

**TOWN OF EPPING, NEW HAMPSHIRE  
PLANNING BOARD MEETING**

**THURSDAY APRIL 23, 2009**

**PRESENT** – Greg Tillman, Mike Morasco, Tom Dwyer, Jr.; Alternate Dave Crowell; Selectmen's Representative Karen Sott; Planner Clay Mitchell, Secretary Phyllis McDonough.

**CALL TO ORDER** – Vice Chairman Morasco called the meeting to order at 6:00 p.m., and appointed Crowell to sit in for Colby. Vice Chair Morasco wished Colby a speedy recovery.

**PUBLIC HEARING:** Site Plan architectural information  
Owner/Developer: Waterstone Retail Development  
Location: Calef Highway, **Map 036 – Lot 028**

Vice Chairman Morasco read notice for a Site Plan application. There were no abutters present.

Mitchell explained this is a vested approval with some changes. He stated the applicant is before the Board to bring the application up to date in terms of what will be going on the site as versus to what's already been approve.

Wayne Morrill from Jones & Beach and Doug Richardson from Waterstone Retail Development came before the Board to give an update on the architecturals on the buildings, landscaping, and to address the main building on the approved plan. Morrill explained the project was approved at 330,000 square feet and has been modified to 276,849 square feet. Morrill explained they were able to keep the landscaped islands and increased all trees on the islands and showed trees planted along the front of the major building.

Morrill explained the access drive has stayed the same as the original layout with a center turn lane so vehicles can get into a left turn lane. Morrill explained the design is more of a courtyard style development with concrete sidewalks and vertical granite curbs. Morrill explained there are three, twelve foot lanes to allow for continuous flow of traffic. Morrill showed the directional signs on the plan to direct people to the retail uses.

Selectman Sott asked Mitchell when he reviewed the changes in access and egress if he addressed the problems that happened at WalMart at Christmas. Mitchell explained the signage and the pass through lanes will help, and to also have the applicant sit with the fire and police to go over that issue to suggest having a detail officer on site during those busy times of the year.

Dwyer asked about the stop sign and the pedestrian access way to the site. Richardson showed the signs on the plan. Morrill explained the access drive will tie in with the Route 125 sidewalk and will provide a section into the retail from one to another. Dwyer asked if a travel lane be put in as far as a walkway from one business to the other. Richardson noted that will be provided.

Richardson showed the elevation of the entire site and the visual breaks of the buildings, and showed the lights, the covered roofs that are flat and pitched the pergolas, and an overhang to provide shelter from the weather.

Chairman Tillman joined the meeting.

Morasco reiterated Dwyer on the adequate pedestrian access to the site.

Selectman Jim McGeough came before the Board and congratulated the members for all their hard work on this project stating it is a big plus for the Town and noted that the board has done an excellent job and extended his appreciation to Clay Mitchell for all his hard work and dedication to the Town. The audience applauded.

Selectman Rene Archambault also congratulated the Board on all their hard work and a job well down on the project. Selectman Archambault noted that this project enhances a positive image of Epping, and also thanked Mitchell the Town's Planner for all his hard work.

Chairman Tillman questioned the entrance way extends from the entry to the last curb cut and asked how far that extends. Richardson explained it extends from the entry way to the last curb cut shown on the plan. Tillman asked if there are three entrance ways to the parking area. Richardson stated there are three at the front and showed where the crosswalks will be. Chairman Tillman asked about the entrance way at Burger King. Morrill explained there are two in and three out.

Morasco questioned how many cars can cue at Burger King. Morrill noted three or four. Morrill explained there is a second entrance being put in the back of Burger King.

Chairman Tillman asked Mitchell if there were any issues on the traffic flow. Mitchell explained there is an area in the front of the site, although noted with signage it will help. Morrill noted the cars coming out have a stop control.

Morasco explained there is a site in town where there is a problem with a stop control and asked that this issue be looked at. Richardson explained this site is not an exact layout as the site referred to by Morasco. Selectman Sott stated she felt the traffic is going to cue to the right and feels another lane is needed.

Chairman Tillman asked Richardson to give a comparison with this site to the Newington Mall and the WalMart site. Richardson explained it is about ½ the size of the Newington Mall and 20% larger than the WalMart site.

After a discussion on traffic flow Mitchell asked Richardson how much will be built on site after the meeting if approved. Richardson noted that the main building and one smaller building then a few will follow over the summer, and advised the Board they will meet with police and fire to discuss the project.

Mitchell advised to allow the first tenant to go in with the understanding that the applicant come back before the Board because the Board then will know if the site is going to function. Mitchell explained if the site is not functioning properly, the applicant will comply with new configuration and also based on fire and police input.

Chairman Tillman asked about the materials that will be used. Richardson informed the Board that the materials to be used on the structures are brick, ground face block, metal canopy, hardy plank, limestone, wood pergola, and clapboard, ground stone in brown base, metal roofs, real stone, and shed dormers.

The Board agreed the main building needs more architecture on the brick part of that building. Richardson assured the Board will speak to the buyer and will look into adding more architecture to that part of the building.

