

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
MEETING MINUTES
Tuesday, January 7, 2020 at 6:30 PM**

Present: Barbara Randall – Chair, Mark Varney– Vice-Chair, Paul Dickey, Ed Cherian- Ex Officio, Roberta Witham, Frederick Reagan

Excused: Danielle Bosco, Rhoda Hardy, Jeff Reardon-alternate, , Lorrie Carey-Alternate Ex-Officio

Others Present: Kellee Jo Easler – Planning & Community Development Director, Alan H. Hardy, Town Administrator & Code Enforcement Officer

Chair Barbara Randall opened the public meeting at 6:30pm.

Roll call completed by Chair Randall

Minutes

December 3, 2019 - **Mark Varney made a motion to approve the minutes as written.**

Seconded by Roberta Witham. All in favor. None opposed.

New Business:

Application for **Amendment to Site Plan granted on 07.23.18** to add a **Duplex under Pre-Site Built Housing as per 674:31-a** with a location of **Norac Drive, Boscawen NH, Map 183D, Lot 100** in a **COM zone**, submitted by **Norac Enterprises LLC, 74 Broad Cove Road, Concord, NH 03301.**

Chair Randall asked if the application was complete. Mrs. Easler said it is. Several things on the application are not applicable such as lighting, # 4, 5, 7, 8 will be on the as-builts.

Motion made by Paul Dickey and seconded by Fred Reagan, to accept the application as complete. All in favor. None opposed.

Chair Randall questioned whether the application was of regional impact.

Motion made by Mark Varney and seconded by Paul Dickey that the application is not of regional impact, under the provisions of RSA 36:54-58. All in favor. None opposed.

The applicant explained the plan is for a Duplex with two 1-bedroom units when previously it was a 2-bedroom single family home. Mr. Dickey questioned what the other housing was. The applicant said the other units are for students, the duplex will be a permanent housing. Mr. Dickey questioned how long students are enrolled in school. The applicant said 8-10 months.

Mrs. Easler said the Penacook-Boscawen Water Precinct requests as-builts to show water and sewer.

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
MEETING MINUTES
Tuesday, January 7, 2020 at 6:30 PM**

Mr. Varney questioned the parking. The applicant said it will be minimal pavement. Mrs. Easler said the plan doesn't show the parking.

Chair Randall opened the public hearing for comment at 6:49pm.

Deborah Parker, a soon to be abutter at 40 Jackson Street spoke. Mrs. Parker said she has several concerns. Why is this not going through a full Site Plan, why is the topo not on the plan? On the partial as-built plan it shows topo from almost 3 years ago and it has changed. It is all beach sand and slopes, it shows a retaining wall and there is not one. Mrs. Parker suggests a fence minimum of 8 feet wide and vegetation be put in between the residential and commercial line. Mrs. Parker said her parents spoke with the applicant and was told he would be putting a fence up but then later changed his mind. The applicant informed the Board the retaining wall is there. The applicant said there was chicken wire fence up that he did take down. Mrs. Parker questioned what happens if the school doesn't get built. Chair Randall said if he intends on building more than what is on the approved plan he needs to come back to the Board. Mr. Varney said the condition of the school wasn't a requirement. Mr. Hardy said if it is just housing it would be a change of use. Mr. Cherian questioned if there was any landscaping plan. Mrs. Easler said there is and the plan is to do the landscaping in the Spring of 2020. Mrs. Parker questioned the setbacks. Mr. Cherian said this had to be determined if this was Residential or Commercial. The applicant said he never discussed the fence with Mrs. Parker's parents.

Resident at 31 Tremont St questioned if there would be a barrier between her property and this lot. The applicant said there would be a setback between the properties.

The applicant wanted to be sure it was understood these duplexes are Residential housing.

Chair Randall closed the public hearing at 7:15pm

Mr. Cherian said the setbacks need to be determined. Mr. Hardy said for clarity you could adopt the requirements from the approved plan. Mr. Varney said they could have it stay with the previous approval of 50ft. The Board discussed delineating the boundary line.

The applicant said he will make the property line very clear.

Chair Randall reopened the public hearing at 7:29pm to listen to more testimony by the public on discussion involving possible conditions. After discussion, Chair Randall closed the public hearing at 7:34pm.

Motion made by Mark Varney to approve the application with conditions: The as-builts are included, parking is added to the plan, natural vegetation or fence is added from retaining wall to the end to the property, all previous requirements stay with this application. No second, motion dies.

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
MEETING MINUTES
Tuesday, January 7, 2020 at 6:30 PM**

Motion made by Frederick Regan to approve the application with conditions: The as-builts are included, parking is added to the plan, previous requirements stay with this application. No Second, motion dies.

