

APPROVED

**TOWN OF PELHAM PLANNING BOARD
MEETING MINUTES
August 16, 2021**

Chairman Tim Doherty called the meeting to order at approximately 7:05 pm.

Secretary Ms. Masse-Quinn called roll call:

PRESENT ROLL CALL:

Tim Doherty – present
Roger Montbleau – present
Danielle Masse-Quinn – present
Bruce Bilapka – present
Cindy Kirkpatrick – present
Paddy Culbert – present
Kevin Cote – present
James Bergeron – present
Jennifer Beauregard – present
Jennifer Castles - present

**ABSENT/
NOT PARTICIPATING:**

Paul Dadak
Paddy Culbert
Samuel Thomas
Richard Olson
Hal Lynde

PLEDGE OF ALLEGIANCE

MEETING MINUTES

MOTION: (Mr. Montbleau/Mr. Bergeron) To approve the August 2, 2021, meeting minutes as amended.

VOTE: (6-0-1) The motion carried.
Ms. Kirkpatrick abstained.

Mr. Doherty appointed Mr. Culbert to vote on the minutes.

OLD BUSINESS

Case #PL2021-00004

Map 23 Lot 8-15

KOSIK, Walter & Thomas – 16 Webster Ave. – Proposed 3 lot subdivision for Single Family Homes. Variance granted on 02/08/2021 Case #ZO2021-00004

Mr. Bergeron recused himself from voting on this case as he is a close family member. Mr. Doherty appointed Mr. Bilapka to vote.

Mr. Shayne Gendron from Herbert Associates came forward to represent the Kosiks on this application. Mr. Walter Kosik was present with him. He explained that Ms. Beauregard was able to get them before the Highway Safety meeting last week where they met with the Planning Department, Police Department, Fire Department, and the Highway Department. The Fire Department recommended the driveway go from 18 feet width to 20 feet. They added an additional turnout for a potential house on the back lot. The Fire Department approved the turnouts and agreed that the homes would be sprinkled. The Highway Department asked that the applicant pave a 25-foot apron to protect the roadway. They also agreed on tree cutting for sight issues. The plan was changed slightly to alter the alignment of the driveways away from WCD. They went to the Conservation Commission last week and were able to reduce the WCD impact for the driveway by about 3,000 square feet. Conservation is scheduled to do a site walk and bring them back to their next meeting.

Mr. Gendron explained that there is an existing driveway approximately 850 square feet of impacted area for the driveway. Conservation asked if they would be willing to give up rights to the third lot and he stated that Mr. Kosik would like to address that and is also not willing to give up any of his land. Walter Kosik presented himself, 7 Kosik Terrace, he spoke that they wanted to get two lots on this land, one for his daughter and one lot for his brother's son, they wanted to have a nice family compound. In his opinion, the Conservation Committee was very hostile to this whole situation. He does not want to barter with his lots. He is questioning whether they need to and have to go and do a walk through? He stated that he doesn't even want some of the members on his property.

Mr. Doherty believes that conservation has to be a part of it. He asked Ms. Beauregard if there is enough impact to require conservation? Ms. Beauregard replied that yes, they have to provide written comments to the Planning Board to approve a special permit. Mr. Doherty said yes, you need conservation's written input to this board. Mr. Kosik agreed. Mr. Culbert stated that they are an advisory only board.

Mr. Doherty asked the board if anyone has questions or concerns for Mr. Kosik. Mr. Cote asked if it abuts the Girl Scout Camp and the wetlands that are there, he asked if it goes into Little Island Pond? Mr. Kosik said it comes from Little Island Pond. It runs in the back of the camp and goes out. Mr. Cote asked what measures will be taken to reduce those impacts. Mr. Gendron said that they are unlikely going to satisfy the Conservation Commission, because they are unwilling to give up the third lot, is that they will be negative on the WCD impact. It will be grading for driveway, and they will use silt fencing and it is quite common to have WCD impact. The other issues are that the next time they can come back to the Planning Board isn't until the end of September and this doesn't sit well with the Kosik family.

