

**PLANNING BOARD MEETING  
TUESDAY, JULY 23, 2002  
37 NORTH MAIN STREET**

**Members Present:** Norman Russell, Kelly Parlman, Hiram Watson, Brad Anderson, Jim Horgan, (Marty Chagnon on vacation); Troy Robidas absent)

**Selectmen's Rep:** John Fitch

**Staff Present:** Paul Charron, Fran Osborne

**Public Present:** Margaret Russell (ZBA), Packy Campbell, Chris Jacobs (Crown Point Survey), John & Jane Wingate, Joyce & Gary White, Robert & Karen Place, Cathy Place, Bruce Cartwright, Joey Nachez, others who did not sign in

- Chairman Russell called the meeting to order at 7:00 p. m. Marty Chagnon on vacation. Brad Anderson is seated for Troy Robidas. The Code Enforcement Officer is sitting at the table as just that. Jim Horgan stated to chairman we should turn this into an official decision that Paul Charron is a welcome position at this table and is invited and was invited to sit here by John Fitch. I feel his place is at this table and he is a welcome addition. Chairman doesn't want to make the decision. John Fitch - the Code Enforcement Officer does sit at the table in his capacity to help the board. Brad - if the board is comfortable with him being on the board, then that's that. Jane Wingate - spoke regarding a memo she received from Gary Bernier on N. H. Municipal Association (attached). Packy - disagrees with discussion on Jane Wingate's position that (6) members of the public do not think Paul Charron should sit with the board. Bob Place - Paul Charron should not sit "on the board." Chairman explained "point of order" to the public. Discussion on meeting process. Jane Wingate - did Ernie discuss this with you (Paul Charron)? Paul explained he was asked to sit at the board table. The Town Administrator suggested a plaque stating what his position is. Bob Place - can he (CEO) speak at will. Chairman said when he is asked or if he asks to speak, he should be allowed to be heard and to speak. Chairman asked for input from the board. Brad - if there's a hint of impropriety he should not sit at the table. Discussion on procedure for CEO and interaction with PB. John Fitch - if the paperwork is done properly, they go to the CEO and secretary - the CEO doesn't need to be here, he presents paperwork to the PB for review. Kelly asked that people realize he's here to be a help to the board. Chairman - we had a problem with previous CEO, Tom Rozwadowski and his interpretation as well as other issues. I do realize he needs a work space and it is prudent to adopt a place where he could be separate. Paul Charron and Chairman discussed this. Chairman believes there should be an obvious distinction between the CEO and the PB. Kelly - table this until we are in the new building where we can make a space for the CEO. **Jim Horgan - I make a motion to retain the CEO at the PB table, Hiram 2<sup>nd</sup>.** John Fitch - we should be in our new building by August 14, 2002, **Kelly abstained from vote, Brad - no, John, Hiram and Jim yes - motion carried.**
- **RKG - Fiscal Impact Analysis of a Proposed 60-Unit Residential Development in Farmington, N. H.** Fran (secretary) explained Darren Mochrie of RKG Associates, Inc. called to say he could not get through with the final report as there was an accident on Rte. 11. He will deliver report tomorrow. Chairman asked to continue to August 13, 2002. Jim Horgan made motion to continue to this date, Brad 2<sup>nd</sup>, all in favor - motion carried.

**Public Hearing 7:30 p.m.**

- **Site Review Application continuation by William "Pete" Harvey for proposed retail store (antiques, classic cars, guns & boats) on Rte. 11, (Map R64, Lot 9).** Chris Jacobs of Crown Point Survey is here representing the applicant. He presented new plans. He stated a new test pit was dug near the corner of the septic system which shows it is high and dry and appears to be working properly. A report was presented from Lapierre's Pumping Service stating "system seems to be in good condition." Mr. Coates asked that we show what is actually on this piece of property. Chris did an actual survey.

