

**MINUTES
CHARLESTOWN PLANNING BOARD
AUGUST 16, 2016**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Thomas Cobb (Ex-officio); John Bruno, Richard Lincourt, Douglas Neill, Rose Smith-Hull

Alternates Present: Patricia Chaffee, James Jenkins, Duane Wetherby

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

CALL TO ORDER & SEATING OF ALTERNATES: Mr. Frizzell called this meeting to order at 7:00 PM. He advised that meetings are recorded and asked that anyone wishing to speak identify themselves for the record. Mr. Frizzell noted that a full Board is present therefore there is no need to call on the alternate members.

APPROVAL OF MINUTES OF AUGUST 2, 2016:

Mrs. Smith-Hull moved to approve the Minutes of the August 2, 2016, Planning Board meeting, as presented. Mr. Lincourt seconded the motion. With six members in favor, the Minutes were approved. Mr. Cobb abstained as he was not present at this meeting.

LEONA E. FISK 2011 REVOCABLE TRUST and PETER & LEAH LAWRY – Boundary Adjustment between Existing Lots – 38 & 60 Elm Street – Map 118, Lots 173 & 174 – Zone A (Residential Professional): Mr. Bruno recused himself from this Agenda item. Mr. Jenkins, alternate member, was asked to sit in his place. Mr. Travis Royce, representing the applicants, advised that the Fisk family will be selling that property and they are looking to give the neighbor a little more room as right now they are only 5-or-6 feet from the house to the property line. Mr. Edkins advised that abutters were notified; no one has contacted him regarding this application. Mr. Roger Thibodeau, an abutter, had no problems with this boundary adjustment.

Mrs. Francis moved to accept this Boundary Adjustment between Existing Lots for Leona E. Fisk 2011 Revocable Trust and Peter & Leah Lawry as complete. Seconded by Mr. Neill. With seven members in favor, the motion was approved.

Mrs. Francis moved to grant final approval to this Boundary Adjustment between Existing Lots for Leona E. Fisk 2011 Revocable Trust and Peter & Leah Lawry. Seconded by Mrs. Smith-Hull. With seven members in favor, the motion was approved.

Mr. Bruno re-assumed his seat on the PB; Mr. Jenkins returned to his seat as an alternate member.

BLUE STREAM AQUACULTURE NH, LLC – Commercial Fish Farm – Burma Road – Map 201, Lot 3 – Zone E (Mixed Use): Mr. Edkins advised that there has been a glitch with notification of the abutters on this application. 6 of the 9 abutter's notices were mailed to their physical addresses rather than mailing addresses. There are two ways the PB members can handle this. They can have a preliminary consultation at this meeting and then re-notify the abutters for the next meeting or not hear the application at this meeting. There was a consensus of the PB members to have a preliminary consultation at this meeting and it will be left on the Agenda.

WHELEN ENGINEERING CO., INC. – 60,000 Sq. Ft. Light Manufacturing Building – Old Claremont Road – Map 106, Lot 4 – Zones F-1 (Industrial/Business) and E (Mixed Use): Mr. Bruno has not been involved with this project but has worked for Whelen in the past. He asked if the PB members had any objections to his remaining as a member on the PB rather than stepping off. The PB members and Mr. Olson had no objections.

Mr. John Olson advised that several years ago they purchased some land off the Old Claremont Road from Mr. Bob Beaudry and it has been used for farming. It is zoned Industrial, it is a good piece of land with good drainage. They would now like to build a 65,000 square foot building which would use most of this parcel. The entrance for employees only would be off the Old Claremont Road. Trucks would come up from CEDA Road. There will be green space and many trees. Mr. Royce put together a rendering of what it would look like from the Old Claremont Road looking up the driveway. The building is only about 15 feet tall. It would be light manufacturing with bench work and some computerized machines. It will be very quiet. They were hoping to get started this fall but for now will wait until the spring.

