

**Moultonborough Planning Board**  
**P.O. Box 548**  
**Moultonborough, NH 03254**  
**(603) 476-2347**  
**Minutes**

March 25, 2009  
Organizational Meeting and Regular Meeting - 7:30 P.M.  
Moultonborough Town Offices

**Present:** Members: Natt King, Eric Taussig, Joanne Coppinger, Jane Fairchild,  
Ed Charest (Selectmen's Representative)  
Alternates: Peter Jensen, Keith Nelson  
**Excused:** Members: Judy Ryerson, Jim Bakas  
Alternates: James Gray (Selectmen's Alternate)

As Senior Member, Mr. King called the organizational meeting to order at 7:30 PM. Mr. King called for nominations for Chair and Vice Chair, noting that Ms. Ryerson has indicated an interest to serve as Chair again, and that he indicated an interest to serve as Vice Chair / Secretary. Mr. Taussig commented that he feels the chairmanship should be rotated, that it is a benefit to the board to rotate this position.

**Motion:** Mr. Taussig moved to nominate Natt King as Chairperson.  
Mrs. Coppinger seconded for purposes of discussion.

Mr. King stated that he did not wish to be chair at this time as he has many other items on his plate at this time. Based on Mr. King's comment Mr. Taussig withdrew his motion.

**Motion:** Mrs. Coppinger moved to nominate Judy Ryerson as Chairperson.  
Mrs. Fairchild Seconded.  
**Motion Carried** – 4 to 1 with Mr. Taussig voting no.

**Motion:** Mr. Taussig moved to nominate Natt King as Vice Chair / Secretary.  
Mrs. Coppinger Seconded.  
**Motion Carried** – Unanimously.

Mr. King appointed Peter Jensen sit on the board with full voting privileges in place of Jim Bakas. Mr. Nelson was not seated this evening as he had not been sworn in as an alternate.

Mr. Taussig noted as a point of order that the board should review and adopt their policies before going forward. Mr. King stated that he wished to proceed forward with the items on the agenda and that they discuss their policies after they have conducted the scheduled hearing under Unfinished Business.

**I. Approval of Minutes**

**Motion:** Mr. Taussig moved to approve the Planning Board Minutes of March 11, 2009.  
Mr. Jensen Seconded.

Mrs. Coppinger noted one correction being the last word on page 3 is "ducted" which should be "ductile iron." Mr. Nelson noted on page 4, hearing #2 states he made the motion regarding Lakes Region Water Company. Mr. Nelson stated he did not participate in the hearings or make this motion. Mr. King stated that he made this motion. The two changes will be made to the minutes.

**Motion:** Mr. Taussig moved to approve the Minutes as amended.  
Mr. Jensen Seconded.  
**Motion Carried** – Unanimously.

**II. New Submissions**

**1. Brian T. & Maureen Blackadar (167-2)(19 Martha's Lane)  
Three Lot Subdivision**

This is a request for a subdivision of Tax Map 167 Lot 2, resulting in three (3) lots.

Mr. King noted the request for waivers dated March 4, 2009 from David M. Dolan Associates, PC.

**Motion:** Mr. Charest moved to accept the application of **Brian T. & Maureen Blackadar (167-2)** as complete for action by the board, grant the waivers for the purpose of acceptance only, and to schedule a hearing this evening to be hearing #2.  
Mr. Jensen Seconded.  
**Motion Carried** – Unanimously.

**III. Boundary Line Adjustments**

**IV. Hearings**

**1. C.G. Roxane, LLC (Old 85-21 / New 94-4)(Ossipee Park Road / Route 171)  
Continued Site Plan Review**

Mr. King stated that this was a continued hearing for a site plan review for C.G. Roxane, LLC, Tax Map 94 Lot 4.

Mr. King noted a letter dated March 25, 2009 from Enid Holmes, an email dated March 18, 2009 from Will Powers and the Conservation Commission's comments.

The Conservation Commission comments were: 1) Buffers on side of property and rear are not shown as required. 2) Is there any provision for snow removal/storage? 3) It is unclear how trucks will turn around on this property, especially when lined up.

