

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

May 21, 2013

MEMBERS PRESENT:

Mr. Kettenring, Mr. Irvine, Mr. Luciano, Mr. Conkling, Mr. Mertz, Mr. Joseph, Mr. Love, and Mr. Fielding were present.

OTHERS PRESENT:

Mrs. Lucas, Town Administrator, Fire Chief Drake

CALL TO ORDER:

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

Mr. Irvine appointed Mr. Joseph to vote in place of Ms. Gregg and Mr. Lacey to vote in place of Mr. Love.

MINUTES:

4/16/13

Mr. Mertz made a motion, seconded by Mr. Joseph, to accept the minutes with the following change:

1. Under "Members Present" Mr. Fielding was not present. The motion passed.

3/19/13 – cancelled due to weather;
continued to - 4/2/13

Mr. Mertz made a motion, seconded by Mr. Irvine to accept the minutes as written. The motion passed.

CORRESPONDENCE:

1. Letter from Pike Industries to the Planning Board to provide an update of the existing conditions of structures and equipment onsite, per the board's request, as the plans on record are not accurate. Mrs. Lucas advised that Mr. Crosbie would be contacting Fire Chief Drake to review storage tanks and facility and their compliance with fire code. Mr. Irvine made a motion, seconded by Mr. Luciano, to require Pike Industries to submit a new plan reflecting existing conditions. The motion passed.

Mrs. Lucas asked whether the board was requiring that Pike re-submit as-built plans or to go through an expedited Site Plan Review process. The board agreed that if there are no changes planned an as-built plan was acceptable. If changes were proposed an expedited Site Plan Review application would be required.

2. Copy of a letter from the Town to NH DES Residual Management Section expressing disappointment in their oversight of RMI's processing of sludge off Route 132. Several concerns were addressed in the letter, for which there has been no response.

It was noted that Pike Industries is on this property, but it is owned by RMI. Mr. Mertz and Mr. Irvine advised that RMI has been very responsive to these issues on site, but DES response has been very unsatisfactory. Mrs. Lucas said that RMI has considered creating a structure, for containing the sludge, and if they go forward with that it will require Site Plan review.

3. Copy of a letter from the Selectmen to Dominique Vazquez-Vanasse and Angel Vasques Alcala stating that the BOS will be meeting with Jamie Hunt (May 2nd) to discuss her raising of chickens on her property and that Mrs. Hunt had advised that Dominique's family also had chickens and a rooster, therefore they may wish to attend that meeting also. It was advised that this is a zoning issue as the Village District does not allow for agricultural uses due to its dense development. As a follow-up Mr. Irvine advised that these residents met with the BOS after seeking legal counsel and it was discovered that chickens *are* allowed in the state. These particular agricultural uses would have to be explicitly denied in the ordinance, which they are not. Mr. Irvine said he would like discuss some of the details in the ordinance with the Planning Board, and possibly add some work session dates for this purpose. He said the board could reach out to the residents in the Village District to see how they feel about the original intent of the ordinance and agricultural uses. The board agreed to discuss this under any other business.
4. Copy of a letter from NH DES to Holden Engineering relative to Alteration of Terrain Permit application for Bruce Vaal, property owner G10 (Elaine Dolbec). The letter stated that there were additional items required before DES could act on the permit.

ANNUAL ELECTION OF OFFICERS

Mr. Mertz made a motion, seconded by Mr. Fielding, to nominate Mr. Kettenring as Chairman. Vote was unanimous.

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

Mr. Joseph made a motion, seconded by Mr. Irvine, to nominate Mr. Luciano as Secretary. Vote was unanimous.

MASTER PLAN UPDATE

Mr. Irvine advised that there was no quorum, so a meeting was not held. They will be working on something to post on the town's website. The committee also plans to present ideas on formulating an Economic Development section to the Master Plan. Mr. Mertz said that the town's Vision is not defined as well as it could be.