Mrs. Smith-Hull pointed out that the application states a 60,000 square foot building but now Mr. Olson mentioned a 65,000 square foot building. Mr. Olson explained that the extra 5,000 square feet is for loading and storage facilities which are not really a part of the building. Mr. Royce noted that the main building is 60,000 square feet but there is an addition which is the dock.

Ms. Chaffee asked if there is a reason for using the Old Claremont Road for access rather than using the lower road. Mr. Olson said it is for the ease of the employees. Ms. Chaffee thought there were going to be about 30 employees but there are 75 parking spaces. Mr. Olson explained that this was before they decided to do a build-out as they needed more room; they never had surplus square footage. Mr. Edkins pointed out that if Mr. Wetherby and Ms. Chaffee are going to participate they should sit as members of the audience because they have other interests in this project.

Mrs. Francis questioned the property line. Mr. Royce explained where the property line is; this parcel is partly owned by Whelen Engineering and partly by Whelen Realty. Mrs. Francis asked if Mr. Edkins gave a copy of the major Site Plan Review check-list to Mr. Royce. Have they filled out that form or will it be discussed verbally. Mr. Royce noted that both he and Mr. Olson can answer most of the questions. Mr. Edkins ran through the questions that were in the original application. Both municipal water and sewer are available. The lot has several hundred feet of frontage on CEDA Road; that portion is a public road. The lot size is about 18 acres. Mr. Frizzell did not feel the total impervious area is a problem. The set-backs are 40-feet and

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maximum building height is 50-feet. Some items on the checklist were not applicable. A portion of the property is in the Drinking Water Protection Area.

Mr. Edkins explained what Mr. Olson is looking for at this meeting. The engineering that would be required would cost a substantial amount of money and he is willing to spend that amount of money if he feels this project is worth pursuing. He is looking for some feedback from abutters.

Mrs. Francis mentioned that the PB has the responsibility to follow the Major Site Plan requirements and they want to carry those out. They need to continue on with this. Mr. Frizzell thought it appropriate at this time to listen to the abutters. Mr. Edkins pointed out that the engineering and a storm water drainage study that are required in a major Site Plan are not here; that needs to be addressed. This project might also require an Alteration of Terrain Permit from the State. Mr. Olson feels that it will probably take most of the winter to get all this together. His hope is to get public input, either for or against, if it is terribly against they will look elsewhere; otherwise they would like to use this property as it is what they bought it for. It takes a lot of investment in engineering time to get it all done if they are not going to pursue it.

Mr. Lincourt said they had mentioned low noise but what about the air conditioning units. Mr. Olson explained they are on the roof but are the quiet ones they have now that you can hardly hear. Mr. Lincourt asked if the evergreens can be extended to the parking lot side as well. Mr. Olson explained that is on their plan. Mr. Lincourt asked if this would be a 24-hour operation. Mr. Olson is not sure at this time. This will be a lot of hand assembly work.

Mr. Edkins advised that there is a plan displayed of the entire Whelen Campus with all the abutters; it shows the area of where the actual project will take place.

Ms. Tracy Perry is in the center of the buildings; a parking lot and building on both sides of her property. She is strongly opposed because of the noise. They can hear noise over the bank all the time. They originally were going to have access to the Old Claremont Road for emergencies only but now it is for employees. Mr. Edkins assured her that nothing was changed in terms of the zoning. Ms. Perry, as an abutter, said this will have a great impact on multiple people; she is concerned with the traffic and noise. It is a negative change.

Myron Domingue lives on the CEDA Road and he agrees with Ms. Perry. There is a big surge in big trucks; they come off CEDA Road. Mr. Edkins mentioned that other trucks also use that road. Mr. Domingue did not say Whelen trucks. There is the traffic as people are in a hurry to get out of work. A red light from the Whelen property shines right into his bedroom. This is what happens when big businesses come into a small town; they push and push. Mr. Olson said they will be pushed right out of NH; from the State House to Concord he feels that NH does not want manufacturing. He has about 1,000 people who work in his business that earn a living. Where will they live if he leaves; in China? If the neighbors want to buy the property they should come and see him.

