

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
MEETING MINUTES
Tuesday, May 7, 2019 at 6:30 PM**

Present: Barbara Randall – Chair, Mark Varney– Vice-Chair, Paul Dickey, Rhoda Hardy, Matt Lampron, Roberta Witham, Ed Cherian- Ex Officio
Excused: Lorrie Carrie, Jeff Reardon, Danielle Bosco
Others Present: Kellee Jo Easler – Planning & Community Development Director

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

Roll call completed by Chair Randall

Minutes

Chair Randall made the following changes to the April 2, 2019 Minutes- line 52- change hanging to changing, line 60 capitalize High Street, change right way to right of way. Line 67 change any to an. Line 86 add semicolon after woods, line 87 comma after done, capitalize Drive, line 100 comma after no and Friday should be Eafrazi, line 103 semicolon after Association, line 126 remove have, line 137 to be looked at. **Rhoda Hardy made a motion to approve the minutes as amended. Seconded by Paul Dickey. All in favor. None opposed.**

Old Business:

Weeks Family Trust vs Town of Boscawen

Chair Randall said that the Town of Boscawen heard on the court case yesterday they won the case. Mrs. Easler said the court felt that how it was handled was appropriate. Mr. Dickey questioned if they had 30 days to appeal. Mrs. Easler said she believes they can file an appeal in 10 days and in 30 days to Supreme.

Newcomb vs Town of Boscawen

Chair Randall said that the Town was awarded some of the cost of copying records in the amount of \$1169.50.

New Business:

- Request to amend plan #14680, submitted by Bernard O. Davis Jr. of 44 D.W. Highway Boscawen, NH 03303 on map 81D, Lot 8, Sublot 1 in the COM zone.

Chair Randall asked if the application was complete. Mrs. Easler said it is.

Ed Cherian recused himself as a voting member.

Rhoda Hardy recused herself as a voting member.

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Matt Lampron recused himself as a voting member.

Motion made by Mark Varney and seconded by Roberta Witham to accept the application as complete. All in favor.

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.

Mr. Davis said that in 1999 he was granted a Variance when he subdivided that had a condition that he must sell the property to family if the business is no longer.

Chair Randall opened the public hearing at 6:44pm

Matt Lampron spoke as an abutter stating he sees no issues with this.

Chair Randall closed the public hearing at 6:45pm

Motion made by Mark Varney and seconded by Paul Dickey to remove not 7 on plan number 14680. All in favor. None opposed.

- **Conditional Use Permit Application for an expansion of the Veterinarian Hospital, property of Brad & Ann Taylor, 101 Old Tilton Road, Canterbury NH 03224, located at 201 North Main Street, Boscawen, NH 03303 on Map 81B, Lot 52 in the Village District zone.**

Chair Randall asked if the application was complete. Mrs. Easler said it is.

Motion made by Ed Cherian and seconded by Paul Dickey to accept the application as complete. All in favor.

Chair Randall questioned whether the application was of regional impact.

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

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Joe Wichert approached the Board to represent Brad and Ann Taylor on the application. Mr. Wichert said they are looking to build a second facility behind the existing one for the dog daycare that will be 1344 square feet, 32 by 42, with an additional 8 parking spots and an updated State approved septic system. Mr. Wichert said one of the issues they are having is the dogs have to go up and down the stairs when they go in and out. Mr. Wichert said they spoke with the School District about a curb cut and they said they would only agree if they signed a waiver of liability. Mr. Wichert stated they went back and altered the plan. Mr. Wichert said under the Ordinance they meet the square footage and impervious surface requirements. Mr. Wichert said under the Ordinance for the Village District this would require a Conditional Use Permit. Mr. Wichert said his understanding is if this is granted they go to the Technical Review Committee. Mr. Wichert went over the septic design and said they are not asking for any waivers on anything for this. Chair Randall stated there is two chain link fences along Best Ave and asked what would change. Mr. Wichert said one fence is the Schools and will stay. Mr. Dickey questioned where the dumpster will get moved to. Mr. Wichert showed it would get moved to the opposite side. Mr. Cherian asked Mrs. Easler if the calculations for parking spaces would apply to this. Mrs. Easler said they did calculate the parking. Mr. Wichert said they did and the new parking will be on the Best Ave side.

