

**MINUTES  
CHARLESTOWN PLANNING BOARD  
AUGUST 6, 2013**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Steve Neill (Ex-Officio), James Jenkins, Rose Smith-Hull, Roger Thibodeau

Alternates Present: John Bruno, Richard Lincourt

Staff Present: David Edkins – Planning & Zoning Administrator  
Regina Borden – Recording Secretary

**CALL TO ORDER:** Mr. Frizzell called the meeting to order at 7:00 PM. He advised that regular member, Pat Royce, was not present so called upon alternate member, John Bruno, to sit in her place. Noting that meetings are tape recorded, he asked that anyone wishing to speak identify themselves for the record.

**APPROVAL OF MINUTES OF JULY 16, 2013, MEETING:**

**Mrs. Francis moved to approve the Minutes of the July 16, 2013, meeting, as written. Mr. Thibodeau seconded the motion. With five members in favor, the Minutes were approved. Mr. Jenkins abstained as he was not present at this meeting.**

*(Mr. Neill arrived at this time.)*

**CAROD PROPERTIES – Sign Permit – 122 Main Street – Map 118, Lot 91, Zone E (Mixed Use):** Carol Clark advised that this Sign Permit application is for a new sign, it is larger and they would like to put it in a different location. The smaller sign that they have now will have a “business name” with “entrance” and an “arrow”. A bigger sign will be placed on the south east part of the property next to River Street where the Hillbilly Hot Tub sign used to be. Mr. Edkins noted that the smaller sign is stretching the definition of a directional sign with the business name on it; but it is a PB decision. Mrs. Francis said this would be two free-standing signs and the Ordinance allows only one free-standing sign and one sign on the building; noting the entrance with an arrow is appropriate but including the business the name does not conform to the Sign Ordinance. Mr. Bruno asked what the total square footage would be for the signs. Mr. Jenkins felt it would be 46 square feet and the Ordinance allows for 50. Mrs. Clark said the current sign is not very visible from the street where it is now and she does not want to remove the trees. Mr. Edkins pointed out that the entrance sign does not require a permit; he read that section from the Ordinance that states: “on premise directional signs each shall be no greater than seven (7) square feet in area and no higher than five (5) feet off the ground such as those indicated for entrances, exits and parking”. He said it could be the same color as the big sign with the same sunrise theme.

**Mrs. Francis moved for approval of the proposed new sign for the Sumner House Restaurant as shown on the new Sign Permit application. Mr. Bruno seconded the motion. Mr. Lincourt amended the motion that it is subject to the condition that the old sign be removed. Mrs. Francis and Mr. Bruno accepted this amendment. With seven members in favor, the amendment and motion were approved.**

**CHAMPLAIN OIL COMPANY, INC. – 4,100 Sq. Ft. Convenience Store with Gas Pumps & Subway Restaurant – 104 Main Street – Map 118, Lot 92 – Zone E (Mixed Use):** Mr. Frizzell advised that at this meeting the PB will go through the Major Site Plan Application Checklist and vote on the completeness of the application.

Mr. Matt Wamsganz was present representing Champlain Oil Company, Inc. He was here to present their plans for a new 4,100 square foot Jiffy Mart convenience store with a Subway Restaurant at 104 Main Street. The purpose of the proposal is to replace the aging store at the corner of Main and Depot Streets. The existing store is very old, is not energy efficient and the traffic circulation is poor. They hope to improve all of that. The property they are looking at has the Hassam House on it. When they came to Charlestown for the initial consultation they discovered that the Hassam House is very important to the Town and they understand that so they have been working with the Historical Society and the Heritage Commission to see what they could do to make it work for everybody involved. What they arrived at is that with the help of Wayne McCutcheon, who previously moved the one room school house to property he donated on the Acworth Road, they are going to have him and a group of volunteers remove significant items such as doors, frames, trim, floor boards, etc. and then they will hire Keeper Barn to dismantle the frame that would all be taken to that same property where the one room school house is. A week ago they met with the Historical Society and Heritage Commission and it seemed like this would work for everybody involved and it is a good way to preserve the house. It is also feasible for Champlain Oil.

