

**TOWN OF NEW HAMPTON
PLANNING BOARD
MEETING MINUTES
NEW HAMPTON TOWN OFFICE
NEW HAMPTON, NH 03256**

April 15, 2014

MEMBERS PRESENT:

Mr. Kettenring, Mr. Mertz, Mr. Luciano, Mr. Conkling, Mr. Love, Mr. Irvine, and Ms. Gregg (7:02 pm) were present.

OTHERS PRESENT:

Town Administrator Mrs. Lucas, Fire Chief Michael Drake, and Deputy Kevin Lang were present.

CALL TO ORDER:

Mr. Kettenring called the meeting to order at 7:00 p.m.

MINUTES:

3/18/14

Mr. Mertz made a motion, seconded by Mr. Luciano, to accept the minutes as written.

CORRESPONDENCE:

1. Copy of a letter from NH DES Alteration of Terrain for a health focus facility being proposed on Tax Map U17, Lot 55. The letter states conditions.
2. Copy of a letter from the Selectmen to JR Bruning/Storage shed advising that trailer parking is not compliant with the conditions set by the ZBA and the need to install some plantings per the conditions.
3. Notice of the Annual Spring Planning and Zoning Conference on 5/3/14 in Whitefield, NH.
4. Memorandum to all Department Heads, committee, board and commission chairs of the updated Capital Improvement Plan.

MASTER PLAN UPDATE

Mr. Irvine advised they have not met recently so this is ongoing. The subcommittee members agreed to meet on May 19, 2014 at 6:30 pm, in the upstairs meeting room.

CAPITAL IMPROVEMENT PLAN

Mrs. Lucas advised that she has disseminated the memo, but there is nothing further at this time. Mr. Irvine advised that the Selectmen discussed the possible inclusion into the improvement plan, of road improvements, done outside of block grant money, considering appropriations in the future.

**DISCUSSION ON PROPOSED
CHANGES FOR SPECIAL TOWN
MEETING**

Mr. Kettenring advised that there had been some amendments during the zoning ordinance revisions hearings which could not be incorporated for the warrant due to timing requirements for holding the hearings. There will be an election in September, so adding any revisions to the ordinance could take place then. The board reviewed the scheduled timelines for holding hearings, agreeing that the previously discussed amendments could be reviewed at the May meeting, with a hearing in June.

New residents, Ralph and Christine Perron were present. Mrs. Perron asked if she could see the revisions that had been proposed, but not voted on. Mr. Kettenring said she could see that in the minutes of

Planning Board. Mrs. Lucas said she suggested to Mrs. Perron to come have a discussion with the Planning Board as they purchased property on Drake Road for the purpose of using it agriculturally, to include some livestock. Mrs. Lucas noted that the amendment was to restrict the agricultural use, which is now affecting the properties more to the rear of the MU District, which are closer to residential neighborhoods. Mrs. Gregg said she had been surprised about that change also. Mr. Kettenring said this could be part of the discussion in May. Mrs. Gregg had recalled the board's concern with livestock in the Village District.

Mr. Perron advised that they are trying to determine where the line changes from MU to GR districts on their property, so they knew where there is the opportunity to have livestock. Mr. Irvine asked what type of animals they would like, and Mrs. Perron advised they would like to keep chickens and several pigs, but did not want a roadside stand. They would like to keep bees, but keep them a distance from property lines.

Mr. Mertz confirmed that they had purchased 2 lots, which are now merged, and that prior to the merge, one lot was in the MU district and one was in the GR district. The board noted that the restriction in usage would apply to the measured area of the property in the MU district. There was discussion on why this limitation was put in place for the MU district. Mr. Kettenring advised it may have been to deter large scale commercial farming. The board suggested to the Perrons that they could draft some proposed wording for them to review in May. The board advised that a measurement would need to be taken 1800 feet from the center of Route 104, perpendicularly south, to determine the change in the districts. Anthony Randall, licensed surveyor, was present and suggested ways for the Perrons to determine an approximate location of the district line.

The board agreed to review the previous amendment language that was not brought to the voters, prior to the May meeting.

**PRELIMINARY HEARING/
SUBMISSION OF APPLICATION**

Paul Rossi, on property belonging to Onorio & Filomena Rossi; 322 NH Route 104; Tax Map R-11, Lot 10 – Site Plan Review and Conditional Use Permit for used vehicle display & sales

Onorio and Paul Rossi, and Surveyor Anthony Randall were present.

Mr. Randall advised that Paul Rossi would like to sell used vehicles and use part of the existing restaurant space to have an office. The plan shows the outside area for display purposes, 3,000 sq. ft., and explained the calculations done to determine its compliance with the new language in the Zoning Ordinance. Mr. Randall said that 3,704 sq. ft. is the area calculated at 25% of the lot development (for outside display purposes), but due to the further limitation that it not exceed 3,000 sq. ft. that is what their plan proposes.

Mr. Randall advised the parking space calculations are adequate for the restaurant and the vehicle sales. The sign that is located near Smithfield Plumbing and Heating will be relocated, as shown on the plan, near the other side of the property. No additional lighting will be installed. Mr. Randall advised that they had previously obtained the NH DOT driveway permit for the added use.

Mr. Mertz asked if the driveway permit was still valid and Mr. Randall

said it likely is as this proposal is not much different than what was proposed when the permit was granted.