Parking spaces have been added and striped out. There is paving into the State right-of-way (no new spaces added). We did what was reasonable given the nature of the site. The two-story building has been used for various uses (some 30-40 years in the past). In the back of the building, a portion was ripped down and the owner will reconstruct this area on the existing slab. Chairman - we have not accepted the application as complete. **Brad - I make a motion to accept the application as complete, John Fitch 2<sup>nd</sup>, all in favor - motion carried.** No abutters are present and there was no public discussion. Chairman closed the public portion of the meeting. Hiram asked about the sign. Chris said the sign is about 6' x 4'. Chris Jacobs stated Ragged Mountain Arms does the majority of his business over the internet bidding for collectible guns and a room for presentation photos for the internet will be in place in the building. Car sales would not be a major function of this business. Jim Horgan - at intersections we in the past have asked for granite curbing rather than arrows. Define this area where it borders Rte. 11. Chairman - we would like to see granite curbing on their own property, not the state property. They have an existing entrance and may not need another entrance approved. Chris Jacobs - if a large volume user were using this property it would require new DOT approval. Mr. Gardner of DOT talked with Chris Jacobs and as long as the use is the same, the entrance is still O. K. Brad - the state right-of-way and possible proposed widening of Rte. 11 was discussed. If we approve this today will it be impacted by the widening in the future? Discussion about Spring St. traffic flow and going across or onto Spring St. Can parking be moved elsewhere? Kelly - parking requirement to the side and rear - is it a possibility or is it grandfathered? Chairman - current zoning applies. Jim Horgan - discussed the 10' grassed area between the right-of-way of the State and the business - will landscaping be addressed? Chris Jacobs - parking could be on the side back to limits of the septic system. Most paving will be replaced or repaired. Parking could not be in the back because of the wet drainage area. DOT has not allowed asphalt curb within the right-of-way, only granite curbing, but the State could rip it out if it is in their right-of-way. It is imperative people have the ability to get off the pavement quickly for safety reasons. Chairman - the existing entrances have been agreed to stay as they are and granite curbing if the PB wants them. Jim Horgan - questions regarding classic cars and boats and how many (10 is the most at one time). He has a problem with cars being lined up on the grassed front area. Reflect on the plan where cars and landscaping would be. Discussion. Chris Jacobs said they would re-grade and repave the existing parking area and rough areas. Brad - questions parking on the side. Chris Jacobs - parking spaces in front will be for handicapped parking, Kelly - number of vehicles and where parked? Chairman - where displayed? Chris Jacobs - there is only room for 2 vehicles inside. Vehicles/boars would not be parked on gravel or front area. Paul Charron - DMV requires 25 parking spaces vs. 14 parking spaces shown. We need a handle on the numbers. Paul Charron - the area does not have to be paved for these parking spaces. Once you sell 5 cars you need a used car license. You can't have more than 5 cars advertised for sale at a time or it's a junkyard. Note where on the plan the landscaping will be. Chairman - allow handicap parking space. Show what the front will look like and side for parking area. Jim Horgan - define curbing at entrances. Maybe we need to do a site walk. Kelly - a site walk might be helpful and might enable us to make sure the site is set up for the future. Brad - site is wide and flat and open and I don't feel a need to do a site walk. There aren't things to look at - the plan shows what it is. Hiram said he would look at the sight on his own. Most PB members were familiar with the site. Chairman - would like to see designated exit as well as curbing. Chris Jacobs - we will show curbing on the plan. Limit entrance and exit - well defined. Discussion. Chairman - allow 50' entrances and exit. Change parking to side - leave handicap in front. Where will vehicles be stored (show on plan - up to 10)? Landscaping - show on plan. Brad - questions shared entrances. Chris Jacobs explained surrounding properties - discussion. Chairman - test pit results - what about seasonal high-water table? Chris Jacobs explained the site is man made and is all fill. There is potential for a replacement septic system, probably a pump system. The sign is grand fathered. Chris Jacobs - signs will be restored. **Motion by Kelly to continue this hearing to August 13, 2002, Brad 2<sup>nd</sup>, all in favor - motion carried.**

- **Motion by Brad to recess for 5 minutes, Jim 2<sup>nd</sup> - to 8:35 p.m. Meeting back in session at 8:35 p.m.**
  
