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**Town of Henniker
Planning Board
Wednesday, April 22, 2020
Virtually on the platform Zoom**

Members Present: Chair Dean Tirrell, Selectman Representative Tia Hooper, Vice Chair Bill Marko, Dan Higginson, Ryan Haley, Scott Dias, Heidi Aucoin, Keith DeMour (alternative)

Town Planner: Mark Fougere

Recording Secretary: Kelly McCutcheon

Virtual Zoom Guests: Matt Ciardelli, Jim Dennis, Chad Branon, John Segedy, Jeff, Sue Kingsbury, Dave, Troy Phillips, Robert Coluccio, James Newcomb, Jan Hale, Carolyn, Bob Pagano, (207-232-3800), Dave Currier, Darren Black, Jeff McGloush, Mike French

1. Call to Order/Attendance/Pledge

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

Chair Tirrell read the following statement:

“Good Evening, as Chairman of the Planning Board, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of Town government and services, which are vital to public safety and confidence during this emergency. In accordance with Governor Sununu’s Emergency Order #12 pursuant to Executive Order 2020-04, the Henniker Board of Selectmen is authorized to meet electronically. As such, this meeting will be conducted without a quorum of this body physically present in the same location. We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1 646 558 8656 and the Meeting ID is 947 7768 2462, or by clicking on the following website address: <https://zoom.us/j/94777682462> We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the Town of Henniker’s website: www.henniker.org If anybody has a problem, please call 603-998-1492 or email at: townadministrator@henniker.org. At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being

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conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting. Please note that all votes that are taken during this meeting shall be done by Roll Call vote. Let's start the meeting by taking a Roll Call attendance. When each member states their name also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law."

2. March 11, 2020 Meeting Minutes- Review and approve

Vice Chair Marko moved to approve the minutes as amended. Selectwoman Hooper seconded. Motion carried 7-0.

3) Projects of Regional Impact

No Projects of regional impact.

4) Public Hearings

A. PBCase 2020:01 Proposed site plan for the construction of a bulk storage of heating oil, diesel fuel and propane. In addition, a public diesel fuel station is proposed along with a 2,100 square foot warehouse/office building, Old Concord Road, Map 1 Lot 549-G, Zoned CH Heavy Commercial, Applicant: MAC Milford Realty, LLC – Owner J and M Morse Trucking, LLC.

Selectwoman Hooper moved to accept the application as presented. Scott Dias seconded. Motion carried 6-0-1 (Higginson).

Matt Ciardelli of Ciardelli Oil is working to develop the site for J and M Morse Trucking, LLC and provided the Planning Board with a brief company history, current operations, and the proposed development of the 3.87 acres of land.

As previously stated in the February meeting J and M Morse Trucking would like to develop the site into a full-service facility with a 2016sq.ft. building serving as office and warehouse in addition to a 24-hour public diesel and propane fueling stations. The site will also store 90,000 gallons of propane in 3 30,000-gallon tanks; 40,000-gallons of heating oil; and [insert gallons] of diesel.

In regards to the meeting the requirements for a 50-year storm event, the project meets all local requirements and also submitted a lighting plan which emits no light pollution as part of the project design and proposes improved landscaping at the entrance and revisions for improving and controlling soil erosion.

Chair Tirrell asked for Board comments.

Keith DeMoura asked if the office building would be illuminated from the inside and asked about the lack of floor drains on the plan. At this time there is no floor drains proposed and the building might be illuminated from the inside during the holidays.

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Mark Fougere asked about the oil storage and if a permit was obtained from DES (Department of Environmental Services). Robert Coluccio responded that very detailed drawings of the plans were submitted to DES and meet the State regulations and stated how strict New Hampshire is with approving plans and will scrutinize every detail to ensure compliance.

Vice Chair Marko asked for someone to explain the diesel tanks as he would like clarifications. Chad Branon stated the plan includes a containment site and 2 2,000-gallon diesel tanks to serve the public as a diesel fueling station.

Chair Tirrell stated he had no issue with anything proposed as long as it is done in a progressive manner and special care is taken to prevent erosion and negatively impacting the wetlands. He stated the plans have engineer stamps, permits from DES, and there are many licensed professionals working on the project, and at the end of the day it is their company's name and reputation that will be in danger if proper runoff is not collected and allowed to disburse.

Vice Chair Marko asked Chad about the traffic count. Chad Branon of Field Stone Land Consultants, stated relative to erosion there is a full-scale erosion and sedimentation control section in the plan, and they are making sure the site will be stabilized to ensure no detrimental impacts to the immediate area or downstream. Regarding traffic control there is a summary in the plan relating to the anticipated business growth over the next 10 years and briefly reviewed the plan.

Public comment:

John stated it was a moot point but he had sent Mark Fougere a chat asking for permission to record the meeting so he can review it while writing his story.

Bob Pagano had a question but it had been answered.

Public comment closed.

Chair Tirrell stated he was pleased with what he has heard and the only thing he wants is to see extra care is given to ensure the site is stable.

Matt Ciardelli and Chad Branon stated phase 1 will complete all the storm water and water plans, buffer, and the propane storage and the except the office and tanks to be done by this winter. They also stated the oil may take longer depending on DES.

Keith DeMoura requested that local businesses be used in acquiring and completing construction as well as office supplies. Matt Ciardelli stated they are already working with a couple of local vendors and are big supporters in supporting local businesses.

Vice Chair Marko moved to approve the site plan for A. PBCase 2020:01 Proposed site plan for the construction of a bulk storage of heating oil, diesel fuel and propane. In addition, a public diesel fuel station is proposed along with a 2,100 square foot warehouse/office building, Old Concord Road, Map 1 Lot 549-G, Zoned CH Heavy Commercial, Applicant: MAC

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Milford Realty, LLC – Owner J and M Morse Trucking, LLC. Selectwoman Hooper seconded. Motion carried 6-0-1 (Higginson).