Larry Crainich is the closest abutter to Whelen. He believes that bringing 1,000 jobs to Charlestown is wonderful. He does not have a problem with traffic or noise except for the motorcycles early in the morning. He has a problem with trash along the CEDA roadside.

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Sometimes he cannot get out of his driveway at 3:30 pm. The Town should do something about regulating the traffic. Ruger has an officer controlling traffic Mr. Frizzell said Whelen has rotated their shifts to help with traffic.

William Fowle's concern is with the traffic flow. He has lived there over 20 years and has seen many accidents including with school busses. There have been no significant injuries to-date that he is aware of. Putting a driveway there with 20-or-30 cars twice a day is going to increase the traffic with vehicles coming out directly opposite the store parking lot. That is a serious issue. The other problem is when he is in his yard he can listen to the bells and announcements from Whelen; he wants to know if that will be continued in the upper lot which will be an annoyance as it now comes in through the trees.

Mr. Gary Stoddard is concerned with the traffic flow. Do they have an employee count? Mr. Olson said they do not know as it depends on what they end up putting in that building. They initially thought about 75 vehicles in the parking lot.

Albert Nadeau lives on Lovers Lane Road. He has lived there since he was five years old. He can see the traffic and lights from Whelen. The other complex looks good and is okay. He talked about the history of the area while he was growing up. There was a corn field and a cross-country trail. There is a snow-mobile trail; where will they come through. He feels that Whelen has employed a lot of people but have taken away recreational opportunities and farmland. They do not need more traffic on Lovers Lane. He told Mr. Olson that "enough is enough"; he is expanding way too much.

Mr. Jon Gibbs explained that a lot of people's complaints are small. There are the lights and the traffic. On the positive side Mr. Olson is willing to work things out.

Mr. Kevin Hall can agree with both sides. He does not want to see jobs go to China. Compromises can be made. He suggested a traffic light on Route 12 to help with traffic flow or they could have a "traffic control" person. The number of lanes could be increased. They have to work on solutions. It would be good to work together.

Ms. Chaffee's issue is with the traffic. She goes to Emma's and her daughter is an abutter. There are kids in that area. The building set-back is 40-feet from the driveway. It seems like a lot in that congested area.

A resident stated that Mr. Olson provided the jobs for the Town therefore the Town should provide the traffic control.

Ms. Perry is concerned about the look of the whole community. This building is changing the whole community in that area. What about the value of the homes. Will this decrease the value? She is an abutter so this is a big concern.

A resident does not have a problem with this building as it will help with the property taxes but his concern is safety. He has made deliveries to the complex at night and has no problem with the lighting as it is low key compared to other places. His concern is the driveway exiting right

by Emma's parking lot. The trees and lighting will probably not be an issue with 95% of the people. We need industry.

Mr. Lincourt asked Mr. Olson if we are looking at adding a lot of traffic or is it just for the jobs here. Mr. Olson replied that it is a combination of both; some people would move from one of the other facilities to this new facility and they would add jobs. He thought one of the goals was to bring in industry to reduce property taxes and provide jobs. We are losing our manufacturing base in New Hampshire with the most expensive energy costs in the United States. It is driving manufacturing away. He could move to Georgia and reduce his energy costs by one-third; that is a significant amount of money.

Mrs. Francis thanked everyone for their comments, history, etc. How do they move forward? She hears that some aggravations like the loud speakers and lights are modifiable so they would de-escalate the concerns. Traffic and exiting of employees is a larger question. She likes the fact that people recognize what Whelen has done for the Town. She hopes that Whelen will do an evaluation of traffic coming and going. Emma's is an asset; we do not want to create problems. Maybe consulting with experts could provide answers.