If that all works out the proposal is for entrance off Main Street (Route 12), directly across the intersection from Sullivan Street, they already have a driveway permit from the Department of Transportation (DOT). On the site plan he pointed out where the canopy would be with the four fueling positions and one diesel position. The 4,100 foot store is quite far back from the road because the site widens toward the back and that would give them enough room for the parking they need. They will utilize the Town's water and sewer; electric power is not an issue. He explained the direction that the storm water would take across the site. There will be a detention area in the back; it meets all the Town's regulations. As far as parking, they feel comfortable with the spaces they have based on their other stores. He displayed a landscaping plan; there will be trees along the south property line, a few trees on the north side and screening trees on the north east corner. Exterior lighting will all be LED lights. The Charlestown Site Plan regulations state that lighting levels at the property line shall be no greater than 0.2 foot/candles above pre-development levels. Since this is an abandoned house the pre-development levels are 0 meaning no greater than 0.2 fc at any of the property lines. They are asking for slighter higher levels at the northeast corner of the property (0.5 fc) and +/-5 fc at the entrance drive where it crosses the property line.

They will be asking for a few Waivers. The main one is for lot coverage. The Charlestown Site Plan Review Regulations state that impervious surfaces shall not exceed 50% but they are now at 66.8%. The other two Waivers are: One Waiver is for a Landscape Buffer as the Town requests 15' in width for the length of each property line but they are asking for a 10' buffer on a portion of the north property line and an 8' buffer on a portion of the south property line. The second Waiver is that Charlestown regulations state that trees shall be planted no closer than 8' to the

property line. They are requesting 3 trees on the south property line and 4 trees on the north property line be 5' from the property line instead of 8'.

Mr. Wamsganz introduced Stephen Pernaw, of Stephen G. Pernaw and Company, Inc. in Concord, NH, who is their Traffic Engineer. Mr. Pernaw's firm was hired to conduct a Traffic Study of this project. All the graphics that he displays at this meeting are in the Traffic Study. Being on a State Highway and under State jurisdiction the DOT specifies the scope of the traffic study. In this case the DOT asked them to look at the intersection of Sullivan Street with Route 12. They were to evaluate the morning peak conditions and the afternoon peak conditions on a typical week-day. They document the existing conditions; the roadway width, the number of lanes, speed limit, etc. Then they research available traffic data and they manually count to verify the data. The DOT also asks them to do a 10-year projection; so they did that to 2024. They estimated how much traffic the site will generate. They look at the need for mitigation, the need for improvements such as adding lanes, traffic lights, stop signs, etc. The DOT had put out a short-term traffic recorder count on Route 12 south of this property. Their most recent count was November of 2011; it is old information but had some value for his study. During the week, traffic is pretty consistent; 5500 cars per day were recorded by the DOT but the count was lower on the week-ends. They wanted to analyze peak flow conditions; there is a peak in the mornings, it drops off in the mid-morning, then peaks again in the evening and drops off around midnight. This is typical. Based on this information they did a two hour count at the intersection from 7:00-to-9:00 AM. In the evening they counted from 4:00-to-6:00 PM. The peak hour occurred from 7:30-8:30 AM and in the evening it was from 4:00-to-5:00 PM. They counted 600 vehicles in the morning and 883 in the evening. In the mornings most people were headed south and on Sullivan heading toward Route 12; in the evening the flow was north. For the DOT they did a projection for 2014, as the store could be in full operation next year, and they added ten years on top of that. These numbers are the same as the existing numbers but they factor them in with two things; the annual growth rate and a seasonal adjustment factor. He displayed the 2014 and the 2024 figures.

