

**MINUTES OF THE MEETING
PLANNING BOARD
September 25, 2014
7:00 PM**

MEMBERS PRESENT: Robert Smith, Chairman; Mark Beliveau; Ryan Crosbie; Lou Ann Griswold; Ed Bannister; David Cedarholm, Selectmen's Rep.; John LaCourse, Alternate

OTHERS PRESENT: Rich Sorensen; Karen Benoit; Jean Benoit; Attorney Tom Hildreth; Attorney Chris Wyskiel; Jocelyn Hawe; Bill Hawe; Robin Wunderlich; Molly Darling; Judy Eitler; Frank Eitler; Ben Heiderscheidt; Andrew Ward; Sharon Cuddy Somers, DTC Lawyers; & Caren Rossi, Planning & Zoning Admin.

Robert Smith, Chairman opened up the meeting at 7:00 PM.

- **Review and Approval of Draft 09/18/2014 Meeting Minutes**

John LaCourse made a motion to approve the minutes as amended.

Lou Ann Griswold second.

Vote: majority, minutes approved

- **Report of officers and committees**

Robert Smith, Chairman explained that the CIP subcommittee will meet with the department heads next week to begin this year's update.

- **Review any correspondence**

- **Old Business**

A continued accepted application for a Site Review Application presented by Mike Sievert, MJS Engineering PC, Agent for Molly Darling & Robin Wunderlich. The property is owned by Colleen Latham/122 Mast Road, LLC. The property is located on 122 Mast Road and is known as Lee Tax Map#13-11-0200. The applicant is proposing a Dog Daycare and a Boarding Kennel with support services. This is a possible final public hearing.

Robert Smith, Chairman explained that the Board is going to go thru the current Site Review Regulations and review each item with regards to their applicability with the application. He reminded everyone that this session is closed to the public. It is just open discussion for the Board.

Mark Beliveau stated that he would like to make a suggestion. He suggested not starting in one and two and come back to the Purpose language. The other sections like Authority and Applicability don't drive the decision making process. Where it does substantively start that is in Article III.

Robert Smith, Chairman stated he doesn't want to do that. He does feel Purpose is important.

Mark Beliveau stated that he agrees, Purpose is very important. It might be that the Purpose language is broad language that might be good to visit after we look at the specific provisions. Or even look at it as part of each article as we review them. While we look at the language in Article III say, consider that language, determine if its applicable to this application and if so, how, and then at the same time look at the Purpose language as that may relate to each article. Because the Purpose language talks about the safety and kind of the general principles and it may have applicability to many of these articles.

Robert Smith, Chairman stated that he felt it was an open board and he was going to let the dialog flow accordingly. If you want to bring something up that we have missed, it's that simple. He wants to just make sure we don't miss something and lose track of where we are. That is his main reason for wanting to go step by step, article by article.

ARTICLE I

Purpose:

The purpose of these regulations is to provide for a balanced, responsible and desirable growth by encouraging the most appropriate use of land, providing safety of its residents. It is the intent of this ordinance to insure that sound site utilization principles be followed to protect abutters against elements of pollution; to afford adequate light and air; and to insure safe vehicular traffic and emergency access.

David Cedarholm stated he feels that this section is what it is.

ARTICLE III

GENERAL REQUIREMENTS

A. Undevelopable land area shall not comprise of more than 25% of the land under consideration for development. Undevelopable land area shall include Wet Soils, floodplains and land with slopes greater than 15%. (15 feet of rise to 100 feet of horizontal distance.)

Robert Smith, Chairman stated this is usually to new development.

The Board felt this was not applicable to this application.

B. There shall be no development within 75 feet of the Wet Soils Zone including parking and roadways or other manmade structures; also to include fill and excavation. A special exception must be obtained from the Board of Adjustment to permit any crossing of the Wet Soils. (See Lee Zoning Ordinance applicable article).

Caren Rossi provided the Board with the 3rd party review from Gove Environmental (In file)

C. There shall be no development within the Shoreline Conservation District. (See Lee Zoning Ordinance applicable article.)

