

**MINUTES OF THE MEETING
PLANNING BOARD
March 05, 2015
6:30 PM**

MEMBERS PRESENT: Robert Smith, Chairman; Lou Ann Griswold; Robert Moynihan; Ed Bannister; & David Cedarholm, Selectmen's Rep.

OTHERS PRESENT: Peter Hoyt, Fire Department Representative; Tom Seubert; Jane & Kevin Crawford; Dale Rasmussen; Mary Westfall; Amos Townsend; Richard Bourke; Rhonda Rossa; Darcy & Cleaveland Horton; Attorney Laura Spector-Morgan, Mitchel Municipal Group; Peter MacDonald, Veteran Resort-Chapel; Attorney Sharon Somers, DTC Lawyers & Caren Rossi, Planning & Zoning Administrator

Robert Smith, Chairman opened up the meeting at 6:30PM.

- Review and Approval of Draft 2/12/15 Meeting Minutes

David Cedarholm made a motion to approve the minutes as presented.

Bob Moynihan second.

Vote: all, minutes approved.

- New Business

The Board members discussed and completed the Master Plan Survey. (In file)

- Review and approve the Draft 02-07-2015 Site Walk Meeting Minutes

The Board discussed the minutes and determined that they wanted to make certain the following concerns are in the minutes.

1. Re delineate edge of wet soils by a licensed soil scientist and locate on plan
2. Correct the scale on the plan to make sure it is accurate
3. Accurately locate the buildings on the site showing that they meet the required setbacks.
4. Prior to the next site walk stake out all of the proposed building locations
5. At the next site walk delineate the driveway, the driveway end point and the gate.

Caren Rossi will amend the minutes.

- **A continued accepted Site Review Application presented by Peter MacDonald, representing the Veteran Resort-Chapel. The property is located on 101 Stepping Stones Rd, and is known as Lee Tax Map#12-03-0300. The applicant is proposing to become a Church. A possible final public hearing.**

Robert Smith, Chairman explained with regards to the last conversations, at the site walk, there were misc. items that need to be addressed. They are as follows:

1. Re delineate edge of wet soils by a licensed soil scientist and locate on plan and stamp the plan.

Attorney Spector-Morgan asked why the soils need to be re-delineated. What was wrong with what has already been done?

Caren Rossi explained that the soils work was previously done for the subdivision which was done in about 1999.

Robert Smith, Chairman explained that as she is aware, wetlands change and they wanted the plan to be accurate as possible.

2. Correct the scale on the plan to make sure it is accurate

Robert Smith, Chairman explained that no one picked upon the fact that the two legends were different on the plan.

3. Accurately locate the buildings on the site showing that they meet the required setbacks.

Robert Smith, Chairman explained that this goes with #2 as well as the physical size didn't look like it was also to scale.

4. Prior to the next site walk stake out all of the proposed building locations.
5. At the next site walk delineate the driveway, the driveway end point and the gate.

Robert Smith, Chairman explained this will be done after the snow melts, as well as where the buildings will be so when at the site walk can see the relationship. The staking out of the buildings will be added to the site walk minutes.

Attorney Spector-Morgan agreed to the items requested.

Lou Ann Griswold stated that she wants to make sure the ADA compliance is discussed in the process. It is in the minutes, but she doesn't want it forgotten.

Caren Rossi and Peter MacDonald spoke with regards to the survey of the property. Peter said he dropped off several copies to Caren but will get her additional.

David Cedarholm spoke with concerns of the installed septic system not being large enough for the additional units. The septic system does not seem to be adequate for the number of possible people. He requested an engineer review the septic design and calculate the daytime occupancy. What would be a reasonable conservable high estimate for the discharge into the system? He also spoke with concerns of the number of parking spaces to the number of reading rooms as well. He also had questions with regards to the elevations on the plan.

Attorney Spector-Morgan will get look into these items. She explained that with regards to the elevation, the distance by existing building and the driveway, she believes is the distance between the two.

Ed Bannister spoke with concerns of the spacing between the buildings. He thinks that the plans show less than the 20' Mr. MacDonald said they would be. As well as he felt that all entrances/exits need to be added to the plan.

Robert Smith, Chairman reminded everyone that the plans are going to be updated and should address some of these issues.

