

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

THURSDAY January 14, 2010

PRESENT – Greg Tillman, Steve Colby; Tom Dwyer, Mike Morasco; Alternate Dave Crowell; Planner Clay Mitchell; Secretary Phyllis McDonough.

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

DISCUSSION: Steve Colby – Workforce Housing

Colby informed the board he attended a meeting on workforce housing, and distributed to the board information he received. He explained there were three towns that had success of the ordinance passing, due to the fact there was significant education on this project.

Chairman Tillman asked that this discussion be held off until the end of the meeting when they discuss the ordinances, and thanked Colby for bringing the information forward to the board.

DISCUSSION: Extension on permit

Owner/Developer: Emma Gomez

Location: Red Oak Hill, **Map 9 – Lot 16**

Jean Vaughn accompanied by the Gomez's came before the Board with their request. Vaughn explained they are before the Board for an extension on the permit for the Red Oak Hill approved subdivision.

Mitchell explained this is a development that was approved under the Town's regulations, and stated the plans are consistent with what was approved at that time. Mitchell explained it would be an unnecessary burden to have the applicant back to go through the same process where they would get the same result. Mitchell advised the extension would be a year from the previous extension which was September 2009.

Dwyer suggested extending the permit to December 2010, stating if the permit is only extended to September of 2010 and any work was to start the applicant would end up having to come back before the Board.

Dwyer moved, Morasco seconded the motion to extend to the permit to December of 2010. The motion carried unanimously.

DISCUSSION: Dave Kennedy

Location: 15 Church Street, **Map 29 – Lot 244-001**

Kennedy came before the Board with his proposal on the building at 15 Church Street. He explained the intent is to block off the driveway entrance to use as a courtyard. Kennedy explained he met with Deputy Fire Chief Mark Nickerson who stated he didn't see a problem with the new proposal, although would like to have the exit/entrance way with a gate at the courtyard.

Dwyer noted when this proposal comes back for public hearing he would like to see the parking area where

employees use, marked as employee parking only. Kennedy agreed.

Dwyer requested curbing at the Grail entrance on Main Street curbed on both sides of the entrance.

Morasco explained when this comes back to the board for the public hearing the board will discuss lighting, noise control, hours of operation, etc.

Chairman Tillman asked how late this facility if approved will be open. Kennedy explained he is looking at 9:00pm for closing, stating that's when the kitchen at the Grail closes. Chairman Tillman informed Kennedy he will be strongly looking at those hours.

As there were no further questions or comments, Kennedy thanked the Board.

DISCUSSION: Angela Tessier (complaint)
Location: 15 Depot Road, **Map 27 – Lot 185**

Angela Tessier came before the Board with a concern on an excavation a site at 15 Depot Road, and submitted photos of the site to the Board. She explained this disturbance to the site has been going on since it started in 2006, and noted that her well is 30 feet from this excavation and it has been ruined. She also explained with this work being done she fears for her children's safety due to all the truck traffic and the large hole on this site. She stated she spoke with the building inspector and then spoke with Mary Pinkham Langer from the state.

Mitchell explained there is nothing documented in the enforcement file on how this happened or any inspections on this site, nevertheless it needs to stop.

Tessier stated the Board of Selectmen issued an excavation permit. Mitchell explained it is not an excavation permit, what was filed was a notice of intent to excavate.

Chairman Tillman explained the Board cannot make the home owner tear down what has already been done, therefore need to move forward and will get a letter to the DES.

Dwyer, referring to the notice of intent, stated this was tabled and never approved by the Board of Selectmen.

Mitchell explained this should come back before the Board, but in the meantime they need to cease all excavation until it does come back. Mitchell agreed he will do up a letter to the DES to review the project and take whatever steps needs to be done. He explained in terms of retroactive enforcement he is not clear on what will happen and will have to do some research on this issue. Mitchell explained he would need to talk with town attorney and the town administrator to look to see if a reclamation plan needs to be done.

Tessier thanked the Board.

DISCUSSION: Route 125/101 Investments, land behind WalMart

Rob Graham representing Realty Acquisitions and Joe Coronatti came before the board with the proposal on the Industrial park behind the Epping Crossing retail development. He stated there are a series of pads some

of which are encompassed by the goal of the Town to purchase land and two that remain, one of which will be discussed. Graham explained one is 100,000 square feet and the other is 35,000 square foot pad. Graham referred to the plan and noted what will be discussed is Lot G which is 24,000 square feet. Graham asked the Board if they would need to come back for a site plan hearing to allow a fuel distribution use on the site or treat it with a building permit.

Graham referred to the site plan noting two fuel tanks, large trucks, and small traffic volume for the distribution of propane gas.