Andre Kloetz, (Bauen Corporation), Tony Moore, CGR Corporate Safety Manager, Attorney Regina Nadeau, Tim Goldie, who will address questions relating to storm water runoff, and Attorney Mark Beaudoin were present representing CGR. Mr. Kloetz presented members with a handout that would enable them to follow along as he addressed the Conservation Commission's questions. The changes shown on the handout would be added to the final site plan once they were approved.

Mr. Kloetz described the changes shown on the handout. The first item addressed was snow removal. The shaded area around the pavement depicts where snow will be stored. There is approximately a 20' area off the edge of the pavement where snow can be pushed. The area along the noise barrier will be pushed towards the back. Next Mr. Kloetz stated the distances to each of the boundaries. From the corner of the building to Route 171 is approximately 580', to the property line to the north is approximately 470', to the land of the Lakes Region Conservation Trust is approximately 125' and from the closest corner of the building to Ossipee Park Road is approximately 460'. These measurements will be added to the final plan. The last item addressed was the proposed stacking method for the trucks. There may be a better method that may alter this slightly once the site is developed. The proposal shown has been shown to CGR and appears it will work well. The plan allows for trucks to come in on the entrance driveway and swing to the right. Mr. Kloetz noted the trailer size that is typically used is a 53' trailer, for

a total length of 73'. The turning radius of a 53' trailer is about 58'. The turning radius is shown on the handout. The proposal is for the first eight or nine trucks to stack facing out, then pull out to head up the hill and be replaced by the next truck. If they were being loaded at the lower facility they would be able to back into the loading docks. The stacking of the vehicles in this area will be an area where the sound barrier is placed along the side and the building will block it as well. As stated before, the trucks will not be going around the building. That is strictly for the use of the Fire Department in case of an emergency. The proposal allows for the stacking of sixteen trucks to sit and wait to be told to either go up to the top of the hill, or be loaded in the lower facility.

Mr. Jensen stated at the prior hearing he questioned the height of the sound barrier, noting he was told it was eight feet. Mr. Kloetz stated he was not sure what he had stated prior, but that the sound barrier is 12' in height. They reviewed the report from the consultant and the recommended height is 12'. Mr. Kloetz noted the location of the sound barrier as shown on the plan.

Ms. Fairchild questioned the width of the entrance road where it widens into the parking lot. Mr. Kloetz stated it was 30'. There is a 24' travel surface with 3' shoulders, for a total of 30'. The box trailers are approximately 8'6" wide.

Mrs. Coppinger questioned how many trucks currently back up onto Ossipee Park Road, stating this proposal is to solve two problems, inclement weather and backing up of trucks onto Ossipee Park Road. On an inclement weather day you could have 18 trucks at the lower facility, 16 stacked and 2 at the loading docks. Mr. Moore stated the most trucks that he has seen at the top are 14. Mrs. Coppinger asked how many fits on their property. Mr. Moore stated 12 at the top.

Mr. Kloetz noted there was an on-site visit conducted with the board on March 4<sup>th</sup>. The building was marked with balloons. Those present were half way up to the building before you could see the balloons. It was noted that someone had pointed out that you will be able to see the outline of the building through the trees in the winter times, but the building will be of a neutral color. In the summertime you will not be able to see it all with the foliage.

Mr. Jensen questioned how CGR will know what the trucks will do on-site if there is not anyone down there when they are loading from the warehouse. Mr. Kloetz stated there will be lines on the pavement and directions on signs telling them what to do. Mr. Charest questioned what will be done in the snow when you can't see the lines. Mr. Kloetz stated the lot will be plowed and they could use traffic cones.

Attorney Nadeau stated that Mr. Kloetz had been attempting to address the issue raised by the Conservation Commission and some other ones. Ms. Nadeau requested that Mr. Goldie talk about the drainage, and her talk about the questions regarding the narrative and then allow board members to ask their questions. Mr. King agreed that representatives from CGR should present everything at one time, and then allow the board to ask questions, and then they will open questions up to the audience after that.

