Chairman Paul Carideo opened the meeting at 7:00 PM. Planning Board members and staff present: Paul Carideo Chris Dane, Dean Howard, Proctor Wentworth, Robert Waldron, Neil Emerson, Chad Bennett, Ex-officio, alternates Randy Clark, and Glen Emerson, and Tina Harrington Secretary.

Members of the public attending: James Lavelle, Lavelle Associates, Curtis Sweet, K. Sweet, Jim Mitchell, Scott Mitchel, Yolanda Mitchell, Dennis Stephens, Tom Leffrely, Tom Frawley, Ben Schmitz, Penny Williams, Media.

**CHAIRMAN’S REMARKS**

**4 April 2016** Next Public Hearing Date

**14 March 2016** Plan Filing Deadline for 4 April 2016 Public Hearing

**21 March 2016 Workshop on Site Plan and Zoning Regulations**

**1ST PUBLIC HEARING 06-018 Sweet Management LLC Site Plan**

The Chairman announced the Public Hearing was continued from 1 February 2016.

Jim Lavelle presented the plan for the owners. It is an amended site plan with a revision date of 29 January 2016.

At the meeting of February 1st, the applicant requested a continuance to go to the ZBA for a variance to permit the existing shed roofs over the cooling unites to remain less than 30 feet from the setback. The ZBA granted the variance at their meeting on March 3rd, 2016. Chairman Carideo asked that the variance approval be added to the plan.

They went on to speak about the project and said that other than cosmetic there would be no changes to the current buildings.

There is a bump out shown on the design, but it was noted that it is already there and just shows more prominently with the glass around it.

**1st PUBLIC HEARING 06-018 Sweet Management LLC Site Plan**

Continued from page 1

Chairman Carideo noted that there was more signage on the building than what exists now. He also noted that the dimensions were not on the plan. Mr. Lavelle responded that he talked with Kris Emerson and they are allowed signage based on the frontage of the property and they will work with him to comply with the signs allowed. He was asked to include a note that said they would meet the sign requirements. Mr. Lavelle said they would be meeting with Mr. Emerson on the signs. Mr. Sweet noted that the color scheme is going to be different from what was seen on photos that were submitted. They discussed the current loading docks and they will be using the openings to be storage doors. They also discussed “dark sky” regulations.

There are three lights on poles and one on the building allowed. In looking at the plan, Chairman Carideo noted there was more lighting on the site than existing on the site plan. He asked that they be identified on the plan. Mr. Lavelle pointed out that they were marked out and visible on the larger plan and that the lighting plan will meet the requirements.

Mr. Bennett asked if the no parking near the hydrant was resolved as was discussed at the last meeting.

There was a letter from Deputy Chief Warnock stating that the items required by the fire department had been given to the owners and should be noted as conditions to the approval. Mr. Lavelle reported that they had no issues with the requirements and would comply with them. The Knox Box note will be added to the plan along with the no parking zones. There was a concern with the parking near the narrow corner and the board discussed either no parking zones, or striping the no parking area. The developers will meet with the fire department and Mr. Lavelle to get the length of area that should be marked “no parking”.

**1st PUBLIC HEARING 06-018 Sweet Management LLC Site Plan**

Continued from page 2

Chairman Carideo asked about the square footage of the floor space whereas it was not marked on the plan. It was agreed that it would be added to the plan. The public was asked if there were any questions. There was not. The board was asked if there were any questions and there was not. Mr. Lavelle asked that the Planning Board approve the plan tonight with the conditions discussed tonight to be added or noted on the site plan. There was also a letter to the file from Police Chief Beaudoin stating that he had no issues with the proposal.

**MOTION**

**Robert Waldron made a motion to approve the site plan for Sweet Management LLC map 06 lot 018 with the conditions of adding the lighting plan, the square footage of the 1st and 2nd floor, ZBA variance and HFD conditions, noted on the plan. The “no parking” on pavement needs to be delineated near the section of the corner along Rt. 111, and noted after discussion with the fire department. The motion was seconded by Proctor Wentworth.**

**VOTE: YES Robert Waldron, Proctor Wentworth, Paul Carideo, Chris Dane, Dean Howard, Chad Bennett and Neil Emerson.**

**The motion passed unanimously.**

**1ST PUBLIC HEARING 06-046 Tropic Star Amended Site Plan**

Chairman Carideo read the public hearing notice. It was discovered that the address for the applicant was posted incorrectly.