The Board felt this was not applicable to this application.

D. Impervious Land Coverage shall not exceed 25% of the total land area. If such development is in the Aquifer Zone, as designated on the Town of Lee Zoning Maps, such coverage shall not exceed ten (10) percent.

Lou Ann Griswold read from the plan set proposed is 12.6%.

The restrictions of the Aquifer Zone shall supersede all other requirements if such land is located in a designated Aquifer Zone.

E. Floodplain

1. All site plans shall include 100 year flood elevation.

Robert Smith, Chairman stated it does.

2. All plans for development shall identify the special flood hazard areas as shown on the Flood Insurance Rate Maps for the Town of Lee as prepared by the Federal Flood Management Agency.

Robert Smith, Chairman stated OK

3. There shall be no structures within the identified floodplain.

Robert Smith, Chairman stated OK

4. All facilities including utilities and drainage shall be designed to minimize infiltration into flood waters and minimize flood damage.

Robert Smith, Chairman stated OK

ARTICLE IV

DESIGN REQUIREMENTS

A. General Requirements

1. Grading and clearing should be minimized so as to avoid creating undue erosion or interruption of natural drainage ways. Particular attention should be given to natural land features that provide buffers between lots and enhance privacy and attractiveness. Construction practices shall be employed which minimize the disturbance to the environment.

Robert Smith, Chairman felt this had been addressed.

David Cedarholm commented that the proposed drainage and Best Management Practices exceeds our regulations.

Lou Ann Griswold spoke that the fence will reduce the noise, but she doesn't feel it is attractive. She doesn't have a solution to improve this but wants it kept in mind. Seeing a giant stockade fence in the woods she does not feel is attractive. She realizes it's for a purpose, but she does not find it attractive.

Mark Beliveau stated it is a fair general comment; the second sentence poses a requirement on the applicant. He thinks the intent of this sentence is to try to encourage leaving the natural land feature to stay and minimize clearing to provide a natural buffer and attractiveness. He feels they are accomplishing this. Her point is a valid one but he doesn't feel it undermines this requirement.

They agreed to have a difference of opinion.

2. If the Planning Board finds certain land to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which may be harmful to the safety, health or general welfare of the present or future users of the development, inhabitants or the surrounding area, or residents of the Town of Lee the land shall not be developed.

Robert Smith, Chairman feels this is not appropriate as it is already developed.

3. All structures shall be designed with due consideration of existing and proposed neighboring structures. The design of structures shall take advantage of the topography and reflect the character, scale and purpose of the area of which it is a part. All commercial structures shall be faced with an aesthetic material and all roof lines/configurations and other attached or detached structures associated with the build out including exterior colors shall be approved by the Lee Planning Board.

The Board reviewed the submitted architectural plans dated

Mark Beliveau wanted it clear for the record that the Board is working from the Site Plan set final version dated September 10, 2014. The buildings renderings are dated June 17, 2014 which are 5 pages in total, 2 are elevations drawings and the other 3 are floor plans.

David Cedarholm asked what the color is being proposed.

Ed Bannister stated it is identified as Hardy Clap and there are only so many different colors it comes in.

Lou Ann Griswold asked what would change in the view from the road.

David Cedarholm felt that that the average person driving by would not see any change from the road. He explained that one of the buildings already exists.

Robin Wunderlich was asked to explain.

Robin Wunderlich explained that yes, there is a shed that exists today and then there is a new construction and an extension of the existing building. The addition on the front building is on the back of the front building. Over the existing concrete block shingles, clapboard on the back, front will remain exactly the same.

Mark Beliveau asked what the proposed colors are.

Robin Wunderlich answered that the natural Grey shingle color on the back building. The front building is a concrete block; the addition would be to match this grey block. Grey clapboard and shingles.

John LaCourse stated that the front aren't changing, you won't see the back. What they are proposing is traditional for this area.

The Board agreed they were all in agreement with the colors.