- **Site Review Application continuation by Craig Lancey for 53 Glen St. (Tax Map U10, Lot 114), to construct (2) buildings housing a (4) unit & a (3) unit on existing open space on lot.** Chairman read letter from Craig Lancey appointing Joey Nachez as designee agent for him and he was present. Jim Horgan motioned to continue this until authorized representative is here as a representative, discussion, Kelly 2<sup>nd</sup> (motion did not carry - all were opposed). Chairman stated application is complete. Paul Charron - state regulations don't say he has to be here to process this hearing. Chairman - we do have a statutory limit to act on. He's free to ask the Selectmen to act within 40 days as his 65 days has expired. Brad - I'm ready to act on the application. Jim Horgan - are changes made on the plan requested? Chairman read letter from Craig Lancey to the PB (attached). Brad - a wetlands scientist was hired by the Conservation Commission who came and delineated whether there is a 50' buffer around the Class II wetland. No action was taken at our last Conservation Commission meeting on establishing a buffer. It was a very ambiguous result. The Conservation Commission "may" establish buffers up to 50'. There is no buffer according to the Code Enforcement Officer's interpretation. Chairman asked comments from the public. Suzette Richards an abutter - who has final say on wetlands? Brad - he's not in jurisdictional wetlands. Suzette I am the only immediate abutter with issues. What point are you at in this hearing? Jim - we could be deciding on the plan tonight. Suzette- who surveyed regarding traffic? How many vehicles? What about safety hazards? I don't want to look at his driveway. Brad - there is a detention pond to relieve water. Suzette - what about next spring when I have 4' of water? The detention pond is an issue - where is it going? Where is the water going - on my land and my basement. Lighting is an issue. I want a barrier - I don't want to see his building and his parking lot. Chairman - parking area will be screened and there will be a designated parking area. Suzette - I want an 8' fence. How many people in units? Traffic (Glen St.)? Bob Place - who declared it not a wetland? Brad - nobody determined it wasn't a wetland. The Conservation Commission didn't designate a buffer. Discussion. John Fitch - no decision was made on buffer. Can we require the Conservation Commission to make a decision. Jim Horgan - decision was made by the Conservation Commission by making no decision, so it's not an issue anymore. Mr. Lancey can work up to that wetland. Brad - nothing is in writing except our minutes. Brad explained the detention pond function. The Town made an error in establishing high density areas in a wetlands area. This is a dense use for this lot. The UR and VC should have blanket buffers. Discussion. **Brad - I would motion that the PB request the Conservation Commission establish a buffer around the Class II wetlands in the VC and UR zoning district, John Fitch 2<sup>nd</sup>, Kelly abstained, Jim opposed, 3 yes).** Paul Charron - in the wetlands overlay district, Section 4.03 (K) of the Zoning Ordinance; The Planning Board in concert with the Conservation Commission, upon receipt of a petition from an affected land owner, with fifteen (15) or more persons in interest, **or on its own motion, shall: (see page 57):**
  - Determination whether the size or configuration of a buffer strip associated with a significant wetland should be modified or reconfigured.

Discussion. Brad asked Paul Charron (CEO) for interpretation - can the PB determine a 50' buffer? Paul Charron - does the topo show slope percent? Discussion on this and drainage on site. Chairman - engineering could be a good place for drainage calculations review. Paul Charron - this would be at the applicant's expense. The Town has retained a firm for this purpose. Chairman - show lighting, show parking for unit #2 (minimum 9 parking spaces), screening of parking areas (particularly Suzette Richards side), address issue of number of occupants, traffic impact Blaine & Glen St.. **Kelly made motion for plan review of drainage calculations, and will the proposed development impact the 50' area around the wetland, Jim Horgan 2<sup>nd</sup>, all in favor - motion carried.** Brad - screening of parking lot - at the discretion of the Planning Board. **John Fitch - motion to send punch list to Craig Lancey & continue this hearing to August 27, 2002, Jim Horgan 2<sup>nd</sup> - motion carried.**