They had to come up with a figure on how much traffic the site will generate. The DOT requires that they use the ITE (Institute of Transportation Engineers) Trip Generation Rates which did. They had three different options available for the gas station/convenience store: 1) the size of the store; 2) how many fueling positions; and 3) how much traffic is going by. They took the higher number between the adjacent street traffic and the number of fueling positions. Both numbers gave them similar results. Bottom line is they anticipate 73 trips at the morning peak hour and 84 trips in the evening; expected to be to and from the downtown. On Route 12 north of the site they are looking at a 1% change in traffic and on the south about 2%. These impacts will not shape or alter what they experience on Route 12 during peak hours. Mr. Pernaw reviewed their study of "capacity" and "level of service". They do not have capacity problems even with the development. The answer is "no" to the need for a turn lane. They did recommend two exit lanes from the development; one each for a left/north turn and a right/south. With regard to safety, he discussed site distances. The DOT likes to see a minimum of 400 feet in each direction; this site has over 1,000 feet; that is good news. The Study suggested widening the shoulder on the opposite side of the road; but DOT said to leave the shoulder as is.

Mr. Wayne McCutcheon, land surveyor, advised that in 1993 he bought the Hill Farm on Acworth Road. He provided some history on the development of that property. In 2000 they relocated the one room school house on one of the lots. The Historical Society has a Deeded Easement for 99 years for \$1.00 that is renewable for as many times as they want for 2/10ths of an acre. The Hassam House can be put on the same lot. Mr. Hassam built that house; he also built clocks and a staff instrument for surveying. He was an important person in the Town's history; therefore Mr. McCutcheon wants to reconstruct the building as closely as it is now. The Champlain Oil Company has agreed to spend the extra money to accomplish this. It is commendable on their part.

Mr. Edkins began the review of the Check List. He noted that in the PB's packet they received a Narrative along with the actual plans. The applicant went through the entire list of Major Site Plan requirements contained in the regulations, Section 5.6.1. All notifications and postings were done properly. Following are the items mentioned:

- The site is not in the Drinking Water Protection District;
- Pathways Consulting, LLC was the engineering firm and did the boundary survey; Responding to a question from Mrs. Francis, Mr. Wamsganz noted that the only difference in the boundaries was that the front boundary was a little closer to the road but it was just inches.
- Red Leonard Associates of Cincinnati, OH prepared the lighting plans;
- Mrs. Francis questioned the pedestrian traffic. There is a Town sidewalk on the public space but their driveway crosses that. How will the sidewalk be delineated? How will they designate pedestrian traffic on the site itself; will there be walkways between the pumps and the store? Mr. Wamsganz said there is not anything at this time but across the driveway they do have painted lanes with arrows unless they might be able to move them back to do a crosswalk. They can look into walkways between the pumps and the store.
- Mr. Edkins pointed out that they will change the ½" water line that goes to the Hassam House to a new 2" line that will have to go under the roadway so it will require DOT approval. Mr. Duquette, Superintendent of the Water and Wastewater Departments, has reviewed the plans and has found them acceptable to serve this site.
- Relative to the landscaping plan, Mrs. Francis pointed out that there are five large maple trees on the front of the property. Which ones will be removed and re-planted. Mr. Wamsganz responded that three of the trees are in the public right-of-way, one will remain, one will be moved and one will be re-planted. One by the house will be removed but the Town trees will be retained. Mrs. Francis asked for a better description of the landscaping plan and the screening. Mr. Wamsganz responded that the four Austrian Pines will be placed along the north property line because there is not much there and a number of Linden trees will be staying and there will be some ground cover underneath those and some Linden trees will be in the back with Flowering Crabs. Fifteen rhododendrons will be interspersed with the trees. Mrs. Francis asked if they will be maintained. Mr. Wamsganz said they would be maintained. For their stores not to look good does not benefit them at all. Mr. Lincourt noted that they show the Austrian Pines as 10-feet in diameter but when those trees mature they could be 20-40 feet in diameter so they might infringe on the neighbor's driveway, he therefore suggested a different tree like evergreens. Pines are hardy. Mr. Wamsganz felt that was a good suggestion.