Tim Goldie spoke to the storm water management. Mr. Goldie stated that Mr. Fluet was unavailable this evening and that he had been asked to review his plan and calculations and provide the board with a quick overview. The drainage design for the property separates storm water runoff that would be coming from offsite, that hasn't landed on the building's rooftop or the paved surface. That storm water runoff is kept separate from what does fall on the roof and paved surface. This is done by a diversion ditch that goes around either side. Any storm water that comes through the woods will be directed through a stone lined ditch, underneath the driveway and on towards Route 171 as it would have otherwise. That storm water runoff is not detained. The water that does fall on the building's roof top and the paved surface is dealt with a different way. The building and paved surface is impervious surface. Nothing is going into the ground. This storm water runoff is collected by a series of catch basins on the downhill side of the building and paved parking area. It is taken via culverts, through catch basins, out into a treatment area that will be constructed towards the front of the lot near Ossipee Park Road. The

primary purpose of the treatment area is storm water quality. The area is planted with a variety of plants. There are four separate sections of the pond, where water overflows various berms, to provide the storm water quality treatment, then goes onto a level spreader and is discharged downstream. The result of the collection system and treatment system is that it also contains the water for a little while to keep the flows equivalent to the precondition or less. This is a requirement of the state to receive a site specific or what is now referred to as an Alteration of Terrain Permit. Mr. Goldie stated that CGR received an Alteration of Terrain Permit from the State in 2006 and that it was renewed in December 2008.

Mr. Charest questioned the maintenance of the treatment ponds. Mr. Goldie stated that this is the responsibility of CGR for the maintenance of the pond, catch basins and pipes. Mrs. Coppinger would like a maintenance schedule added to the plan, that there will be either an annual or semi-annual maintenance for all drainage and treatment areas.

Mr. King questioned if there will be a berm around the pond. Mr. Goldie stated yes. Mr. King noted recently another site had been discussed by the board where trees had grown on the berm and some felt that the roots compromised the berm. Mr. Goldie believes that the trees help stabilize the berm and that this is not the case.

Mr. Taussig questioned what provisions are in place for a diesel spill, would it go into the treatment area? Mr. Kloetz noted there are measures in place for this. The truck driver would contact CGR, in turn the Fire Department and NHDES. Mr. Kloetz briefly explained the containment methods and practices generally used by the Meredith Fire Department, noting it would be similar for Moultonborough.

Mrs. Coppinger questioned if there was anything in the catch basins to prevent oil from getting into the detention pond. Mr. Kloetz stated no. She asked about putting an elbow inside of them. Mr. Goldie stated there are a couple of things that could be done. Mr. Goldie explained these noting there is a product that is called the snout and also a stormceptor, extended oil storage system. Ms. Nadeau stated the interceptor, or stormceptor could be added to the storm water system. The board stated that they wanted this to be included in the storm water system.

Attorney Nadeau noted that she had been given an assignment at the prior hearing. As there have been many hearings over the years, for consistency sake, the board had a narrative of CGR's proposed operations. Ms. Nadeau submitted a two page narrative titled "Summary, CG Roxanne Bottling Facility Warehouse Operations, March 25, 2009. Ms. Nadeau went over each of these items.

Mr. Taussig requested that the word "bottled" be added in items one and two to read "bottled water distribution".

Mr. Jensen questioned when the closed circuit television would be monitored. Mr. Moore stated that the TV is located in the shipping area where someone is working all the time, noting this is the area that they are in contact with the drivers on their radio.

Ms. Nadeau handed out the sound study dated March 21, 2006, noting that she would not attempt to interpret the study. All the data was compiled into the opinion letter dated April 4, 2006, from Frank Kuhn, President Air & Noise Compliance, Inc.

Mr. King noted that board members had mentioned a traffic impact study. Mr. King felt that it wouldn't be wise to go to that extent. The applicant has provided a lot of information relative to the sound and traffic for the site. Mr. King questioned if the board would feel comfortable with getting an agent that works for the board to review their information and to comment on the appropriateness and completeness of their information and to make any further action, if there is any.

It was the consensus of the board to hire a professional who will review what has been completed and make comments to what applies to this application only. The traffic issues would be the parking, turning radius for the trucks, safety issues on Ossipee Park Road from Route 171 to the driveway entrance to the site only, not up the hill. They would also review the sound study as well.

It was noted that Mr. Kloetz had stated that a gate would be installed on the entrance road so that it could be closed when the lower facility is closed. Mr. King questioned the location of the gate. Mr. Kloetz noted it would be close to Ossipee Park Road so that the truckers could see if from Ossipee Park Road before having to turn in if they were open.

