

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
FINAL MEETING MINUTES
Tuesday, October 4, 2022**

Members Present: Mark Varney—Chair; Barbara Randall; Gary Tillman; Roberta Witham

Members Excused: Loren Martin—Vice Chair

Members Absent: Rhoda Hardy; Paul Dickey—Ex Officio

Staff Present: Kellee Jo Easler—Planning & Community Development Director and Kearsten O'Brien—Deputy Planning & Community Development Director

Guests: Joseph Wichert—Wichert Land Surveying, Daniel Remillard, Laurie M. & David Rauseo- Interchange Development LLC Exit 17, Gary Kenney & Mike Bernard

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

PCD Director Easler completed roll call.

Minutes:

Mr. Tillman motioned to accept the 10.04.22 draft minutes as presented. Seconded by Mrs. Barbara Randall. All in favor. None opposed.

Old Business:

Continuation Compliance Hearing regarding the Site Plan Review for an Automotive Garage and Body Shop: Mike Bernard, Mr. Gary Kenney's attorney, would like to hear what the Planning Board has to say. Chair Varney said he would like to say that he has been seeing improvement with the property. It looks as though the vehicles in the front of the property have been moving in and out like they should be. Mr. Tillman said it is an improvement and it still needs some work. He has seen many vehicles sitting stationary for a while. Mr. Bernard asked what the regulations say how long a vehicle can stay on the property. Chair Varney stated he believes it is 90 days. PCD Director Easler said there is typically a list kept to show how long the cars have been on the property. Mr. Bernard said he would like to receive the regulation that states that information. Chair Varney said from his perspective he is not concerned about the vehicles that are registered and inspected. He is more concerned with the vehicles that are not registered or inspected, and the parts left around the property. Mr. Bernard said he is aware of the regulation of registered and inspected. He said he is unaware of the regulation where the vehicle has to be removed after a certain period of time. PCD Director said that he can find that information through the Department of Environmental Services. Chair Varney said there should

be no more two vehicles worth of parts stored in a storage facility on site per the regulations as well.

Chair Varney made a motion to approve the auto and body shop site plan and show that it is working towards compliance. The Planning Board would like to make a recommendation to the Select Board to have the Code Enforcement Officer go out in six months and then a year to make sure the property is staying in compliance. Mr. Tillman seconded. All in favor. None opposed.

PCD Director Easler suggested going out to the property next week to take pictures to show the progress. Attorney Bernard said Mr. Kenney has more than two unregistered vehicles. They have spoken about noticing the owners and giving them time to remove them and then auction the vehicles off if the owners do not respond. Attorney Bernard asks that the Select Board give Mr. Kenney 60 to 90 days to get these vehicles removed. Chair Varney suggested taking the pictures and then Mr. Kenney or Attorney Bernard can identify the vehicles that have become abandoned and need to be removed from the property. PCD Director Easler asked them to send in pictures before the hearing of the vehicles they will be noticing to remove. Attorney Bernard said that they could have the pictures before the hearing.

Capital Improvement Plan: PCD Director Easler added a line in the CIP for the King Street Project. She recommends \$50,000 allocation each year towards the project starting in 2023, if the Planning Board approves. This will help with anything that is not covered by the State of NH for the King Street project. Deputy PCD Director O'Brien and Mrs. Randall informed the Planning Board that if the Municipal Transportation tax passes this can also help offset the cost for the project and can also help try to get public transportation into town.

Chair Varney motioned to approve the Capital Improvement Plan as presented and add the King Street Improvements line and the Parks and Recreation Building line. Seconded by Mrs. Randall. All in favor. None opposed.

Mr. Tillman asked about the Sewer Infrastructure line and when a contribution will be added. Deputy PCD Director O'Brien said she has been speaking with Town Administrator Katie Phelps about that line and she believes it may have to go in as a warrant article and it may have to be bonded, but she will double check.