- A “Drainage Report” was available for review. Mr. Wamsganz advised that their detention pond was designed for a 25-year storm but it is big enough for a 50-year storm.
- Mr. Wamsganz noted that the snow storage area is near the detention pond so when it melts in the spring it will infiltrate into the detention area.
- Mr. Neill questioned the Circulation Plan. When the gas tanker comes in what is the plan. Mr. Wamsganz said most of the deliveries will be at night. A tanker coming in from any direction has plenty of room as the canopy is higher than the top of the tanker so the only thing to inhibit it is the pumps themselves. He used a computer program called “Auto Turn” demonstrate truck turning movements on the site. They do not want the tankers backing out into the road. This is a huge improvement over what exists now at the current location. If there were 8 cars at the pumps it would be tight so the driver would pull in but may have to wait for a few minutes. Ms. Dee Hassett, manager of the existing Jiffy Mart, explained that there will be fewer deliveries as they will have larger tanks than they have at the existing station. Mr. Wamsganz explained that they are looking at one-or-two deliveries each week. There will be a delivery door out back for the vendors’ trucks. They have a good schedule for deliveries.
- Mr. Thibodeau asked where the mechanical equipment will be. Mr. Wamsganz said on a platform on the north roof. The equipment they use now is fairly quiet. They can provide a decibel level at the property line. Mr. Edkins advised that the requirement is no more than 56 decibels at the property line with a residential property. The Town has a decibel meter so it can be checked. There is no stand-by generator.
- There is a hydrant in the triangle across the street from the proposed station.
- There will be nine full-time employees and nine part-time employees. On a normal day there will be six employees on site at any given time.
- Relative to the Traffic Impact Study, Mrs. Francis asked Mr. Pernaw how the standard number of trips he mentioned will compare to the current store. Mr. Pernaw could not answer that question as they did not count the traffic at the existing station. The DOT gave them the requirement to use the ITE Trip Generation manual. They made an adjustment of a 10% increase to add trips for the Subway. Mrs. Smith-Hull reported on her traffic count at the existing Jiffy Mart last Saturday. They had 90 vehicles from 10:30-11:30 AM. Mr. Bruno noted that they used the average count. He is not concerned with what the DOT requested because that is their jurisdiction but he asked that they do counts at the existing Jiffy Mart and the new Walpole Jiffy Mart and those counts be factored using sales data so they can get a number factoring that up to a peak month in order to come up with realistic trip generation figures. Ms. Hassett felt the count was high this past Saturday because it was Old Home Day weekend in Bellows Falls and there was more traffic. Mr. Wamsganz asked what the goal would be because they got DOT approval. Mr. Bruno explained that the DOT might not be looking out as much for the Town of Charlestown as the PB members are. He feels this information affects actual level of service analysis, the analysis for the left or right turn lane, etc. He is looking for realistic numbers and wants those numbers validated. Mr. Thibodeau noted that if the DOT has different numbers they may change their thinking and decision regarding the turning lanes. Mr. Pernaw went to the existing Jiffy Mart to observe and he feels it would be difficult to count that site because people walk across the street to go in. They would be missing cars that park elsewhere. Trying to tie something into sales is something that the ITE handbook does not recommend as it is extremely variable. They conducted a

sensitivity report based on a hypothetical 50% increase; the levels of service and delays were minimal. Mr. Jenkins feels that with the new site the Town will be better off than we are now. Mrs. Smith-Hull also did counts in Walpole and was there 1-1/2 hours. 99 cars came in and went out. In Walpole the entrance is 36-feet wide but this one will be 26-feet wide. They did a nice job in Walpole with the right and left hand exit lanes. There is a difference in the speed limit; 35 MPH in Walpole vs. 30 MPH in Charlestown. Mr. Wamsganz responded that the entire entrance to the Charlestown store will be 50-feet wide. There will be more trips in Walpole due to the Subway and Dunkin Donuts.

- Mr. Edkins mentioned that an asbestos evaluation was done of the existing building and there is no asbestos or other hazardous material in the building itself.
- Construction could begin in the fall of 2013 and completion in the spring of 2014.