Selectman Sott reminded the board of the problem with the trees in the island dying at the WalMart site due to the snow plowing. Mitchell explained the trees will be clumped more together and the islands are wider at this site and should not be a problem.

Morrill briefly discussed pedestrian access to the site. Dwyer suggested to have the sidewalk to the north access go across to the retail and to take the sidewalk from 125 to the entire building. Richardson agreed and noted they will also have a sidewalk that will go in and around plantings shown on the plan.

Chairman Tillman asked how much of the layout approval is needed to move forward. Richardson showed on the plan what is needed and stated he would come back to the next meeting.

Morasco asked about dumpster placement. Richardson showed on the plan where they will be placed. Morasco asked about the trail system in the back of the building. Richardson stated he will work on that over by the back of Burger King as the rest of the area is wet.

Morasco moved, Dwyer seconded the motion to accept the plan. The motion carried unanimously.

Chairman Tillman moved, Morasco seconded the motion to approve the architecture, footprint of the larger buildings, the main parking area of the larger buildings; with the layout of the roads, and detail of traffic flow to be reviewed at a later time, before other tenants come in and subject to a review by police and fire. The motion carried unanimously.

**DISCUSSION:** Lowe's Update  
Parties: Carey Oak  
Location: Fresh River Road **Map 029 – Lot 283**

Carey Oak came before the Board to revisit the plan brought before the Board in October 2008 and at that meeting it was approved to have items under the canopy and in the garden center. Oak explained they will be moving the sheds away from the building out into the parking lot and will include highway trailers. She explained they would like to take 16 parking spots for the area in question from now until October and trailers will be moved into the garden center during the winter. Chairman Tillman asked if the area will be roped off. Oak explained they will not be roped off but will be in an alcove area, off to the side of the building. Oak explained there will be sheds, with the trailers in an angle in front of the sheds and an area for pedestrian traffic to view the displays.

Morasco asked if these are half or full sized sheds. Oak explained they are half sized sheds at the moment but would go to full sized sheds if approved. Morasco stated he would like the area checked out by the fire department if more of an area is needed.

Chairman Tillman stated it looks like the center area is being used. Oak explained it is which is the reason she called for Kramer to go to the site and walk with her to make sure everything is being done according to the site plan.

Chairman Tillman questioned if area E has already been approved. Dwyer noted this area was discussed and approved at the last meeting when Lowe's came before the Board.

Chairman Tillman asked Oak to explain the area she would like approval on. Oak explained it is area E is approved for sheds and trailers. Oak explained the coral would go up on a Saturday from 10:00am to 2:00 pm in the E area, which is approved where the highway trailers are to go.

Morasco explained the 16 space area can be played with at this time. He stated that Areas A, B, and C are approved until June 1.

The Chairman advised that Lowe's needs to come back before the Board for a public hearing on any further site changes.

**PUBLIC HEARING:** Site Plan – Al & Joelle Case (Al's Painting)

Owner: Alice Lavoie

Location: 250 Calef Highway, **Map 023 – Lot 035**

Chairman Tillman read a letter from Will Ralph, authorized person to speak on behalf of the property owner Alice Lavoie. Ralph explained they will be closing off the Elm Street access; replace cement barriers with a fence, large landscape stones or shrubs, a crushed rock parking area for Cases's vehicles, remove the unregistered van, and remove construction debris.

Selectman Sott informed Case that any removal of the jersey barriers is a Selectmen issue and advised Case to make an appointment to meet with the Selectmen. Selectman Sott asked where the large trailer will be put. Al Case explained it will be moved to the left hand side near the fireworks store and has not yet because of the ground being too soft.

Morasco asked where the dumpster is. Case explained it is out back but they have a hard time getting to it.

Crowell asked about the unregistered vehicle on the site and when it would be removed. Case's business partner stated he will have it moved in a week.

Mitchell informed the Board he met with the electrician and gave him two options regarding the signage lights.

Chairman Tillman asked about the type of fence. Al Case explained it will be a white vinyl privacy fence out by dumpster. Chairman Tillman stated he does not want to see a chain link fence.

Chairman Tillman stated there are to be no unregistered vehicle kept on site, and all company vehicles parked as far from road as possible on the new parking area.

Kramer noted the front of this site there area artificial flowers and cranes that look tacky. Case responded that Kramer should take a ride down Route 125 and look at some of those sites. Case noted he finds Kramer's opinion bias.

Morasco thanked Kramer for all his input on this site and for being the fore front on this site. Morasco also thanked Case for his business in Town.

Dwyer moved, Crowell seconded the motion to approve the shrubs or stones along Elm Street, gravel for parking area, and privacy fence for the dumpster. The motion carried unanimously.

**PUBLIC HEARING:** Site Plan Condo Building Phasing

Owner/Developer: Pearson Way Development Co., LLC  
Location: Mill Street, **Map 030 – Lots 017**

Chairman Tillman read notice for the Site Plan Condo Building Phasing.

Lou Sera came before the Board and explained he is looking for permission to do phasing for the construction at Pearson Way Condos which were approved in 2007, in order to obtain financing on condo's 50 percent occupancy is needed and if he is able to phase he does have 50 percent. Sera explained the first building is already occupied and the second building is almost built.

