

**Town of Boscawen  
PLANNING BOARD  
Boscawen Municipal Complex  
FINAL MEETING MINUTES  
Tuesday, September 7, 2021**

**Present:** Mark Varney—Chair; Fred Reagan—Vice Chair; Barbara Randall; Gary Tillman; Roberta Witham; Loren Martin; Lorrie Carey —Alternate Ex-Officio, Rhoda H. Hardy—Alternate

**Excused:** Crystal Tuttle—Recording Secretary

**Staff Present:** Kellee Jo Easler—Planning & Community Development Director; Kearsten O'Brien— Assistant Planning & Community Development

**Guests:** Matt Monahan— Senior Planner Central New Hampshire Regional Planning Commission (CNHRPC); Joe Wichert— Surveyor; Dan Remillard— Builder/applicant

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Chair Mark Varney opened the public meeting at 6:30 p.m. Planning and Community Development Director Easler completed roll call.

**Minutes**

**Mrs. Martin motioned to accept the draft minutes. Seconded by Mrs. Randall.**

Director Easler spoke about preparation for Town Meeting and the changes proposed to the Land Development Regulations (LDR) Village District, and the changes to the Zoning Ordinance (ZO) Conditional Use. Matt Monahan, Senior Planner from CNHRPC will also be reviewing the Renewable Energy Ordinance. Director Easler wanted to discuss some housekeeping updates. Under Article IV-Use Regulations, Table of Uses-Residential Planned Unit Development (PUD) currently under AR, R1 and R2 require a Conditional Use Permit and all other zones require a Variance. The change would be to make all zones require a Conditional Use Permit for PUD. The next discussion was to remove Accessory Dwelling Unit designed for and occupied by a person employed on the same premises. This should be removed because it precedes Article XXIII Accessory Dwelling Unit Ordinance.

Director Easler introduced Planner Monahan, Senior Planner for CNHRPC. Planner Monahan worked on Article XVIII Village District Ordinance, simplifying this and moving it to the Land Development Regulations. Planner Monahan added that the intent of the Village District focuses on the physical environment as opposed to the use and added a section that addresses conflict with other ordinances. Another addition was permitting authority, including Technical Review Committee (TRC). Planner Monahan fine-tuned the lot requirement section as well.

Planner Monahan stated that moving some of these issues to LDR versus ZO, such as Conditional Use Permits, makes it easier for the Planning Board to make necessary changes. In the LDR Section 3.11 shows these changes under Consideration of Plans in Special Districts. This section outlines the application, standards and process for conditional use.

Assistant O'Brien read the public notice as follows; 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, September 7, 2021 at 6:30 pm** at the Boscawen Municipal Complex, 116 North Main St, during a *regular meeting* of the Board to hear an Application for **Minor Site Plan Review for a Home Business Major**, submitted by property owner **Dan Remillard-Shaker Heights Land Development, LLC**, with a location of **Map 45 Lot 30, Knowlton Road Boscawen NH 03303**, located in an **R1 zone**. Upon a finding by the Board that the application meets the submission requirements of the Zoning Ordinance and the Land Development Regulations, the Board will vote to accept the application as complete and a Public Hearing on the merits of the proposal may follow.

Director Easler stated that the application was complete, minus waivers and the Fire Chief review. A discussion ensued about if the application was deemed complete.

**Mrs. Martin motioned to accept the application as complete. Chair Varney seconded. Five in favor. Two opposed. The application passed as complete.**

**Mrs. Randall motioned to accept the application has no regional impact. Seconded by Ms. Carey. All in favor. None opposed.**

Mr. Wichert represented Mr. Remillard who is the applicant. Mr. Wichert discussed the access easement, which is a 60 ft. wide access easement. This was reflected on the subdivision plan. This is not a separate easement for this application. Mr. Remillard applied for a home business major so he can run his construction business from his home. The ZO states that you can only have a 500 sq. ft. building in this zone. The proposed building will be 5,000 sq. ft. to minimize outside storage, and the building would be constructed to look like a barn to blend into the neighborhood. Mr. Wichert stated that they would like to have a waiver for the soil and wetlands delineation, as this had been done in 2019 for the subdivision plan. The second waiver is for the landscape plan, as you would not be able to see the building from the road. The third waiver is for the lighting, which will be mounted on the building. Mr. Wichert stated that there is no need for a storm-water management and erosion control plan. Mr. Wichert discussed the plan for parking and the anticipation of very little traffic. Ms. Carey asked about dust mitigation plans, as the driveway is proposed to be gravel. Mr. Wichert stated that buffers could be put in place, or the gravel could be watered in dry conditions. Chair Varney asked about proposed clean-up plans for this project and several other construction projects Mr. Remillard is engaged in currently. Mr. Tillman asked if fuel will be stored in the building, and Mr. Remillard stated a propane tank will be outside the building.