ARTICLE V **ACCESS AND PARKING**

A. Access

1. *There shall be permitted only one access per landowner per one thousand (1,000) feet of frontage on a public right-of-way.*

Robert Smith, Chairman stated not applicable.

2. *Access approval shall be obtained in writing from the New Hampshire Department of Public Works and Highways (if on a state road) or from the road agent of the Town of Lee (if on a town road).*

Caren Rossi stated we have a copy of the DOT approval.

- 3. Access shall be laid out either directly opposite another access onto the right-of-way or offset by a minimum of 125 feet.*

Robert Smith, Chairman stated it's a state highway and already there, not applicable.

- 4. Access shall not be closer than fifty feet from an intersection.*

Robert Smith, Chairman stated it's a state highway and already there, not applicable.

- 5. All season site visibility shall be a minimum of four hundred (400) feet in both direction and three hundred fifty (350) feet if the speed limit is less than 35 miles per hour.*

Robert Smith, Chairman stated it is already approved by DOT.

- 6. Projects shall be so designed so as not to significantly reduce the existing level of service (as defined by the New Hampshire Department of Transportation), within and adjacent to the development. The applicant, when calculating level of service shall include estimated traffic volumes projected for five and ten year periods.*

Robert Smith, Chairman stated it is already DOT approved

Attorney Somers reminded the Board that we had done a 3rd party traffic review for this project.

Caren Rossi provided the Board with this report for their reference.

Lou Ann Griswold asked if this review was for 5 to 10 years out?

David Cedarholm read the report and it refers to 2024 build out traffic projections.

Ryan Crosbie read a blurb from the report where they stated that they concur with the Norway Plains Traffic report with a couple minor recommendations. He remembered from the last meeting that the applicant stated they would be widening the entrance.

Caren Rossi stated that they said they sent the changes back to the NHDOT.

Ryan Crosbie stated he feels comfortable with both letters and that the applicants have addressed the issues.

David Cedarholm read a blurb from the Pernaw letter into the record. (In file) This letter addresses the fact that both letters concur that a turn lane is not necessary for the project but sometimes the DOT will require a short turn lane.

Caren Rossi provided the NH DOT permit to the Board members.

The Board discussed if the DOT reviewed the plan that showed the taper lane on it? The permit did not reference a plan set.

Attorney Somers suggested Mike Sievert contact DOT to verify what plan set they referenced when they approved the application.

Caren Rossi explained that Mike Sievert stated at the last meeting, he made the changes that Stephen Pernaw suggested and re-submitted back to NH DOT.

Robert Smith, Chairman suggested to hold off on further discussion on this item and have the set of plans used for the decision.

David Cedarholm stated that he thinks this is irrelevant since it's the states issue, not our issue, it's a State Permit. As long as the state approves the changes to the plan it doesn't affect our decision.

Robert Smith, Chairman stated he agrees, but the file doesn't compare to be either complete or identified correctly. He just feels we need to have MJS track down what set was used.

Mark Beliveau stated that we want to make sure our plan set is in agreement to what the State approved. The applicant needs to submit the complete package of what the State approved.

***This item will remain open.

- 7. The developer may, as deemed appropriate by the Planning Board, be required to make off-site improvements or fund a proportionate amount of capital improvements necessary to accommodate his development. Off-site improvements shall be based upon a predetermined fair share estimate for impact fees.*

Robert Smith, Chairman stated that this was not applicable.

- 8. The developer shall bear the cost of any lighting, curbing, signage, for the right-of-way as deemed necessary for his proposal. Any improvements shall be determined by the local road agent.*

The Board discussed this item.

Robert Smith, Chairman stated that in his mind, is what's proposed adequate?

Ed Bannister stated he thought the State would determine what is needed for turning in and out.

David Cedarholm read a note from the plan where it states "relocation of site sign".

Ryan Crosbie explained that there are two site signs that will be re-located.

The Board agreed they were all ok with this.

B. Parking

No use of the premises shall be authorized or extended and no building shall be erected or enlarged unless parking and loading requirements are met for the new or the added use.

Robert Smith, Chairman feels this is covered.

