

**MINUTES
CHARLESTOWN PLANNING BOARD
MARCH 18, 2014**

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

Alternates Present: John Bruno, Richard Lincourt

Staff Present: David Edkins – Planning & Zoning Administrator

CALL TO ORDER: Mr. Frizzell called the meeting to order at 7:00 PM. He advised that the full Planning Board was present therefore there was no need to call on the alternate members. Noting that meetings are tape recorded, he asked that anyone wishing to speak identify themselves for the record.

APPROVAL OF MINUTES OF MARCH 4, 2014:

Mrs. Francis moved to approve the Minutes of the March 4, 2014, meeting, as written. Mr. Thibodeau seconded the motion. With seven members in favor, the Minutes were approved.

ELECTION OF OFFICERS FOR 2014-15:

CHAIR: Mr. Thibodeau nominated Robert Frizzell as Chair. Mrs. Smith-Hull seconded the motion. Mrs. Francis presided. There were no other nominations. With six members in favor, Mr. Frizzell was elected Chair. Mr. Frizzell abstained.

VICE-CHAIR: Mr. Jenkins nominated Sharon Francis as Vice-Chair. Mrs. Smith-Hull seconded the motion. There were no other nominations. With six members in favor, Mrs. Francis was elected Vice-Chair. Mrs. Francis abstained.

MASCOMA SAVINGS BANK – Sign Permit – 245 Main Street – Map 118, Lot 214 – Zone B (Business): Mr. Frizzell and Mr. Neill stepped off the Board. Mrs. Francis assumed the position as Chair. She called upon Richard Lincourt to sit on the Board in place of Mr. Frizzell.

Tim Sullivan was present, representing the Mascoma Savings Bank which is in the process of merging with the Connecticut River Bank. They wish to change the sign package at the current Connecticut River Bank on Main Street to reflect the new name. For the most part they are replacing signs with what is there already. Sketches of the proposed signs were distributed. Mr. Sullivan advised that the signs will have a more streamlined look than what is on the building now. The main outside sign on the front of the building now is 38” x 78”; the new sign is basically the same square footage of 25.2 square feet. The illumination and location will be the same. It will be a fabricated aluminum sign with raised dimensional letters on it. The directional sign is replacing an existing sign, size-for-size, 27” x 36”. Mr. Edkins pointed out that ordinarily directional signs would not require permits but these have logos on them. Another directional

sign (B-1) is the same size as the existing one and directional sign (B-3) is the same size as the others. The color is fawn. The B-5 sign on the back of the building will not be replaced. Presently there is a large oval in the peak over the main entrance but that will be replaced with the Indian logo. A light will wash out in the back and just light up the peak, the Indian is a silhouette in shape. That is their trade mark. Sign D is a directional sign on the pillar by the drive-thru. Sign E is on the ATM; it will be painted green and there will be a new Mascoma Savings Bank logo on top of the ATM. Signs F & G display business hours on the doors and drive-thru windows. Sign H is on the north side door. The “Tobacco Free Zone” signs are being put up at each location.

Mr. Lincourt moved to correct the address on the Mascoma Savings Bank application to 235 Main Street. Mr. Jenkins seconded the motion. With six members in favor, the motion was approved.

Mrs. Francis asked how many signs are on the application. Mr. Edkins noted that these are replacement signs, several of them are directional signs but they have the logo on them. Directional signs do not require permits. Nothing is being changed as the Connecticut River Bank directional signs also had logos on them. Mr. Sullivan said the “Do Not Enter” signs might be changed to “Exit Only” but they will be the same sizes. Mrs. Francis mentioned that one difference she noticed is advertising the 24-hour ATM.

Mr. Lincourt moved to approve the Sign Permit package for the Mascoma Savings Bank as presented. Mr. Jenkins seconded the motion. With six members in favor, the motion was approved.

Mr. Frizzell and Mr. Neill re-assumed their seats on the PB. Mr. Lincourt returned as an alternate.

ZAREMBA PROGRAM DEVELOPMENT, LLC. Cont’d – 9,240 Square Foot “Dollar General” Retail Store – 20 Sullivan Street and 113, 117-119 Main Street – Map 118, Lots 96, 98 & 99 – Zones B (Business) and E (Mixed Use): Mr. Matt Casey with the Zaremba Group and Mr. Chris Nadeau, engineer with Nobis Engineering, were present. Mr. Casey stated that at the last meeting one of the comments was to request that they re-submit a full set of updated plans and Mr. Nadeau has done that.

