

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **JULY 17, 2014**

4 **PRESENT:** Robert Stanley, Vice-Chair; Tanner Royce; Donna Davis Larrow; Kurt Markarian; Shane
5 Hastings, ex-officio member; Michael Marquise, Planner

6 **ABSENT:** Peter White, Chair

7 Vice Chair Stanley called the meeting to order at 7:00pm.

8 Changes to the Minutes from the June 5, 2014 meeting:

9 Tanner Royce made a motion to accept the minutes as read. Kurt Markarian seconded the motion. The
10 motion passed unanimously.

11 **UPDATE**

12 Mr. Marquise gave the Board "Save the Date" cards for a Right-to-Know meeting that is being given by
13 the Town's attorneys on August 18th at 7:00. The Town Manager has asked to let her know if the Board
14 has any specific topics they would like put on the agenda. Mr. Marquise said that he brought up the
15 issue of Zoning Variances and how they impact the Planning Board.

16 Mrs. Larrow asked about the Chase Marina property and whether or not Mr. Landry has contacted
17 them. Mr. Marquise said that Mr. Landry has not spoken to him about it and there hasn't been an
18 application made to the Planning Board but he will speak to Mr. Landry.

19 **PARCEL ID: 0235-0022-0000 & 0235-0079-0000: SUBDIVISION / ANNEXATION: SUBDIVIDING 8.32**
20 **ACRES FROM 31 ACRE PARCEL OF NEILSON AND ANNEXING TO THE 2 ACRE LOT OF SCHMIDT, WHICH**
21 **WILL TOTAL 10.32 ACRES. 50 MIDDLEBROOK RD & 103B.**

22 Mr. Marquise said that the application was filed in advance, fees were paid, abutters were notified and
23 notices were posted. The application falls under 6.04 of the Subdivision Regulations and is eligible to
24 waivers under 6.05 (b) as it is a minor subdivision. Mr. Marquise said that he believes that all of the
25 items under 6.04 are there and the waivers are the existing and proposed contours, utility lines, storm
26 water and water supply facilities. With these waivers, the application is complete and ready to move
27 forward.

28 Kurt Markarian made a motion to accept the application as complete for Parcel ID: 0235-0022-0000 and
29 Parcel ID: 0235-0079-0000: Subdivision / Annexation: Subdividing 8.32 acres from 31 acre parcel of
30 Neilson and annexing to the 2 acre lot of Schmidt, which will total 10.32 acres, 50 Middlebrook Rd &
31 103B with the waivers of contours, utilities, storm water and water supply. Shane Hastings seconded
32 the motion. The motion passed unanimously.

33 Clayton Platt and Helmet Schmidt presented the merits of the case. Mr. Platt explained that Mr.
34 Schmidt owns a 2 acre lot in Oakledge and abuts what is known as the Whitehorse property that is

35 about 30 acres and runs down to 103b and is owned by the Neilson's. Mr. Schmidt would like to buy 8.3
36 acres from the Neilson's and attach it to his lot.

37 Mr. Platt said that the remaining land meets all of the Zoning requirements and the subdivision does not
38 affect the road frontage at all. The subdivision / annexation is similar to others that have been done in
39 Oakledge and it gives them a little more space.

40 Vice-Chair Stanley said that it seems to be pretty straight forward as they do not plan on doing any more
41 building at this time.

42 Vice-Chair Stanley asked if there were any other questions or comments from the Board or Mr.
43 Marquise and there were none. Vice-Chair Stanley asked if there were any abutters present with
44 comments and there were none.

45 Ms. Neilson said that her name is spelled correctly on the Plan but not in the notices or agenda.

46 Kurt Markarian made a motion to accept the application on the merits for Parcel ID: 0235-0022-0000
47 and Parcel ID: 0235-0079-0000: Subdivision / Annexation: Subdividing 8.32 acres from 31 acre parcel of
48 Neilson's and annexing to the 2 acre lot of Schmidt, which will total 10.32 acres, 50 Middlebrook Rd and
49 103B. Tanner Royce seconded the motion. The motion passed unanimously.