The Board agreed and they explained what was previously approved to him.

Robert Smith, Chairman asked how everyone felt about the stacked parking?

Ed Bannister stated it was his understanding that without the stack parking they have adequate numbers for the facility and the stack parking is only for when they have the classes twice a week.

Robert Smith, Chairman stated that's what he understands too. His problem is that not everyone leaves at the same time. As well as if something happens in that building you are backing up the emergency access to the building. Cars can't be moved quickly. Coupled with a narrow single lane between the spots.

David Cedarholm stated the lane is 22 feet.

John LaCourse felt that it wasn't his worry if someone couldn't get out. From a different angle, we are having these double stacked spaces for the classes, what if they don't exist anymore? Is there any need for these spaces? But it goes with the plan so they exist even if the classes don't exist.

Mark Beliveau stated he was right but we would have the right to review the plan if the use changes.

Robert Smith, Chairman stated that it was office space so if another office space comes in we won't review it.

Mark Beliveau stated yes, if it's a substantial change, with an impact to the site, they will review it.

Lou Ann Griswold asked what happens if someone decides to use the building all day long, we have a problem with the double stack parking. It's not a change intention of use so we wouldn't see it again. For a safety issue, we allow them to be unsafe for an hour and a half.

Caren Rossi clarified for the record that the fire chief only addressed the access and not the parking as well as the fire protection engineer.

David Cedarholm stated that he had a conversation with the fire chief and he was only inclined to comment on areas that fall within the fire code. He didn't think that unless it's a fire lane it's most likely not in the fire code.

Mark Beliveau stated that what the parking regs say is that "*Any parking area for ten or more vehicles shall be reviewed for safety and access*". We can make the determination; he's not sure if we need to have anyone else review this.

Robert Smith, Chairman stated he feels it's beyond safety too. Lou Ann and John brought up good points. The reality is if they move out then we are stuck with double stacked spaces. Then it's more than 2 days a week.

Mark Beliveau asked why is it a safety or access issue if they do this 8 hours a day? He doesn't feel that someone being blocked in is his worry. He's not saying there aren't any, he's is saying, what are they? He doesn't feel if there is a fire, the first thing people are going to do is run to their cars.

John LaCourse stated that he only is looking at it as a fire safety point of view. He isn't enthusiastic about the double space spaces. How are you going to mark them on the gravel? If they were moved, it would be non issues.

Ed Bannister stated if they are required to have 37 spaces, and they have delineated about 49 or 50. If they have eliminated them and there is a need, they are trying to control that people don't go out on the street, which was an issue the neighbors addressed. If there is a need, at least they will have a place to park. If I go some place on a regular basis and he gets blocked in, he is not going to park there again. If it's a big issue, take them off the table, its only 10 spaces.

Ryan Crosbie stated in looking ahead there is a statement that says "*No on-street parking, delivery or loading is permitted*". They wouldn't be able to have these classes if we eliminate these spaces.

Mark Beliveau stated he remembers them stating they need this number of spaces, if not the parking will be worse. This creates some order to it. Does this double stacked

parking create a health and safety issue? He doesn't know. He thinks it's a bad option but the owners have concluded they can live with it. He hasn't heard any argument that it is a safety issue.

Robert Smith, Chairman suggested that they could create the spots elsewhere on the lot.

David Cedarholm spoke with concerns that the double stacked spaces could be an issue if they don't park tight and or are bigger vehicles, they could stick out into the roadway.

The Board discussed options of pavement and dirt spaces. They also discussed possible uses of the property down the road. How will the double spaces be marked on the dirt?

John LaCourse suggested we mark it as a concern and move on. It would help him if the fire chief would review it and comment on it. Access issues in case of fire, cars in the way etc. A review comment by the Police chief would also help.

There was discussion as to at what extent we can get input as the public portion of the record has been closed. If input was sought from the police and fire chief, it is cautioned that this might reopen the public hearing for this discussion only.

It was determined to hold off on police and fire chief input at this time. Once the process is completed, they may determine that they don't need their input.