**(Cont.) PUBLIC HEARING –
Site Plan Review**

*Candice Dionne, 6 Cabin Drive,
Tax Map U-9, Lot 9-3 – signing of
plans*

**PUBLIC HEARING/
ABUTTER'S HEARING**

*Paul Rossi, applicant, Onorio &
Filomena Rossi, property owners
(Rossi's Restaurant); 322 NH Route
104; Tax Map R-11, Lot 10 – site
plan review for used vehicle sales*

Mrs. Lucas advised that the revised condominium plans and documents have been submitted. There was some discussion whether the deck was shown on the plans. It was noted the deck was shown on the plan, and though dimensions were not shown to the abutting cabin, it could be scaled. The Board signed the plan and documents.

Mr. Kettenring advised of a letter from Fire Chief Drake advising that after reviewing the proposed site plan he requests the following:

1. The travel distances outline on the plan must be maintained at all times (minimum 20' travel path is required around building). Parking for customers should be designated in order to keep these lanes open.
2. Vehicle travel lane in front of building should not be allowed due to the egress from the building located in the front. Parking lot should be re-painted and striped to show allowed parking areas. Code compliant egress paths should be designated and outlined around the building for emergency entrancing and exiting. Vehicles cannot be allowed to park in front of designated exits.
3. The propane gas tanks located next to the building and back parking area requires protection prior to operation (cement bollards or jersey barriers spaced appropriately for protection from vehicle travel).
4. Access keys to be provided and stored in a secure Knox Box for access to the building should an emergency occur during closed business hours.

Mr. Kettenring read a letter from Police Chief Salmon advising that he had not seen a copy of the site plan showing the layout of the proposed use and expressed concern that vehicles placed in the center or along the building perimeter could cause congestion for customer or delivery vehicles. He advised he saw no issue with the driveway entrance and the added use.

Mr. Irvine advised that since the last Planning Board meeting the Selectmen have asked for a rehearing of the decision made by the ZBA to approve a variance for Paul Rossi and that the ZBA has granted that rehearing. It would have occurred on May 14th, but attorney representing the Rossis have asked for a continuance, so that they can prepare for the rehearing. It is now continued to June 5, 2013.

It was noted that the application had been accepted at the previous hearing and the board has 60 days (from date of submission) to make a decision. Mr. Kettenring the Planning Board has 3 choices: the applicant would have to agree to an extension of that timeline; the board could request that the Selectmen grant an extension; or the Planning Board could deny it without prejudice. Mr. Irvine said he would prefer to

continue discussion on the site plan application to the June meeting, and to allow the ZBA to hold their re-hearing first. The board agreed.

Mr. Joseph made a motion, seconded by Mr. Luciano, to table discussion on this application until the end of the meeting, in case the owners or applicant arrive, as they were not present. Vote was unanimous.

INFORMATIONAL/CONCEPTUAL MEETING:

*Public Service of New Hampshire,
731 Old Bristol Road, Tax Map
R15, Lot 19*

Mrs. Lucas advised that they would not be attending tonight.

INFORMATIONAL/CONCEPTUAL MEETING:

*AT&T (Tim Greene) for cell tower
on property owned by William &
Roberta Taylor, 41 Ridge Road, Tax
Map R4, Lot 27, addition of
antennas to existing cell tower*

Mrs. Lucas advised that Mr. Greene was present to discuss proposed plans for AT &T, so the board could make a determination on whether Site Plan Review will be required.

Mr. Greene advised that there is an existing installation and AT&T wishes to upgrade their antennas including some additions. He showed the board some photos and conceptual drawings of the proposal.

Mr. Kettenring asked if this would change the height of the tower or number of antennas and Mr. Greene said height would not change but three antennas would be added. He advised a new pad, within the existing fenced area, would need to be added for additional cabinets.

Mr. Mertz asked if more trees have been cleared around the tower since it was erected and Mr. Greene advised he did not know, but was not intending to cut anything further.

Mr. Mertz made a motion, seconded by Mr. Irvine that based on the information presented a site plan review would not be necessary. Vote was unanimous.

Mr. Greene advised he would be submitting a building permit application.