Mr. Cote confirmed that they only have to pave 25 feet of an apron on the existing driveway as a transitional piece to keep the road clean. Mr. Montbleau said it's passed all other departments in the town, except for Conservation. He's asking if they have to walk it. Mr. Gendron said they are walking it tomorrow night, but the next Planning Board meeting is not until September 20th. There is no meeting the first week of September due to Labor Day and a conflict with the Budget Committee on Thursday of that week. Shayne said they are willing to work with Conservation, he just doesn't want to hold up the applicant for another month and a half. Mr. Doherty asked if the Board would be willing to do a conditional approval of this plan if the applicant can meet the requirements and conditions of the site walk. The Board agreed. Mr. Montbleau said it a minor subdivision and it shouldn't be a problem. Mr. Cote wants it to move forward but is wary that the Conversation is seeing something negative. Mr. Bilapka asked if there is anything major that will change at this point. Mr. Doherty said after the site walk, they will look at what they are advising. Mr. Doherty said that the approval would be based on meeting any conditions.

Mr. Doherty opened it up to the public. There was no response.

Ms. Kirkpatrick asked when the Conservation Committee will meet next. Ms. Beauregard said they meet next on September 8th. Ms. Masse-Quinn brought up the six waivers from the last meeting and asked if they will be approved.

Mr. Doherty appointed Paddy Culbert and Bruce Bilapka to vote on this case.

MOTION: (Mr. Culbert/Mr. Bilapka) To approve the waiver to Section 203-1B4 of the Land Use Regulations (Well radius on Lots 8.15-1 and 8.15-2 to be less than 90 feet from side lot lines.

VOTE: (7-0-0) The motion carried.

MOTION: (Ms. Masse-Quinn/Mr. Culbert) To approve the waiver to Section 203.4 C.1 of the Land Use Regulations to allow shared driveway for Lots 8-15, 8-15 1 and 8-15 2.

VOTE: (7-0-0) The motion carried.

MOTION: (Mr. Culbert/Mr. Bilapka) To approve the waiver to Section 203-1-B.2(D) of the Land Use Regulations to allow the driveways to cross the WCD to access the lots.

VOTE: (7-0-0) The motion carried.

MOTION: (Ms. Masse-Quinn/Mr. Culbert) To approve the waiver to Section 202-3-C.3(B4) of the Land Use Regulations to waive soil mapping requirement, being a small subdivision for only 3 single family homes on an 18 plus acre lot (For a Three lot subdivision).

VOTE: (7-0-0) The motion carried.

MOTION: (Mr. Culbert/Mr. Bilapka) To approve the waiver to Section 203-1 A. of the Land Use Regulations to allow 8-15, 8-15-1 and 8-15-2 to have minimal lot less than 50 feet where driveway is located to provide access to lot variance for the frontage granted.

VOTE: (7-0-0) The motion carried.

MOTION: (Mr. Culbert/Ms. Masse-Quinn) To approve the wavier to Section 203-1B.2(A) of the Land Use Regulations to allow the 15,000 s/f area to be configured in a non-ordinary shape of less than 75 feet in width.

VOTE: (7-0-0) The motion carried.

All waivers have been approved.

Mr. Doherty stated that the Planning Board is willing to give them conditional approval if they meet the Conservation’s recommendations. Mr. Gendron said the applicant would appreciate that. None of the board members thought that it would be fair for Mr. Kosik to give up any of his land. Mr. Montbleau said to add the contingency with the potential conditions for approval, there were 12 of them. He said to add Conservation’s recommendations. Ms. Beauregard said the list was all standard conditions with all subdivisions that have shared driveways and read the list for the record:

1. All state permits (other than individual septic permit) to be received and approved with numbers noted on the recordable plan.
2. Approval of all required waivers to be noted on recordable plan.
3. Approval of Special permit for 50-foot WCD impacts to be noted on recordable plan.
4. Placement of WCD signs at 50’ intervals along with WCD be placed by a surveyor.
5. All applicable impact fees to be paid at the time of building permit issuance.
6. Fire protection plans to be submitted, reviewed and approved by the Fire Department prior to building permit issuance.
7. Applicant shall provide HOA documents for legal review and approval by town counsel.
8. Applicant to work with the Highway Dept. For site distance clearing along Webster Ave.
9. Per the Highway Safety Committee recommendation, the first 25 feet of the private driveway to be paved and inspected by Highway agent.
10. All driveway and utility easements to be found satisfactory by town counsel.
11. Work with the Conservation Committee to meet their recommendations and conditions.