***This item will remain open for further discussion.

Parking areas shall be reviewed by the Planning board as an integral part of the Site plan Review process. Any parking area for ten or more vehicles shall be reviewed for safety and access. Each parking space shall be clearly marked. The paved area shall be surrounded by trees or hedges and any divisions between parking aisles shall not be less than four feet wide. Curbing may be required at the discretion of the board. There shall not be more than 150 feet of continuous asphalt in the parking areas.

David Cedarholm measured the continuous asphalt to be approximately 250 ft.

Mark Beliveau stated he is not sure if they have ever had this type of layout, a curve, as the idea is to break up the sight line of the pavement. It is for esthetics. Here we have to interpret if our ordinance is meant to apply to a curved area. Does it break it up naturally? Verses putting in an island or a sidewalk.

John LaCourse felt it could be considered broken up as the road agent often refers to a wiggle and a waggle.

The Board discussed different options; interpret that it doesn't apply, do what Aroma Joes did or put in an island/peninsula.

David Cedarholm showed a point on the plan that a 5 ft walkway could be put in and they wouldn't lose any parking spaces.

***This item will remain open for further discussion.

C. General Requirements

1. All developments shall make adequate provisions for off street parking and loading facilities. Such facilities shall be designed to ensure the safety and convenience of pedestrian and vehicle movement of the site. The design shall also minimize the impact of intrusive elements of parking and loading such as noise, dust and glare upon neighboring properties and land uses. No on-street parking, delivery or loading is permitted. Whenever a use existing on the effective date of these regulations is expanded or changed thereafter to a new use, parking facilities shall be provided for such new use.

There was discussion on the issue of a loading area. The plans were reviewed. No decision was determined.

The dumpster was discussed as used for the waste etc. and it was not an issue.

Other delivery areas need to be discussed further. What and where?

David Cedarholm read "*Such facilities shall be designed to ensure the safety and convenience of pedestrian and vehicle movement of the site*" this is relative to our earlier discussion on double stacked parking.

***This item will remain open for further discussion.

2. Parking and loading areas shall be provided on site and shall be appropriately surfaced and drained.

The Board discussed the spots that are not pavement; they are the drop off for the kennel and the double stack spaces.

The Board discussed what is appropriately surfaced and drained? There was no definition.

Ryan Crosbie suggested we table this until we address the double stacked spaces.

***This item will remain open for further discussion

3. Parking spaces shall be arranged so that cars will not back into a public street.

Robert Smith, Chairman stated he felt this was ok.

4. No parking spaces shall be located closer than three feet to an abutting structure, sidewalk or public street.

David Cedarholm stated he felt this was ok.

5. All parking and loading shall be situated on the same tract or parcel of land as the primary use, building or structure.

Robert Smith, Chairman stated he felt this was ok.

6. No parking areas shall be permitted in the setback areas or the buffer zone.

David Cedarholm stated that there are existing parking spaces that are within the setback, they are not proposing any new spaces. 3 ½ spaces are existing within the setback.

7. Provisions shall be made for emergency vehicle access and parking adjacent to the entrance of the building.

Robert Smith, Chairman stated he felt with the letters from both the Police Chief and the Fire Chief this was acceptable.

8. Dimensions - each required off-street parking space shall be large enough to contain a rectangle measuring not less than ten by twenty feet except for parallel parking, as permitted, on the side of a roadway which shall be at least nine feet by twenty feet. Angle parking shall be permitted according to state requirements.

Robert Smith, Chairman stated a waiver has been granted.