Mr. Jim Jenkins addressed real estate values. It seems if the Town does not have good paying jobs the real estate will not appreciate. If Whelen left Town they could not sell their homes. We need each other. Reasonable people need to work together. Mr. Olson's traffic problems are small compared to big companies in other states and cities; he talked about Hartford, Conn.

Mr. Olson questioned that when the Planning Board made this piece of property Industrial why did they do it? Mr. Edkins said the back part of this building is in the Industrial Zone but the remaining land is in Zone E. Zone E, the mixed use zone in which any use is permitted. The zoning of this property has not changed in his 15+ years working in Charlestown. The Industrial zone was established in the mid-1980s. The mixed use zone was always that. It was what was left over after all the other zoning. Mr. Olson explained that when they bought this property it was a piece of land they could use. They have now had this Water Protection Zone imposed on them which has placed expensive restrictions on Whelen. This was after the fact. Mr. Olson asked if they eliminated the driveway to the Old Claremont Road what would the feeling be if all the people went up CEDA Road and up the hill. Mr. Olson mentioned that they have 14 competitors; Whelen is the only manufacturer in the US. It costs money to stay in the US as compared to China. If people want to stop him from expanding they can talk to him and buy this piece of property. He has rights under the Constitution to own and utilize land. His question on the floor is if he did away with the entrance from the Old Claremont Road what would the feeling be. He went to the State for a traffic light onto Route 12 and they turned it down. He does not seem to be able to get through to the Commissioner of Transportation. Mr. Bruno pointed out that the proposed driveway could be gated and used as an emergency entrance/exit only.

Mr. Thibodeau sat on the Planning Board for over 20 years and most people do not want to vote for zoning changes. This property is zoned Industrial and "E"; they cannot change it at this time. The voters can, however, petition the Town for a zoning change in the future.

Mr. Frizzell summarized that the PB members have a lot of information and Mr. Olson has some information. He recommended leaving it where it is for now.

Mr. Olson would still like to hear from somebody about eliminating the exit onto the Old Claremont Road. There would be no access except for emergency vehicles.

Mr. Brian Boardman, Vice-President of Operations, has been working at Whelen's for almost 23 years. He had not heard about the issues of noise and lighting until this meeting. They will look at these issues. They have five shifts but they will look at changing those times.

Mr. Bruno moved to continue this application for Whelen Engineering Co., Inc. until the next meeting on Tuesday, September 6th, 2016 at 7:00 PM. Seconded by Mrs. Smith-Hull. With seven members in favor, the motion was approved.

Mr. Edkins advised that this will be on the Agenda for the next meeting and will remain on the Agenda until a decision is reached. Abutters will not receive another notice.

The PB members took a five minute break from 8:20 to 8:25 PM.

BLUE STREAM AQUACULTURE NH, LLC – Commercial Fish Farm – Burma Road – Map 201, Lot 3 – Zone E (Mixed Use): Mr. Edkins advised that this is a preliminary consultation only as the abutters will have to be notified again. Mr. James Malandrinos was representing Blue Stream Aquaculture NH, LLC. He advised that this is a commercial fish farm operation. Currently they have a facility in Massachusetts. They will be using approximately 7 acres of a 133 acre parcel at 1 Burma Road. The fish will be raised in insulated pre-engineered metal buildings with adjacent greenhouses. Mr. Frizzell noted that some facilities use a lot of water. Mr. Malandrinos said they can but their other facility is a closed cycle recirculating concrete raceway system with filtration, including solids removal and primary and secondary biological filtration. They will have some exploratory drilling done for a well in late August. The facility will be constructed in phases.