The Red Maple trees on the landscape plan have been replaced by Valley Forge Elm trees. As they get into construction they will be meeting with Ms. Aiken and Mr. Scott again about what will take place with the landscaping plans.

Changes were made to the pavement section. They have turned the parking stalls into pervious pavement. The main drive isles that would support truck traffic would be impervious while the pavement sections in the parking stalls will be pervious pavement. Dollar General understands that regular maintenance will be needed to make sure that it stays intact and they are happy to make that commitment.

The HVAC equipment and gravel pad have been revised to provide at least 10 feet of separation from the nearest property line. On the rear of the building they have revised the four units down to three units. This shortens up the pad area so they are able to add some pervious area. At the last meeting they were at 58% impervious but they are now just below 49% or at 48.9%.

They have changed the siding on the south side of the building to white Nichiha cement board siding (a sample was displayed). Revised architectural elevations were included with the updated documents. Mr. Nadeau had spoken to Fire Chief Baraly who had two requests: He wanted the building sprinklered; which they agreed to and he wanted the south side of the building sided with non-flammable material (which Nichiha is).

Requested Waivers:

Landscape Requirements: Section 5.7.3 (C) (1) they are meeting the building set-back but not meeting the Landscape requirements.

Section 5.7.3 (F) (1) and (2) The north and east sides of the building are surrounded by a concrete sidewalk. The south side of the building is landscaped with grass, as requested by the Fire Department. The east side complies with this requirement.

Curb Requirements: Section 5.7.7 They are proposing a monolithic concrete curb around the building; there are some areas around the site that do not have any curbing so they are proposing a 2-foot gravel strip to allow drainage to keep flowing.

Mr. Nadeau went back to take a look at the Storm Water design and it could handle a 100-year storm event. The volume is the concern; there is still a 40% reduction of volume that leaves the site headed toward Main Street. He has not done the calculations but with the new pervious paving it will be even better.

Mr. Casey summarized that there are three Waiver requests.

Mr. Bruno noted that on C-6 for Construction Detail, under Heavy Duty Asphalt Detail, – there should be a note added “to be installed in all standard pavement areas” and at the top for Asphalt Pavement they should remove the “Standard Duty Asphalt Detail”.

Mr. Frizzell asked if the abutters had any comments.

Mr. Aare Ilves asked about the pervious pavement. Mr. Frizzell explained it is a material that the water can flow through. Mr. Edkins noted that it is an open-graded cement based material. Mr. Nadeau said they remove the sand so it is a larger sized aggregate. The integrity of the pavement is still intact. When it does freeze as soon as they get a thaw it runs right through; there is no black ice. Mr. Frizzell pointed out that is why they have drain storage requirements on these lots so they do not let off more water than they did before.

Mr. Bruno advised that the new area after the Boundary Line Adjustment would be 49,088 square feet, 50% of that would be 24,544 and on the plan it says 50% is 48.5. Mr. Thibodeau reads it as 55.38%. Mr. Edkins said they have to make a distinction between lot coverage and impervious area. That impervious area would be included in the lot coverage calculation; it

would not be included in the impervious area calculation. The standard calculation in the Town's regulations is the total of impervious area but not necessarily lot coverage. Mr. Bruno pointed out that the new area of the lot would be 49,088 square feet after the Lot Line adjustments are made. Mr. Nadeau concurred that after the Lot Line adjustments the parcel will end up in the area of 1.13 acres. Mr. Thibodeau came up with 57.9% with the reduced lot size. Mr. Edkins felt he was still including the impervious area. Mr. Nadeau said if they are not comfortable with what the plan says maybe they could make it a condition. Mr. Bruno asked what the impervious area is now. Mr. Nadeau responded it would be the 48.5% of the 1.13 acres. He outlined the area on the plan. The calculations are after the Lot Line Adjustments. Mr. Lincourt stated that to get down to 48.5% they would have to have taken out 7,000 square feet of impervious area but the change in the parking lot is only about 4,000 square feet. Mr. Nadeau said they can show the numbers to meet under the 50%. Mr. Bruno stated that based on his calculations that is probably about right but the lot coverage should say "lot impervious area". He felt they could make a permanent condition that upon constructing it according to the plans listed it should be the 48%.