50 **PARCEL ID: 0225-0036-0000: SITE PLAN REVIEW: RE-OPEN PREVIOUSLY APPROVED SITE PLAN TO**
51 **REVIEW AMENDED LANDSCAPE PLAN, GATED EMERGENCY ENTRANCE, AND SHORTENING OF**
52 **BUILDING "D" BY 10'. SUNAPEE SELF STORAGE, MCDONOUGH FAMILY PROPERTIES, LLC, ROUTE 103 &**
53 **DEPOT RD.**

54 Vice-Chair Stanley asked if there is a new application or if this is a follow up to an old application. Mr.
55 Marquise said that with these cases the Board should still accept the application as complete. This
56 application is built on the old application and he believes all of the elements are there; it has been
57 noticed so it is a valid application.

58 Tanner Royce made a motion to accept the reopening of a previously approved Site Plan for review for
59 Parcel ID: 0225-0036-0000 to amend the landscape plan, gated emergency entrance, and shortening of
60 building "D" by 10' for Sunapee Self Storage and accept it as complete. Kurt Markarian seconded the
61 motion. The motion passed unanimously.

62 Peter Blakeman presented the case on behalf of McDonough Family Properties, LLC along with Greg
63 Grigsby, the landscape architect, and Michael McDonough and Mark McDonough, the owners of the
64 property.

65 Mr. Blakeman explained that the last time they went before the Board they got approval to narrow the
66 width of the aisle to 25' conditional on the Fire Marshal's approval and a bond for the landscape plan
67 that was originally approved. The decision was that either the bond would be posted and they would
68 get a building permit or they would come back before the Board with a new landscape plan.

69 Mr. Blakeman said that they have submitted a new landscape plan and have made some changes to the
70 site plan. They have added an emergency vehicle entrance off of Depot Rd to access the buildings
71 easier; it will be gated and there will not be any use for normal activities of the facilities. Vice-Chair

72 Stanley asked how emergency vehicles will gain entrance through the gate. Mr. Blakeman said that the
73 key could be given to the emergency personnel but normally they just cut the chain if they need to.

74 Mr. Blakeman said that they decided to take 10' off of Building "D" so that it makes it easier to get
75 around the buildings from the emergency access.

76 Mr. Blakeman said that the third element is the landscape plan and they had Greg Grigsby look at it and
77 redesign the original plan. The number of planting seemed more suitable for a large house rather than a
78 commercial facility. They do have the buffer along Depot Rd and along Route 103. Mr. Blakeman said
79 that they have met with the neighbors across the street, and went over things with them.

80 Mr. Grigsby went over the landscape plan for the Board. He explained that, starting on the South side of
81 the property, the abutting property is also owned by the McDonough's and there is a fair amount of
82 meadow like vegetation. They want to enhance the area with some witch-hazel which is a native plant
83 that will get 8' -10' tall and provide meaningful screening from the house to the facility. Mr. Grigsby
84 continued that on the East side, which is the Route 103 side, there is a fairly large berm that screens the
85 facility. There are no plantings proposed there. On the North side there is a very steep drop and the
86 land is fairly heavily vegetated already with native vegetation. Any plantings that would occur would
87 just serve to destabilize the slope and have no meaningful screening. Mr. Grigsby said that on the side
88 that is the most critical, the Western side along Depot St, there is a stand of poplar trees. The intent in
89 that area is to remove the poplar trees and allow the understory vegetation, willows and winterberry
90 that stay 10' to 12' tall, to continue to grow. They provide low level screening which is important for
91 drivers going by on the road. Rather than endanger the plants that are there the intent is to allow the
92 plants that are flourishing continue to do so by getting rid of the vegetation that will impede them which
93 is mainly the poplars. Mr. Grigsby continued that moving north along Depot Rd there is a row of white
94 pine trees and those trees are in a state of decline and are hazard trees. The intent is to remove those
95 trees and replace them with a variety of evergreen trees that will ultimately grow and provide a
96 screening. They do not want to create a monoculture which is why they are using a variety. They chose
97 faster growing evergreens so that they would have a bigger impact as they establish themselves and
98 they also maintain their branches from the bottom up. Mr. Grigsby gave a description of the trees that
99 they chose. Mr. Grigsby said that they are not claiming that the trees will give the immediate impact
100 that the current pine trees do but they will grow and establish themselves to provide screening from the
101 bottom up. As a result of a meeting they had with the abutters they have also added some color and
102 interest which will also help to provide for some lower level screening. Mr. Grigsby gave a description of
103 the plants they are adding.

104 Mr. Blakeman said that they have added a note to the Site Plan that they will be staking out the areas
105 for the trees and other vegetation and allowing the abutters to comment before proceeding with
106 planting them.