B. PBCase 2020:02 Proposed site plan for the construction of a 16,000 square foot industrial building for sheet metal fabrication and warehousing, Centervale Road, Map 1 Lot 548, Zoned CH Heavy Commercial, Applicant/owner: David Currier Rev. Trust.

Dave Currier gave a history of the land and what had been built years ago and moving forward what he would like to do with the land now.

Vice Chair Marko asked if there is 3-phase power in the location. Dave stated the brewery has it and cost them dearly. Keith DeMoura asked Dave if the fabrication shop had automated equipment that would be running unattended overnight. Dave stated there would be normal Sunday operation. It was decided the verbiage in item 7 regarding hours of operation will be amended.

Chair Tirrell asked Dave if there is room on site for the required 32 parking spots. Dave confirmed there is. Chair Tirrell stated he has no problem with the parking waiver for the required spaces as long as there is a covenant that if the spaces are needed, they will be installed. Dave stated he has no problem with that.

Public comment opened.

Bob Pagano stated regarding the hours of operation he thinks it is unwise to limit a business' hour of operation since they may land a contract that needs to be delivered in a short time frame and may have to work on the weekends on occasion. He does not believe their opportunities should be limited.

Public comment closed.

Chair Tirrell stated the only negative to working on Sunday would be the noise and asked what the noise ordinance is. Selectwoman Hooper stated the town noise ordinance is from dusk to dawn. Mark Fougere stated that businesses are exempt from the noise ordinance and are allowed to operate 24/7. Dave stated the worst noise pollution comes from the lumber company backing up their trucks at 2am.

Darren Black of Stonefall Gardens is the nearest abutter to the site and has no objections, but is concerned about night time noise. He stated as long as he is assured there will be no night time noise he has no objection.

Chair Tirrell stated as long as people use proper common sense and courtesy towards their neighbors, he has no issue with Monday-Saturday operations and could see Sunday operations if there is a big order to pack up. Chair Tirrell asked about lighting. Dave stated there is building lights on all 4 sides for security and to help the police when they preform their drive by building

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checks. He stated the brewery is required to have tons of lights to protect the beer and the taxes raised from the beer per the Department of Alcohol, Firearms, and Tobacco.

Selectwoman Hooper moved to accept the application with the verbiage for business hours amended. Ryan Haley seconded. Motion carried 6-0-1 (Higginson).

Dave stated he had a discussion with the Fire Chief regarding the existing building on the lot and offered it to the department to use for external training. Chair Tirrell stated that sounded good and asked about the sewer Dave plans to remove and what Dave will be doing with the well. Dave stated he is trying to figure out how to save the well and that the septic tank and the house were never used so he will be able to retrieve the septic tank as well as the electrical power as well.

Vice Chair Marko moved to waive the parking requirement for 32 spaces and approved 22 parking spaces with the covenant that any future changes of use would require Henniker Planning Board approval. Selectwoman Hooper seconded. Motion carried 6-0-1 (Higginson).

Vice Chair Marko moved to approve PBCase 2020:02 Proposed site plan for the construction of a 16,000 square foot industrial building for sheet metal fabrication and warehousing, Centervale Road, Map 1 Lot 548, Zoned CH Heavy Commercial, Applicant/owner: David Currier Rev. Trust. Scott Dias seconded. Motion carried 6-0-1 (Higginson).

C. PBCase 2020:03 Proposed site plan for the construction of an 11foot x 61foot ground mounted solar array, 88 Village Green, Applicant Revision Energy, Owner James & Bethany Newcomb Map 2 Lot 232, Zoned RV.

Selectwoman Hooper moved to accept the plan as presented. Vice Chair Marko seconded. Motion carried 7-0.

Mike French stated he is doing a ground mount because this house does not face the right direction for a roof mount and that there is about 100ft of woods from the proposed site to the nearest abutter in addition to meeting the setback requirements. On the north-west corner of the house the location for the shut meter will be installed by the current utility meters that would shut off the solar array in an emergency.

Selectwoman Hooper stated with the current aerial photo she would like to do a site walk to ensure no other trees were taken down. James stated all the trees that needed to be removed have been and that he was just out there this past week to see what the abutters could see, and stated one can barely make out the abutters through the trees despite their lack of leaves. He stated the Planning Board is welcome to come do a site visit.

Vice Chair Marko stated he did drive by the street and one can barely make the house out from the long driveway let along the proposed solar site.

Public comment opened.

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Jim Dennis is a neighbor and stated since moving in in October he has not seen their house from the street given the long driveway and has no problem with them building solar.

Bob Pagano stated he subscribes to a number of energy magazines and stated that ultimately the more people who install solar increase the energy rates for everyone else and stated how Germany pays the highest rates for energy despite being one of main solar producers.

James Newcomb stated that he is installing a 14kilowatt grid that will not cover 100% of his electrical needs especially since he is forgoing a storage battery. Somedays he will be giving energy to the grid and somedays he will be taking energy from the grid.

Public comment closed.

Dan Higginson moved to waive section 3-2 that the development will comply with all of the Henniker site plan regulations. Ryan Haley seconded. Motion carried 7-0

Ryan Haley moved to approve PBCase 2020:03 Proposed site plan for the construction of an 11foot x 61foot ground mounted solar array, 88 Village Green, Applicant Revision Energy, Owner James & Bethany Newcomb Map 2 Lot 232, Zoned RV; as presented. Scott Dias seconded. Motion carried 7-0.

5) Other Business
None.

6) Adjournment
Selectwoman Hooper moved to adjourn. Scott Dias seconded. Motion carried 7-0.

Adjourn at 8:45pm.