Mr. Frizzell said they should do the Lot Line Adjustment before they do final approval. Mr. Bruno said if they did not approve the Site Plan then Poisson and Zaremba would not do the Lot Line Adjustment. Mr. Edkins added, nor would they do the Voluntary Merger that is also on the Agenda tonight. He summarized that the up-dated plans presented at this meeting are similar to the last meeting but they added in some conditions regarding the maintenance of the pervious pavement. He had a question on the bottom of Mr. Bruno's statement that says "Dollar General shall be responsible for paying their proportionate share of any intersection improvements and a left turn lane if required and warranted in the future". This was included in the Jiffy Mart approval because it was in their State Driveway Permit but that condition is not contained in Dollar General's State Driveway Permit. That is between the applicant and the State, not necessarily an issue that the PB can become involved in. The State cannot require the Town to put it in in the future. There was a consensus to delete that statement. Mr. Bruno wanted to add a condition "that approval is based on a condition of approval of the Lot Line Adjustment and Voluntary Merger" and add another condition "That the building is to be sprinklered".

Mrs. Francis wanted to thank the person who put together the proposed vegetation to be used especially because of the yellowwood trees as they are amazing and wonderful trees that are too little used. In the Town regulations it states that we either need a minimum buffer totaling 25% of the lot area or 15-feet in width on each property line whichever is greater. What percentage of the lot area meets this requirement? Mr. Nadeau said 15-feet ended up being the greater of the two. Mr. Edkins said the plan shows every where they do not meet that and it is minimal. Mr. Nadeau said the biggest area is on the south side. The building set-back is 10-feet.

At the end of the last meeting Mr. Edkins had written down what the four remaining major issues were: One was the impervious surface, two was the siding on the south side of the building, three was the landscaping particularly the types of trees that were going to be used and four was the set-back for the HVAC pad. The applicants have addressed all of those. Mr. Lincourt said a requirement of the Ordinance is that unloading of truck deliveries be able to be done when all the parking spaces were occupied but they said some spaces would have to be unoccupied; he read that portion of the Ordinance. Mr. Edkins responded that some of the operational requirements

make enforcement difficult because it can be a moving target as vehicles come and go. Mr. Frizzell pointed out that if the delivery driver calls ahead and some vehicles have to be moved that is an operational issue and it does not become a PB issue. The PB members discussed various options for the deliveries. Mr. Albert St. Pierre stated that we all know about deliveries being made at Ralph's Supermarket and the Jiffy Mart but he thinks that the law was written that as long as they get off the Town streets we don't care but we don't want the trucks taking up the parking spaces on Main Street and carrying the stuff into the Dollar General. If they can get into the parking lot and off the public way he is saying that was the intent. Mr. Thibodeau said if they are blocking off their own parking spaces it does not affect the people in Town as the truck is totally on their property.

Mr. Neill mentioned that a letter was received from Mrs. Joyce Higgins, Chair of the Charlestown Heritage Commission; copies were in the PB packets. Mr. Edkins felt that a lot of the content of the letter was discussed previously and has been addressed. Upon a request from Mr. Ilves, Mr. Edkins read the letter dated March 12, 2014, for the record. Mrs. Francis asked the applicant to comment on Mrs. Higgins statement that any trees or shrubbery planted must be replaced if and when they die or are taken down, on an on-going basis (simple maintenance.) Mr. Casey said they will have to make sure that the landscaping is kept the way they submitted the plans. Mr. Edkins said that is one of the conditions in Mr. Bruno's list.

Mr. Edkins noted that the two additional conditions that were discussed as being added to Mr. Bruno's list are: 1) That it is based on the approval of the Lot Line Adjustment and the Voluntary Merger of the three lots and these are on the Agenda; and 2) That the building be sprinklered. In addition the operating hours were specified as 8:00 am to 10:00 pm.