107 Mr. Markarian asked about the average growth per year for the trees that they will plant. Mr. Grigsby
108 explained that there is no absolute number and initially there might not be as much growth as will occur
109 after the tree is established but once it is established you can look for the Norway spruces to grow at
110 least 12" – 24" per year, the balsam firs are in the 6" – 12" range and the white spruces are somewhere
111 in between. The Norway spruce will top out in the 60' range, the balsams will top out at 40' and the
112 white spruces will be 40' - 60'. They will eventually decline but should have a long life.

113 Mr. Marquise asked if the emergency access has been reviewed. Mr. Blakeman said that he submitted a
114 driveway permit which Mr. Landry told him has been approved though he has not seen any paperwork
115 on it yet. Mr. Marquise asked if the access has been reviewed by the Police or Fire Departments. Mr.
116 Blakeman said that he thought they would have commented during the driveway application process as
117 it was part of what was submitted to the Fire Marshall too so the Fire Chief should have seen it at that
118 time.

119 Vice-Chair Stanley asked if there were any abutters present who had comments or questions.

120 Robert and Tammy Gonyo, 22 Depot St, asked if the bond will still be required so that there is a
121 guarantee that the plantings get done. Mr. Marquise said that the Board should ask for a bond and it
122 should be part of any approval from the Board. Vice-Chair Stanley asked if there is an amount for the
123 bond. Mr. Blakeman said that the amount for the original bond would have been for the original
124 landscape plan and they need to figure out an amount for the new landscape plan. Mrs. Larrow asked
125 and Mr. Marquise clarified that the bond amount needs to be for 110% of the costs for the landscaping
126 the drainage, and the new emergency access. Mr. Marquise said that it would be possible to continue
127 the hearing and have the applicants bring everything in to the next meeting and avoid having to go
128 through the process re-noticing for the bond hearing. Mr. Blakeman said that at the last meeting they
129 were approved contingent on bringing a bond to Mr. Landry, they didn't need to go back before the
130 Board. Mr. Marquise said that it is up to the Board and their comfort level. Mr. McDonough said that
131 they were hoping to get the approval contingent on bringing the Bond to Mr. Landry and getting a
132 building permit so they can start soon. There was a discussion regarding holding a bond hearing and the
133 last hearing's decision and the consensus was to allow the bond to be presented to Mr. Landry before
134 the applicants can obtain a building permit.

135 Donna Davis Larrow made a motion to approve the Site Plan Review for Parcel ID: 0225-0036-0000, to
136 include the landscaping plan, new emergency access, and grading and drainage to the property; the
137 approval is subject to an engineer's estimate based bond of 110% of the project for the landscaping, the
138 emergency access and the grading and drainage to be presented to the Zoning Administrator and the
139 work will be completed within one year. Kurt Markarian seconded the motion. The motion passed
140 unanimously.

141 **MISCELLANEOUS: PARCEL ID: 0119-0009-0000: DISCUSSION ON APPROVED HOURS OF OPERATION.**
142 **PLEASANT ACRES PROPERTY MAINTENANCE, LLC, 884 ROUTE 11.**

143 Matthew McClay, owner of Pleasant Acres Property Maintenance, LLC, was present to discuss the hours
144 of operation for the business. Mr. Marquise explained that the approved hours of operation are 7:00
145 am to 5:00 pm and there have been concerns that they are going outside the approved hours. Vice-
146 Chair Stanley asked if there was a complaint and he said that he had not heard of one, Mr. Landry just
147 called him and said that it was decided to call him in to talk about the hours.

148 Mr. McClay was asked if the actual hours of operation are 7:00 to 5:00 or if he is there earlier in the
149 morning. Mr. McClay said that 7:00 to 5:00 are the actual hours but he does have workers who come in
150 early, drink coffee, talk about the day, start putting the tools in the truck, etc. He is there different
151 hours which may be kind of random and he is inside the building. The mowing foreman does go in a
152 little early to get the mowers ready, change the oil, etc. but he is inside the building. Mr. McClay

