

TOWN OF JAFFREY
Jaffrey, New Hampshire
PLANNING BOARD
Meeting Minutes
March 11, 2009

Present: Chairman Protem Merrell, Members Deschenes, Grodin, Hollister, McCarthy, Moore

Absent: Member Doane

Staff: Recording Secretary Lemire, Building Inspector Baron

MEETING MINUTES APPROVAL

On a motion by Hollister, seconded by Deschenes the minutes from the February 10, 2009 public hearing were approved as amended. (5-0)

Amendment was as follows:

Page 2, ¶ 6, line 1

Chairman Shea stated that he feels it's a plus moving the event from the downtown area however, the Inn

PRELIMINARY HEARING

Caroline Hollister – Park Theatre

Mrs. Hollister stated that the theatre is at the point where they are starting to talk to people about it (i.e. what the plans are and how much it is going to cost) and she felt it would be an appropriate time to bring the board up to date on the future plans. A model of the project was displayed.

A 2008 Annual Meeting booklet along with a fact sheet itemizing what the theatre will contain once complete along with design information and renovations plans was distributed to the board.

Mrs. Hollister stated that they have envisioned the entire project and it will remain in the same footprint that the theatre is now with one possible exception. The plan involves shortening the theatre and demolishing the upper floor which was a residence. A new foundation and basement will be constructed and the first floor will be "built out" allowing the building to open and operate. Mrs. Hollister estimated between 6 and 8 months before she would return to the board more formally.

Member McCarthy asked how much money was needed. Mrs. Hollister estimated \$2 million to get it up and running.

Member Grodin asked what the possible exception was. Mrs. Hollister stated it would be an expansion to the building which would be outside of the existing footprint.

Member Grodin asked about parking. Mrs. Hollister stated that there are almost 1,100 parking spaces within three blocks of the theatre. The calculation is 2.3 people for each parking space which means approximately 600 spaces would be needed.

Member Grodin advised Mrs. Hollister that the board would have to see the build out but she may need to seek relief from the Zoning Board of Adjustment. It was also advised that she speak with the Fire Chief. Mrs. Hollister stated that she has met with both the Fire Chief and the Building Inspector with respect to the plan.

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Jean Coutu – Live Free or Die Rally

Mr. Coutu originally presented his plan to the board in a preliminary session at the February meeting. Subsequent to his presentation Chairman Shea stated that he felt it was important that the board review any previous minutes regarding the Inn before making a decision. Mr. Coutu was asked if he would mind returning in March and he agreed to return for the March 11, 2009 meeting.

Mr. Coutu added that since the last meeting he has been in contact with Doug Graham at the NHDOT. All of the details were explained to Mr. Graham (i.e.: they will try to keep parking on the same side of the road as the event, flaggers will be present) and there does not seem to be any problems. One request made was to ensure that the corner to the west of the field was marked with a sign or cones to alert and slow traffic. The parade permit does have to be submitted to the State.

Member Grodin stated that he is not aware of any construction taking place and asked why it was not being handled under the police power of the Selectmen rather than the Planning Board. Member Hollister explained that last year Mr. Coutu came to the board to inquire whether or not his rally, then being held at Sawyers Field on Old Sharon Road, needed site plan. A presentation was made to the board and based on that information they determined that site plan was not required however if in years to follow any changes were made then Mr. Coutu must return to the board for further consideration. Mr. Coutu has a new venue being donated – that being the Grand View Inn – so he has returned to the board once again for their direction.

Member Grodin stated that he feels the issues and concerns are under the police power of the Selectmen rather than the Planning Board and the consideration should go to the Selectmen with an opinion from the Planning Board. Selectmen's Representative Hollister and Chairman Protem Merrell agreed.

On a motion by Grodin, seconded by Hollister, the Planning Board voted to refer the request to the Selectmen with a favorable view. (6-0)

CALL TO ORDER

Chairman Protem Merrell called the public hearing to order at 7:30 p.m. The rules of procedure were read aloud. Notice of hearings PB 09-03 through PB 09-05 was posted in the Town Office building, the Library; copies were sent to the Planning Board, the Conservation Commission, and the Board of Selectmen.

APPLICATION ACCEPTANCE

1. PB 09-03; Peter & Carolyn Gedenberg (property of Cheshire Oil Co.), 31 Peterborough St., Map 238 / Lot 262, Zone: General Business

Site Plan - The applicant proposes the placement of a portable ice cream stand.

On a motion by Hollister, seconded by Deschenes the site plan application proposing the placement of a portable ice cream stand was accepted. (7-0)

2. PB 09-04; DPD Properties, LLC, Maria Dr., Map 255 / Lot 8.3, Zone: Industrial

Site Plan - The applicant proposes a 50 x 75 foot repair shop with an attached 20 x 15 foot office.