Cristina Ashjian questioned the revision date of the plans submitted to the planning board. The date of the plans that were submitted to the NH DES has a revision date of November 2006. The plans submitted are July 2006. She questioned why the board did not have the latest revisions. Ms. Ashjian submitted a list of the items that were revised and has requested that the board view the latest set of plans. Mr. Kloetz will provide the board with this set of plans.

Will Powers noted his concerns regarding the truck incident, which happened during the on-site visit, adding the truck was coming from the wrong direction. Mr. Powers questioned the number of trucks that can park at the bottom, the amount of water that can be stored in the warehouse, if all the trucks will be contacted prior to turning into the warehouse facility and who do abutters contact if there is a truck parked along Route 171. The number of trucks was stated a total of 18, the warehouse can hold between 80-100 truckloads of water, they are in contact with the truckers by radio and the parking on Route 171 would be an enforcement issue and they could call the State Police or the Moultonborough Planning Board.

Mr. Zimmerman made a suggestion that CGR could install a low power transmitter to inform truckers of current info, and that could be a form of communication before the trucks reach Ossipee Park Road. Mr. Zimmermann questioned if CGR will be using chemicals on the parking surface, if so, when they plow the snow with chemicals would be going into the woods and not being treated through the storm water system. Ms. Nadeau stated they would use the same practice as the top of the hill. Mrs. Coppinger noted if the parking area is flat they could use only sand. Mr. Zimmerman questioned if the sound study dealt with backup alarms on the trucks. Mr. Moore stated that backup alarms are not required by DOT for tractor trailers.

Enid Holmes read her letter dated March 25, 2009 into the record. Ms. Holmes questioned what barrier would protect the sound from her sons abutting property. It was noted that the sound barrier and building will be the buffer to her son's property.

Cristina Ashjian letter her letter dated March 25, 2009 into the record. Ms. Ashjian submitted a notebook of data and documents relevant to the board's review of CGR.

Will Powers noted his email sent to the board and requested members to read it.

Mr. King again asked the board if they felt that they should go out for a peer review. This would be to review traffic capacity, regarding the entrance to the parking, safety from Route 171 up to the entrance on Ossipee Park Road and the sound study. Mr. King polled the board. Joanne – Yes; Peter – Yes; Keith – Yes; Jane – Yes; Ed – Yes; Eric – Yes; Natt- Yes. The question was raised if this review was to include an environmental study. The board discussed this and noted that it would include storm water management. The review of drainage, runoff, impact on wetlands, interceptor, storm water, the retention process and what will happen if there is a spill. Mr. King polled the board. Joanne – Yes; Peter – Yes; Keith – Yes; Jane – Yes; Ed – Yes; Eric – Yes; Natt- Yes.

It was the consensus of the board to go for a peer review of what has been done relating to traffic capacity, sound study and storm water management.

This will be done as a special investigative study and the cost shall be the responsibility of the developer to pay reasonable fees for the review of documents.

**Motion:** Mr. Charest moved to continue the site plan review for **C.G. Roxane, LLC (Old 85-21/ New 94-4)** to April 22, 2009.  
Mr. Jensen Seconded.  
**Motion Carried – Unanimously.**

The board took a five minute break from 10:21 – 10:26.

**2. Brian T. & Maureen Blackadar (167-2)(19 Martha's Lane)  
Three Lot Subdivision**

Mr. Nelson did not participate in any discussion regarding the Blackadar application for subdivision.

This is a request for a subdivision of Tax Map 167 Lot 2, resulting in three (3) lots.

Mr. King noted the request for waivers dated March 4, 2009 from David M. Dolan Associates, PC.

It was noted the Conservation Commission had no issues noted.

It was noted Chief Kinmond did not see any access road for the three lots, specifically lots 1 & 2, as the woods road ends at lot 3.

Dave Dolan, agent for the Blackadar's presented the application for subdivision. Mr. Dolan briefly described the location and proposed subdivision. The lot is just less than seven (7) acres and is located off Martha's Lane. The proposed lots are to be 1.9 acres ±, 2.2 acres ± and 2.31 acres ± in size. The wetlands were delineated by Peter Schauer and are shown on the plan. The soil types were obtained from the Carroll County Soil Survey, all lots meet the minimum lot size, and in the worst case scenario the lot can support 3.2 units. Mr. Dolan noted the access for proposed lots 1 and 2 will over a portion of Tax Map 167 Lot 1, and will require an easement to be granted to them for the construction, maintenance and use of a common driveway. The access for Lot 3 is already off Martha's Lane which is a town road. Mr. Dolan noted they have received approval for subdivision from the State of NH and an approved driveway permit from the town. Mr. Dolan answered any questions from the board.