OTHER BUSINESS:

*Rymes Propane
NH Route 104, Cabin Drive*

(Rymes Propane) Walter Hall, Branch Manager, and Chuck Cosseboom, Operations Manager, were present.

Mr. Cosseboom advised that are interested in LW Packard's property (Map R11, Lot 23) off of Route 132N for the purpose of installing one 30-gallon propane tank, while allowing Log Pro their continued operation on one corner of the property. Rymes would use the site to fill their delivery trucks that serve this area. He advised that Mr. Hall has met with both Fire and Police Chiefs. Mr. Cosseboom showed a conceptual drawing

of what they are proposing. Rymes would like to purchase the property and continue the lease with Log Pro. Mr. Cosseboom inquired about wells they've seen on the property and Mrs. Lucas advised that those had failed as a result of corrosion.

In addition to Site Plan Review, Mr. Kettenring advised that a subdivision creating two lots would need to be done as this would create 2 uses on one property. Mrs. Lucas said that the site plan and the subdivision could be handled on one plan.

Mike Ettelson
Jackson Pond Dam, Tax Map R18,
Lot 11

Mr. Ettelson was present. He advised that the Jackson Pond dam is currently in the process of being removed by the current property owner (Provest Land Assoc.) as a way to reduce liability in hopes to sell the property. He said several abutters to the pond, and also residents and visitors to the pond; do not want to see it reduced in size. Mr. Ettelson showed drawings of how the property is laid out currently and where the dam is located. He asked if it was possible to do a lot line adjustment which splits most of the property where the dam is located, but leaves a small lot that would just consist of just the dam, being roughly 1-2 acres, which could be owned by an association/trust, etc. of interested parties. He asked if this idea was feasible given the regulations. Mr. Kettenring advised it would have to be a buildable lot that is created. Mr. Ettelson asked if the current dam lot is presently unbuildable, does that matter. Mrs. Lucas advised that if the existing lot is non-conforming now, you cannot make it *more* non-conforming by a lot line adjustment. The board suggested the possibility that by giving more land to lot 11 from abutting properties the lot line adjustment he's proposing may have a better chance of being calculated as buildable. Mr. Ettelson asked if there was a possibility that the town would be willing to make an exception in order to keep the pond. The board advised him it would require a Variance from the Zoning Board of Adjustment.

Mr. Kettenring asked if the dam was being removed because of an order from DES and Mr. Ettelson said that was not the case and that the dam is in good shape. Mr. Irvine stated that the owner stated the problem is with its liability and the inability to sell the property because of it.

Boundary Line Adjustment between
Town of New Hampton and Village
Precinct

Mrs. Lucas advised that the town will be presenting a boundary line adjustment plan reflecting the village substation lot as there was some encroachment of their equipment onto the town lot. This will resolve that issue.

Cont. of PUBLIC HEARING/
ABUTTER'S HEARING
Paul Rossi, applicant, Onorio &

A motion was made by Mr. Irvine, seconded by Mr. Mertz, to continue discussion relative to Mr. Rossi's application. Vote passed.

(Planning Board, May 21, 2013, cont.)

*Filomena Rossi, property owners
(Rossi's Restaurant); 322 NH Route
104; Tax Map R-11, Lot 10 – site
plan review for used vehicle sales*

It was noted that the applicant and owners were not present.

Mr. Mertz made a motion, seconded by Mr. Luciano, requesting that the Selectmen make a request to the Rossi's attorney for the agreed upon extension and if that is not secured then a formal request of the Selectmen to grant an extension for up to 60 additional days, in accordance with RSA 674:43. The motion passed.

The board discussed the issue relative to agricultural uses not being a permitted use in the Village District (in the ordinance) but the state allows agricultural uses unless their explicitly denied. The board agreed that it could initially look at details in the ordinance, and whether they're enforceable, during a regularly scheduled Planning Board meeting, breaking off into other groups as needed. It was the consensus of the board to begin the process at the next meeting so that any changes could be presented to the voters next March.

ADJOURNMENT

Motion to adjourn was made by Mr. Conkling, seconded by Mr. Joseph. Vote was unanimous. The meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Pamela Vose