

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
FINAL MEETING MINUTES
Tuesday, July 5th, 2022**

Present: Mark Varney—Chair; Barbara Randall; Gary Tillman; Roberta Witham; Lorrie Carey—Alternate Ex Officio

Excused: Loren Martin—Vice Chair; Rhoda Hardy; Paul Dickey—Ex Officio

Staff Present: Kellee Jo Easler—Planning & Community Development Director; Kearsten O'Brien—Deputy Planning & Community Development Director; Kara Gallagher—Planning & Community Development Clerk

Guests: William Murphy—Penacook Boscawen Water Precinct Commissioner; Tom Berkeley—Riveredge Properties; Jeff Burd—Engineer for Riveredge Properties; Mark Sargent—Richard D. Bartlett & Associates, LLC

Chair Varney opened the public meeting at 6:30 p.m.

PCD Clerk Gallagher completed roll call.

Minutes:

The Board reviewed the minutes from June 7th, 2022. Mr. Tillman requested several changes:

- Line 65 and 66, insert “They went outside of the bounds by 3.35 acres.”
- Line 66, remove “an additional 16.5 acres for a total of”.
- Line 166, insert “and” between on and off.
- Line 236, change “Heating” to “Hearing”.

Mr. Tillman motioned to accept the draft minutes as amended. Seconded by Mrs. Randall. All in favor. None opposed. Ex Officio Carey abstained.

Old Business:

Continuation of Conditional Use Permit and Amendment to the Excavation Site Plan for Map 47 Lot 6:

Chair Varney reopened the Public Hearing at 6:37 p.m.

Chair Varney invited Mr. Murphy from the Penacook Boscawen Water Precinct to speak to the Board. Mr. Murphy said that Ryan Audley and Tim Bernier met with the Water Precinct at their latest meeting. He explained what the group discussed. The Water Precinct said they would like to have a tank inspection and a blasting seismograph done. All were in agreement. He shared that

Mr. Audley and Mr. Bernier were having a study done by a geologist to see which direction the vibrations will go when the gravel pit begins blasting. After their meeting, the Water Precinct feels much more comfortable with the gravel pit. Once they receive the tank inspection and blasting seismograph the Water Precinct will see if any further action needs to be taken on their part. They are still waiting on a copy of the geologist's report. Chair Varney asked if the Board had any questions. Ex Officio Carey asked if the Water Precinct will be paying for the tank inspection. Mr. Murphy said no, Mr. Audley will be responsible for covering that cost. PCD Director Easler offered to send Mr. Murphy a copy of Underwood Engineers report when she receives it.

Chair Varney closed the Public Hearing at 6:41 p.m.

Chair Varney stated the Board has not received any paperwork from Mr. Audley or Mr. Bernier since the June meeting.

Chair Varney motioned to continue the Public Hearing for the Amendment to the Excavation Site Plan to a date certain of August 2nd, 2022. Seconded by Mr. Tillman. All in favor. None opposed.

Compliance Hearing regarding Site Plan Review for Map 81D Lot 35:

Before the public meeting began, David Kenney, brother to owner Gary Kenney, dropped off paperwork with information of cars listed on the property and in the trailers. Gary Kenney was not present at the meeting. Chair Varney asked if there had been any communication from Mr. Kenney since the June meeting. PCD Director Easler said she has had contact with Mr. Kenney and his lawyer. Chair Varney explained to the Board that PCD Director Easler had not received the documentation to support their questions regarding whether the trailers on the property had to be removed and what was in the trailers.

Chair Varney motioned to continue the Compliance Hearing to a date certain of August 2nd, 2022. Seconded by Ex Officio Carey. All in favor. None opposed.

183D 16 1 Update:

PCD Director Easler said Underwood Engineers sent the bond estimates: \$600,000 for the infrastructure and \$5,000 per lot for 3 lots equaling \$15,000. Mr. Berkeley requested 4 lots instead of 3, so that bond would change to \$20,000. Mr. Burd explained that he had sent his first bond estimate of \$450,000 to Underwood based on contractor pricing. Underwood thought that number was too low and preferred that he based the bond estimate off of NHDOT unit prices. The second bond estimate that Mr. Burd sent was bumped up to \$512,000. Mr. Burd made the plea that \$600,000 is on the high side and would like to see the Board to approve closer to the \$512,000 estimate, although he understands that the Board will rely on Underwood's recommendations. Mr. Burd also said that Mr. Berkeley will be providing a letter of credit. They would like to know how quickly the releases are and if releases can be made monthly. PCD Director Easler said that is something that Underwood would recommend. Tonight's meeting will be to either approve or disapprove the bond amounts. Once the bond amounts are approved,

Chair Varney will need to sign the plans and be taken to the registry for recording. Legal will also need to review the language of the bonds. After these tasks are completed the preconstruction meeting can be scheduled. Mr. Berkeley stated that he will update the construction schedule. Chair Varney asked the Board if there was any discussion. Ex Officio Carey said she would like to take Underwood's recommendations. Chair Varney stated that Public Works Director Dean Hollins looked over Underwood's recommendations for the bonds today and he was also in agreement with their estimate.

Mr. Tillman motioned to approve the \$600,000 and \$5,000 per lot bonds, with approval by legal. Seconded by Mrs. Randall. All in favor. None opposed.