Mr. Montbleau said those are all standard requests. Mr. Cote asked about the name for the private drive. Mr. Gendron said it’s for 911. He stated it may be called Family Drive and the Police Department was ok with it. Ms. Masse-Quinn asked why there is a HOA. Mr. Cote said for future selling. Ms. Kirkpatrick added it was for the shared driveways.

MOTION: (Mr. Culbert/Mr. Bilapka) To approve plan with these conditions.

VOTE: (7-0-0) The motion carried.

Mr. Bergeron rejoined the meeting.

NEW BUSINESS

Case #PL2021-00018

Map 29 Lot 7-95

Pelham Realty Group – 150 Bridge St. Pelham NH – Proposed change of use from prior retail space to pizza establishment

Mr. Doherty appointed Mr. Culbert to vote.

Ms. Masse-Quinn read the list of abutters.

J.P. Fine introduced himself as the manager of the Pelham Realty Group, LLC. He owns Pelham Plaza and is before the board for a change of use application within the plaza. Upon Cara’s Hallmark vacating the plaza there was an available space. They have a potential tenant, which is Domino’s Pizza. This will be a takeout, delivery location with no seating. He provided a letter from Paul Zarnowski, Town Health

Agent stating that he is satisfied with flows and the septic, he's still waiting for feedback from the State of NH on whether they require an exterior or interior grease trap. The plans show an interior trap, which Mr. Fine feels should be sufficient, all his other tenants use interior traps.

Mr. Doherty asked Ms. Beauregard how a change like this works. Ms. Beauregard said they are subject to all inspections and permits required to get an occupancy permit. She thinks the Planning Board should make any approval contingent upon meeting Mr. Zarnowski's requirements when he hears back from the state. Mr. Doherty has seen the exterior traps only for large establishments with patrons sitting down to eat with large washing requirements. Mr. Fine will require an interior grease trap. Mr. Cote wants to know if they plan to use driverless cars to this location. Mr. Fine doesn't know the answer but doesn't believe this will be the plan. There will be 2 designated parking spots for the delivery drivers. Mr. Cote asks the Board that if this comes up, he wants it to come back to the Board for approval. Mr. Fine said it's regulated by the State.

Ms. Kirkpatrick asked about the traffic in the parking lot and how it will increase. Mr. Fine said there has not been a traffic study done but doesn't think it will affect it and that there is already enough parking there. They are constantly working on traffic flow in that lot. Mr. Culbert asked what the hours of operation would be. Mr. Fine said Monday through Thursday, 10 AM to midnight, Friday 10 AM until 1 AM, Saturday 10 AM to 1 AM and Sunday 10 AM to midnight are what they are proposing. Mr. Culbert asked about lighting. Mr. Fine said a light pack on the back door and typical lighting in the lot now. He explained that Subway has similar hours and Super Cuts is next to it as well. Mr. Montbleau spoke of the Dunkin Donuts drive through and how this will add to the traffic and that it is very confusing now. Mr. Fine said that Prime extended its lease for another 10 years and they are now not leaving, and they are also adding a new kiosk. He was not prepared to deal with the traffic issues in the lot at this meeting. He welcomed people to do a walk through with him at any time. Mr. Montbleau asked him to work on the traffic. Mr. Culbert is upset that AL Prime did not leave and he avoids the parking lot. Mr. Montbleau asked if directional arrows will be painted on the pavement as part of his plan. He thinks this would be helpful if added. Mr. Bergeron asked if it was going to be takeout and delivery only. Mr. Fine said that's correct. Mr. Bergeron asked about the mention in the letter from Alan and Major of a two-seat operation, so he's wondering if people can eat inside. Mr. Fine said he will have them change that because his plans clearly have no seats and that is only a counter to wait at. Mr. Bergeron suggested a peer review for the loading requirements. Mr. Cote is not in favor of the hours of operation. He said Pelham was a sleeper town and thinks Monday through Thursday 10-10 and Fri and Sat 10-11, he said nothing good happens after midnight. Mr. Cote is thinking that this will be competition for the other local pizza shops in town.