**Chair Varney opened the public hearing at 7:27 p.m.**

Paul Dickey of 36 Corn Hill Road spoke as an abutter for. Mr. Dickey's property sits just in front of this lot, and he stated that in the summer you won't be able to see it and in the winter it will look just like a barn.

Matt Urbaniak stated he is representing his father, Lawrence Urbaniak, who resides at 40 Corn Hill Road. Mr. Urbaniak is concerned about the driveway, which is about 15 feet from his bedroom window, and the noise from possible dump trucks etc. Mr. Urbaniak is also concerned about the lighting on the buildings and the dust.

**Chair Varney closed the public hearing at 7:32 p.m.**

Chair Varney stated that in response to early hours, the standard time frame is 7 a.m. to 5 p.m. Director Easler responded that the application states the proposed hours would be 7 a.m. to 6 p.m.

**Mrs. Martin motioned to accept the waiver for soil and wetland delineation. Ms. Carey seconded. All in favor. None opposed.**

**Mrs. Martin motioned to accept the waiver for a landscape plan. Mrs. Whitham seconded. All in favor. None opposed.**

**Chair Varney motioned to accept the waiver for a lighting plan. Mr. Tillman seconded. All in favor. None opposed.**

**Mrs. Randall motioned to accept the waiver for storm-water management and erosion control plan. Seconded by Mr. Tillman. All in favor. None opposed.**

**Mrs. Martin motioned to accept the application as presented. Mrs. Randall seconded. All in favor. None opposed.**

Director Easler introduced the Underwood Engineer report for Map 47 Lot 6, concerning recommendations and an appropriate bond amount. Mr. Tillman asked about the driveway distance and Director Easler answered that this driveway already has a State driveway permit for this location. Mrs. Martin stated concerns about the drainage for this driveway, and Mr. Reagan said he believed it would be easy for them to add a culvert here. A discussion ensued about what can be done with a State permitted driveway. Chair Varney recommended speaking with Public Works Director Hollins when Audley is ready to expand. Director Easler stated that the surety bond would amount to \$88,100, which stays in place until reclamation. Director Easler will send out an email to PWD Hollins, for input and clarification.

Director Easler returned to the ZO, and housekeeping changes to Article VI Supplemental Regulations 6.03. The current ZO states that manufactured homes placed in a new manufactured home park must be 2006 or newer. This does not apply to older parks and Director Easler

recommended changing this to be applicable to all parks. Mrs. Martin voiced her concern about shrinking the pool of affordable housing in Town by adding this to the ZO. Chair Varney clarified that this would only be applicable to manufactured homes being brought to the park and not existing manufactured homes. A discussion ensued about the appropriate age of manufactured homes that meet HUD requirements and if older models in good condition will be accepted. Director Easler proposed to take out the word *new*, in 6.03, a) in the 2<sup>nd</sup> line and remove both b) & c).

The next proposed changes are in Article XII, Definitions. Home Business, Major. Director Easler recommended that “retail sales shall be limited” should be changed to “retail sales may be limited” as well as removing long term storage of commercial vehicles, as many home businesses have commercial vehicles they use. Chair Varney commented that the definition points to unused vehicle storage over thirty days. The Board decided to keep this in the definition. Director Easler recommended making a change to Planned Unit Development (PUD) The proposed change would be to remove single ownership. Ms. Carey recommended changing it to “shall remain under single ownership or control while under development, construction and through completion.” Next year the Board will be asked to look at an Ordinance for Planned Unit Development, to be created with CNHRPC.

Chair Varney stated he would like the application process for Planning Board to be more stringent and that applicants must adhere to the deadline. If pieces of the application are missing, the Board will not accept the application.

Chair Varney would like to ask the Select Board to ensure that department heads get in their written reviews, as these need to be documented.

**Ms. Carey motioned to adjourn. Seconded by Mr. Tillman. All in favor. None opposed.**

**Next meeting is October 5, 2021**

*Respectfully Submitted by Crystal Tuttle*