

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

THURSDAY MAY 28, 2009

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

CALL TO ORDER – Chairman Tillman called the meeting to order at 6:00 p.m.

DISCUSSION: Jennifer L. Viarengo and Bradlee Mezquita from Appledore Engineering came before the Board for a discussion. Mitchell explained he has worked with Appledore and finds them to be exceedingly competent. Mitchell explained what would be expected of an engineering firm if brought on to assess projects.

Chairman Tillman noted there is a new project coming into town and the Board has some review responsibilities in addition to code enforcement and asked Mitchell to explain.

Mitchell explained the board reviews the drainage facilities done on public roads during construction process, and similar “outdoor” issues, and stated other parts of the approval are left up to the code enforcement officer. Mitchell explained the board likes to have a third party to do milestone inspections and to respond to specific concerns in case anything becomes complicated. Mitchell explained during a major construction process a third party is to make sure everything is being constructed in accordance to the approval.

Mezquita explained Appledore has in-house engineers that are erosion control certified, licensed and septic certified and provide a follow-up punch list to the Town.

Morasco asked where the delineation is before a CO is issued. Mitchell explained code enforcement along with the planning office will handle all the issues before the CO is given.

Chairman Tillman asked if Kramer will be working with an engineer. Mitchell explained Kramer will be working with a structural engineer on the building reviews for code compliance and a third party fire suppressionist.

Dwyer asked about payment for the services. Mitchell explained all fees for third party are paid by the developer.

Chairman Tillman asked how many visits would be needed at the site. Mezquita explained it would start with a pre construction meeting erosion control when it’s in, among other issues and the final punch list.

Mitchell asked if they have done this type of work by other municipalities. Mezquita noted they have worked for numerous surrounding towns.

Morasco asked for references to be sent to Mitchell. Mezquita and Viarengo agreed.

Dwyer asked if this project can be assigned to Appledore. Mitchell said that was possible, and explained the board needs have available more than one firm in case of conflict.

Mezquita and Viarengo thanked the Board.

DISCUSSION: Seth Hickey (Skate Board Park in Town)

Seth Hickey and Johana Comeau came before the Board to discuss building a skate board park in town. He informed the board the goal is to raise \$50 to \$75 thousand dollars through fund raising and grant funds for the project. Hickey explained they hope to utilize some town property for this outdoor venue. Hickey explained they are looking at a few structures such as concrete or wooden. Hickey informed the board they are looking for an area to have multi purposes other than just a skate board park such as a playground, and area to barbeque, etc.

Selectman Sott asked if this park will be supervised by the Rec. Department or a fee to use it. Hickey explained if they charge fees it would involve some liability. He explained it needs to be somewhat central and would be offered for those outside of Epping also. Hickey explained there would have to be something worked out with the police for monitoring.

Morasco asked if the Rec. Department would maintain the park. Hickey noted they would.

The Board thanked Hickey and Comeau and noted they were pleased with the idea.

DISCUSSION: Motor Sports 101
Owner/Developer: NM Cook Development, LLC
Location: Rt. 125/Main Street **Map 029 – Lot 90**

Miles Cook came before the Board to discuss a request for outdoor displays on his site. He noted that the ordinance for recreational vehicles have changed which allows limited outdoor display with the Boards approval. Cook explained if allowed he would be looking to display up to 20 vehicles during the hours of operation, Monday through Friday, 9:00am to 8:00pm, Saturday 8:00am to 5:00pm, Sunday 9:00am to 3:00pm.

Mitchell informed the board there have been enforcement issues on this site and he suggested to Cook that he come before the Board.

Dwyer asked for dimensions on the proposed display area. Cook explained it would be 10' x 70' right in front of the building and the grass area would be 10' x 100'. Dwyer asked what type of vehicles. Cook explained only the products they sell.

Morasco asked if the bikes would be parked on the sidewalk. Cook explained he could put down gravel or crushed stone but is happy with the grass that is already there.

Chairman Tillman noted he does not like outdoor displays and would not be in favor of supporting the request. The Chairman also advised Cook to make sure pedestrian access is available on site.

Chairman Tillman noted that Auto Sports is putting vehicles out on their driveway and to have Kramer look at that site.

