

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
DRAFT MEETING MINUTES
Tuesday, January 5, 2020 at 6:30 PM**

Present: Mark Varney – Chair; Barbara Randall, Gary Tillman, Roberta Witham, Lorrie Carey – Ex-Officio; Loren Martin- Alternate;

Excused: Rhoda Hardy, Paul Dickey - Alternate Ex-Officio, Fred Reagan- Vice Chair;

Staff Present: Kellee Jo Easler - Planning & Community Development Director; Kearsten O'Brien– Planning and Community Development Assistant, Crystal Tuttle–Recording Secretary;

Others Present: Michael Tardiff, Executive Director– CNHRPC, Stephanie Alexander, Senior Planner– CNHRPC, Fred Schneider, Jeff Abbe

Chair Mark Varney opened the public meeting at 6:30pm.

Chair Varney read off the Covid-19 Public Meeting Notice of Telephonic Meetings, which reads as follows: In light of the state of emergency declared by the Governor on March 13, 2020, and to respond to the COVID-19 pandemic, the chair has determined that an emergency exists and that accordingly, until further notice, (a) members of the board may attend all board meetings telephonically, without the physical presence of a quorum; and (b) members of the public who wish to participate in hearings may, on request, participate telephonically or submit comments in writing to be included in the record of the hearing.

Roll call completed by Crystal Tuttle. Chair Varney appointed Ms. Martin a voting member.

Minutes

Ms. Carey stated that she prefers to be addressed as Ms. No other changes requested. Mrs. Randall motioned to accept the minutes, Mr. Tillman seconded. All in favor. None opposed.

Old Business:

Chair Varney stated that Rules of Procedure are still pending, as are the Village District, CUP & Renewable Energy Systems Ordinance. Chair Varney added information about the Concord City Planning Board meeting about Exit 17. Chair Varney stated that on December 16, 2021 Phase One was approved by City Council and Concord Planning Board for the Market basket and Liquor Store Project. According to the developer, Phase One will begin April 2021. Prior to these businesses opening, the two barrel roundabout needs to be completed at Hoit Road and Old Boyce Road. In Phase Two, the second access road will also be a roundabout. Canterbury has concerns with traffic backup. The Concord City Council talked at length about the location of the bicycle racks for these locations as well.

New Business:

Director Easler introduced Fred Schneider who was present to speak about his conceptual plan for 85 DW Hwy. The site plan had been previously approved by The Planning Board in 2012. Since the conceptual had gone through the process, and no changes were made, Director Easler discussed with Mr. Schneider the possibility of the Board waiving the requirements for things already accomplished, such as CNHRPC review. Director Easler's main concern was if any of the regulations had changed since 2012. Mr. Schneider explained he had bought the property four months earlier and the previous owner had never done anything with the site plan approval. Since taking ownership, Mr. Schneider has cleaned up the area, paved around the existing buildings, put new cameras up, replaced lights, and mended fencing. He wants to add the two new buildings on the site plan, exactly how it had been proposed. Mr. Schneider wanted to get an idea of what the Board wanted so he can start the application process. Chair Varney asked what has changed on the property since the original approval. Mr. Schneider stated that it looks as though the gravel pit may be situated further back on the property than drawn on the site plan. Mr. Schneider also stated that he does not believe he will need an AOT permit, as he will not need to move more than 100,000 square feet of material. Chair Varney stated that he would like the Town Engineer to review the site to verify everything has remained the same as the approved plan. Director Easler explained that Mr. Schneider would need to fill out the application and then Underwood Engineers would review it and offer their recommendations. Once the application is submitted, the Planning Board would then have a Public Hearing. Ms. Carey asked if water was going to be supplied to that area and Mr. Schneider answered that the Town water runs nearby. Ms. Carey asked about the location of a material waste bin, and Mr. Schneider responded that he would not be using one. Ms. Carey then asked about the paving and if it had impacted drainage of the area. Mr. Schneider said there is a drainage swale to the South of the property that runs into a dry detention pond and then onto a State culvert. Ms. Carey expressed past concerns about the screening of this property with the neighbors to the South and Mr. Schneider stated that he had no issues with adding more vegetation or trees. Ms. Carey went on to ask about the lighting bounce and any measures to shield this. Mr. Schneider explained that he is currently using the lighting that existed on the property, he has only replaced in kind lights that were broken. He will look into the Dark Sky Ordinance to see about compliance with this. Mrs. Martin also expressed concern over erosion control and then asked about gravel operations that have taken place since 2012, since it had expired. Mr. Schneider was not certain about the measurements, but expressed that material will need to be removed anyway due to the construction of the two new buildings and to implement the proper 3:1 sloping that is required. Mrs. Randall asked about the adjacent property that is used for cemetery overflow parking. Mr. Schneider has had conversations with the cemetery manager and has expressed he does not want to be held liable for people parking there and potentially getting hurt, but has stated permission would be on a case by case basis. Mrs. Randall suggested putting a tree line there to discourage parking in this area. Director Easler asked about fencing the area, and Chair Varney said that it is up to the property owner. Mr. Schneider told the Board that he will not need handicap parking, as all business will be taking place remotely and so he has no need for an office. He will build the maintenance building that exists on the plan, but will not build the material bins.