Mr. Scott Mitchell spoke to the project and introduced the people present at the meeting tonight that were involved with the project. He stated that they were present tonight for three items.

**1ST PUBLIC HEARING 06-046 Tropic Star Amended Site Plan**

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The first item was that there were some tall pine trees that were still on the lot abutting the property next door. There was a letter of concern from the abutters that they were concerned with the trees potentially falling down on their property. Mr. Mitchell stated that they were willing to take the trees down with permission of the Planning Board. There were pictures provided and

The first item was that there were some tall pine trees that were still on the lot abutting the property next door. There was a letter of concern from the abutters that they were concerned with the trees potentially falling down on their property. Mr. Mitchell stated that they were willing to take the trees down with permission of the Planning Board. There were pictures provided and Chairman Carideo noted he had taken some pictures over the weekend. Neil Emerson questioned why they would need permission from the Planning Board to remove the trees. It was discussed and decided that the remaining tall pines serve no purpose as a buffer and were an accident waiting to happen. The members were okay with the removal of the trees as long as the abutters were in agreement. It was stated that they would be brought as close to the ground as possible at least 3 feet or less.

**1ST PUBLIC HEARING 06-046 Tropic Star Amended Site Plan**

Continued from page 4

**MOTION**

**Chris Dane made a motion to take jurisdiction of the completed application of Tropic Star 06-046 for the amended site plan. Robert Waldron seconded the motion.**

**Neil Emerson stated that Chad Bennett needed to recuse himself from discussion on the amended site plan. Chairman Carideo questioned the request. Mr. Bennett stated that his company did some site work for the sub contract of the site. He noted that his job was complete, but agreed to step down at 7:41 pm. Chairman Carideo noted that based on the previous meeting, it would be Randy Clark, the alternate, who would step in for this hearing.**

**MOTION**

**VOTE YES Robert Waldron, Proctor Wentworth, Paul Carideo, Chris Dane, Dean J. Howard, Randy Clark and Neil Emerson.**

**Tropic Star completed application taken under the jurisdiction of the Planning Board for Amended Site Review.**

The next request of Tropic Star was to change the canopy over the gas pumps to a flat canopy. The previous plan showed it with a pitched roof but it was discovered that whereas the site is raised and the steel structure was on top of that, it puts the pitched roof high up. Chairman Carideo pointed out that there is a place in Windham called Klemms’ that has the pitched roof. One of the people with Tropic Star worked on that site, Dennis Stephens and is working on the Hampstead site said that the difference is that the one in Windham starts at a lower level than this one. The members noted that the pitch could double the

**1st PUBLIC HEARING 06-046 Tropic Star Amended Site Plan**

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height and be about 28 feet high when done. It was noted that the other gas stations built in town all have the pitched roof, but those sites are different and at a lower level than this one.

This is the first time this Planning Board has been asked for something different and they noted that each site is different. Robert Waldron asked if the fire suppression would be visible on the flat roof. He was told there is a 36” facies and if it could be seen, it may be from down the road and only a very small corner piece. There would be cornice molding on the canopy as well.

Mr. Mitchell stated that they had submitted a sign permit to Kris Emerson, Building Inspector, but he denied them. According to Mr. Stephens, there was no reason given and nothing had been given to the Planning Board for the reason.

They asked for the Planning Board to give their interpretation regarding what is considered frontage. Mr. Mitchell and Mr. Stephens stated that if they added the frontage along Route 111 and Route 121 they would have enough to place signage for three businesses. They stated that they were treating the gas station, the store and the deli as three separate businesses and were looking for signage for each. They were looking for two on the building and one on the canopy. They did state that this was a liberal interpretation and wanted the Planning Boards stand.

Chairman Carideo began with questioning the delineation of the businesses. The store and the deli are separate, but the gas is paid for at the store. Chairman Carideo noted that he wished they had the reason for the denial of the sign. They all discussed the frontage along the roads and what the history has been. The most recent building, Depot Development had frontage on two roads, but only required the two signs on the building so it was not an issue.

