

**MINUTES
CHARLESTOWN PLANNING BOARD
JANUARY 3, 2017**

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

Alternates Present: Patricia Chaffee, James Jenkins

Staff Present: David Edkins – Planning & Zoning Administrator

CALL TO ORDER & SEATING OF ALTERNATES: Mr. Frizzell called the meeting to order at 7:00 PM. A full Board was present therefore there was no need to call upon an Alternate member. He advised that meetings are recorded and asked that anyone wishing to speak identify themselves for the record.

APPROVAL OF MINUTES OF DECEMBER 20, 2016:

Mrs. Smith-Hull moved to approve the Minutes of the December 20, 2016, Planning Board meeting, as presented. Mrs. Francis seconded the motion. Mr. Lincourt mentioned under Whelen Engineering, page 2, second paragraph, line 5, delete “would”. Mrs. Francis made the following corrections: On page 2, Whelen Engineering Co., second paragraph, replace first sentence with “Mrs. Francis mentioned the physical plan is beautifully presented”. Line 4, delete “an Alteration of Terrain Permit”. Line 17, first word, change “did” to “designed” and change “diversion pipe” to “perimeter drain”. On page 3, fifth paragraph, line 4, change “build it” to “build theirs”. With six members in favor, the minutes were approved as corrected. Mr. Cobb abstained as he was not present at this meeting.

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. Travis Royce was present representing Mr. John Olson and Whelen Engineering. A revised plan was enclosed in the PB packets. It shows that access/egress off the Old Claremont Road will not be used except for emergencies and shows the proposed evergreen hedge to be planted. An abutter was concerned with the lights. He mentioned the spaces between the evergreens. Mr. Olson said the spaces will fill in; if the evergreens are planted too close some will die. At this time they do not anticipate using this building at night. The shift will probably end at 3:00-to-3:30 pm. Fire Chief Baraly asked where the nearest fire hydrant is. Mr. Frizzell thought on the Old Claremont Road. Mr. Olson will maintain the hedge so there will be access to the hydrant. They are seriously considering a CO2 fire suppression system for this building; they are working on the design. Mr. Bruno pointed out this system will not harm the equipment like water; it makes sense to do it. Mrs. Francis asked Chief Baraly if it would be valuable for him to know if this system is going in. Chief Baraly replied he will know. They have a good working relationship with Whelen. Mr. Olson explained the reason for hedges is headlights, etc. They will stabilize the road off Old Claremont Road, so the Fire Department will be able to drive

on it; it will be grass with gravel underneath. Mr. Frizzell advised the PB members voted for completeness at the last meeting and all the conditions have been taken care of.

Mrs. Francis moved to grant final approval to this Site Plan Review application for Whelen Engineering Co., Inc. to build a 60,000 Sq. Ft. Light Manufacturing Building on the campus off the Old Claremont Road. This includes the conditions made at the last meeting. Mrs. Smith-Hull seconded the motion. Mr. Lincourt amended the motion to add a condition: “While access to the facility will be from Whelen’s main campus, fire/emergency access will be maintained from Old Claremont Road as well”. Mrs. Francis and Mrs. Smith-Hull accepted this condition. With seven members in favor, the motion and amendment were approved.

Mr. Olson will be meeting with the utility companies on electricity and energy needs in New Hampshire. The cost of electricity is killing his company. He is hoping they can come up with an industrial or manufacturing rate. It means the utility companies and their distributors will need to take just a little less off their rates. He has been talking with other companies and meets with five companies about Whelen’s size who have the same problem. New Hampshire has done nothing to solve the problem; they are about ten years behind the times. In Concord they do not care. But now we have a new Governor; he is a businessman. Vermont already has their permits. Neither the Town’s Representatives nor the Senator have ever contacted him. Mr. Olson needs the Town’s support. Mr. Edkins will be sure the Town’s Representatives, Mr. Steven Smith and Mr. Tom Laware, contact Mr. Olson. Mr. Olson said Whelen Engineering is one of the largest electric users in the State. The Canadian companies are limited in what they can supply because of the transmission infrastructure. Whelen is also facing shortage of experienced manufacturing employees.

SPRINGFIELD MEDICAL CARE SYSTEMS, INC. – 8,300 Sq. Ft. Healthcare Facility (Compliance Review) – CEDA Road – Map 105, Lots 29 & 29.1 – Zones F1 (Business/Industrial) and E (Mixed Use): Mr. Blanchard was invited but was not present at this meeting. Mr. Edkins sent out a copy of the landscaping plan that was originally approved in the PB packets. He would like to have a Google earth map that shows what they actually cleared so they could compare them however he has not yet been able to do this. He suggested scheduling a site visit for the PB members to look at the area. Mr. Bruno recommended that, if they do this, the applicant stake out the approved limit of clearing line otherwise they are guessing where the cutting line is. Mr. Cobb suggested Mr. Edkins call Mr. Josh Perry to see if he still has the program that could possibly help out with the calculations. Mr. Edkins had communication with one abutter about another issue; it was not on the cutting. Mr. Bruno suggested the PB members hire, at the applicant’s expense, a landscape architect to review their plans to make sure it meets the intent of what they said they would do at the Hearing. We also have a condition in the permit that it will not get signed until they have their Culvert Extension Permit; they are in violation. Mr. Edkins noted they did get a Building Permit from Mr. LeClair, Building Inspector. Mr. Frizzell pointed out they were to leave a buffer.