Mr. Doherty opened up the discussion to the public. No responses, so he closed it to the public and brought it back to the board.

Mr. Doherty asked if anyone else has issues with the traffic in the plaza. Mr. Culbert thinks that there should be directional arrows painted on the pavement. Mr. Bergeron said that the Mobile station is problematic with lots of traffic and take out, so he thinks this will also happen in this lot because Dominos is presumed to be very busy. Mr. Fine spoke with the owner of Suppa's, he thinks that Dominos will only do about half the business he does and that he is not worried about Dominos being there at all. Mr. Fine believes Dominos is a good compliment to Dunkin Donuts and to Subway and will provide another amenity to the Town of Pelham. Mr. Montbleau asked if the delivery drivers can load up in the rear of the building. Mr. Fine said there is a "No Parking Fire Lane" in the back and there are also wells back there, so it most likely will not work. Mr. Bergeron asked if the bulk deliveries would go to the rear door. Mr. Fine said that's correct and the rear door is level with the parking lot. Mr. Bergeron talked about large trucks blocking the post office and causing traffic issues in the lot. Mr. Culbert asked again about putting directional arrows painted on the pavement. Mr. Fine said the parking lot was re-stripped this week and he will go back and take a look. Mr. Montbleau suggested if the Board approves this use,

then they should make it conditional upon directional arrows painted on the pavement. Mr. Doherty said this parking lot is going to be a work in progress so it's going to continually evolve. Mr. Doherty doesn't want any islands put in the lot. Mr. Fine wants to get feedback from their civil engineer and Highway Safety Department as to where the arrows should go. Mr. Culbert wants Ms. Beauregard to approve them also. Mr. Fine stated he would meet with them, but the reason he's here tonight is about the change of use and not a site plan change. The board thinks it comes down to a safety issue with more traffic with another store being added to this building. Ms. Beauregard said the Highway Safety Committee meets upon request, so they need to be contacted for availability. Mr. Montbleau wants more clarity on traffic safety in the lot. Mr. Fine said he is happy to work with everyone and make it safe. Mr. Cote wants to understand why the Board approved the Dunkin Donuts plan and that he thinks it's a disaster, however, he's most concerned about the hours of operation. He's more concerned about the delivery drivers driving around town at late hours. Mr. Culbert and Ms. Masse-Quinn concur with Mr. Cote on his hours of operation concerns. Ms. Masse-Quinn thinks 10 pm is a good close time. Mr. Fine asked the Board to consider Dominos matching Suppa's hour of operation. The Board agreed to the hours being matched. Mr. Cote is okay with 11 PM and it should be fair if Suppa's isn't open then Dominos shouldn't be. It needs to be even. Ms. Beauregard will need to check Suppa's hours that are approved. Mr. Cote is okay with 10 PM Sunday to Thursday and 11 PM latest Friday and Saturday. Ms. Masse-Masse-Quinn said Suppa's is usually open until 9 PM. The Board likes Mr. Cote's hours he recommended. Mr. Doherty said that will be one condition of approval and the other will be working on getting Paul Zarnowski's approval for the septic load for the grease traps. Mr. Bergeron again questioned the loading being adequate as far as the balance in the system. Ms. Beauregard said this should also be a condition of approval. Mr. Culbert said also a condition is for directional arrows to be painted on the pavement. And lastly a condition of no seating inside.

MOTION: (Mr. Montbleau/Ms. Masse-Quinn) To accept the plan for consideration.

VOTE: (7-0-0) The motion carried.