**1st PUBLIC HEARING 06-046 Tropic Star Amended Site Plan**

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Randy Clark stated that he believed the zoning allowed any of the roads to be used for the calculation of the frontage, but only one could be used since the zoning states “one single road”. They have frontage on both roads, but only one roads frontage can be used to determine the sign information. Mr. Stephens noted that there is no break in the road and the frontage that it wraps around the corner. It was decided that the Planning Board could not interpret it and would need to go to the ZBA or direct to court. Chairman Carideo asked each member what they thought on this issue. Dean Howard felt that the definition contradicted itself in places.

Chairman Carideo explained that the zoning may have been for situations as two lots on a road with one in the middle. Chris Dane agreed with Dean Howard, and was struggling with the definition. Proc Wentworth had the same opinion, as did Neil Emerson. Robert Waldron was the same as well but also added he wished they had the reason for the Chief Building Officials denial. Chairman Carideo asked Mr. Stephens how they were notified. He stated that they went to the office to get permit after the application was submitted and was told that the permit would not be issued and they would need to go to the ZBA for relief. Mr. Mitchell asked the Planning Board that if they need to go to the ZBA and be approved, would they need to come back to the Planning Board or could it be a condition.

Neil Emerson said that if they meet the requirements or go to the ZBA for relief and if approved would not need to come back to Planning. Mr. Stephens stated that he was hoping that the Planning Board would look at the site as three different entities and asked what has been done on other corner lots in town. Jim Mitchell said that if you build on a corner lot, it is no longer a corner. Someone stated that in a residential property the frontage is where the front

**1st PUBLIC HEARING 06-046 Tropic Star Amended Site Plan**

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door is. Randy Clark said that all the gas stations in town have gone to the ZBA at some point. Randy Clark said that they would probably need go to the ZBA. The final request is that they showed the new roll out of Exxon Mobil gas pumps. Mr. Mitchell explained that the company is rolling out into the United States the brand known in Europe as “Synergy”. The fuel is more energy efficient and the pump pictures shown with the colors had branding all over them.

Neil Emerson said that each time it states the words Synergy or Esso count as a sign and just looking at one pump he sees the names at least 6 signs. It was also noted that the lights from the pumps themselves would add to the intensity of the lighting in the area.

The Board noted that jurisdiction was taken and that they would address all the requests in one motion. They would need to meet Town zoning, in this case, approval by either Kris Emerson or the ZBA for some of the items. There were no public comments.

**MOTION**

**A motion was made by Randy Clark to approve the amended site plan as submitted by Tropic Star, Map 06-046 (235 Stage Road) with the following conditions: Removal of the tall pines abutting the two properties with the agreement of the abutters, the change in the style of the roof over the pumps from pitched to a flat roof (with a 3 foot fascia) and all signage to meet town zoning requirements unless approved otherwise by the ZBA (includes signage on the gas pumps).**

**VOTE YES Robert Waldron, Proctor Wentworth, Chris Dane, Dean J. Howard, Randy Clark and Neil Emerson. Abstained: Paul Carideo**

**Tropic Star amended site plan approved with the conditions noted.**

**1st PUBLIC HEARING 06-046 Tropic Star Amended Site Plan**

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Chad Bennett returned to his seat on the board at 8:39 pm and Randy Clark returned to being an alternate.

**PUBLIC MATTERS 10-31 L. Trahan Use Change Unit 1**

At the previous meeting of the Planning Board, the Change of Use was approved subject to site inspection and review by the Hampstead Code Enforcement Officer and the Hampstead Fire Department. All permits are to be obtained prior to occupancy. There is a letter on file from Deputy Chief Warnock that the owner has met the necessary requirements and is in compliance.

**PUBLIC MATTERS 10-32 L. Trahan Use Change Unit 2**

At the previous meeting of the Planning Board, the Change of Use was approved subject to site inspection and review by the Hampstead Code Enforcement Officer and the Hampstead Fire Department. All permits are to be obtained prior to occupancy. There is a letter on file from Deputy Chief Warnock that the owner has met the necessary requirements and is in compliance.

**OTHER**

**Granite Village and E-911**-There are two locations at Granite Village on Charlestown Ridge and Heather Lane that has homes that their frontage is on the roads listed, but the access to the properties is only by the driveway to the back of the homes.

There was a 911 emergency and the first responders had a hard time locating the house. With the Fire Department, E-911 Coordinators, the Ashford’s and E-911 it was discussed and agreed to have the two driveways given a name and the homes renumbered. The Ashford has complied with the request and added new signage to locate the two new driveway names Ian’s Path and Brooklyn Way.