Colby stated he wouldn't have a problem with a very limited amount of display.

Selectman Sott stated she is not in favor of vehicles displayed by road and asked to have the display area more toward building.

Cook asked the board what kind of plan they would like him to bring at the next meeting. Plan needs to be extremely detailed with fencing, how many vehicles and where they will be on the site. Cook thanked the Board and left the meeting.

DISCUSSION: Grading & Landscape Plan
Owner: Cindy McCusker
Location: 49 Holt Road, **Tax Map 27 – Lot 52**

Cindy McCusker came before the Board to discuss landscaping on her project. She noted she would like to do something with her back yard approximately two acres although was not sure if she would be ready to do this until the fall and then was informed it may have to be done in the spring.

Chairman Tillman explained the Board has jurisdiction over excavation and noted this will not be an excavation but a landscaping project.

Mitchell noted the person doing the grading can offset the expense by using the materials. He explained if there's

a concern if it's an excavation or landscaping is how long does it go and how active is it and if it's sporadic over a time while the person can extract funds from it so the landowner doesn't have to pay a lot for it, need to have something on record so that if people complain the board can say that it is not an excavation.

Chairman Tillman advised McCusker to call before she starts and if she feels the project is going on longer than a month she would need to come back before the Board.

Dwyer and Morasco noted they felt more time would be needed to finish the project.

Dwyer moved, Colby seconded the motion if the project is started any time within a year she should call planning office to indicate the start date, and she would have three months from the start date to complete the project and if not finished to come back before the Board. The motion carried unanimously.

DISCUSSION: Christen Smith (Beals Associates)
Owner: Farnese Construction
Location: Shirking Road, **Tax Map 35 – Lot 29**

Christen Smith came before the Board and explained DES wants to cut pavement shown on the plan, and stated there will be a six foot landscape with a small retaining wall instead of guardrail in the corner where it previously was. He noted that he spoke with the fire department and they had no issues with this change. Smith asked if the Board will allow this as an administrative change on what DES has asked for or does the plan need to come back before the Board.

Dwyer asked if pavement was reduced. Smith noted they removed approximately 45 feet, and will have 800 square feet of wetland impact instead of the 22 hundred square feet as first noted.

Smith explained the landscaping will be the same, and the garage door will be in the same place.

Dwyer moved, Morasco seconded the motion to approve the administrative change. The motion carried unanimously.

DISCUSSION: Preliminary Conceptual Will Ralph
Owner: Alice Lavoie
Location: 250 Calef Highway, **Map 023 – Lot 035**

Patty Monk came before the Board with her proposal. She explained she is looking to occupy Al's painting in August with a Moe's take out sub shop. She informed the Board she would like to be open from 9:00am to 6:00 pm, and the weekend 9:00am to 4:00pm. Monk explained would like to have a small sign and may have a small dumpster. She spoke about the traffic and stated it is usually in and out traffic

Chairman Tillman asked about parking. Monk explained she wants to work with her abutters on the parking and reiterated she doesn't see a problem in creating an adequate parking plan.

Morasco explained what has to be noted on the plan, parking spaces, dumpster, signage, lighting, and to meet with Mitchell beforehand.

Dwyer noted there may be a problem with the traffic with four different entrances and asked that in and out be delineated.

Monk stated she has no problem delineating the in and out of the site and asked for help from the Board. Mitchell noted he will meet with the applicant on this issue.

Monk thanked the board and left the meeting.

PUBLIC HEARING: Amended Site Plan

Owner/Developer: Lowe's

Location: Fresh River Road, **Map 029 – Lot 283-001** – Ltr. from Fire Chief

Chairman Tillman read notice of the hearing. Abutters present: Bob Goodrich and Will Mailhot.

Carey Oak came before the board with an update on the Lowe's site. She reminded the Board that areas C & A have already been approved with areas B & E on a trial basis. Chairman Tillman noted area B is a proposal for storage in front of the front entrance. Oak explained there's 50 feet shown on the plan from the corner toward the exit where there are more grills. Chairman Tillman stated he felt there are pedestrian issues.

Mitchell spoke about the area at the no parking fire lane being used as a loading zone, and stated this area needs to be accessible for pedestrians and for the fire department.

