be in place. Mr. Brown advised that the slope would create a wall and that the distance is fairly substantial. Mrs. Lucas pointed out that there were requirements in the Site Plan Regulations relative to buffer zones between residential and commercial. Mr. Mertz asked if there was a future plan to remove the ROW between the abutting lots, U17-55A & 55B, splitting the land and Mr. Brown said it has been discussed but nothing has been determined. Mr. Irvine made a motion, seconded by Mr. Luciano, to have a 3rd party review the plans as this was a substantial project. Vote was unanimous.

Mr. Kettenring asked for any abutter's input. Paul Gazda was present. He expressed concern with the back part of the property and how run-off may affect his property coming off the hill. Mr. Brown advised that the run-off will be going in the opposite direction. There were no other abutters present.

Mr. Kettenring advised that the hearing would continue to the meeting of 6/17/14.

Mr. Brown advised that Ms. Charest has invited any members of the board to come see the facility on Corporate Way in Belmont.

INFORMATIONAL/CONCEPTUAL MEETING:

Joseph Sanville, on land owned by Hilshar Assoc. Inc., NH Route 104, Tax Map R-4, Lot 92A

No one was present to represent this discussion.

Mrs. Lucas noted that this was the 2nd time Mr. Sanville was put on the agenda after speaking with the office, with no one present. Mr. Sharp advised that they were aware of someone coming to get a set of plans on the approved development of this lot but know nothing more. Unless Mr. Sanville calls again this item will be removed from the agenda.

HAZARD MITIGATION PLAN

Mr. Kettenring advised that he has been made aware of some concerns that Fire Chief Drake has relative to driveway regulations, during the Hazard Mitigation Plan discussions that have taken place.

Chief Drake expressed concern with requirements on lengths of roadways, especially dead end roadways, based on equipment available to the department. Any dead end roadway that extends more than 150 feet from a main access road has to have a provision for emergency equipment to turn around. Prior to construction of the O'Connor House this was an issue, but it was resolved during this new construction when access was made possible from Caswell Lane to Academy Lane on a walking path. Chief Drake said he wants to be sure the cul-de-sacs are adequate for all trucks in the mutual aid system to turn around. Mr. Kettenring asked Chief Drake to supply them with specifications for turning requirements for roads. Mrs. Lucas advised that private driveways do not have regulations other than specs on the portion in the town ROW as it was the choice of the property owner on how accessible they want their home to be. The board agreed that they may want to discuss steep slope development.

Chief Drake advised that relative to cisterns a fire engineer is needed to determine if it is suitable.

Deputy Lang asked if a subdivision was approved, but only a portion of the roadway was constructed, could there be a requirement for a turnaround, and Mr. Kettenring advised that this issue could be considered during the subdivision process. Mrs. Lucas pointed out that state law allows for a developer to post a bond for road development, construct a home, only to allow for occupation once the road is complete.

Mr. Mertz advised that the driveway standards do have requirements for anything other than private homes, such as a multi-family structure.

OTHER BUSINESS

Paul and Amy Macdonald were present.

Mr. Macdonald advised that they share ownership with Jonathan and Faith Rand for property on Old Bristol Road, Tax Map R12, Lot 4. He provided sketches of the area. He explained that they would like to adjust the property line with Lot 10 giving lot 4 additional land which

would allow access to that portion of the property from 50 feet of frontage along Old Bristol Road. Currently a brook divides lot 4 and access to the cove. He said he is unsure how they would develop this portion in the future. Mr. Irvine advised that this would not be the 150 foot requirement at the road. Mr. Macdonald said that they did not want to just create a 50' ROW. Mr. Mertz pointed out that the taking of land from lot 10 may cause it to become substandard depending on soils and slopes and the regulations would not allow for that. Mr. Mertz asked, if given the fact that lot 4 already has driveway access from a different angle, was it their intention to create a driveway and Mr. Macdonald said it was. The board suggested increasing the road frontage to 150 feet otherwise a ROW would need to be created. Mr. Irvine suggested a change in the boundary line adjustment along lot 7 that may be better.

Chris Bell was present and advised the board that he runs the BBQ stand at the Trading Post on Route 104, in Meredith. He said he would like to move the operation to Kevin Lacasse's property where Hitching Post Primitives is located. He distributed photos of a minimal lean-to over the BBQ trailer/cooker. He said he is inquiring as to whether he can operate for more than 30 days on a Hawkers/Peddler's permit, and to determine whether site plan review is required. Mr. Mertz advised that traffic and access could be an issue. Mr. Bell explained that he has chosen this site in New Hampton because he would like to expand his site, with picnic tables and a carport, and the current location can't support that. Mr. Bell explained where he would be located on the lot. Mr. Kettenring expressed concern with there being suitable parking for all 3 businesses. Mr. Bell said he typically has no more than 4 vehicles for customers. Mrs. Lucas advised that the definition of Hawkers/Peddler's is that it is mobile and temporary. She pointed out that there is already a structure and a use on the lot and it would be up to the board whether to consider the coverage as being temporary. The board agreed that the photo Mr. Bell showed of a lean-to appeared to be temporary. Mr. Kettenring expressed concern that it could become permanent. There was discussion on whether a carport could be temporary. The board agreed to a Hawkers/Peddler's permit for more than 30 days if Mr. Bell uses something temporary, such as a tent or a carport with aluminum upright poles, but anything more than that would require further discussion and site plan review. Mr. Bell said he would consider his choices.

ADJOURNMENT

Motion to adjourn was made by Mr. Irvine, seconded by Mr. Conkling. Vote was unanimous. The meeting was adjourned at 9:28 p.m.

Respectfully submitted,

Pamela Vose