MOTION: (Ms. Masse-Quinn/Mr. Cote) To approve the plan with the following conditions: 1) Hours of operation to be limited to Sunday through Thursday 10AM - 10PM, Friday and Saturday 10AM - 11PM., 2) Town Health Agent's favorable review regarding septic loading and grease traps, and 3) Directional arrows to be added to assist traffic flow to the satisfaction of the Highway Safety Committee.

VOTE: (6-1-0) The motion carried.
(Opposed by Mr. Culbert)

CASE #PL2021-00019

Map 22 Lot 8-35

GUZIEJKA, Richard – 139 Main Street – Proposed Change of Use from prior landscaping business construction business and storage of associated equipment.

Ms. Masse-Quinn read the list of abutters.

Mr. Doherty said that Mr. Bilapka will vote on this item.

MOTION: (Ms. Masse-Quinn/Mr. Montbleau) To accept the plan for consideration.

VOTE: (7-0-0) The motion carried.

Jessica Roux came forward representing her father, Richard Guziejka, as he's in a nursing home due to having a stroke. Ms. Roux takes care of the property for her dad. Jim Fiorante, owner of J & J Demolition, is looking to lease this property. His company is looking to store equipment such as trailers and equipment when it's not being used on site. No work will be done on the property, it's only to be used for storage. He will have a dumpster on site for trash. Mr. Bergeron asked what the current zoning district is. Ms. Beauregard stated its commercial zoning and right before the B5, stated on page 11. Ms. Kirkpatrick asked his hours of operation. Jim said it would be the same as the current tenant, A Handy has, which is 7AM to 7PM. Ms. Beauregard said the current hours are 7AM -7PM Monday through Friday, Sat. 7AM –4PM and Sundays by appointment only. Jim is requesting Sunday 7AM-4PM and wouldn't be trailering equipment on Sunday, just possibly going to get a tool from a truck. Mr. Culbert asked about screening. Mr. Fiorante said he is open to adding more screening. Mr. Culbert would like more screening along Rt. 38 and Rita Ave. He'd like to see arborvitaes planted. Mr. Doherty mentioned it would be good to have more screening and plantings near the abutters. Mr. Bergeron asked if there is already activity at that site, which there is. Mr. Culbert would like to put a limit on his trailers. Mr. Bergeron said this is a very open site. Mr. Cote asked if he has anything there now. Mr. Fiorante said they weren't aware they had to go for a change of use at that time. Ms. Beauregard said A. Handy is going to remain there until January 2022, then J&J will take over the entire space at that time. Mr. Bergeron asked what the state right of way is. No one knew the answer. Mr. Fiorante said he only has 53-foot box trailers for storage of surplus equipment only. They won't be pulling them in and out daily. Mr. Bergeron asked the chair for an opinion of what the industry level is for this proposal. Ms. Beauregard stated he needed site approval for this. Mr. Bergeron asked if he needs Article 5 permitted use in B zone. He wants to make sure the activity has been approved. Mr. Fiorante said it's not a construction company, it's only storing equipment. He can add screening if the owner is okay with this. Mr. Cote would like to know where he currently has his stuff, why it was originally not allowed. Ms. Beauregard said he only wanted to use that space. Ms. Roux said her dad wanted the lot to be divided into two and it's just now he is getting a second tenant. She stated that she wants minimal impact for her tenants. Mr. Fiorante said he may store small amounts of oil or other material, but not large amounts. Jessica said they won't add any more lighting than is already there. She stated that A Handy is leaving in January no matter what.

Mr. Doherty opened it up to the public.