Morasco explained to Oak to take away any merchandise where there is no parking fire lane and could add to the right and left of that section.

Morasco moved, Dwyer second the motion to approve the area from the exit door to the corner 50 feet on right for storage and merchandise for sale, and area B as shown on the plan in the square with a 50 foot setback, five feet deep between the corner and the exit, and 50 foot wide area to the edge of the road compliant with any fire access. The motion carried 4 – to - 1 with Chairman Tillman opposed.

Oak explained area F is currently authorized for two pallets from the back of the building and is looking for 4 pallets of 16' x 450' across the entire back of the building, 12 feet out from fence area against Acre Street 600 feet which runs to the loading dock, and 16 feet out with 28 feet in the middle.

Chairman Tillman read correspondence from the fire department noting they have no problem with the displays in the front of the building.

Abutter Bob Goodrich asked if Lowe's was supposed to unload in area F and if so he does not feel there is enough room and stated they are currently unloading in area E.

Abutter Will Mailhot asked if the pallets could be on the inside of the tall fence and then noted there are still dead shrubs that need to be removed. The secretary explained she will follow up with the site manager to inform him of the shrubs.

Mitchell explained the fire department needs to be aware of the back of the building for access and materials and then to comment back to the Board. Mitchell advised Oak to contact Mark Nickerson at the fire department.

Morasco asked Oak to look at taking care of the pallet situation in the back of the building.

Chairman Tillman asked about area F. Oak explained empty plant racks, two empty tractor trailers for appliances and the other for pallets, pellets, tractors that are in crates, and a box of lumber.

Dwyer moved, Morasco seconded the motion to continue area F until the Board hears from fire department on the back area of the building. The motion carried unanimously.

Chairman Tillman addressed area E. Oak explained they have been utilizing the parking spaces with landscaping, rock, soils, mulches and other size other goods on racks, and bagged goods to go where the 14 parking spaces are.

Abutter Bob Goodrich noted his concern with materials stacked on both sides leaves a very narrow area there is no entrance. Goodrich explained it was approved previously for his vehicles to go through back accesses to Fresh River Road.

Chairman Tillman asked how long it is to offload a truck. Oak explained to offload takes approximately 15 to 20 minutes and will make sure when the offloading is in progress they move to one side. Oak explained she did not

realize it was an issue.

Morasco explained he does not have a problem with live goods up against the building and the bag area will stay inside the parking spaces.

Mitchell advised at looking at the site with Oak to help for a better operation of the site. Mitchell and several board members expressed a sense of frustration that despite extensive work and consultation when the Board reviewed and approved the original site plan several years ago, there now appear to be large, previously undiscussed, outdoor storage requirements.

Morasco moved, Colby seconded the motion to allow section E remains for an additional month. The motion carried unanimously.

Morasco moved, Colby seconded the motion to continue the approval of section D, E & F for one more month with further input from the fire department and consultation with Mitchell to attempt a more comprehensive design. The motion carried unanimously.

Oak suggested as a good neighbor to move the trailer down the tall fence area would be outside of the gated area and asked if that would be approved for another month. Mailhot stated that would be fine and reiterated his main concern is the shrubs out back.

Dwyer moved, Chairman Tillman to continue the hearing to June 25. The motion carried unanimously.

PUBLIC HEARING: Site Plan – outdoor seating area to replace drive-thru

Owner/Developer: Rick Gadway (Eppi Center)

Location: 96 Calef Highway, **Map 029 – Lot 287** – Ltr. from Fire Chief

Chairman Tillman read notice of the hearing. There were no abutters present.

Rick Gadway came before the Board with his request on the cigar shop at the Eppi Center site. He explained he would like to close off the drive thru, fence it off, put in a raised patio to have outdoor seating, and noted they will add more shrubbery for landscaping. Gadway explained the area will be 10' x 40' which is still enough area for an emergency vehicle to pass through.

Mitchell stated he feels this is a good idea.

Morasco stated he likes the idea but has a problem with the access to the site being very restrictive and can't see voting for the proposal as far as trying to get an emergency vehicle through the area. Morasco read correspondence from Mark Nickerson at the fire department who stated was not in favor of the idea.

The Board noted they would like to do a site walk and suggested Mark Nickerson be involved. Gadway concurred and thanked the Board.