Master Plan approval & Zoning Amendments for 2023 Town Meeting: PCD Director said this year CNHRPC will be completing the Energy and Land Use sections for 2023. The Zoning Amendments will be the Renewable Energy Systems Ordinance and an amendment to the MRD district.

MRD district amendment: PCD Director said that CNHRPC will be working on the MRD district to amend to a Multi-Use District to allow for residential and commercial use. PCD Director Easler said the Planning Board will need to give their input for the districts that are along Commercial, Crescent, Shoreline Drive and Kayak Way.

Commercial Street: In regards to Commercial Street improvements, CNHRPC and the Planning Board will have a visioning session similar to the one they did for the Village District.

New Business:

Interchange Development LLC Exit 17: Laurie and David Rauseo, the owners of Merchants' Way LLC and the developers for Exit 17, came to speak to the Planning Board about the happenings within the development. The current gas station, at the beginning of the development, will be converting to All Town. The single roundabout heading into the development will be maintained by the Condominium Association. The City of Concord will be maintaining the double barrel roundabout. The Wendy's will hopefully be opening up two weeks after they receive their siding. There will be a Service Credit Union coming into the development with a two lane drive-through with an ATM as well as a Jersey Mikes sub shop. The building with the credit union and Jersey Mike's will hopefully be enclosed by winter and open in February 2023. They are looking for more restaurants to add to the development. Home Goods should be open by the end of October. Mr. and Mrs. Rauseo are hoping to go for a Site Plan approval with the City of Concord sometime in the winter for an Urgent Care to be built in the spring. Mr. Tillman asked if there would be apartments added to this development. Mr. Rauseo said further south, about a mile and a quarter, down the road, the City of Concord plans to do an extension on Whitney Road. There was an informational session with the Penacook Historical Association and the developer for a 650 unit plan with some residential and commercial uses. He has to work out a ten million dollar cost to put in the road or the bridge. They are not part of the development but would love to see it happen. Chair Varney asked when the double barrel roundabout will be completed. Mrs. Rauseo said there are two things holding it up, the pavement markings and the signage. Chair Varney asked if the lights that are currently up there are warning lights. Mrs. Rauseo said they are pedestrian beacons. The idea is if you find yourself north of Route 4 and are bicycling, once you get to the west side you will be able to press a button and it will stop the traffic theoretically. Mrs. Randall asked if this project is being phased. Mr. Rauseo said that they think of the project with phase one being the Liquor Store, Market Basket and Home Goods. The second phase would be Jersey Mike's, Service Credit Union and Wendy's. Phase three would be the area in which the Urgent Care is.

Manufactured Home Update in Zoning Ordinance Discussion & HUD Standard: PCD Director said that CNHRPC would like the Planning Board to look into allowing Manufactured Homes on private land to allow for more affordable housing. The Planning Board discussed that MHs are no longer affordable and cost as much as stick built homes.

Major Subdivision Application Map 45 Lot 80: Application for a 4-Lot Major Subdivision Application submitted and owned by The J.A.N Realty Group, LLC of 77 Exeter Road, North Hampton NH, 03862 with a location of Map 45 Lot 80, 45 Corn Hill Road, located in an R1 zone.

Chair Varney opened the Public Hearing at 7:01PM.