153 continued that he believes that during the Site Plan Review he said that the typical work schedule is 7:00
154 to 5:00 but that they do work outside the hours when needed. He did not know that asking for 7:00 to
155 5:00 meant showing up at 7:00 and leaving at 5:00, if the bank opens at 9:00 usually employees are
156 going in early to prepare and he viewed it a little more lax. Mr. Markarian said that he is the one that
157 asked about the hours because he goes by 5 days a week and sees the garage doors open, regularly, well
158 before 7:00 in the morning, which makes him think that they are open for business. When the Board
159 meets with business owners they ask about the hours for a reason and in the initial conversation the
160 hours were open in the winter hours where in the summer it is not as critical to be out there beyond
161 certain hours. Mr. Markarian continued that if Mr. McClay is going to have workers there before 7:00 it
162 may be a good idea to revise the hours. Mr. Marquise said that it is in the minutes and he feels that it
163 was made clear that there may be times when the workers are needed outside normal hours, be it
164 storm events, snow storms, etc., but Mr. Markarian has indicated that it may be more than this. Mr.
165 Markarian said that if someone is there and indoors he feels as though it is acceptable but he does not
166 think that the Board wants abutters to come back and question why the start time is early.

167 Mr. McClay said that Mr. Landry suggested that he write a letter requesting a change in the hours,
168 hopefully without having to reopen everything. He also spoke to the only abutter that would be
169 affected by the change, Michael Huff, who he wrote a letter explaining his thoughts on it. Mr. McClay
170 passed the letters to the Board.

171 Mr. Royce said that in his opinion the landscape business is sun up to sun down and he is all for small
172 business and working when there is work. Mr. Royce asked about the right way of going about the
173 needed changes so that the business can be in operation when needed. Mr. Markarian said that as long
174 as they know what is going on and the activities are indoors until 7:00 then he is OK with that. Mr.
175 Marquise said that the letter from Mr. McClay requests going from 6:00 am to 6:00 pm and to do that
176 there needs to be a hearing because the terms of the original Site Plan are changing. If there is more of
177 a discussion and understanding of what is going on and Mr. McClay understands that the extra time on
178 either end is quiet time / indoor time he does not feel as though it goes against the approval. Mr.
179 Markarian said that he agrees with Mr. Marquise and knowing that there are people there getting the
180 equipment ready is different as long as business doesn't really start until 7:00am. Mr. McClay asked if
181 he will have to make sure his workers are back by 5:00 every day. Mr. Markarian and Mr. Marquise said
182 that it isn't necessary as the minutes for the original approval do indicate flexibility but that they can't
183 be moving materials or working outside except during the approved hours. Doing paperwork or getting
184 a machine ready and no obvious impact to the outside other than dropping something off is fine. Mr.
185 Markarian said that equipment running outside of hours would be a concern. Mr. Royce said that Mr.
186 McClay may want to eventually formally ask to extend the hours. Mr. Markarian said that Mr. McClay
187 may not need to worry about doing a new application unless an abutter has a concern or he finds that
188 they consistently are operating outside the hours. Mr. Marquise explained the process of applying for a
189 change to the Site Plan.

190 **MISCELLANEOUS: PARCEL ID: 0133-0107-0004: REVIEW STREET NAME APPLICATION FOR APPROVAL.**
191 **PROSPECT HILL CONSTRUCTION / LEONARD POLLARI.**

192 Mr. Marquise explained that the street name application is for the new subdivision off of Maple Street
193 and Beech St. There is a new road off of Beech St and Mr. Pollari would like to name it Saville Lane. Mr.

194 Marquise continued that Saville is the original name of Sunapee. The only concern with street names is
195 that they do not like duplications but he does not see any issues with this name. The Board needs to
196 approve the name and then it goes to the Board of Selectmen for their approval.

197 Tanner Royce made a motion to recommend the name Saville Lane to the Selectboard for acceptance
198 for Parcel ID: 0133-0107-0004. Kurt Markarian seconded the motion. The motion passed unanimously
199 and Vice-Chair Stanley signed the application.

200 **MYLARS**

201 Mr. Markarian explained that the Board will be signing the McCarthy subdivision on Lake Ave and the
202 application for the Schmidt / Neilson subdivision / annexation.

203 Kurt Markarian made a motion to adjourn at 8:06 PM. Tanner Royce seconded the motion. The motion
204 passed unanimously.

205 Respectfully submitted,

206 Melissa Pollari

207

208

209

210 Planning Board

211 _____

212 Peter White, Chairman

213 _____

214 Donna Davis Larrow

215 _____

216 Kurt Markarian

217

Robert Stanley, Vice-Chairman

Tanner Royce

Shane Hastings, ex-officio member