PCD Director Easler requested that Mr. Burd send her the original letter of credit for legal to review.

Mr. Tillman motioned to allow Chair Varney to sign the plans outside of the meeting. Seconded by Ex Officio Carey. All in favor. None opposed.

PCD Director Easler asked if the Board was comfortable with having herself and PW Director Hollins be present at the preconstruction meetings as administrators. All were in agreement. Chair Varney said if he is available he would like to also be present.

New Business:

Application for a Lot Line Adjustment/Minor Subdivision for Map 183C Lot 120 & 121:

PCD Clerk Gallagher read the following: Notice is hereby given in accordance with **NH RSA 676:4, I, D1** and the **Town of Boscawen Land Development Regulations** that the **Planning Board** will meet on **Tuesday, July 5, 2022 after 6:30 PM** at the Boscawen Municipal Complex, 116 North Main St, during a *regular meeting* of the Board to hear an Application for a **Lot Line Adjustment/Minor Subdivision**, submitted and owned by **Claire Benoit** with a location of **Map 183C Lot 120 & 121, 16 Sweatt St, located in an R2 zone.**

Chair Varney opened the Public Hearing at 6:56 p.m.

Chair Varney asked if the application for a Lot Line Adjustment/Minor Subdivision was complete. PCD Director Easler said yes it was and no waivers were submitted.

Mrs. Randall motioned to accept the application as complete. Seconded by Mr. Tillman. All in favor. None opposed.

Chair Varney asked if the application for the Lot Line Adjustment/Minor Subdivision was of regional impact.

Mrs. Randall motioned that there will be no regional impact. Seconded by Mr. Tillman. All in favor. None opposed.

Chair Varney invited Mr. Sargent to present the application. Mr. Sargent introduced himself to the Board. He said he is with the firm of Richard Bartlett and Associates, LLC. and was at the hearing representing Claire Benoit. Mr. Sargent explained the two properties listed in the application. The first parcel, located at 16 Sweatt Street, has an area of .69 acres with 248.48 feet of frontage. There is a single family home and an outbuilding on the lot. The second parcel directly abuts 16 Sweatt Street and is a vacant lot, with an area of 1.51 acres with 144.10 feet of frontage. He explained the existing division line between the two properties is shown on the plan provided to the Board members represented as a dashed red line. Mr. Sargent explained the lot line adjustment before the Board was to create a new division line, which was shown on the plan as a heavy black line. The new area of 16 Sweatt Street would be 1.06 acres with 157.59 feet of frontage, and the area for the vacant lot would be 1.14 acres 135 feet of frontage. Mr. Sargent asked if the Board had any questions. Mrs. Randall asked if this lot line adjustment was to create a buildable lot. Mr. Sargent explained the two lots are already buildable, the movement of the property line is to make the vacant lot more appealing to build on.

No comments from abutters or public.

Chair Varney asked if the staff had any comments or concerns. PCD Director Easler stated that the properties were located in the Sewer District as well as the Water District with 30% coverage limits. There were no concerns from the Department Heads.

Chair Varney closed the Public Hearing at 7:01 p.m.

Ex Officio Carey motioned to approve the Lot Line Adjustment/Minor Subdivision for Map 183C Lots 120 and 121. Seconded by Mr. Tillman. All in favor. None opposed.

Public Hearing for the Boscawen Land Development Regulations:

PCD Clerk Gallagher read the following: Notice is hereby given in accordance with RSA 675:7 that: The Boscawen Planning Board will meet on **Tuesday, July 5th, 2022** after 6:30 PM, to hold a public hearing for updating to the **Boscawen Land Development Regulations** by adding the sections listed below:

- Town of Boscawen Policy for *Acceptance of Roads*, March 2012
- Boscawen Planning Board *Road Construction Procedures Manual*, June 2012

Chair Varney opened the Public Hearing at 7:03 p.m.

PCD Director Easler stated that the Typical Road Construction Details Reference had been added to the Land Development Regulations in 2021. She stated she recently went through the other two pieces, Acceptance of Roads and the Road Construction Procedures Manual, and recommended to the Board to add in the two other pieces to make one document.

PCD Director Easler also recommended that the Town Administrator be added as part of the membership for the Technical Review Committee. Under section 10.6 in the LDR's, it is shown

who is involved in the TRC. There was recently a question for a quorum at a meeting, so she would like to make that addition so that a quorum can be easily met in the future.

No comments from public. No abutters.

Chair Varney closed the Public Hearing at 7:06 p.m.

Mr. Tillman motioned to accept the policy changes to the Land Development Regulations as presented. Seconded by Ex Officio Carey. All in favor. None opposed.

Mrs. Randall motioned to add the Town Administrator to Section 10.6 of the Land Development Regulations. Seconded by Chair Varney. All in favor. None opposed.

Other Business:

CIP Discussion:

Chair Varney would like the Board to come in for the August meeting at 6:00 p.m. to discuss the CIP. There will be a meeting on July 19th at 1:00 p.m. with all of the Department Heads and Committees that would like to attend.

The next meeting will be held August 2nd @ 6:30 p.m.

Motioned to adjourn made by Mr. Tillman. Seconded by Mrs. Witham. All in favor. None opposed.

Respectfully submitted by Kara Gallagher.