9. Each parking space shall have direct access to an aisle or driveway having a minimum width of twenty-two feet.

*****David Cedarholm stated that the double stack spaces do not comply with this requirement.

Parking spaces shall be allocated according to the following schedule:

Minimum number of spaces by use:

<i>-Apartment</i>	<i>2.5 per dwelling unit</i>
<i>-Hotel/Motel</i>	<i>1 per unit & 1 per employee</i>
<i>-Rest Home/Nursing home</i>	<i>1 per 4 beds & 1 per employee</i>
<i>-Mobile Home Park</i>	<i>2 per unit</i>

4	-Educational Facility	1 per employee & 1 for each
		seats in the auditorium
	-Place of Assembly (Church, Theatre, Restaurant)	1 per three seats
per	-Medical Offices, Retail & & Service Businesses (bank)	1 per 250 square feet + 1 employee
	-Research or Administrative Offices	.5 per employee
	-Other Adequate spaces as determined by the Planning Board	

Robert Smith, Chairman stated we have already determined that they comply with the required spaces.

D. Roads

1. Roads shall be of a loop design with only one access per 1,000 feet per landowner.
2. Roads shall not be permitted within the required buffer area except as necessary for site access.
3. Roads shall conform to the Construction and Design specifications set forth in the Lee Subdivision Regulations.

Robert Smith, Chairman stated this is not applicable as we do not have any roads.

ARTICLE VI
STORM WATER DRAINAGE

All developments shall make provisions for storm water disposal facilities which shall be designed by a registered engineer. The plan shall show existing and proposed methods of handling run-off, the direction of flow, the location, size, elevations of all existing and proposed catch basins, dry wells, drainage ditches, swales and retention area.

Calculations must be performed by a licensed engineer to determine watershed impact of added run-off.

Drainage from the development ,may not increase off the site or adversely effect any abutting properties. The developer is responsible for obtaining any necessary easements for drainage over abutting properties.

David Cedarholm stated that this design significantly exceeds making provisions. It is a state of the art design. It is a check plus.

Ryan Crosbie wanted to be sure that the record shows we had a third party review of this item. We had information from the applicant, a lot of testimony from qualified people from the public that brought some great points. We also had some information from the towns third party review. As far as storm water goes, it appears more than adequate to address the issues. He was concerned when the applicants proposed the composting and how they would treat the run off but since that is now off the table; he doesn't feel this is an issue. Any storm water on the site, because it will remain vegetated and wooded, he doesn't see any large flows coming off and thru to the underbrush or across the grass. There were some concerns about waste that could not be picked up. He still feels the infiltration will work as long as they maintain the grass, this will be important. But he feels natural infiltration and the leaf litter outside of the pens will be more than adequate.

David Cedarholm stated that he had a conversation with Dr. Ballestero the other day about the system and in his opinion, because of the wooded buffer separation between the facility and the storm water system. He feels that storm water system won't even see any water unless we get a three inch rain storm or more. Which is pretty remarkable, you won't find that in most other systems.

ARTICLE VII **WATER SUPPLY**

All developments shall provide a water supply either through private wells or a community system which shall conform and meet all standards set by local zoning requirements an/or New Hampshire Water Supply and Pollution Control Division.

Robert Smith, Chairman stated this is ok.

Lou Ann Griswold they are installing a new well and abandoning the old well.

David Cedarholm stated that the state has strict guidelines' for decommissioning a well.

*****If the application is approved, this will be a condition of approval.

ARTICLE VIII **WASTE WATER DISPOSAL**

All developments shall make provisions for sanitary sewage disposal in conformance with the Lee Building Regulations, applicable section, and regulations of the New Hampshire Water Supply and Pollution Control Division.

Robert Smith, Chairman commented asked if we had design documents for this?

Caren Rossi reminded everyone that it has to be sent back to the state because originally they were going to use the old system for the existing UNH and the new system for the new construction, but since they can't locate the field they need to tie everything into the new system and the tank will be removed and filled.

David Cedarholm stated they will either remove or fill in the tank. The additional flow still did not bring the daily flow up close to the 3,000. Mr. Sievert didn't feel he needed to alter the design. But because the flow did increase, he needs the state signoff.

*****If approved, this will be a condition of approval.

There shall be two acceptable test pits for each proposed leaching area, guaranteeing a minimum area of suitability of 5,000 square feet. One of such test pits shall be located within the designed system. The leach beds shall be located on the same parcel as the primary use. Leaching area, including areas for fill and sloping shall not be within 125 feet of a wetland or a well and shall not be within the buffer area.