**OTHER**

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**Granite Village and E-911** There is an issue with people trying to locate these addresses and it was determined in order to correct the GIS information there will need to be an amended site plan for both spots. Mrs. Harrington stated that the owners of the park have worked with the town to resolve the issue and she was looking to see what the Planning Board would need to get the corrections through and recorded. An amended site plan is required focusing on the two changed areas and submit the application to the Planning Board. There would be no need for SFC Engineering to review the change of just adding the name and numbering so there would be no cost there. The abutters to the park would need to be notified as required of the amended site plan. The town fees could be waived but the postage costs, and recording fees would need to be paid for by the owners of the property.

**Board Vacancy-**With Chris Dane and Proc Wentworth not seeking re-election, there are two spots on the Planning Board open and only one person signed up to run. Ben Schmitz contacted the office and stated he was interested in being an alternate or whatever is needed. He was present tonight to meet the board and observe the meeting. He announced that he is going to run a write in campaign and would only need 10 votes. Mr. Schmitz reported that he has a Bachelor’s degree in Urban Planning and a Masters in GIS. He gave them a brief history of his employment. The Planning Board wished him luck and said they would see him at the meeting on the 21st and they appreciated his interest in joining.

**Accessory Buildings and Signs- Recent Legislation-** Each member had a copy Senate Bill 146 regarding changes to accessory dwelling units and an article from the NHMA on signs. SB 146 has passed and is effective 7/1/16, pending the Governor’s stamp. The bill allows accessory buildings to be used for affordable

**OTHER**

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**Accessory Buildings and Signs- Recent Legislation-** housing. Currently our zoning allows only family members to live in accessory or in-law buildings. The zoning needs to be reviewed to bring the town into compliance. Chairman Carideo mentioned that they would need to talk with Town Counsel to see if our zoning contradicts the law.

**BOARD BUSINESS Correspondence**

**Town of Salem Verizon Wireless Tower** Public Hearing for 2/11/16, 2/23/16, and 3/10/16 for a 100’ cell phone tower at 152 Zion Hill Road.

**Dredge and Fill Application** 54 Governor’s Island Road, Map 04-075- request to change from one dock to two.

**EOP (Energy of Office Planning**  The 22nd Annual Spring Planning and Zoning Conference scheduled for April 23rd is being postponed to a future date. The information will be available on their website www.nh.gov/oep.

**BOARD BUSINESS Member Comments**

**RFP** Chairman Carideo gave each member a copy of an RFP he put together as a rough draft for Engineering Services to get the process started. He stated that he would like to have the RFP returned for Friday, June 3rd and available for their meeting on June 6th to open and review. This would give them time to review and set up interviews. He stated that it was a rough draft and for everyone to look it over.

**ZBA re: Fire Lane 1** Neil Emerson brought up a case before the ZBA that is a difficult one. It was continued at the last ZBA meeting so that further research could be done. He reported that it had to do with the trail known as Fire Lane 1.

**BOARD BUSINESS Member Comments**

Continued from page 11

**ZBA re: Fire Lane 1** There was research by the applicants back to the 1600’s and they believe that the road was closed and therefore the land reverts to the abutters. The applicants will need to land on the trail to get their soil types and frontage for the driveway. Mr. Emerson felt that the Selectmen would need to get involved or at least be made aware of. The applicants had also been before the Planning Board but withdrew without prejudice so that further information could be gathered. Robert Waldron brought up a case he was involved in which their needed to be historic data researched and the land eventually was split between the three abutters. In the long run, there are many questions still on how the road was closed and its actual status. Mrs. Harrington mentioned that the Chairman of the ZBA had contacted the Selectmen’s Office.

Chairman Carideo thanked Chris Dane and Proc Wentworth for their service to the Planning Board and stated that they will be missed.

**BOARD BUSINESS Minutes 02/01/2016 and Adjourn**

The minutes were edited with a couple of minor changes.

**MOTION**

**Neil Emerson made the motion to approve the minutes of 2/01/2016 as edited. Chris Dane seconded the motion.**

**VOTE YES Chris Dane, Chad Bennett, Paul Carideo, Neil Emerson, Robert Waldron, Proctor Wentworth and Dean J. Howard.**

The meeting was adjourned at 9:20 PM with a unanimous vote.

Respectfully submitted,

 Tina Harrington, Secretary