Mr. Bruno questioned if this will be considered a Major Site Plan for approval. The PB members felt it would be. Mr. Cobb read the definition for a Minor and Major Site Plan. Mr. Bruno asked if this abuts the Connecticut River. Mr. Malandrinos said the western boundary does but the proposed development is about 1,000 feet from the River. Mr. Bruno suggested that Mr. Malandrinos get the check-list for a Major Site Plan from Mr. Edkins as he does not feel this application meets all the criteria. Mr. Bruno believes they will need an Alteration of Terrain Permit from the State if they are disturbing more than 100,000 square feet. Mr. Bruno would like more details on where the septic system and the well will be located. He would look into the State's requirements regarding a septic system or portable toilets. There was discussion regarding the waste. For the first phase they anticipate needing 100,000 gallons of water. About 12-to-18 months after start-up they will be producing about 2,000 pounds of fish a week. Most fish grown in this area goes into the oriental market. Replying to a question from Mr. Edkins, Mr. Malandrinos said they actually do grow plants in the greenhouses as it is the final step in cleaning the water. They will not be using River water.

Ms. Chaffee asked about truck traffic. Mr. Malandrinos said there would be small box trucks maybe two times a week. They ship the fish live; there is no processing.

Mr. Edkins had included a copy of their New Hampshire Fish and Game Department Inland Aquaculture Permit with the application. Mr. Bruno would like to know what the process is for the manure.

Mr. Kevin Hall is an abutter and is against this. One concern is smell. Mr. Malandrinos replied that there is no smell. If they were allowed to spread manure there might be a smell but they do not do processing. Mr. Hall already has problems on the Burma Road entrance as traffic is cutting into his property. He would like his boundary respected. Mr. Frizzell pointed out that that is a civil matter. Mr. Hall's mailing address is 1278 River Road.

Ms. Chaffee mentioned that Burma Road is not a Town maintained road. Mr. Edkins noted that this property does have 50-feet of frontage on the River Road. Burma Road is a private road and not Town maintained. When Mr. Frizzell asked for any comments from Mr. Steve Neill he replied that he feels this is a good use of the property.

Mrs. Francis just wants to be sure they are ahead of the waste so that it does not become a problem for him or the community. Mr. Jenkins said we are an agricultural area so maybe we can find a use for the excess.

Mr. Malandrinos summarized that the PB members want a Major Site Plan application and a Manure Management Plan. He will contact the State to check on their requirements and if an Alteration of Terrain Permit is required. At this time they are only applying for Phase I.

PLANNING & POLICY ISSUES:

Commercial Outdoor Displays: A PB member wanted to discuss the out-door displays with the Dollar General Store and the Treasure Chest. This has been on-going since September or October 2015. There needs to be an honorable solution. Ms. Chaffee reported that last Friday she went through all the Site Plan Review files for the Treasure Chest property. There were no stipulations or conditions attached to this property. She is finding it hard to tell this gentleman that he cannot do the tent because she does not have a legal recourse to say they cannot have it. The last application would have been the Video Store. Mr. Edkins pointed out that it was one retail use to another. Other businesses in Town also have outdoor displays. There was discussion relative to the fact that the Dollar General Store did have specific conditions prohibiting outdoor displays. A PB member felt they have to take legal action.

Accessory Dwellings: Mr. Lincourt had sent out the Accessory Dwelling information. Mr. Edkins noted that it needs to be clarified and addressed.

Proposed Changes: Mrs. Francis mentioned that they should consider changes they want to propose for the next Annual Town Meeting.

ADMINISTRATION & CORRESPONDENCE:

Next Meeting Agenda: Mr. Edkins advised that there are no new applications for the next meeting. The State increased the filing deadline for applications from 15 to 21 days. He would have had to have new applications by today. Mr. Lincourt noted that they will have to re-write a section of the Planning Board and Site Plan Review regulations. The PB can do the procedures but the regulations have to go through a process with Public Hearings. Because it is State law he is observing this new deadline.

ADJOURNMENT:

There being no other business, Mr. Bruno moved to adjourn this meeting. Mrs. Smith-Hull seconded the motion. With seven members in favor, the meeting was adjourned at 9:18 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 08-25-16

(Note: These are unapproved Minutes. Any corrections will be found in the Minutes of the September 6, 2016, Planning Board meeting.)