

HENNIKER PLANNING BOARD

Draft Minutes

April 14, 2010

Members Present: Terry Stamps; Leon Parker, Selectman, ex-officio; Rick Patenaude; Tom Howard, Alternate; Kellie Dyjak

Members Absent: Kristin Claire; Ed Miner; Jeff Roach

Others Present: Mark Fougere, Town Planner; Gerald Eisen; Kathryn Eisen; Leo Aucoin; Jennifer Astholz, Recording Secretary; Art Siciliano

Call to Order

Terry Stamps presided over the meeting in the absence of the chairwoman and vice-chairman. Ms. Stamps called the meeting to order at 7:04 pm.

Review and Approve 3/24/2010 Meeting Minutes

The minutes of the March 24, 2010 meeting were reviewed and corrected. Rick Patenaude **MOVED** to approve the minutes as corrected; Leon Parker **SECONDED** the motion. Motion **PASSED, 4-0.** (Ms. Dyjak arrived just after the vote was taken.)

Developments of Regional Impact (RSA 36:54): Mr. Fougere stated that there are no Developments of Regional Impact to be considered.

Public Hearings:

a) Amend Chapter 202, Land Subdivision Regulations, Section 202-8W. Driveway Access, by adding a new paragraph 3, "Prior to the construction of any driveway, an Application for a Driveway Permit shall be obtained from the Board of Selectmen".

b) Amend Chapter 203, Site Plan Review Regulations, Section 203-22 Traffic, by adding a new paragraph, "Prior to the construction of any driveway, an Application for a Driveway Permit shall be obtained from the Board of Selectmen".

Mr. Fougere stated that adopting these changes will update the Subdivision Regulations and Site Plan Review process to bring them into line with the Town policy that is followed. Leo Aucoin clarified that this means that driveway permits are obtained by the Board of Selectmen.

Mr. Parker **MOVED** to approve the amendments to Chapter 202-8 W of the Land Subdivision Regulations and Chapter 203-22 Traffic of the Site Plan Review Regulations as stated above. Mr. Patenaude **SECONDED** the motion. Motion **PASSED, 5-0.**

Mr. Fougere stated that the applicant for the next case on the agenda called and was held up in Deering. He asked to be heard later in the meeting. The Board agreed to proceed with other business and hear Case PB 2010-003 later.

Board Discussion:

a) Aucoin Gravel Pit – Grandfathered status

Mr. Fougere stated that Mr. Aucoin’s gravel pit was the last pit to be inspected this year. He stated that while most of the other gravel pits in town have grandfathered status, there were some questions about this one. Mr. Fougere stated that an “Intent to Excavate” permit has not been issued for a number of years. It had been thought that the pit may have been inactive; however, grandfathering status can be lost if it is not used for two years. Mr. Fougere stated that he walked the property last week, and it is obvious that material has been moved. There are others that can verify that as well. He stated that there is no RSA that requires an “Intent to Excavate” form be filed. If it is apparent that a gravel pit has been active, grandfathered status can be determined. Mr. Fougere’s opinion is that this is the case here. He stated that the “Intent to Excavate” form is really a tax document and is not a permitting issue. Those issues would be handled by the Board of Selectmen.

Leo Aucoin stated that the gravel pit is on property with shared ownership with his mother. He stated that the problem is that he has trouble getting the details of office paperwork done. He stated that he does not commercially sell material to the public but uses the gravel himself. He stated that less than 1,000 yards per year are pulled which is below the amount that is required for reporting to the State.

Mr. Fougere stated that the process is now when an “Intent to Excavate” form comes in to the office, the Town Assessor and Town Planner review the case before the form is signed by the Board of Selectmen. He stated that every grandfathered pit has been inspected and will continue to be inspected annually. If an issue is raised in the field, he will bring it to the Planning Board for review.

Mr. Parker **MOVED** to approve Mr. Fougere’s report and accept Mr. Aucoin’s pit as grandfathered. Kellie Dyjak **SECONDED** the motion. Motion **PASSED, 5-0.**

Member Binder Update: Copies of the Revised Zoning Ordinance were distributed to Board members.

Miscellaneous: Mr. Fougere stated that he will begin review of gravel regulations tomorrow.

c) **Case PB 2010-003: Cousineau’s Valley Chipping Co.,** Applicant, requesting site plan approval for the construction of a 5,000 square foot landscape supply store. The property is located at 1310 Old Concord Road, Lot 603, in the CH Heavy Commercial District.

Art Siciliano, applicant, arrived at 7:26 pm to present this case.

Mr. Siciliano stated that the applicant proposes to construct a 50'x100' building for a landscape supply business. Ample parking is provided with 19 total spaces (18 regular and one handicapped parking space). There will be rear access with overhead door for bringing supplies into the store. He described the leach field and well. Landscaping will be done in front of the store. He showed where they will store product on the site.

Terry Stamps asked how tall the building is planned. Mr. Siciliano stated it will be a one-story metal building with a pitched roof. Lights will be on either side of the door and by the overhead door. One sign was mentioned, although he imagines the owner will also put a sign on the building.