Chair Randall opened the public hearing at 7:10pm

Luis and Jeanne Demello of 205 North Main Street approached the podium to speak. Mr. Demello said they love dogs but it is very loud. Mrs. Demello said they have recordings of how loud it is and played one for the Board. Mr. Demello said there needs to be some type of sound proofing. Mr. Dickey asked about sound proofing if he was talking about a stockade fence. Mr. Demello said a stockade fence wouldn't do it but maybe the type they have on the side of the highway.

Todd Fahey of Berner Holdings LLC owner of the buildings next door approached the podium to speak. Mr. Fahey said he understands they are trying to run a business. Mr. Fahey said that it is very loud even inside his insulated buildings. Mr. Fahey said he doesn't want it to be cost prohibitive but something needs to be done. Mr. Fahey said he would like to see a landscaping plan and a sound mitigation plan. Mr. Fahey said ear protection is recommended at 85 decibel that one dog can bark 80-90 decibel and there are lots of dogs at the location. Mr. Fahey's said he is trying to be a good Resident and keep his property up and doesn't want to give anyone a hard time, just asking the Board to require the applicant to do the same.

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Mr. Wichert said that they haven't done the full Site Plan yet, they need to receive this approval first and then they can address the concerns and see what they can do. Mr. Wichert said they can look into the sound decimal with the dogs and address that.

Mr. Cherian questioned if VCA had corporate requirements on construction.

Mr. Varney said he didn't believe that the Village District required a sound study.

Mrs. Easler said that this is adding additional space and an amendment to the original approval. Mrs. Easler said the Board should look at the conditions & requirements of the Conditional Use Permit ordinance.

Mr. Cherian questioned if there was a cap on how many dogs can attend daycare and if that would be changing.

A representative from Riverside spoke and said they are not looking to increase the amount of cages only make it easier and safer for the staff to get the dogs in and out of the facility, the max is 60-70 dogs and the daily average is 30-40 dogs with vacations and Holidays being the heavier times.

Mr. Cherian said the details wouldn't be done by the Planning Board only the Technical Review Committee. Mr. Varney said this area is unique because it just became the Village District. Mr. Varney said they may not even have to come to the Planning Board but since this is the first one this is how they are doing it. Mr. Dickey said he does think they have some issues they need to work out with neighbors.

Chair Randall closed the public hearing at 7:30pm

Ed Cherian questioned setting conditions about a sound study. Chair Randall said the Technical Review Committee can set conditions. Mr. Cherian said that having VCA Corporate standards for buffers, landscaping and sound if any is consistent with the others. Mr. Lampron said this is what the Conditional Approval is for. Mr. Lampron said it would be conditions that are more to have them look into certain issues.

Motion made by Mark Varney and seconded by Ed Cherian to approve the Conditional Use Permit under the condition the TRC be provided the VCA standards and address possible sound issues and landscaping. All in favor. None opposed.

DOT Letter

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Chair Randall said that DOT sent a letter to the Board they all should review. Mr. Cherian said the letter is in regards to the Hannah Dustin Bridge. Mr. Cherian said the bridge will be shut off completely going east towards Canterbury. Mr. Cherian said the other bridge in question is near Riverside Place and they wanted to close it completely which would not work well. Mr. Cherian said they can do it in 20 weeks versus 10 weeks if they have a temporary light that allows one lane at a time. Mr. Cherian said they would have smart lights that will learn the flow of traffic since it will be different during school. Mr. Cherian said DOT will present these projects at the Selectman's meeting on the 16th. Mr. Cherian said it will be bid out in the fall so won't take place until spring of 2020. Mr. Cherian said there is concern that trucks will detour down Eel Street. Mr. Dickey said that they could post the road no trucks. Mr. Dickey questioned if the two bridge projects would be done at the same time. Mr. Cherian said he believes the bridges will be done one after the other. Mr. Lampron said doing the bridge by Tremont Street first will have less impact on the school bus drivers.

- **Adjournment: Motion made by Matt Lampron and seconded by Mark Varney to adjourn. All in favor. None opposed.**

Respectfully submitted, Danielle Bosco