Robert Smith, Chairman commented that when they did the site walk the emergency exit of the existing buildings was blocked.

Robert Smith, Chairman asked for the applicants to make their formal presentation.

Peter MacDonald explained that his attorney will be doing the presentation.

Attorney Spector- Morgan explained that she wished to remind everyone that the Veteran Resort-Chapel is a Church whose mission is to assist homeless combat military veterans. To provide them with a helping hand and reintegrate them into society, give them some place safe, get them the services they need, have a place they can go commune with God or whatever higher being they want to commune with. She will be submitting a letter after tonight's meeting to summarize this. She walked thru the revised plans with the Board.

The following items have been added:

- A designation of what is existing and what is new with regards to the driveway and the parking.
- The proposed width and design of the driveway past the gate.
- The location of the water pipe has been added.
- The road contours have been shown
- A typical building design
- The distance between the existing building to the driveway
- 11 parking spots
- 24 seats in the Chapel
- 10 Reading Rooms, one person each
- Required parking is 1 spot for 3 seats. 34 divided by 3 is about 11 required spaces.

Attorney Spector-Morgan explained that to the Board that most homeless people do not have a vehicle and the Chapel is not generally used by the public. They feel they should have more than adequate parking. They are here to gather any other information that the Board would like them to provide. She reiterated that, as mentioned before, they want to cooperate with the Board but they don't want to drag this out either. She feels all the issues raised are legitimate. She continued to explain that the composting toilets and would the Board like to see them or not? Mr. MacDonald would like to put them in but they did raise some issues with the Building Inspector so that is why they were taken out.

Ed Bannister asked how tall the building would be.

Peter MacDonald replied that they are 8' tall with flat roofs. 8 x 16 single room sheds.

There was discussion on this and it was determine to put a slope on the roofs to shed water and snow.

Robert Moynihan asked where the gate is located on the plan.

It is not shown, it will get added.

Robert Smith, Chairman stated his understanding is that after the gate, the road will narrow and it's not shown on the plan.

Attorney Spector-Morgan stated that the area past the gate is meant for emergency vehicles. It needs to be wide enough for them.

Robert Smith, Chairman spoke with concerns of the driveway/roadway maintenance. As well as snow stored up against the gate. He suggested an operational type document for the site. He felt any churches would have these. He also spoke with concerns of keeping track, such as a registration document for the property.

Attorney Somers suggested part of the presentation who is going to be using the facility, what hours, etc. to allow the Board to give more guidance.

Attorney Spector-Morgan explained that this is intended to be used Primary daytime use by homeless veterans. It is intended for them to go have some solitude to commune with their maker. It is not intended for people to sleep there, however, if they fall asleep they are not going to be removed for the evening. They are not intended to be used for living units, they are truly intended for reading rooms. There will not be any set hours. They can certainly have a registration at the Chapel to know who is in what building when incase of any emergency.

Attorney Spector-Morgan suggested if we had an example from another place in town that would help. She stated that someone is here that works at a homeless shelter perhaps they could discuss how their system works.

Attorney Somers asked if this was a homeless shelter.

Attorney Spector-Morgan replied it is not, but people will be coming and going on a frequent basis.

Attorney Somers suggested the operations manual for the dog daycare.

They discussed this and Caren Rossi will send them a copy of the operations manual for the dog facility at 122 Mast Rd.

Lou Ann Griswold spoke with concerns of what will determine how long they can stay and what will determine if they are a resident or not? Guidelines should determine this.

Ed Bannister asked if the readings will be locked. Where they be a registration type area?

Attorney Spector-Morgan stated that there most likely will be a key system.

Attorney Somers stated that in the manual should be an explanation of staffing etc.

Robert Smith, Chairman stated the hours too. Also what happens if more people show up than have rooms for?

David Cedarholm asked what the maximum capacity of each reading room is.

Attorney Spector-Morgan explained each is one individual.

David Cedarholm asked what happens if more than that show up, is there a maximum occupancy? What would happen?

Lou Ann Griswold stated that in the project explanation it was stated that this would be a place veterans can get the services they need.

Attorney Spector-Morgan stated that she misspoke.

Lou Ann Griswold asked if there was a social worker, a minister etc. on site.