Following is Mr. Bruno's list of proposed conditions:

- The project shall be constructed in conformance to the approved plans as listed above and documents as submitted. There shall be no variations from the approved plans or submitted information without prior approval of the Charlestown Planning Board.
- Deliveries are allowed only to the rear of the building and when the building is open for business and all motors shall be turned off while making deliveries.
- All trash pickup shall be limited to periods when the Dollar General is open for business.
- The Store will open at 8:00 am and close at 10:00 pm. Lights, except for building security lighting, shall be turned off one half hour after closing and one half hour before opening.
- Building to be sprinklered.
- That the intersection of the access drive and roadway improvements be constructed in conformance to the approved plans and the New Hampshire Department of Transportation Permit.
- The construction and installation of the storm water system including the pervious pavement shall be certified to by a registered engineer.
- A Maintenance Plan shall be prepared and submitted to the Town for the maintenance of the pervious pavement. Maintenance of the pervious pavements shall be performed by a qualified and competent individual and a report of this

maintenance included in the annual maintenance to the Town for the storm water drainage system. If at any time the pervious pavement fails to be pervious or operate as designed corrective measures shall be taken to correct any deficiencies.

- The storm water drainage system shall be maintained on a regular basis in conformance to the submitted maintenance plan by a qualified individual competent to conduct said inspections and perform the required maintenance to insure that the system functions as designated and intended. Annual reports shall be maintained by Dollar General and submitted to the Town. If at any time the storm water system fails or is not operating as designed corrective measures shall be taken to correct any deficiencies.
- That upon completion of the project a sound study shall be conducted, with the maximum equipment operating, at the boundaries to insure that sound levels from the Dollar General mechanical equipment meet the 56 decibel requirement at the property lines and that corrective measures shall be taken to reduce noise levels to the required 56 decibels if the actual noise levels exceed the 56 decibel level at the property lines.
- That upon completion of the project a light study shall be conducted to insure that the lighting levels at the property lines conform to the above submitted referenced Photometric Plan and corrective measures shall be made to the lighting if the actual lighting does not conform to the plan.
- That at all times, all landscaping, be properly maintained and any landscaping that does not survive be replaced.
- The property shall be maintained in a neat and orderly manner at all times.
- There shall be no outside displays or storage of equipment or product.
- Snow shall be removed so as not to block internal vehicle circulation and so as not to block site lines at the access drive intersections.
- Dollar General shall upon completion of construction, provide a certification by a registered engineer that the project was constructed in conformance to the approved plans.
- Dollar General shall upon completion of the project provide the Town with accurate as-built plans showing all site features to include but not limited to: structures, all utilities both above and underground, the storm water system, contours, limits of paving, curbing, landscaping, lighting, etc.

The following Waivers are granted as part of this permit approval:

Landscaping Requirements:

- A Waiver to Section 5.7.3 (C) (1) based on Plan entitled Dollar General 15-foot Buffer and Curb Exhibit dated March 2014 by Nobis Engineering, Inc.
- A Waiver to Section 5.7.3(f) (1) and (2) to landscaping to the north, west and south side of the building. The north and west side of the building is a sidewalk and the Fire Department requested grass only along the south side.

Fire Lane Requirement:

- A Waiver to Section 5.7.7. Since the building will be sprinkled a fire lane will not be required to the rear of the building.

Curb Requirements:

- A Waiver to Section 5.7.7, replace granite curbing with concrete curbing along the sidewalks around the north and west sides of the building and a 2 foot gravel shoulder in lieu of granite curbing as shown on Plan entitled Dollar General 15-foot Buffer and Curb Exhibit dated March 2014 by Nobis Engineering, Inc. Also replace vertical granite curbing in other areas with slope granite curbing.

Mrs. Royce moved to approve the Dollar General’s application to construct a 9,240 square foot building retail store with associated utilities, Site Plan, parking, lighting and landscaping. Permit conditions as set forth in Mr. Bruno’s proposed conditions, pages 1 and 2. Additions to the Permit conditions are: 1) The approval of the Lot Line Adjustment and the Voluntary Merger; and 2) the operating hours will be 8:00 am to 10:00 pm. They will eliminate the fifth condition “Dollar General shall be responsible for paying for a proportionate share of any intersection improvements and/or a left turn lane if required and warranted in the future”. The following Waivers shall be granted as a part of this permit approval: The Landscaping requirement, Fire Lane requirement, and Curb Requirements. Mrs. Smith-Hull seconded the motion. With seven members in favor, the motion was approved.