Mr. Tillman motioned to allow Mr. Schneider to use the previous plan, with a condition that the Town Engineer will review the property. Mrs. Martin seconded. All in favor. None Opposed.

Chair Varney opened the Public Hearing at 7:00 P.M.

Notice is hereby given in accordance with **NH RSA 674:4, and 675:6** the **Planning Board** will hold a Public Hearing on **Tuesday, January 5, 2021 after 6:30 PM, virtually on proposed Amendments to the Master Plan.** The effects of the proposed amendments will be to update the Energy Chapter, add an Economic Development Chapter and the Appendix: Natural Resources Inventory and Assessment with Co-Occurrence Mapping.

A full copy of the text of the proposed amendments to the Master Plan is available for review on the Town website @ townofboscawen.org or you can request a copy by email from keasler@townofboscawen.org or call 603.753.9188 for a copy to be mailed out.

Chair Varney explained the Energy Chapter and why the Town has wanted to implement it. Boscawen is growing, and the Town needed updated documentation to go along with these changes. Mike Tardiff showed the Town what tools can be utilized, and the Planning Board had approved three zones for Economic Development last week. This gives people looking to come to Boscawen an incentive to open a business here. Director Easler spoke on the Energy Committee, suggesting Ed Cherian to Chair. Ms. Alexander stated that she can provide tips and pointers as to who the Town may want to consider putting on the Energy Committee when the time comes. Mr. Tardiff had two thoughts, one being to change the language of how the Economic Revitalization Zones were approved and the other adding a paragraph about the Elementary School. The Elementary School is such a draw for people to move to Boscawen, and it is great for Economic Development. Director Easler had sent out packets to residents residing in the Economic Revitalization Zones, expressing the benefits of the tax credits available. Mr. Tardiff agreed this is a great topic for the Economic Development Committee to begin with. Mr. Abbe expressed his gratitude for the services and professionalism of the CNHRPC. Mr. Tardiff will make the updated amendments to the Economic Development Chapter as approved by the Board.

Chair Varney closed the Public Hearing at 7:10 P.M.

Mrs. Randall Motioned to approve the amendments to the Master Plan as discussed. Ms. Carey seconded. All in favor. None Opposed.

Ms. Tuttle read the Public Notice as follows:

Notice is hereby given in accordance with RSA 675:3 that: The Boscawen Planning Board will meet virtually by GotoMtg App on **Tuesday, January 5th, 2021** after 6:30 PM, to hold a public hearing for housekeeping to the Zoning Ordinance to articles listed below.