Mr. Fougere stated that the building permit process will take care of the sign. Hours of operation are Monday through Friday 6:00 am – 4:30 pm and Saturday 7:00 am – 12:00 pm.

Ms. Stamps called for questions from the Board members. Ms. Dyjak asked if the square footage needs to be added to the notes. Mr. Siciliano stated that he would add it to note #4. Several grammatical errors were found on the plans and will be corrected.

Ms. Stamps stated that only one parking space/500 square feet of building is required for a commercial business; therefore, only 10 spaces are required. Mr. Siciliano stated that he will ask his client if he would like to reduce the number of spaces. Mr. Patenaude suggested leaving more spaces for people coming in large trucks.

The Board reviewed the Site Plan Regulations in order to consider completeness of the application.

Mr. Siciliano stated that they anticipate minimal traffic impact along Old Concord Road. Tom Howard stated that this is already a heavy commercial zone. Mr. Parker stated that the applicant must be anticipating increased traffic to make this investment; however, he is not sure that it will make a significant impact to that heavy commercial area. Mr. Fougere stated that he does not believe that the increased traffic will impact the roadway based on the existing roadway conditions.

Mr. Siciliano stated that he will add setback distances to the plans. He stated that the lot is not in a flood zone and no wetlands are present.

Mr. Fougere stated that the plans were sent to the Highway and Fire Departments; however, no responses have been received to date.

Mr. Siciliano stated that the septic system has yet to be designed. He then showed the proposed locations of the dumpster and the snow storage placement. He will add these details to the plans.

Ms. Stamps asked for the size of lights to be added to the plans.

Mr. Siciliano stated that there will be no screening along the perimeter of the property; however, the area around the building will be loamed and seeded.

No waivers were requested from the Site Plan Regulations.

Ms. Stamps requested a sketch of the proposed building to satisfy the requirement of “first floor elevations”.

Drainage directions are shown on the plans. No water leaves the site since the area is all gravel. There is a catch basin by the office on Old Concord Road, but they said this was dry even after the recent heavy rains.

Ms. Stamps asked if there was adequate buffering. Mr. Siciliano stated that no buffering is really needed for this use in this area.

There was discussion about the steep portion of the property. Mr. Siciliano stated that the slope will be stabilized and seeded. The applicant will have to come back to the Planning Board to amend the Site Plan if they want to do anything else to that area. There is no concern about any additional water runoff.

Mr. Fougere stated that the planned disturbed area is greater than 100,000 square feet; as such, the applicant will need a site specific permit from the State. Mr. Siciliano stated that he understands that they will need to either file with the State or change the plans to avoid needing that permit.

Mr. Parker **MOVED** to accept the plans for Case PB 2010-003 as complete with the following conditions: 1) Various clerical edits made to the plans; 2) change parking requirements in the narrative and on the plans; 3) estimated range of traffic impact; 4) show distance of buildings from boundaries and setbacks; 5) show snow storage placement; 6) provide septic plans; 7) provide building profile; 8) DES permit (site specific permit, if needed). Ms. Kyjak **SECONDED** the motion. Motion **PASSED, 5-0.**

Ms. Stamps opened the public hearing at 8:01 pm. Hearing no comments from the public, the hearing was closed.

Ms. Stamps called for Board discussion. There was discussion about the need for actual floor plans or building elevation drawings. Mr. Fougere stated that he believes #15 of the Site Plan Regulations refers to the height of the building not the architectural elevation. The Board has the authority to ask for aesthetic plans elsewhere in the regulations (refer to Section 203-31 about building façade drawing).

Mr. Fougere suggested that approval could be considered pending receipt of written approval from the Highway and Fire Departments.

The Board discussed the options to either approve the plan with conditions or table making the decision until the conditions have been satisfied. Ms. Dyjak stated that she

would like to table it until the changes are made and responses from the Town departments are received. Mr. Howard stated that conditional approval would save time.

Mr. Patenaude stated that as long as nothing is wrong on the plans, a conditional approval should be sufficient.

Mr. Patenaude **MOVED** to approve Case PB 2010-003 pending satisfactory input from the Highway and Fire Departments and the conditions which were stated previously and listed as: 1) Various clerical edits made to the plans; 2) change parking requirements in the narrative and on the plans; 3) estimated range of traffic impact; 4) show distance of buildings from boundaries and setbacks; 5) show snow storage placement; 6) note location of septic tank; 7) provide building profile; 8) DES permit (site specific permit, if needed); 9) input from Fire and Highway shall be obtained. Mr. Parker **SECONDED** the motion. Motion **PASSED, 5-0.**

Mr. Siciliano requested that copies of any letters received from other Town departments be sent to him as soon as possible.

Other Business: Mr. Fougere stated that election of officers will be put on the agenda for the next meeting.

Ms. Dyjak **MOVED** to adjourn the meeting at 8:15 pm and Mr. Patenaude **SECONDED** the motion. Motion **PASSED, 5-0.**

Respectfully submitted,

Jennifer Astholz
Recording Secretary