FREDERICK POISSON, ROSE MARIE BURNS & TOWN OF CHARLESTOWN – Boundary Adjustment between Existing Lots – Sullivan Street – Map 118, Lots 94 & 96 and Sullivan Street ROW – Zone B (Business): Mr. Nadeau explained that this is a minor subdivision where they are giving land to the Town for the sidewalk and giving land to the abutter for the driveway. They submitted a plan that shows the revised lot areas and the areas that are being conveyed. Mr. Edkins wants to make sure that any conveyance of the strip to Mrs. Burns and the motorcycle shop includes the fact that Ms. Aiken has a right-of-way over that strip as well. Mr. Ilves asked how much land is being given to the Town. Mr. Edkins said it adds five-feet to the right-of-way; on Sullivan Street it would be 21-1/2-to-22 feet from the center line.

Mrs. Royce moved to accept this application for a Boundary Adjustment between Existing Lots as complete. Mrs. Smith-Hull seconded the motion. With seven members in favor, the motion was approved.

Mrs. Royce moved to grant final approval to this Boundary Adjustment between Existing Lots for Frederick Poisson, Rose Marie Burns and Town of Charlestown as presented. Mrs. Smith-Hull seconded the motion. With seven members in favor, the motion was approved.

FREDERICK & VIRGINIA POISSON – Voluntary Merger of Existing Lots – 20 Sullivan Street and 113, 117-119 Main Street – Map 118, Lots 96, 98 & 99 – Zones B (Business) and E (Mixed Use): Mr. Edkins advised that Voluntary Mergers do not require a Public Hearing. It can be done with a single motion.

Mrs. Francis moved to approve the Voluntary Merger of Existing Lots for Frederick and Virginia Poisson, as presented. Mr. Jenkins seconded the motion. With seven members in favor, the motion was approved.

PLANNING & POLICY ISSUES:

Jiffy Mart: Mr. Edkins had a phone call today from Mr. Wamsganz from the Jiffy Mart. The plans they provided showed two 15,000 gallon gasoline tanks and one 10,000 gallon diesel tank on the north side. He asked if they could increase the size of the diesel tank to 15,000 gallons. Mr. Edkins did not feel it would be a big deal because it will involve less delivery trucks onto the site but when he pulled the plans he could not find where tank sizes were specified. He asked if the PB would have a problem with their increasing the size of the tank. Mr. Neill understood they were going to have two diesel tanks – one for on-road and one for off-road. Mr. Frizzell explained that on-road is clear so they can test it. Mr. Edkins noted that there is plenty of room for the larger tank. Mr. Neill does not have a concern with it but felt they should have the right number of tanks. Mr. Frizzell suggested that Mr. Edkins get back to Mr. Wamsganz to state that the PB has no objections to that size tank but they understood that there was a fourth product and bring the information back to the PB. Mr. Bruno felt they should provide the PB with a plan of what he is proposing for the record. Mr. Thibodeau recommended getting a copy of the State permits that they issue.

Enforcement: Mr. Thibodeau asked if there is an up-date on the letters that were sent out on enforcement issues. Mr. Edkins said every person has come in and indicated a willingness to bring their properties into compliance.

Signs: Mr. Bruno asked if the Zoning Board receives an application for a Sign Variance and the ZBA approves the Variance when they come back to the PB for approval are their hands tied relative to just having to sign off on the Variance. Mr. Edkins said the Variance from the ZBA would be based exclusively on the size of the signs but not the aesthetics. They would have to come back to the PB to get the permits for the signs but the size is pretty much locked in by the ZBAs decision. The PB still has a say on the design of the signs, etc.

ADMINISTRATION & CORRESPONDENCE:

Next Meeting: Mr. Edkins has not received any new applications for the next meeting. Yesterday was the deadline. There was a consensus to cancel the next meeting of Tuesday, April 1st unless something important comes in.

ADJOURNMENT:

There being no other business, Mr. Jenkins moved to adjourn the meeting. Mrs. Smith-Hull seconded the motion. With all in favor, meeting adjourned at 8:34 PM.

Respectfully submitted,
Regina Borden, Recording Secretary
(Transcribed from tapes)

Minutes filed: 3-26-14

(**Note:** These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the April 15, 2014, Planning Board meeting.)