Jenny and Andy Larson, 132 Unit B Main Street came forward. Ms. Larson has some questions and concerns. She stated she had a few corrections; one is there is only one light there that's not on all night. Second A Handy isn't utilizing half the location, they are utilizing the whole location. Thirdly, as far as loud mechanical, that is false. Two weeks ago, they were pressure washing construction vehicles from 6:00 AM until 7:00 PM and it was an extremely loud noise. Mr. Larson is concerned about where the water is running off to, there is a four-unit residential home there and the lot is not paved. Their wells were tested recently, and it came back with a contaminate. They had no water for six weeks for contaminated water. The commercial use part of this lot isn't paved, so it's seeping into the ground. Ms. Larson wants some conditions to make sure it's safe. Currently she sees over five vehicles. She's concerned about traffic going by the daycare and concerned for the children's safety on that corner. She feels it would be better to use Rita Ave versus Main Street where the homes and daycare are located. She's concerned about the noise level and does not want them to work on Sundays. Mr. Doherty asked where they are getting water for pressure washing. Mr. Fiorante and Ms. Roux said that it must've been A Handy. No one knew where the water was coming from. Jessica said most of the lot is paved and there is some gravel and that A Handy is currently on a paved lot. Jenny asked if it's going to be just storage then she wants the town to correct that they showed construction company as well. Mr. Cote asked if Ms. Larson thinks it's necessary for more screening. She said it's not really the sight, it's more of the noise and traffic. Mr. Fiorante said there won't be lots of traffic, as his equipment is not going in and out, it's mainly just staying in the lot for storage. Ms. Roux explained she went back over all of the planning board meetings to see the stipulations of using both entrances because of safety in the lot and it was said

at the meetings. Mr. Culbert asked why they can't use Rita Ave. Mr. Fiorante said they do, but sometimes they get stuck out on Rt. 38 with the wide turning. Ms. Masse-Quinn asked if the trailers would stay there. Mr. Fiorante said yes unless he has to move them to a work site. Ms. Roux offered to give Ms. Larson her number and said if she ever sees any work being done, to call her and she will have it stopped as it's not allowed. Ms. Larson doesn't want more lights added and no noise on Sundays. She indicated her house is across the street from this site and mostly in the winter she would be able to see it. Mr. Larson thinks it would be good for screening to go between the four-family house and the site. Ms. Larson asked if they could use Rita Ave versus Main Street and Mr. Fiorante said yes. Ms. Masse-Quinn agreed they should use Rita Ave for safety. Mr. Cote suggested taking a left out of the parking lot onto Main Street instead of taking a right. Ms. Kirkpatrick said it would be better to avoid the daycare area, as it's a bad corner with traffic dropping kids off. Mr. Culbert would like a sign put up "Left Turn Only" when exiting the site onto Main Street. Mr. Bergeron asked The Larsons about their well test and the Larsons said their contaminant was identified as PFOA. They said the water is clear now. Mr. Cote said there are issues in that area with that contamination.