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On a motion by Grodin, seconded by Hollister the site plan application proposing a 50 x 75 foot repair shop with an attached 20 x 15 foot office was accepted. (7-0)

3. PB 09-05; DPD Properties, LLC, Maria Dr., Map 255 / Lot 8.4 Zone: Industrial

Site Plan - The applicant proposes to amend a previously approved site plan to allow parking for buses and the construction of a 36 x 80 foot building for minor repairs.

On a motion by Grodin, seconded by McCarthy the site plan application proposing to amend a previously approved site plan and to allow parking of school buses and the construction of a 26 x 80 foot building for minor repairs was accepted. (7-0)

PUBLIC HEARING – NEW

1. PB 09-03; Peter & Carolyn Gedenberg (property of Cheshire Oil Co.), 31 Peterborough St., Map 238 / Lot 262, Zone: General Business

Site Plan - The applicant proposes the placement of a portable ice cream stand.

Presentation: Peter Gedenberg

Appearance:

Mr. Gedenberg is proposing to place an 8 x 12 portable ice cream stand on the property of Cheshire Oil located at 31 Peterborough St. The plan is to place the stand to the right of an existing car wash.

Member McCarthy asked Mr. Gedenberg if he was representing Cheshire Oil. Mr. Gedenberg explained that Joji Roberts from Cheshire Oil was to be at the meeting but due to unforeseen circumstances she is unable to attend. She can be reached by phone if necessary. Building Inspector Baron added that he has a letter of authorization from Ms. Roberts.

Member Grodin asked if the car wash was going to be removed. Inspector Baron stated that it will remain however they do plan to paint it and touch up the area. Inspector Baron reminded the board that the owner of the hot dog stand, which is also on the property, plans to freshen up the landscape by planting flowers once the nice weather arrives.

Inspector Baron explained that the site has three curb cuts and all traffic will enter via the middle one. Those going to the hot dog stand will enter and travel to the left and those going to the ice cream stand will enter and travel to the right. Each stand will have their own exit (curb cut one and three) which will eliminate any cross traffic on the site.

Member Grodin asked Mr. Gedenberg if he was aware of the comments issued by the Police Chief. Mr. Gedenberg stated that he did speak with the Chief and the only concern expressed was that there be no back-up of traffic onto Peterborough St. / Route 202. Mr. Gedenberg feels there is sufficient parking which should eliminate the concern of the Chief.

Member Grodin asked about signage. Inspector Baron stated that he has spoken with each business and he assured the board that appropriate signs will be in place. Inspector Baron estimated a total of three signs.

Mr. Gedenberg added that there is an existing Citgo sign that he would use.

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Selectmen's Representative Hollister asked if the unit was self contained. Mr. Gedenberg explained that he will have an electrical disconnect into the existing car wash. All water will come from the car wash and the only wastewater will be dish water which will go into the car wash. There was question as to where the wastewater should go – sewer or surface water. Inspector Baron stated that he will speak with Randy Heglin of the DPW.

Member Grodin asked Inspector Baron for his input regarding the wastewater. Inspector Baron replied that the hot dog stand takes it off site.

Selectmen's Representative Hollister asked when the season would begin. Mr. Gedenberg replied that it is dependent on the weather but typically they open in time for Memorial Day and run until Columbus Day. Hours of operation will be 10:00 a.m. to 11:00 p.m. 7 days a week.

Member Deschenes asked if the lighting would remain the same. Mr. Gedenberg stated that any lights on the existing car wash will not change. As for his stand there are two lights similar to what would be outside a house door.

By general consensus the board determined that the application was not an issue of regional impact. (7-0)

There being no further questions Chairman Protem Merrell closed the public hearing.

2. PB 09-04; DPD Properties, LLC, Maria Dr., Map 255 / Lot 8.3, Zone: Industrial

Site Plan - The applicant proposes a 35 x 75 foot repair shop with an attached 20 x 15 foot office.

Presentation: Keith Dupuis

Appearance:

Mr. Dupuis is proposing a repair facility for the equipment used in his excavation company. The property is the second lot on the right in a new industrial development on Maria Drive. A 50 x 75 foot building would be constructed allowing repairs to his excavators and dump trucks. Repairs would include welding and oil changes.

Chairman Protem Merrell expressed concern over the placement of driveways. The reason being he wanted to ensure that driveways would not be directly across from each other. Mr. Dupuis understood the concern and explained that the lot across from him is not built out at this time therefore there will be no driveway directly across from his.