Chairman Tillman asked if this was what the Board approved in 2009, as it doesn't look like what was approved. Graham explained they are working inside of a development area that is unencumbered by what would be a transaction that is on the warrant for Town to purchase land and wells that take up approximately 60 acres of land. Graham explained the lot being discussed is encompassed by the approval that was given which would homogenize the two lots.

Chairman Tillman asked about the size of the tanks and trucks. Coronati explained the there are two types of trucks, 18 wheelers and carry about 9,000 gallons which takes about three trucks to fill up. Coronati explained the tanks are approximately 65 feet long and the type expected on this site are 9 feet in diameter that sit about 3 feet above ground on a concrete pad. Coronati explained the bob tails will visit the site more there will be two, 30,000 gallon propane tanks surrounded by fence for the trucks with very low traffic during the summer time. Coronati explained all that is needed on site is a fence and one light for the drivers to see when loading fuel at night.

Dwyer questioned if the road was going to be improved. Coronati stated that is not the intent to improve the roads as they are paved. Dwyer noted with the size and amount of trucks would that road be able to handle this and who would maintain it.

Graham explained the engineering of this road, the traffic, trips have already been approved. He explained the jurisdiction of the propane tanks come under a building permit.

As there were some many questions, the Chairman advised the proposal come back for a public hearing.

PUBLIC HEARING: Sign application

Owner/Developer: OR Gooch & Son

Location: 539 Calef Highway, **Map 011 – Lot 010**

Abutter present: Joseph Chase for the Chase Family Trust.

Walter Gooch explained the proposal is to put a sign up that is within the regulations of the Town. ?? explained there is a waiver request to 16 square feet of area to list the tenants on the sign the print would be so small they felt it would be a hazard to people trying to read the sign. Gooch explained the sign will have lights from the ground and will be made with PVC material. Mitchell explained the regulations states if five or more tenants a waiver can be applied to increase the size of the sign. Mitchell explained he does not see a problem and informed the applicants the Towns regulations require externally lit signs to be lighted from above.

Morasco moved, Dwyer seconded the motion to approve the sign application and waiver. The motion

carried unanimously.

PUBLIC HEARING: ZONING AMENDMENTS

Article 6, Supplementary Regulations for certain uses:

- **6.9 MULTI-FAMILY HOUSEING USE REGULATIONS**

Dwyer moved, Colby seconded the motion to recommend Article 6 Section 6.9, to strike paragraph three, **“The Planning Board has reviewed and found no objection to the proposed development”**. The motion carried unanimously.

Article III, Schedule II Industrial/Commercial Zone:

- **3.9 FLEXIBLE USE DEVELOPMENT**

Dwyer moved, Colby seconded the motion to recommend with the change to paragraph seven **“with respect to energy expenses and supporting facilities that may not be located within immediate proximity of these developments”**. The motion carried unanimously.

MINUTES OF DECEMBER 10, 2009 FOR APPROVAL – Morasco moved, Dwyer seconded the motion to approve the minutes. The motion carried unanimously.

INVOICES FOR PAYMENT –

Mitchell informed the board of invoices and account reconciliations that should be made.

- Seacoast United: The escrowed funds should be transferred to the Board of Selectmen for the work completed on the roadway. He advised a full account balance transfer.

Morasco moved, Dwyer seconded the motion to transfer the funds. The motion carried unanimously.

- NH Soils Consultants: This invoice is for extra work on the PREP project to inventory and inspect our conservation lands. The amount should be paid out of the consultant budget and reflects the work we asked the consultant to do beyond the \$5,000 grant.
 - \$401.53 from Planner/Consultant line of the budget.

Morasco moved, Chairman Tillman seconded the motion to pay \$401.53 to NH Soils Consultants.

- Jones and Beach: the final bill for the Riverpark project should be paid from the Core2 account for the work on DES compliance and Shoreland Protection compliance.
 - \$1902.32 from the Core2 account.

Chairman Tillman moved, Morasco seconded the motion to pay the \$1902.32 from the Core2 account. The motion carried unanimously.

- Appledore Engineering: Billing for the inspections and punch list oversight for the drainage, erosion, and site plan inspections for Waterstone. The escrow is in place to cover this amount.
 - \$1744.85 from the escrow for Waterstone Retail Epping, LLC. Bill for Appledore Engineering.

Dwyer moved, Colby seconded the motion to pay the \$1744.85 from the escrow account. The motion carried unanimously.

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ADJOURNMENT: The Board agreed to adjourn at 7:45 pm.

Respectfully Submitted,

Phyllis McDonough
Planning Board Secretary

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