Attorney Spector-Morgan explained that Mr. MacDonald is a minister and he has a couple social workers that he works with that are able to come and work with them during the day to get their benefits, social security etc.

Lou Ann Griswold felt this should be added as well to the operations manual.

Lou Ann Griswold asked if they had heat and electricity.

Attorney Spector-Morgan stated that they have electricity but not heat, but could have plug in electric heaters.

Ed Bannister asked if they would have hardwire smoke detectors.

Caren Rossi explained that is a question for the building inspector.

Attorney Spector-Morgan asked if it was possible to speak with the building inspector prior to revising the plans.

Caren Rossi explained that absolutely.

David Cedarholm asked if there is a kitchen in the chapel.

Attorney Spector-Morgan replied there is one but it is for the apartment. There is no food provided for the reading rooms.

David Cedarholm asked if the person who lives there be a property manager?

Attorney Spector-Morgan explained that is the long term goal, but not now.

Ed Bannister spoke with concern of the roadway width being adequate for the backing of the cars.

Lou Ann Griswold asked if there would be paths going to each reading room?

Attorney Spector-Morgan explained paths.

Robert Smith, Chairman explained they should also be added to the plan.

David Cedarholm asked what the standard parking space size.

Caren Rossi stated 10" x 20".

David Cedarholm stated that these are smaller, a waiver will need to be requested.

Attorney Spector- Morgan explained they will make them bigger or ask for a waiver.

Caren Rossi commented that Attorney Spector- Morgan should contact the fire chief regarding the forms that she forwarded Attorney Spector-Morgan from the Chief.

Public comment

In favor

Richard Bourke- 5 Manadnock Drive, Rochester NH. Chaplin for Rolling Thunder. Personal friend of the applicant, served in Vietnam together. What he's doing is selfless, he's a great

guy trying to something for other people. Doing it for veterans who have served their county. He asked that the Board give Peter a break.

Rhonda Ross -5 Manadnock Drive, Rochester NH. She works in a homeless shelter and any type of services that are available for veterans is a wonderful thing. Veterans do not have the services that they need.

Opposed

Kevin Crawford 100 Stepping Stones Rd. He feels that Peter has the right thoughts, with his heart. Questionable if it's the correct neighborhood. Asked if it had been established that the property is a Church.

Attorney Spector- Morgan explained that the Board has seen the pictures that it is a Church. The Veteran Resort Chapel is a Church organization and it owns the property. She isn't sure it needs to be stabled beyond this. They are applying to the Board for a Church use that is permitted in this zone by site review.

Robert Smith, Chairman asked if it is registered as a Church?

Attorney Spector-Morgan replied that she is going to double check the paperwork with the Secretary of State's Office. It is registered as a 501 c 3 as a Church.

Kevin Crawford continued and stated that due to it being a public place, NFPA 70 will apply. He went over the codes he felt the buildings would fall under as well as the driveway regulations. He also feels there is an RSA that doesn't allow compost toilets in the state of NH. He also spoke to the codes to construct the buildings with flat roofs and snow loads. He spoke with concerns if the driveway was large enough to turn a fire truck around, or if the fire truck will be backing out onto the road. He spoke with concerns of possibly needing a traffic study. He asked if someone feel asleep, would they be removed.

Robert Smith, Chairman explained that no, they would be allowed to stay.

Kevin Crawford asked if that would now make the rooms residences. Otherwise we are looking at 8' x 16' hotels. If that is the case then you're looking at another set of codes. He has had his Masters Electrical license since 1976. Each one of those sheds will need to be tied together. If one goes off, they all go off. Possibly a fire alarm system will be required. He spoke regarding what could possibly be required by the fire department. He then asked if there were RSAS on how you register for a Church. He is all for Veterans, his daughter is in the military as well as his son in law. He commented that Mr. MacDonald should take care of his flag and he doesn't, he finds it offensive.

Robert Smith, Chairman explained that once we have a complete set of prints they will then be sent to the Town Engineer for review as well as the Fire Chief and Police Chief to be reviewed too.

Caren Rossi clarified that Mr. MacDonald will be responsible for the Town Engineers review fees.