Mr. Doherty introduced the second member of the public, Kevin Ralls, at 132 Unit A Main Street. Mr. Ralls' concern is the traffic and says he doesn't want them on Main Street. He recommends they use Rita Ave to Rt. 38. He says they are rapidly adding up their trailers on the lot, but doesn't know how they got them in. He was upset about the pressure washing as well. He wants to know where the water is coming from and where is it going to and how much they are using. Ms. Roux said there is no water access over there unless they went by the garage. Mr. Fiorante said they might have brought their own water in. Mr. Cote went over the professional way to recycle water when pressure washing. Jessica said that's not supposed to be happening there and it will stop. Mr. Ralls said it's never happened before and he doesn't want this happening there. He asked what will happen when A Handy leaves. Ms. Roux said only storage of equipment and trailers with no pressure washing. His last concern is not wanting them to use Main Street, he wants them to use Rita Ave and Rt. 38. Mr. Doherty talked about using Rt. 38 and that it may cause accidents, as it's a high-speed area, so they may not always be able to use that way. They could maybe move the entrance down a bit on Rita Ave, maybe make it wider. Mr. Fiorante said the entrance now is about 20 feet. Ms. Roux is fine with moving the entrance down. Mr. Doherty asked the size of the trailers. Mr. Fiorante said about a 25-minute turn around. Mr. Ralls said he'd like to see more screening on the corner of Main Street and the two properties. Ms. Roux said in between the four family and the garage and the lot. Mr. Fiorante said his equipment is white and black. Mr. Culbert wants to see screening all the way on Bridge Street or chain link fencing. Mr. Cote said with the salt there really can't be anything planted there. Mr. Cote asked if the current salt storage bin is staying, and Mr. Fiorante believes that it is being taken out. Ms. Roux believed A Handy was leaving it. Mr. Cote asked what kind of trees are there. They think there's pines and oaks. Mr. Cote thinks if the entrance is moved down it would help. Mr. Montbleau asked how much screening the board wants. Kevin would like it from Main Street to the corner, maybe 100 feet in front of the main road and between the two properties, the house, and the parking property of the construction area. He's okay with just the equipment being parked there. Ms. Roux said there is a small creek through the property also. Mr. Doherty asked if the board would like to see fencing or plantings. Mr. Bergeron asked the Planning Director if this area overly the aquifer conservation district. Ms. Beauregard doesn't know off hand. She'll get the groundwater resource map to see. Mr. Bergeron talked about a zoning district boundary that has severe restrictions with one being the outdoor storage of salt. Mr. Doherty said it's going away. Mr. Bergeron is concerned about the water running off and this district is specifically impacted. The board discussed a prior occurrence when Salem 66 car lot was moved. Mr. Cote said it's on page 18, Industrial business uses in the industrial district which discharges hazardous waste onsite. If what they're doing falls within permitted uses, it should be alright, under 307-27. Under 307-28A outdoor storage of salt is under prohibited use. The board looked at the map and determined that this property is outside the district, which is a good thing, and they are clear on that. Kevin Ralls is finished. Ms. Beauregard read a letter from an abutter, Susan Vivier, 164 Main Street diagonally across from this lot. She noticed recently large trucks on the lot, back in 2016 she

received notice that only a set number of vehicles were allowed, and no work would be done there. The new company has been using a loud power washer, they are in B5 zone, and she has the right to peace and quiet in her home. She said they were promised trees would be planted to hide the lot and make the property look appealing from Rt. 38. Her biggest concerns are noise and view. The board again stated that the noise was created by A Handy and won't happen again.

Mr. Doherty closed the case to the abutters.

Ms. Masse-Quinn asked to clarify that this is a storage only business and not construction. Ms. Roux said it's a construction storage business. Ms. Masse-Quinn recommended the notice to say, "Proposed change of use from prior landscaping business to storage business of associated heavy equipment". Mr. Bergeron asked about the proposed hours of operation. Is it going to be the same as A Handy? Mr. Doherty asked if Mr. Fiorante was a snowplow operator in the winter. He answered yes on occasion and may have a truck with a sander. He wants hours in the winter to be 24/7. Mr. Cote said he's asking for Monday through Saturday 7AM to 7PM and Sunday 7AM to 4PM and in the winter 24/7, as needed. He needs access to the property during snow. He has three plow trucks and only uses them to plow the properties that he is working at. Mr. Culbert would like a two- or three-hour window during the winter that Jim can plow. Mr. Montbleau had a plowing business in the past, so he's aware of the snow hours and thinks that it can't be predicted, and Mr. Fiorante needs to be ready and have access available to his trucks. Mr. Bergeron asked what the total acreage of the site was. Ms. Roux didn't know. Mr. Cote said it's a 2.1-acre parcel for the whole property. Mr. Bergeron said it's for the four family and the storage lot. Mr. Doherty said it's an existing building so the acreage is not an issue. Mr. Bergeron wants to uphold zoning. Ms. Beauregard said there are 8 bedrooms total in the units. She believes it's after 10 that needs more acreage. Mr. Bergeron asked what the dotted line is on the tax map. Ms. Beauregard said it's a 100-year flood zone. Mr. Cote said it's also the stream. Mr. Doherty said there is also a storm drain. Mr. Bergeron said MS 4 will be over there to sample the water. Ms. Beauregard said yes.