Robert Smith, Chairman asked Caren Rossi if this had been completed?

Caren Rossi explained it had.

The proposed system shall be approved and inspected according to local and state regulations.

****Robert Smith, Chairman stated if this is approved, this will be a condition of approval as discussed above.

ARTICLE IX **UNDERGROUND STORAGE TANKS**

All proposed and/or existing underground tanks for the storage of petroleum or petroleum products shall comply with the New Hampshire Water Supply and Pollution Control Division standards WS411. These regulations shall apply to all tanks of any capacity whether or not the WSPCC invokes jurisdiction. In addition, these tanks shall comply with the standards set forth in the Lee Zoning Ordinance, the Lee Building Regulations and the Federal Resource Conservation Recovery Act.

Ryan Crosbie explained that there is a small above ground storage tank by the kennel and there is also an underground storage tank.

Robert Smith, Chairman asked if we knew if it meet these standards?

David Cedarholm read a certification that was in the file. (In the file)

ARTICLE X
HAZARDOUS AND TOXIC MATERIALS

General Requirements

1. *There shall be no discharge or disposal (above or underground) of toxic or hazardous materials. There shall be no storage of toxic or hazardous materials in the Aquifer Zone.*

Robert Smith, Chairman stated we are not in the Aquifer Zone.

2. *Any site plan which includes the receiving, handling, storing or processing of any toxic or hazardous materials shall disclose this information as part of the plans. Also an impact statement shall be submitted which shall address risk assessment concerning public and employee safety and environmental aspect.*

Such plans shall include a complete list of products used, quantities, methods or storage and disposal. Plans and impact statements shall be reviewed by the New Hampshire Water supply and Pollution Control Division, Health Risk Assessment Unit, and the New Hampshire Division of Public Health Services as well as the local fire chief, police chief and building inspector. At the discretion of the Planning Board a private consultant shall be hired by the town (at the expense of the developer) to review such plans.

Robert Smith, Chairman stated this is not applicable.

Lou Ann Griswold asked for clarification for the record what are Hazardous and Toxic Materials.

Mark Beliveau explained that he feels that the intent was to address Toxic and Hazardous materials that are regulated by the State of New Hampshire DES under their regulations. He doesn't feel it applies to dog waste.

Ryan Crosbie agreed with Mark Beliveau.

David Cedarholm stated urine and feces are considered domestic waste.

Attorney Somers reminded the Board that the Purpose language talks about elements of pollution. This is also an undefined term as well.

David Cedarholm stated he felt urine and feces would be covered under Waste Water. Aside from the fact that we have domestic animals and farm animals do this outside. He asked if they were regulated any differently, farm animals and domestic animals.

Attorney Somers stated that they are specific in zoning but she isn't sure.

Mark Beliveau felt this could clearly be addressed under the Purpose section, he doesn't feel it is covered under this article.

****The Board felt we should discuss this topic at the next meeting. Urine and feces.

ARTICLE XI
EARTH REMOVAL OPERATIONS

Robert Smith, Chairman stated this is not applicable.

Article XII
Fire Protection in the Commercial Zone

Robert Smith, Chairman not applicable, not in the Commercial Zone.

Robert Smith, Chairman stated the remaining articles are not applicable to this review process.

ARTICLE XIII PERFORMANCE GUARANTEE; ARTICLE XIV ENFORCEMENT; ARTICLE XV AMENDMENT; ARTICLE XVI TAKES EFFECT; ARTICLE XVII CONFLICTING PROVISIONS; ARTICLE XVIII VALIDITY

The Board discussed the next meeting date it was determined to be held on Tuesday, October 14, 2014 at 7:00PM.

Meeting adjourned at 10:15 PM.

MINUTES TRANSCRIBED BY:

Caren Rossi, Secretary

MINUTES APPROVED BY:

Robert Smith, Chairman

Lou Ann Griswold

Ryan Crosbie

David Cedarholm, Selectmen Rep

John LaCourse, Alternate

Ed Bannister

Mark Beliveau