Member Moore asked if the facility would have a bathroom. Mr. Dupuis replied that there would be a bathroom and all permits are in place.

Knowing that the equipment contains gas and oil Member Grodin asked how they planned to control an oil spill. Mr. Dupuis explained that he will not have large containers of oil on hand and feels that any spills can be controlled with Speedi-Dri.

Chairman Protem Merrell asked Mr. Dupuis if it was his plan to not store 55 gallon drums of motor oil. Mr. Dupuis replied that the most he typically has is a case of motor oil.

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Building Inspector Baron stated that if they were storing large containers of oil then they would have containment. For the changing of oil he feels Speedi-Dri would be sufficient.

Chairman Protem Merrell stated that he is not concerned with a case of oil. He would be concerned with 55 gallon drums.

Member Kresge asked if the board was going to address comment number two from the Department of Public Works regarding the recommendation that grease/oil separators be included in any yard catch basins. Mr. Dupuis replied that there are no catch basins in the yard.

Member Moore asked if there will be any interior floor drains. Mr. Dupuis replied no.

Member Grodin asked about comment number seven from the Department of Public Works regarding Barking Dog Water Company public water supply. Inspector Baron stated that there was concern about Mr. Dupuis' property being near or within the Source Water Protection Area for the Barking Dog Water public water supply. After a closer look at the maps it was determined that there was no issue at all and in fact the State approved area for the Barking Dog well is approximately 3,600 feet away; 3,000 feet to the plume and an additional 600 feet to the property line.

Member Grodin suggested that the Building Inspector make periodic visits to see if there are any problem areas. Mr. Dupuis did not have an issue with the suggestion. Inspector Baron stated that he has not seen anything but he feels confident that any issues raised will be taken care of.

Member Grodin asked about exterior lighting. Mr. Dupuis stated that there will be minimal lighting and it will be down cast.

Chairman Protem Merrell asked about parking. Mr. Dupuis stated that when the parking was designed he planned for the future and created more spaces than were necessary. Seventeen spaces were shown on the plan.

Member Grodin asked if it would be paved. Mr. Dupuis replied no.

Member Grodin asked how far back the building will be from the lot line. Mr. Dupuis estimated about 50 feet.

By general consensus the board determined that the application was not an issue of regional impact. (7-0)

There being no further questions Chairman Protem Merrell closed the public hearing.

3. PB 09-05; DPD Properties, LLC, Maria Dr., Map 255 / Lot 8.4 Zone: Industrial

Site Plan - The applicant proposes to amend a previously approved site plan to allow parking for buses and the construction of a 36 x 80 foot building for minor repairs.

Presentation: Keith Dupuis

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Appearance:

Mr. Dupuis would like to amend a previously approved site plan to include a building of lesser size and more parking spaces to accommodate the parking of both passenger vehicles and school buses.

Selectmen's Representative Hollister asked if this would move the buses from Drumlin Park. Mr. Dupuis replied yes.

Chairman Protem Merrell asked what the activity would be for the building. Mr. Dupuis stated that the office space would be for their dispatcher and the remainder of the building would be large enough to bring in both large and small buses for minor repairs such as oil changes, changing light bulbs and inspections. Mr. Dupuis added that the buses are leased so there is no mechanic. He suspects that any major work would go back to the leasing company.

Member Grodin stated that he has concern about the increased traffic at the intersection of Route 202 / Nutting Road / Old Sharon Rd. How many buses? How many trips? How many bus drivers will be coming in and out - passing through the intersection? Mr. Dupuis replied that there are currently 21 large buses and 4 or 5 small buses.

Chairman Protem Merrell asked if the buses are picked up at the lot. Mr. Dupuis stated there would be four trips a day. The drivers arrive at the lot and head out with their bus for the morning pick up. After the morning pick up they return the buses to the lot and come back again for the afternoon pick up. Following the afternoon pick up the buses are returned to the lot for the night.

Building Inspector Baron stated that he placed a call to Rene Fish at the DOT in Swanzey only to learn that Mr. Fish has retired and he was transferred to a gentleman named John. The bus information and concern was relayed to him along with a request to see if a traffic study was ever done. John did say that he would investigate it and relay the findings however to his knowledge they never use traffic lights unless the traffic flow is a heavy flow all of the time.

Member Grodin stated that there had been some traffic figures done by the state 5 or 6 years ago and he doesn't want Mr. Dupuis to be the straw that broke the camel's back. Perhaps lowering the speed limit in that area could be considered.

Mr. Cliff Pelissier stated that when the buses leave in the morning and the afternoon they, for the most part, leave together. When they return to the lot bus traffic will be sporadic.

Member Grodin suggested that the board not take action until they get more definitive information from DOT.