Mr. King questioned if the only item missing was the easement for the driveway. Mr. Dolan stated yes.

**Motion:** Mr. Jensen moved to approve the subdivision for **Brian T. & Maureen Blackadar (167-2)** subject to the granting of the easement as shown on the plan and grant the waivers as requested.  
Mr. Jensen Seconded.  
**Motion Carried – Unanimously.**

**V. Informal Discussions**

**VI. Unfinished Business**

1) Mr. King stated due to the late hour, the board will not take up the review of their policies. Mr. King noted that there are not any scheduled hearings or new submissions on the agenda for April 8<sup>th</sup>, and has suggested that the board use that evening to work on the policies.

## **VII. Other Business/Correspondence**

1) Mr. King noted the town has approved the position for a planner and there is going to be a seven member committee that will screen applicants. There will be three members from the Planning Board and four other members. Mr. King noted that Joanne, Judy and he are interested in serving on the committee. Mr. Jensen noted he would like to serve on the committee but that his wife was serving as a member on the committee and that it could be a conflict. There were no other member's who expressed an interest in serving on the committee.

It was the consensus of the board that Judy, Natt and Joanne will serve on the screening committee.

Mr. King and Ms. Ryerson had been discussing this and that it would be helpful to have someone help them on the screening committee. They have been in contact with Heidi Griffin, who has worked with the town through MRI. Natt & Judy propose that the town hire Heidi Griffin, not through MRI, but as an independent consultant, to assist in this process. The estimated cost given was not greater than \$800. Heidi is a professional planner herself and has done this type of search work before. The board discussed this and were in agreement to hire Heidi Griffin.

**Motion:** Mrs. Fairchild moved to authorize the Planning Board to expend up to \$1,000 to hire Heidi Griffin to assist in the planner search.

Mrs. Coppinger Seconded.

**Motion Carried** – Unanimously.

2) Mr. King noted a letter dated March 11, 2009 from the State of NH Liquor Commission regarding North Shore Diner. Lisa and James Randall have made application for a liquor license. Pursuant to RSA 541-A:39, the NH Liquor Commission provides the town with the opportunity to submit comments. The only comment may by the board was that the consumption of alcohol cannot be seen by the public. If the area can be seen it must be screened and approved by the Planning Board.

3) Mr. King noted a letter from the Chairman of the Tuftonboro Planning Board, indicating that at this time they are not interested in sharing a town planner.

4) Mr. King noted at letter dated March 14, 2009 from the Eastern Lakes Region Housing Coalition introducing Rebecca Perkins who will be doing a research project. They are looking for a contact person that would be appropriate to communicate with Rebecca and participate in the discussion.

5) Mr. King noted the agenda from the NHDES for a Drinking Water Source Protection Workshop to be held on May 1, 2009. Mr. Jensen and Mrs. Coppinger indicated they would like to attend the workshop.

6) Selectmen's Draft Minutes of March 12 & 19, 2009 were noted.

7) Mr. King noted the board had approved a site plan amendment last fall for **Walter Koziarski (71-14)** with a condition that an adequate buffer to be determined by the Planning Board. On September 10, 2008 Dave Dolan spoke informally with the board regarding the plantings and it was the consensus of the board

to have Mr. Koziarski to return to the board on October 22, 2008 and provide them with a planting/screening plan. At this time the board has not received the plan. Mr. King noted it will soon be spring and an ideal time for planting. It was the decision of the board to send a letter to Mr. Dolan, copying Mr. Koziarski, reminding them the plan is required as a condition of the site plan approval.

**VIII. Committee Reports**

**IX. Adjournment**

**Motion:** Mrs. Coppinger moved to Adjourn at 10:52 P.M.  
Mr. Jensen Seconded.  
**Motion Carried** - Unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Land Use Coordinator

These Minutes have not been formally approved by the Moultonborough Planning Board. Please contact the secretary after the next regularly scheduled meeting of the Moultonborough Planning Board to be held on the 2nd and 4th Wednesday of each month, to learn if any corrections, additions or deletions were made.