Mr. Joseph Wichert, Land Surveyor, speaking on behalf of David Guillbeault, owner of J.A.N Realty has been working with Daniel Remillard as the contractor and Donald Fannie as the Realtor. The property is located on the southeast corner of Marlborough Road and Corn Hill Road. There is an existing single family home on the property known as 45 Corn Hill Road. There is 546 feet of frontage on Corn Hill Road and the property is 5.67 Acres. One of the items that Mr. Wichert and the Town talked about is the status of Marlborough Road. They originally thought that Marlborough Road was Class V up to the gate. They found out in their research (previous Town Meeting Minutes) that it is not Class V it is Class VI. They went back and reconfigured the project to have all the frontage on Corn Hill Road. The project does have access to Public Water, therefore the minimum lot size is 40,000 square feet and the frontage is 125 feet. The existing house will remain and the lot size will be 40,219 square feet. The most easterly lot will be 40,098 square feet, Lot 80, Sublot 2 will be 40,106 square feet and then Lot 80, Sublot 1 will be 2.9 acres. Mr. Wichert said the buildable area table has a typo in the buildable area table, which will be fixed. The first three lots have no buildable areas and no wetlands, but show that there are over 40,000 square feet of buildable area. The state subdivision approval is pending. They have received information back from Police, Fire, Public Works and the Water Precinct. They have provided the test pits information. The results were pretty good and that it is pure sand. Mr. Wichert said they have asked for many waivers and have broken the waivers down in sections. They are asking for waivers for items 23E, 29, 30, and 31. The reason for the request is because it is off site and on other people's properties within 200 feet. There will be no new roads created. It is on pre-existing roads and will be using pre-existing utilities. The second section of the waivers are for items are strictly because these four lots are considered a major subdivision on the drainage study, impact study, and development study, public safety report. The last section are items that they can't supply the Planning Board and lean more towards a site plan. Item e is the environment report and half of the lot would not be impervious. They will not be asking for relief from setbacks for wetlands and will not be interrupting them. They hope that the Planning Board agrees with waiver requests.

Chair Varney asked if the application was complete. PCD Director Easler said it was except for the waivers and she believes the waivers are acceptable request.

PCD Director asked if the shed will be removed from the setbacks. Mr. Wichert said yes. PCD Director Easler reminded Mr. Wichert about the As-Builts for the utilities. Chair Varney said Public Works Director Hollins asked that the grade sits below for the driveway and should be addressed prior to building. Mr. Wichert said below the road is better for the Town and reduces any chances of water being put on the Town road.

Chair Varney opened the public hearing to abutters for. None present.

Chair Varney opened the public hearing to abutters against:

Donna Frost, owner of 43 Corn Hill Road, spoke as an abutter against. She stated this is the first time she has heard anything about the property next door. She had hoped to buy the property so it could not developed. She is not in favor of this because of the inability to walk on Corn Hill Road due to the traffic along Corn Hill Road. She knows that what she says here today will not alter the decision. She is concerned with the noise that will happen with the construction of the building.

PCD Director Easler said there was an abutter's email added into each one of the Planning Board member's binders and given to Mr. Wichert, Mr. Remillard and Mr. Fannie. Chair Varney said the original request was to read it into the record but the Planning Board rules and procedures do not permit it to be read into the record. Mr. Tillman asked the question that was in the email regarding trees being taken down along Marlborough Road. Mr. Remillard said minimal amount to get the house in. He said he is not looking to clear cut it and he will be taking out some of the pines.

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

Mrs. Randall motioned that the application is not of regional impact. Seconded by Mr. Tillman. All in favor. None opposed.

Chair Varney motioned to accept the application with the following conditions;

Conditions precedent:

1. Correct typos on map;
2. All State and Local Permits;
3. Conditions of approval and waivers to be shown on Mylar;
4. Shed to be removed to meet set back requirements prior to recording of plan;
5. 1" to 500 Scale.

Conditions subsequent:

1. As-Builts;
2. Impact Fees Apply.

Seconded by Mr. Tillman. All in favor. None opposed.

2023 Meeting Date Proposal: Deputy PCD Director O'Brien presented the Planning Board with the 2023 meeting dates. She asked the Planning Board to double check if the meetings fall on any Holidays. The only one she noticed was the 4th of July and has proposed to have the meeting the 5th of July. Deputy PCD Director O'Brien said the Economic Development Committee will be moving to the 5:30 time slot before the Planning Board. This will also help if EDC and Planning Board would like to have a joint meeting to discuss any up and coming business, the King Street project and more.

Alternative Treatment Center Discussion: PCD Director informed the Planning Board that Alternative Treatment Centers have been brought up through NHMA and she will see if CNHRPC has any more information on the centers.

The next meeting will be held November 1st @ 6:30 pm

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

Respectfully submitted by Kearsten O'Brien.