Mr. Edkins pointed out that the applicant has requested four Waivers that were outlined in the Narrative. 1) Impervious Surfaces; 2) Landscape Buffer; 3) Planting Distance to Property Line and 4) Lighting at Property Line.

Mr. Neill asked how they will deal with traffic that wants to go straight across to Sullivan Street. Mr. Wamsganz stated that they will add a straight arrow to the left lane to go straight across. Mr. Edkins pointed out that the Traffic Study shows that arrow.

Mr. Lincourt had a question on the Sign Permit application. They show the sign in the south east corner but the plan shows it on north east corner. Mr. Wamsganz explained that the plan was changed because they did not realize that the tree on the Carod property is rather large so the sign would not be visible behind it; therefore they want to switch the location. Mr. Frizzell noted that the sign permit is a separate matter.

Mr. Bruno asked if they would show the locations of the Blue Rhino gas cages and the other external fixtures on the plan. Mr. Wamsganz said they can be seen on the picture and they can be added to the plan. Ms. Hassett noted that this store will be larger so will have much more freezer space for ice inside. Mr. Thibodeau questioned where the vents from the fuel tanks will be. Mr. Wamsganz said they are not shown on the plan but he explained where they would be. There are two 15,000 gallon tanks and one 10,000, the two on the north side of the site are gas tanks.

Mr. Frizzell opened the meeting up to the public noting that comment should be limited to the completeness of the application and any additional information that should be required.

Mrs. Carol Clark, an abutter, asked if the traffic study was done when the two schools were in operation. Mr. Pernaw said they saw school busses; the dates of the counts were May 14 and 15. Mrs. Clark said that when Champlain Oil made their first presentation they were proposing a 3,500 square foot building and 15 parking spaces but they now have a 4,100 square foot building and 22 parking spaces; what made the difference. Mr. Wamsganz explained that the reason for that difference is that in the beginning he brought in a sketch with an aerial photo and approximate boundary lines but they now have more accurate data on the site.

Mr. John Murray wanted to be sure that the storm water run-off is not an added burden to the Town.

Mr. Aare Ilves is concerned with the pedestrian access to the building. He requested a walkway from the sidewalk to the building. Mr. Wamsganz said it is difficult to place something and then try to tell people to use it. If they stripe a pedestrian walkway area they can do it but people will not stay within it. They did not feel it was an issue based on their other sites.

Ms. Hassett stated that at the existing site they have no accessibility for handicapped people to come into the store. She asked if there are plans for this. Mr. Wamsganz noted that they have two places that are all at the same level so there is good access. They have not yet designed the floor plan or door to the site.

Mr. McCutcheon mentioned that there was discussion on the percentage of impervious surface; the existing site is 120% and over-flowing onto Town land so 66% is a good compromise. This is a wonderful Site Plan. You will see a flower bed that is maintained on each one of their sites.

Mr. Robert Scott, an abutter, questioned how much room is there for snow storage. Mr. Wamsganz said this is 66% paved and the area out back is more than sufficient. They can remove some snow if it gets too high.

Mr. Murray asked why they are locating in the middle of the Village rather than north or south of the community. Mr. Wamsganz responded that it is where land is available for purchase and at a price that works. They looked at other properties in Town but found none that met their needs.

Ms. Heather Mates asked what the hours of operation will be. Mr. Wamsganz said from 5:00 AM to 11:00 PM Monday thru Friday and 6:00 AM to 11:00 PM on week-ends. Ms. Mates would like to see a Noise Study.

Mr. Bruno would like more information on the detention pond spillway. Where is the over-flow going and what is the capacity of the downstream drainage structures for the 50 and 100 year storm events; if that retention basin was to fill up where is the water going? He also noted that in the drainage report the design of the system is based on NRCS soils data; but because of the tightness of the site it indicates that test pits would be done at the time of construction. If those test pits indicate that they need a bigger system, they do not have the area on the site to do it; so he feels the test pits should be done before that time. Mr. Wamsganz replied that work is scheduled for next week. As far as the discharge, there is some stone shown on the back side, it runs into a ditch alongside the railroad tracks. If needed, they will do more research. Mr. Bruno stated that there should be a maintenance plan for the system so that it continues to work properly. Mr. Wamsganz agreed that this is appropriate.