Ms. Beauregard said the conditions she has are: (1.) No right turn sign to be added. (2.) The hours of operation are to be the same as the previous tenant. Regarding screening, what does the board want. Mr. Bergeron thinks there needs to be more information before deciding this. Mr. Doherty recommends hemlock trees as they grow anywhere. Ms. Masse-Quinn is comfortable with the tree line now. Mr. Montbleau asked the applicant what he wants to put there. Mr. Fiorante isn't even sure where they want plantings. On the corner of Rita and Main he would do an extension of the current fence, but the entire length of the area between the four family and the whole entire property is very substantial. Mr. Doherty said every 10 feet to plant a hemlock tree. Mr. Fiorante asked for clarification on how many feet they are asking. Mr. Doherty said it's about 50 feet. Third (3) tenant to plant ten hemlock trees ten feet apart from Main Street heading towards Rt. 38, along the storm drain. Mr. Cote said no need to move entry way at this time.

MOTION: (Mr. Montbleau/Ms. Masse-Quinn) To approve the site plan change with the following three conditions previously stated.

VOTE: (7-0-0) The motion carried.

Plan is conditionally approved.

ADMINISTRATIVE

Map 22 Lot 7-1

DC Development and Construction - Request for Bond reduction and recommendation to the Board of Selectmen for Road Acceptance

Ms. Beauregard said this is the Pines subdivision, which is Evergreen Avenue, a conservation subdivision approved in 2018. Jeff Quick confirmed all the roadway improvements have been completed, however because it's hasn't wintered over for a year, he recommends holding onto a 10% maintenance bond for a year. The current bond is \$11,615.00 and the maintenance bond will be for \$3,967.50. It is ready for acceptance by the Board of Selectmen, so he needs the Planning Board recommendation to do so. Mr. Doherty asked for any questions.

MOTION: (Mr. Montbleau/Ms. Masse-Quinn) To reduce bond and still hold the \$3,967.50

VOTE: (7-0-0) The motion carried.

Mr. Doherty appointed Mr. Culbert will vote.

MOTION: (Mr. Culbert/Mr. Montbleau) Recommendation to the Board of Selectman regarding the acceptance of the road.

VOTE: (7-0-0) The motion carried.

Mr. Cote will make the recommendation to the Board of Selectman.

Ms. Masse-Quinn asked about the board's previous recommendation for the Planning Board's legal fund budget. Mr. Cote said it's on the Planning Department's budget as a wish list item and there is a final vote by the Board of Selectmen on August 31st. On August 18th they will be discussing the wish list items. Ms. Masse-Quinn asked why it's on the wish list versus a line item. Mr. Cote said things can't just get added, they have to be asked first to get them put in. Ms. Masse-Quinn researched how to get it added. It should be introduced as a line item and not a wish list. Ms. Beauregard said the only authority to add a line item to the budget is through the Board of Selectmen and we don't have that access. When bringing something new it has to be presented as a wish list. Ms. Masse-Quinn asked the Budget Committee to see what the process is. She was told a wish list item is something that can be done without but thinks it should be a line item and is necessary for money for legal. Ms. Beauregard said this was added quite a long time after the budget was due, so it may have been placed as a wish list because of that too. Ms. Masse-Quinn also asked if the Board of Selectman allocates any of their budget for the Planning Board legal budget. Mr. Cote said the Planning Board gets a certain amount of services and this would be only for conflicts of interest. Ms. Masse-Quinn asked out of the \$97,000 what is allocated to the Planning Board for legal. Mr. Cote said it was presented as a wish list item. Ms. Beauregard had to ask her boss how to present it and the finance officer as well. Mr. Doherty asked if that's because it's not a reoccurring request. Ms. Beauregard said once it's voted in then it becomes reoccurring. Mr. Doherty said it's only for a conflict of interest and not be under reoccurring. Mr. Cote asked the board how they want it to be presented. Ms. Beauregard said right now there is some allocated under the Planning Board and department. Mr. Cote said that it can be changed every year if the funds are not expended.

ADJOURN

MOTION: (Mr. Culbert/Mr. Montbleau) To adjourn the meeting.

VOTE: (7-0-0) The motion carried.

The meeting was adjourned at approximately 10:22 PM.

Respectfully submitted,
Jennifer Castles
Recording Secretary