Mitchell explained this is a reasonable request and helps home owners. When this was approved there was no need to phase although had concerns on the finishing of the final pavement. Sera explained he is hoping by the end of the year he will have all four buildings up and noted there is no risk on the road as the binding coat is good forever and explained he will do the final pavement when the heavy equipment is out of the way.

Abutter Lee asked if the fence in the back could be removed. Sera noted he would look into that and does not see a problem.

Dwyer moved, Selectman Sott seconded the motion that building 1 and 2 be part of the first phase, building 3 part of second phase, and building 4 part of third phase. The motion carried unanimously.

**PUBLIC HEARING:** Site Plan & Special (Conditional) Use Permit

Owner/Developer: Seacoast United Soccer Club for additional parking & outdoor pavilion.  
Location: Shirking Road, **Map 035 – Lots 28 & 27.3**

Chairman Tillman explained the Board received correspondence from the Town of Fremont stating their concerns with excessive traffic and the degradation of Shirking Road.

Christian Smith explained the proposal is to add additional stalls, to erect a 40 x 84 open air pavilion and to expand the parking lot in the area of the existing parking lot. Smith explained this is to insure that no vehicles ever park on Shirking Road. Smith explained why a conditional use permit is needed is there were 209 square feet of wetlands to be filled, and that there is a DES permit for that.

Chairman Tillman asked Mitchell if he has any concerns. Mitchell stated he has no concerns with the additional parking and pavilion as this is what has been requested of the applicant.

Dwyer referred to the end of the parking lot and asked that those few spaces be removed so that traffic flows easier and no one gets trapped at that end of the parking lot.

A brief discussion ensued on lighting of the pavilion. Willis informed the Board that the lights on the site will light up the pavilion.

Chairman Tillman referred to the letter and explained he does not want to diminish the concerns of the Fremont Planning Board and noted that he does not feel that ordinary traffic of cars is not a significant wear and tear factor on a well constructed road. He stated there is increased traffic on the road and there are heavy oil trucks that travel the road, and does not feel this can be reasonably assessed by Epping.

Mitchell explained the Board does not have the authority to assess any off site impact fees, although can advise the applicant to meet with the Fremont Planning Board.

Dwyer moved, Selectman Sott seconded the motion to accept the plan. The motion carried unanimously.

Chairman Tillman noted that the Conservation Commission did see the wetlands permit and were satisfied.

Chairman Tillman moved, Dwyer seconded the motion to give an after-the-fact approval of the Conditional Use permit based on the lack of objection from the Conservation Commission with the minor nature of the wetlands. The motion carried unanimously.

Dwyer moved, Morasco seconded the motion to approve the plan for the open air pavilion 40 x 84 with a concrete floor and the additional parking to be configured with the traffic flow. The motion carried unanimously.

**MINUTES OF 3/26/09 FOR APPROVAL** – The minutes of 3/26/09 will be reviewed at the May 28<sup>th</sup> meeting.

**CORRESPONDENCE FROM APPLIEDORE ENGINEERING** – The Board agreed to invite the associate, Jennifer Viarengo to the next meeting.

**CORRESPONDENCE RE: THIBEAULT PROPERTIES & INVESTMENTS** – Mitchell explained Thibeault is acknowledging the support they have given to the Town and have asked that it be a substitution for further infusions of cash into the accounts which leaves a total due of \$10,000. Mitchell explained he spoke with Mark Nickerson to try and have a dry hydrant put in on the first loop of the Orchards, and Thibeault can work with Orchards to have it put in then everything will be complete.

Chairman Tillman moved, Dwyer seconded the motion to confirm the amount as being paid and accept the contribution as specified. The motion carried unanimously.

Mitchell explained he would contact Jones & Beach about his conversation with Mark Nickerson regarding the dry hydrant, and stated if there are any disagreements he will bring it back next month.

Chairman Tillman moved, Morasco seconded the motion to have Mitchell check with Jones & Beach on this issue. The motion carried unanimously.

**NH SOILS FOR A GRANT** -- Dwyer moved, Selectman Sott seconded the motion to approve Mitchell filing with NH Soils for a grant to inventory public open spaces in Town. Motion carried unanimously.

**SITE INSPECTIONS** -- Mitchell informed the Board he went on two site inspections, one was fine the other was not. Mitchell explained he brought Kramer out to the site that had problems and Kramer was to

follow up on this problem, and for Kramer to also communicate to the holder of the building permit that it is unacceptable and no further permits or inspections will be made.

**WATERGATE APARTMENTS** – Mitchell explained there is a water problem on site and will do a site walk. Dwyer and Selectman Sott asked to be included in this.

**SELECTMAN SOTT** noted that it's a pleasure to see what's going on behind Burger King, and stated the Boards need to all be kept in the loop to talk about their thoughts of what's going on in town. She highly praised the Board and Mitchell for all their hard work.

- **ADJOURNMENT** – The meeting adjourned at 9:30 P.M.

Respectfully Submitted,

Phyllis McDonough  
Planning Board Secretary

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