Mrs. Maureen Spilsbury asked what is going to happen to the current building. Mr. Wamsganz explained that they will have the canopy and tanks removed. The building will then be put up for sale or lease.

**Mrs. Francis moved to accept this application as complete subject to receipt of the following information:**

- 1) Expected decibel levels of the mechanical equipment at the property line;**

- 2) Designate a pedestrian sidewalk parallel to Main Street with pavement treatment and indication of signage;
- 3) The location adjacent to the store of the Blue Rhino cages, ice machines and other exterior fixtures;
- 4) The location of fuel vents;
- 5) The actual design of the over-flow from the drainage system and the maintenance plan for this system;

Board members added the following:

- 6) Have actual test pit results and amend drainage report as necessary;
- 7) Circulation diagram for the trucks;
- 8) Directional arrows at the exit lanes to show that the left hand lane is also straight ahead;
- 9) Indicate where the downstream drainage goes after it leaves the site;
- 10) Reconsideration of the Austrian Pines along the north property line because of the expected growth;

Mr. Jenkins seconded the motion. Mr. Bruno moved that motion be amended to include actual peak traffic data at both the existing Jiffy Mart in Charlestown and the new Jiffy Mart in Walpole to validate the trip generation data from the ITE manual. Mrs. Francis and Mr. Jenkins accepted this amendment. With all members in favor, the Amendment was approved. With all members in favor, the Motion was approved as amended.

Mr. Wamsganz distributed copies and provided explanations of the following: Exhibit A - “AutoTURN Plan”; Exhibit B – “Lot Coverage”; Exhibit C – “Existing Parking”; and Exhibit D – “Proposed Parking”. They are counting on more traffic at this site but they have more than double the amount of space at the existing site.

**Mr. Thibodeau moved to continue this application to the next meeting on August 20<sup>th</sup> at 7:00 PM to further review the application and the updated plans. Mr. Neill seconded the motion. With all members in favor, the motion was approved.**

Mr. Wamsganz pointed out that the North Walpole store has a Dunkin Donut and it is 30% bigger with movements that are different so how do they deal with the validation. He asked for clarification. Mr. Frizzell felt they could count customers. Mr. Edkins said Mr. Bruno is looking for a general validation of the ITE numbers to be sure they are in the ballpark. Mr. Bruno said it can be a peak PM number; it does not have to be both AM and PM.

**CHAMPLAIN OIL COMPANY, INC. – Sign Permit – 104 Main Street – Map 118, Lot 92 – Zone E (Mixed Use):** Mr. Edkins felt it would be best to carry this application over to the next meeting on August 20<sup>th</sup> because the applicant just brought in new permit applications for the signage on the building.

**Mr. Thibodeau moved to continue the Sign Permit application to the next meeting on August 20<sup>th</sup>, 2013. Mrs. Smith-Hull seconded the motion. With all members in favor, the motion was approved.**



**PLANNING & POLICY ISSUES:**

**Sign Regulations:** Mr. Frizzell pointed out that this is an ongoing Agenda item. There will be no additional discussion at this meeting.

**Enforcement Issues:** Mr. Edkins mentioned that the PB members were going to email him their list of enforcement priorities. He hopes to begin this process with Ms. Chaffee in the next week or so. Mrs. Francis said she would be more comfortable with referring to “enforcement issues” as “compliance issues”. Mr. Edkins concurred.

**ADJOURNMENT:**

**There being no other business, Mrs. Smith-Hull moved to adjourn. Mr. Jenkins seconded the motion. With seven members in favor, the meeting was adjourned at 9:37 PM.**

Respectfully submitted,  
Regina Borden, Recording Secretary

Minutes Filed: 08-13-13

(**Note:** These are unapproved Minutes. Corrections, if necessary, will be found in the minutes of the August 20, 2013, Planning Board meeting.)