Article IV Use Regulations

Article XII Definitions

A public hearing is scheduled for the proposed amendments to the Boscawen Zoning Ordinance. This hearing is being held in preparation for town meeting, with a second hearing scheduled for **Tuesday, January 26th, 2021** if necessary.

Copies of the proposed amendments are available at the Planning & Community Development section, on the town website at www.townofboscawen.org or you can request a hard copy by email from keasler@townofboscawen.org or call 603.753.9188 x2309.

This year's Town Meeting is scheduled for March 9, 2021.

Director Easler explained that the Planning Board has been making small changes to the Zoning Ordinance and Renewable Energy Systems Ordinance, yet after discussion with Counsel the Renewable Energy Systems Ordinance is not quite ready. It was recommended moving procedures to the Land Development Regulations rather than putting into the Ordinance. The RES will be worked on throughout the year, along with the CUP and Village District Ordinance, moving procedures into the LDR instead of the Zoning Ordinance. The two amendments to the Zoning Ordinance are as follows: Supplemental Regulations need to be amended because a separation of buildings of 15 feet was included years ago for safety issues, but this issue is addressed in the NFPA and Fire Code, so it is redundant. 6.02 B will be removed in its entirety. Director Easler stated that the other change that needed to take place in the Zoning Ordinance is the removal of the word “unregistered” from the motor vehicle junkyard definition. This is due to a law that was passed in 2008, so the Town needs to remove it in order to be compliant.

Chair Varney opened the Public Hearing at 7:17 P.M.

Public Hearing is closed at 7:18 P.M due to no public comment.

Mr. Tillman motioned to accept the amendments to the Zoning Ordinance. Ms. Carey Seconded. All in favor. None opposed.

Director Easler stated that Mrs. Randall had expressed interest in participating in the Economic Development Committee, and asked if any others were interested. Director Easler then moved on to the amendment of a Notice of Decision from June 2020. The NOD contains a paragraph from Chief Kenney that was a scrivener’s error. Director Easler will re-write and re-record this NOD. Chair Varney stated that going forward development in the Town will be an issue with the Water Precinct. Future Development will be impacted because the Precinct does not recognize the system that is in place for fire suppression etc. The Water Precinct is an unregulated utility that the Town has no control over and even Counsel has agreed. Ms. Carey stated that the Water Precinct views compliance as water being able to flow through a pipe, in contrast to the compliance Standards of the Fire Department. Counsel has said the change to the NOD is non-material, so the amendment is fine. Chief Kenney has expressed his concerns with the piping system and future development, such as the future projects on King Street. Director Easler would like the Planning Board to consider hiring Hariman, which is currently working with the Fire Department, for a future water study. Director Easler, with permission from the Board, can get estimates and plan this in the budget for 2022. Ms. Carey stated that the Town really needs to look at the state of the Town wells, because they are failing. In future projects, a large sprinkler system would impact surrounding areas. In order to develop the Town, the Town needs water at a capacity, pressure and clarity that

people will accept. Chair Varney agreed, and would like this study to be done before the projects slated for King Street start.

Chair Varney Motioned to give Director Easler Permission to get estimates for a water study. Mrs. Randall Seconded. All in favor. None Opposed.

Director Easler stated that she had been receiving a lot of phone calls regarding noise complaints, and she is curious if the Planning Board would like to adopt a Noise ordinance. Chair Varney stated that many towns have adopted the State Regulations of no disturbance after 10 P.M. and this does not require the use of decibel measuring devices. He said that typically a noise ordinance is initiated by the Police Department, as they would be the ones to enforce this Ordinance. Director Easler has directed people to make formal, written complaints for noise but so far has had none.

Chair Varney informed the Board about OSI and the State Executive counsel approving a study for allowing Mass Transit to come up as far as Manchester, NH. It was also discussed about bringing the bus services to Exit 17.

Mrs. Randall motioned to adjourn the meeting. Mr. Tillman Seconded. All in favor. None Opposed.

Next meeting will be February 2, 2020 at 6:30pm

Respectfully submitted by, Crystal Tuttle.