Tom Seubert, 10 Sheppard Lane, retired Naval Officer of 25 years. He is in full support of Veterans. He is concerned about the number of people occupying and the public safety. If they have any issues, and wander off, bad things can happen. They will need to be monitored and maintained control. If someone gets hurt or killed from someone wondering off the property. What kind of liability insurance will be required? Will the town monitor this? He spoke with concerns of the increased amount of traffic. Where is the overflow parking going to be? Overall concerns of public safety. He feels it is admirable, but concerns of the public safety. He has an investment in his property, when it comes time to sell his home, what is going to be the impact on the property owners? It is zoned for residential, and is for a purpose. He doesn't think this is the right place for this. Should he file an abatement if this is approved? He has concerns about this decreasing his property value.

Darcy Horton-76 Stepping Stones Rd. Wants to echo all everyone else has said. Was here at the first meeting. She remembers Mr. MacDonald stating that while the cabins are for daytime contemplation if folks decided that they want to stay they could stay. The question was raise as to how long they could stay and Mr. MacDonald said there was no limit. At least at that point it didn't have to be one night it could be several nights. When he talks about the rules, one of them was that anyone that was a non-vet had to leave by 10 pm. So friendships and visits are encourage. This will increase the parking. Who enforces these rules? It is very vague about the supervision. She spoke with concerns of fighting etc. What do we do as neighbors to feel protected and secure? Seems unfair that they should have to worry about this. She spoke with concerns if there isn't any food? Where, how will they get it. What if they get hit while walking to get some? If this is approved, is there any legal recourse the Board can have to shut it down or is it just there?

Cleve Horton- 76 Stepping Stones Rd. When looking for property, very pleased to find this property in this town. Spent all their savings to buy this house. They drive by many times a day and it's an eye sore. It is diluting his property value. His father was a Marine, he received a Purple Heart. He came back from PTSD. It was hell. He knows what it is like to come back from the war. He needed some heavy duty care. He doesn't feel that if he had sat around a cabin it would solve his problems. The way this is going to happen will be detrimental for the community in many ways, safety; esthetics; and land value. He wants to protect his investment in this town as much as everyone else.

Public closed

Caren Rossi reminded everyone of the 65-day clock. The 65-days is March 28th.

Attorney Spector-Morgan stated that they are in agreement of a limited waiver of May 1st and see where we are then.

Lou Ann Griswold made a motion to extend the 65-day to May 1st. This is an extension of 32 days.

Ed Bannister seconded the motion.

Lou Ann Griswold stated she felt that an operations manual needs to be reviewed as well.

Robert Smith, Chairman stated he would like to see the updated prints, reviewed by the Town Engineer; Fire & Police Chiefs as well as the operations manual.

The next meeting on this application will be on tentatively April 23, 2015. Attorney Spector-Morgan will get the revised plans to me by April 1 as well as a draft of the operations manual. The plans will then go for review. They will also be setting up a site walk after the plans are revised and the snow has melted. This date will be discussed at the next meeting.

David Cedarholm asked that the building inspector review the plans and provide input on the building codes required.

122 Mast Rd Legal Bills

Caren Rossi explained that she and Attorney Somers met and reviewed the legal bills pertaining to the 122 Mast Rd application. They have allocated what they feel is billable (reimbursed) to the applicant and wanted the Boards approval prior to sending them to the applicant. (In file)

Attorney Somers explained that as a matter of courtesy she has contacted their attorney.

Caren Rossi read an email from the applicant where they are ok with the charges.

The Board review these charges and felt the applicant should be billed for these charges.

David Cedarholm made a motion to send the bills to the applicants for reimbursement.

Ed Bannister second.

Vote: all, motion carried.

Caren Rossi explained that there is an application for an alternate member, Steve Slovenski.

The Board asked Caren Rossi to contact him to see if he can come for an interview at the March 19, 2015 meeting and they would make a recommendation to the BOS after this.

Robert Moynihan made a motion to adjourn at 8:55pm.

David Cedarholm, second.

Vote: all, meeting adjourned.

MINUTES TRANSCRIBED BY:

Caren Rossi, Secretary

MINUTES APPROVED BY:

Robert Smith, Chairman

Lou Ann Griswold

Robert Moynihan

Ed Bannister

David Cedarholm, Selectmen's Rep