- **Site Review Application continuation by Craig Lancey for 55 Bunker Street (Tax Map U10, Lot 3)** to add (7) residential housing units to existing (1) unit residence. In lieu of time, **Jim Horgan made motion to continue this hearing to August 27, 2002, Kelly 2<sup>nd</sup>, motion carried.**
  
- **Jim made motion to continue this meeting past the 10:00 p.m. deadline to 10:30 p .m., Kelly 2<sup>nd</sup>, all in favor.**
  
- **Cluster Development Review Application by RSA Development, LLC for Elm St./Dick Dame Lane, (Tax Map R34, Lot 1-8 & U9, Lots 18 & 19)** to create (60) units on one lot. Packy is here to request review of his application as complete. Packy requested the PB read the 6 points of the Cluster Development Regulations. The checklist is in the folder (2 checklists) but do not actually refer to the Cluster Development but the Subdivision Regulations & Site Review Regulations and do not apply. Chairman - the PB has the authority to impose other regulations and the Cluster Regulations are a part of the Subdivision Regulations. Packy - for the record - if we have all the components of the PB request per the checklist, etc., we would like to see a complete application. The review process should allow the applicant flexibility. **Jim Horgan - made motion to accept the application as complete with receipt of RKG Associates latest revised "Fiscal Impact Analysis of a Proposed 60-unit Residential Development in Farmington, NH," Kelly 2<sup>nd</sup> - no final vote.** Chairman went through the Subdivision requirements -
  - (1) for final checklist - everything included on preliminary plans - locations of building setbacks on proposed lots. Don Rhodes - according to regulations, PB has some lead-way, we can show, but they are not pinned down yet.
  - (2) storm drainage cross sections shown (Don Rhodes said this was included in plans)
  - (3) delineation of additional drainage on site into wetland area. (Don Rhodes - we've shown drainage and more information will be provided further on down the line - cross sections were not spelled out.

Sheet #7 - show location for telephone & electric utilities - this was discussed at last meeting that they will meet with the utilities companies on locations.

Sheet #11 - application to DOT for putting entrance in. (Don Rhodes - there is something provided on the plan for that. It shows widening. If turning lane is required, PB needs a statement from DOT.

Sheet #12 - future subdivisions - Don't need.

Sheet #14 - soils data - show test pit locations on plan.

Sheet #17 - not address - is the proposed subdivision in a flood hazard area? (Don Rhodes - this is included in the drainage calculations.

Sheet #6 - remaining parcel does not have a lot number, consecutive numbering of lots.

Sheet #8 - have street names been approved? Skyview Drive was suggested and has not been acted upon by the Selectmen.

Sheet #10 - utilities proposed.

Sheet #11 - statement from Dale Sprague - (Packy - this is in the RKG report and noted on the plan submitted earlier).

Discussion followed on point of order. Brad - significant approvals to be had and have not been received yet. Jim Horgan - a plan can be approved pending receipt of these approvals. Chairman discussed another project (Cherub Estates) previously approved with conditions that was a problem. Further discussion by Packy and the board. Brad - concerned about project changing substantively. If the variance applied for is denied, is the clock ticking? Chairman - if there is a denial of the Variance, he can go to the Selectmen for the PB to make a decision in 40 days. If he runs into stumbling blocks on these 3 applications, he starts over. Paul Charron - this PB should accept the plan as complete, then go for Dot, Wetlands applications, etc. The PB should also act on the application being received as complete. Chairman - Brad made motion to impose a 50' buffer in the UR and VC zoning districts. This would not affect this proposal which has been in progress.

**Kelly made motion to accept the application as complete pending state approvals, Jim Horgan 2<sup>nd</sup>, continue meeting to August 13, 2002. All in favor - motion carried.**

- With no further business to discuss, **motion was made to adjourn by John Fitch at 10:45, Kelly 2<sup>nd</sup>, all in favor - motion carried.** Transcript of minutes is available in the Code Enforcement Office for review.

**APPROVED**

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Norman Russell, Chairman - Planning Board

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Date