Inspector Baron reminded the board that he will be away for a few weeks. Selectmen's Representative Hollister suggested asking Joann Carr to follow up in Inspector Baron's absence.

Member Moore shares some of the concern and asked the board if they were treating this automatically as the straw that broke the camel's back. Using Monadnock Disposal as an example, since their initial approval their traffic flow has increased more fold than 30 school buses twice a day. This is an issue for the State to judge and not the Planning Board.

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Member McCarthy also understood Member Grodin's concern but felt it should be up to the State. In terms of voting on this application Member McCarthy felt they should go forward.

Member Deschenes reminded the board that when Monadnock Disposal came to the board to increase the amount of tonnage per day the board did have a similar discussion but MDS was not held up. Selectmen's Representative Hollister recalled that it was referred to the State.

By general consensus the board determined that the application was not an issue of regional impact.
(7-0)

There being no further questions Chairman Protem Merrell closed the public hearing.

PUBLIC HEARING – CONTINUED

None

DECISIONS

1. PB 09-03; Peter & Carolyn Gedenberg (property of Cheshire Oil Co.), 31 Peterborough St., Map 238 / Lot 262, Zone: General Business

Site Plan - The applicant proposes the placement of a portable ice cream stand.

On a motion by Hollister, seconded by Deschenes the site plan application proposing the placement of a portable ice cream stand was approved as presented and in accordance with testimony given.
(7-0)

2. PB 09-04; DPD Properties, LLC, Maria Dr., Map 255 / Lot 8.3, Zone: Industrial

Site Plan - The applicant proposes a 50 x 75 foot repair shop with an attached 20 x 15 foot office.

On a motion by Grodin, seconded by McCarthy the site plan application proposing a 50 x 100 foot repair shop and 20 x 15 foot office was approved as presented and in accordance with testimony given.
(7-0)

3. PB 09-05; DPD Properties, LLC, Maria Dr., Map 255 / Lot 8.4 Zone: Industrial

Site Plan - The applicant proposes to amend a previously approved site plan to allow parking for buses and the construction of a 36 x 80 foot building for minor repairs.

On a motion by McCarthy, seconded by Grodin the site plan application proposing to amend a previously approved site plan to allow parking for school buses and the construction of a 36 x 80 foot building to be used for minor repairs was approved as presented, in accordance with testimony given and with the request of the Planning Board Administrator to forward a letter to the NHDOT requesting that they review the situation.
(7-0)

OTHER BUSINESS

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On the subject of wind power, Member Grodin commented with spring approaching the board should consider arranging a meeting with the Municipal Association to discuss wind mills. Following some discussion the board agreed that it would be beneficial to the board.

Chairman Protem Merrell read a letter from Member Shea stating that he was resigning from the board effective March 4, 2009. As a result of Shea's resignation the procedure is for the Selectmen to offer the senior alternate member (Kresge) a full member position. A letter stating such will be sent to the Selectmen.

Building Inspector Baron –

- Kimball's parking lot
Inspector Baron brought up the issue of traffic and the parking lot which does not have designated parking spaces. Inspector Baron would like to invite Mr. Kimball to come to the Planning Board to discuss the matter and prepare a plan to mark out the parking.

The board understood the concerns and agreed that coming before them would be appropriate. Inspector Baron will contact Kimball's.

- Photos - excavation
Following the February planning board meeting Inspector Baron board members Merrell and McCarthy visited the New England Wood Pellet property on Old Sharon Rd and the Cloutier property on Lehtinen Rd. During these visits the board witnessed a significant amount of truck traffic. Inspector Baron stated that although Mr. Cloutier owns the property Mr. Bruce Coll handles all of the excavation business. An Intent to Excavate has been filed however it appears that the product is being mined somewhere else and brought onto the property for storage which is not allowed in the rural district. Inspector Baron felt that Mr. Cloutier should come to the Planning Board to address the issue.

The board was in agreement. Inspector Baron will contact Mr. Cloutier.

On a motion by Grodin, seconded by McCarthy the board extended to Selectmen's Representative Hollister thanks and appreciation for his service to the board. (6-0)

Election of Officers

On a motion by Hollister, seconded by McCarthy, Member Merrell was elected to the Position of Chairman. (6-0)

On a motion by Hollister, seconded by McCarthy, Member Deschenes was elected to the Position of Vice Chairman. (6-0)

On a motion by Hollister, seconded by McCarthy, Member Grodin was elected to the Position of Secretary. (6-0)

ADJOURNMENT

The meeting adjourned at 9:10 p.m.

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Submitted:

Erlene R. Lemire
Recording Secretary

Attest:

Edward Merrell
Chairman
Jaffrey Planning Board