Mr. Bruno made a motion that a site visit be scheduled for Saturday, July 21st, 2017, at 9:00 AM and the applicant, Springfield Medical Care Systems, clearly mark the area of cutting as shown on the approved Site Plan in the field so the PB members can observe any excessive cutting. Mrs. Francis seconded the motion. With seven members in favor, the motion was approved.

PLANNING & POLICY ISSUES:

Site Plan Reviews: Mr. Bruno talked about the need for the PB to be more consistent with their applicants on major projects according to their regulations. For example: An Engineer should have been required for a drainage report at the Whelen building they just gave final approval to. Mr. Cobb mentioned at one meeting they went through the entire check-list with Mr. Olson and Mr. Royce. Mr. Bruno noted they should keep this in mind on future projects. Mr. Frizzell agrees with being consistent.

Approval on Property on Lovers Lane/Old Claremont Road: Mr. Frizzell has a concern on the Lovers Lane/Old Claremont Road intersection. It is the garage with the apartment above it the PB approved and the applicant agreed to make a connection to the house. It does not appear the applicant did this. No one is living in the apartment. The PB members agreed no one should be living in the apartment until the connection is made. Ms. Chaffee explained the water and sewer service is already to the property therefore the owner will not be charged the \$750/each for a new water and sewer connections but rather there will be an extra unit fee included in the regular water & sewer bill. It is not a new connection off the road. Mr. Bruno said the owner should not be given permission for occupancy of the apartment until this connection is made. Mr. Edkins pointed out Mr. LeClair, Building Inspector, gets a copy of all PB approvals. Mr. Bruno feels it should be noted on all approvals that “this permit is being granted but the owner has to be aware of the fact that other permits may be required”. It is the owner’s/applicant’s responsibility to get all the permits they need to do a project and conform to those items. It is the PB’s responsibility to give an applicant the permit with conditions they feel are necessary and then enforce those conditions. The PB members and applicants go through a check-list. This applies to major projects. Mr. Edkins said they have been trying to get “sign-offs” from all the departments before an application goes to the PB. *At this point Mr. Cobb stepped off the PB; Mr. Jenkins was seated on the PB.* There was discussion pertaining to conditions, responsibilities and enforcement. Requiring a Certificate of Occupancy was discussed. Ms. Chaffee was never told she was responsible for the planning side of it. Mrs. Francis feels some of this might go back to the Administrator. He determines if an application is complete and then forwards it to the PB. Mr. Frizzell suggested requiring another form that the applicant/owner has to sign, as built, after the project has been completed.

Dollar General: Mr. Edkins had forwarded a copy of the attorney’s letter to Dollar General outlining the violations. He has not yet had a response.

Treasure Chest: A PB member reported the flashing Christmas lights are still on at the Treasure Chest. It is a violation and she hopes someone will inform them of this.

Policies and Procedures: Relative to business-to-business and retail-to-retail change of use transactions, Mrs. Francis cannot find anything that describes getting a routine approval. An

application needs to come before the PB even if it was a person selling shoes to another person selling shoes. It is an application for use of that site. Ms. Chaffee noted if there is not a “change of use” they do not have to apply at all. Mr. Bruno agreed. Mr. Edkins said a lot of this applies to “case law”. It is not just in the statutes. The permit runs with the land, not the owner. Several scenarios were mentioned. Mr. Bruno stated they cannot look back and put today’s standards on old permits that were approved long ago. Sufficient conditions have to be put on new applications so there is some recourse, if necessary. Old permits cannot be re-opened.

Behind Keady’s Family Medical Practice: Mr. Cobb is bringing up this issue as the owner cannot be present. For three years the owner behind this building has been asking for the lights behind Keady’s Medical Building to be shielded as they shine directly into his living room and bedroom. These lights are on all night long. Every year they push snow against Mr. Hugg’s fence. The employees all leave after dark so their headlights shine right in through their windows. All the owner wants is for the lights to be shielded. The fence issue is a civil matter. Ms. Chaffee noted some older applications did not deal with exterior lighting. PB members referenced the Town’s regulations on lighting. Mr. Edkins talked to Mr. Keady before and thought they were going to shield the lights. He will review files on previous businesses on that site.

Next Meeting: There was a consensus of the PB members to cancel the Tuesday, January 17th, 2017, meeting as there is nothing new on the Agenda. The PB meeting on Tuesday, February 7th, 2017, will be cancelled as it is the night for the Town Deliberative Session. If something comes in they might need to schedule an alternate date. The next official meeting date will be February 21st.

ADMINISTRATION & CORRESPONDENCE: There was no new Administration or Correspondence presented at this meeting.

ADJOURNMENT:

There being no other business, Mrs. Smith-Hull moved to adjourn this meeting. Mr. Bruno seconded the motion. With seven members in favor, the meeting was adjourned at 8:42 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 1-12-17

(Note: These are unapproved Minutes. Any corrections will be found in the Minutes of the February 21, 2017.