Motion made by Mark Varney to approve the application with conditions:

- 1. Adopt earlier approvals by reference;**
- 2. Require as-builts prior to occupancy**
- 3. Parking areas noted on plan for all units;**
- 4. Fence or natural buffer along retaining wall to the end of the property for lower half of westerly section by lots 40 & 44 Jackson St. Seconded by Paul Dickey, All in favor. None opposed.**

Application for an **Excavation Permit, Pursuant to RSA 155-E** with a location of **267 Queen St, Boscawen, NH Map 81 Lot 24**, in an **AR Zone** submitted by **GMI Acquisition LLC, 288 Laconia Road, Belmont, NH 03220**

Chair Randall asked if the Subdivision application was complete. Mrs. Easler said it is and waivers submitted.

Motion made by Mark Varney and seconded by Paul Dickey, to accept the application as complete. All in favor. None opposed.

Chair Randall questioned whether the application was of regional impact.

Motion made by Ed Cherian and seconded by Roberta Witham that the application is not of regional impact, under the provisions of RSA 36:54-58. All in favor. None opposed.

Tim Bernier presented the application for the 5-year renewal that is required. Mr. Bernier said the lot has been resurveyed and are treating this as an update. Mr. Bernier showed the Board what has gone on over the last 5 years. Mr. Bernier said the applicant put up signs and rocks to show the buffers. Mr. Bernier said there was an amendment in 2016 following the 2015 approval. Mr. Bernier said the conditions that were set were 1) Pit area 1 shall be seeded in early 2016 when weather permits. Condition 2) work with abutter to restore portion of land which has been done. Condition 3) add wetland buffer signs as marked; this has been done. Mr. Bernier said the applicant has been very responsive when needing to fix things. Condition 4) all wetland restoration work be completed; this has been signed off on. Condition 5) all property lines are marked; this has been done. Mr. Bernier spoke about the road encroaching the buffer and this has minor work left to fix. Condition 6) all conditions are met by December 31, 2016 which is done. Condition 7) phase 2 boundary is shown on the plan and ground; this has been done. Condition 8) Town Engineer inspect yearly. Mr. Bernier said this is something they should improve on. Mr. Bernier said CNHRPC recommended setting a date. Mr. Bernier said runoff from the site goes to

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
MEETING MINUTES
Tuesday, January 7, 2020 at 6:30 PM**

two retention ponds. Condition 9) 100-foot buffer strip maintained which has been maintained. Condition 10) dust suppression is in place. Condition 11) follow local and state regulations are being done. Condition 12) permits expire 5 years from the date of approval. Mr. Bernier said he is not sure why, but the permits have another year. Mr. Bernier said they are requesting a waiver for elevation views and photos of buildings. Mr. Bernier said currently there is a building being constructed for storage and that is the only building. Mr. Bernier said they are requesting a waiver request for off street parking due to the parking always changing. Mr. Bernier said the Regional Planning Commission had several comments about missing items from the plan. The items that are pointed out are on the original plan, they are just giving an update with this new plan. Mr. Bernier said regarding the recommendation of a chain link fence he would recommend just doing it in the quarry activity area versus along the woods to not interfere with wildlife. Mrs. Easler said a recommendation of our Town Engineer reviewing as well as removing the Code Enforcement requirement.

Chair Randall opened the public hearing at 8:20pm.

Eric Munro from 215 Queen Street represented an abutter. Mr. Munro said if the fence had been put up the material wouldn't have been pushed into the buffer. Mr. Bernier agreed on this and said it has been resolved. Mr. Munro said it was negligence. The applicant said everyone does make mistakes and he did apologize. Mr. Varney said we cannot go back, but we can go forward.

Chair Randall closed the public hearing at 8:25pm.

Mrs. Easler said the amendments she has are whatever the Code Enforcement stated and needs to be changed for housekeeping and possibly the Conservation Commission. Mr. Hardy said the Conservation Commission doesn't have authority over the application. Mr. Hardy questioned if the Board would drop number 10. Mr. Cherian questioned the retention pond. Mr. Bernier said these are temporary ponds that change during the process. Mr. Cherian said five years ago the setback was moved from 50 to 100 feet. Mr. Cherian said this operation has come a long way in five years. Mrs. Easler spoke about changing the Code Enforcement Officer to Town Engineer for inspections and add the month of September. Mrs. Easler said to remove condition 10 and change condition 6 to December 2019. The Board added in a chain link fence in active areas as a condition of the approval and a copy of the AOT application when received. Mrs. Easler questioned if the waivers should be put on the plan as a condition.

Motion made by Ed Cherian and seconded by Paul Dickey, to continue the application to the January 21st Planning Board meeting, to a date certain. All in favor. None opposed.

Chair Randall said her term is up in February and wished to remain on the Board, but said after March Town meeting another member will need to step up for the Chair position. Chair Randall said she would prefer not to move to Vice Chair as she would like another member to do so.

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
MEETING MINUTES
Tuesday, January 7, 2020 at 6:30 PM**

Mrs. Easler said for the property they approved to move from R1 to AR it needs to have a ballot vote. Everything needs to be written and submitted by February 4th.

**Adjournment: Motion made by Paul Dickey and seconded by Roberta Witham to adjourn.
All in favor. None opposed.**

Respectfully submitted, Danielle Bosco