Morasco moved, Colby seconded the motion to continue the hearing to June 11, 2009. The motion carried unanimously.

PUBLIC HEARING: Site Plan, to construct a 40'x 90' steel building within the middle of the 77 acre parcel. Conditional Use permit from Article 10, Wetlands Ordinance.

Owner/Developer: Sig Sauer, Inc.

Location: Exeter Road, **Map 038 – Lot 003**

Chairman Tillman read notice of the hearing. Abutter present: Deborah Roberts.

Jonathan Ring from J & B accompanied by Jeff Chierepko from Sig Sauer came before the Board with the

proposal of a 3,200 building out in the middle of the property. Ring explained there are 16 spaces for parking proposed, an onsite well and onsite leach field. He informed the Board they will use wall packs for lighting. Ring explained they are requesting a waiver from Section 30 storm drainage, and no trees will be cut in the vicinity of the wetland buffer. Ring explained they are also looking for a Conditional Use Permit for the access gravel drive.

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

Mitchell explained he has no issues with the building but would like to know the uses for the building.

Chierpko explained the proposed building will be used for storage, classrooms, bathrooms, and stated there will be no shooting in the building.

Chairman Tillman asked if there will be shooting from under the overhang. Chierpko advised there could be some shooting from under the overhang.

George Harris, Director of Training joined the hearing to show, on the plan, the engineering ranges on site.

Selectman Sott noted she has never been to the site and asked if the hearing could be continued so a site walk could be done. The Board agreed.

Morasco asked if the upper deck could go inside of the building what would the costs be. Chierpko noted it would be very expensive. Morasco explained the board would like to see most of the shooting take place inside.

Chairman Tillman noted that any time this facility expands that Sig should consider how to reduce the overall impact of the facility to the neighbors, whether it could be done by eliminating the upper deck or any other options.

Dwyer moved, Colby seconded the motion to continue the hearing after the site walk, to June 25, 2009. The motion carried unanimously.

Deborah Roberts explained to the Board that approximately two months ago she made a complaint to the code enforcement officer on an issue and Kramer asked how the noise was at Sig Sauer since the fence went up. Roberts informed Kramer that fence has not alleviated the noise. Roberts stated the whole process with Sig needs to go back to enclosed shooting or that Sig needs to buy out the whole neighborhood.

MINUTES OF MARCH 26, 2009 FOR APPROVAL – Morasco moved, Chairman Tillman seconded the motion to approve the minutes as amended. The motion carried unanimously.

MINUTES OF APRIL 23, 2009 FOR APPROVAL – The Chairman noted these minutes will be discussed at the June 11, 2009 meeting.

NOTICE OF DECISION FOR WATERSTONE DEVELOPMENT, MAP 36-LOT 28 (FOR APPROVAL) -- The Chairman noted this issue will be discussed at the June 11, 2009 meeting.

APPROVAL OF CLAY MITCHELL'S CONTRACT FOR PROFESSIONAL SERVICES Chairman Tillman moved, Selectman Sott seconded the motion to approve Mitchell's contract, which remains unchanged except for the dates from the previous year. The motion carried unanimously. Mitchell explained he has not raised his rates in six years. The Board as a whole thanked Mitchell for all his services.

CENTURY OAKS BOND #K07617914 (RIDER CHANGE) – Dwyer moved, Colby seconded the motion to discuss this item at the June 11, 2009 meeting. The motion carried unanimously.

HAMILTON HEIGHTS WHO IS RESPONSIBLE FOR STREET LIGHTING – Mitchell explained the Homeowners Association is responsible for the lights not the Town, and that they are outside the Town's right-of-way.

BONER LANDSCAPING, \$400.00 BILL (MULCHING & RAKING TOWN HALL, 11/3/08) – Chairman Tillman moved, Dwyer seconded the motion to pay the \$400.00 bill to Boner Landscaping. The motion carried unanimously.

Chairman Tillman asked Mitchell or McDonough to contact the landscaping company to see if he will grade out the area by the driveway on Rt. 27.

Mitchell made note and explained he will get quotes for hydroseeding.

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

Respectfully Submitted,

Phyllis McDonough
Planning Board Secretary

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