Mr. Kettenring summarized the letter submitted by Fire Chief Drake requesting the following:

1. Egress pathways provided and striped for all entrances and exits.
2. The propane gas tank located next to the building and back parking lot require adequate protection prior to operations installing bollards or jersey barrier, spaced appropriately
3. Knox box purchased and installed on building providing emergency responders with building access keys.

Mr. Mertz asked what the Knox box should access and Fire Chief Drake said to allow access to the entire property including the sales, office garage being used for detailing, and the restaurant.

Mr. Irvine asked what the existing garage is being used for and Mr. Rossi advised it was for storage, but is basically empty.

Mrs. Lucas asked what the hours of operation will be and Mr. Rossi advised he was considering 6 days a week, 9:00 am to 5:00 pm, but possibly as late as 9:00 pm. He said it would depend on how the business goes so it could be more, or less. Mrs. Lucas confirmed with Mr. Rossi that the garage will be used strictly for detailing and Mr. Rossi agreed, saying there will be no repair work done in the garage. Mrs. Lucas confirmed the relocation of the sign to the west end of the property and reminded Mr. Rossi to obtain a sign permit through the Selectmen.

Mrs. Lucas asked if the shaded area on the plan is the intended area to display the vehicles and Mr. Rossi explained that is where they would be located. Mrs. Lucas asked what the expected number of vehicles may be and Mr. Rossi advised it would depend on what type of vehicles he had on display and how they fit into the 3,000 sq. ft. space. The board said it would likely be 10-15 vehicles.

Mrs. Gregg asked if he was proposing any change to the vegetation and Mr. Rossi advised it would probably remain the same.

There was some discussion on whether to have a parking space in the front of the office, which deters driving across the front of the building. Chief Drake advised that it was his and Police Chief Salmon's concern that vehicles should not be allowed to drive across the front of the building as it blocks egress. Chief Drake express concern with vehicles currently parking in front of the restaurant blocking egress. Mrs. Lucas advised this issue was discussed at the time when Dunkin Donuts was in the building and pointed out that at that time the Planning Board required a deterrent to vehicular traffic, which was solved when the barrels were put in place with plantings. Mr. Irvine asked if Chief Drake had any issues with the parking spaces as noted on the plan and Chief Drake expressed concern with the egress out of the bar area that should be striped and left clear. The board agreed that this could be solved with moving these parking spaces out further from the building. Mr. Irvine asked Mr. Randall to get the exact requirement based on code

from Chief Drake.

Mr. Kettenring advised that the board would now discuss the conditional use permit.

Mr. Randall advised reviewed the purpose of the application, being the same as what was presented for site plan review. He stated that Mr. Rossi installed the required signage for conditional use. Mr. Randall said he placed on note on the plan stating that a conditional use permit would be registered with the county, when approved.

The board reviewed the conditional use criteria:

a. Consistency with the Master Plan:

Mr. Randall advised that the vision for the area is confusing, but this use appears to be consistent with current uses in the area. Mr. Mertz advised that though there are varied uses going on in that area this proposal will allow for mixed use of a structure on one lot. Mr. Kettenring pointed out that the MU district wants to encourage a pedestrian friendly area which this proposal allows. Mr. Mertz made a motion, seconded by Mr. Irvine that the proposal meets this criterion. Vote was unanimous.

b. Site suitability:

Mr. Randall advised that the plan addresses adequate vehicular and pedestrian access. With the input from the Fire Chief the egress will comply with code. He said that public services are adequate for the use and there are not floodplains or steep slopes on the property. He said there are appropriate facilities in place to service the use. Mr. Mertz made a motion, seconded by Mr. Love, that the proposal meets this criterion. Vote was unanimous.

c. Internal impacts:

Mr. Randall advised there were no internal impacts and that it fits into the neighborhood, noting the other uses in the area. Mr. Mertz pointed out this would not produce much of a traffic impact; should not create excessive noise or odors; there will be no additional lighting; or additional building construction; existing sign is just being relocated. Relative to hours of operation Mr. Mertz advised the sale of vehicles will not create any longer of disturbance than what currently exists in the area. Mr. Rossi advised he would propose to be open 7 days a week, 9:00 am to 9:00 pm. Mr. Mertz made a motion, seconded by Mr. Irvine, that the proposal meets this criterion. Vote was unanimous.

d. Character of the site development:

Mr. Randall advised no additional trees will be cut so existing buffer strips will remain in place and there is adequate vehicular and pedestrian access. Mr. Irvine advised that the plan doesn't create any additional disturbance and has a clearly defined area for display of the vehicles. Mr. Irvine made a motion, seconded by Mrs. Gregg, that the proposal meets this criterion with the condition that the display be restricted to that specific area noted on the plan. Vote was unanimous.

e. Character of buildings and structures:

Mr. Kettenring advised that there are not changes being made to the structures. Mr. Mertz asked if there was going to be any additional signage other than the relocated sign and Mr. Rossi said there may

be a small sign on the window to the sales office. Mr. Mertz made a motion, seconded by Mr. Luciano, that this criterion was met. Vote was unanimous.

- f. *Preservation of natural, cultural, historic, and scenic resources:*
Mr. Irvine made a motion; seconded by Mr. Luciano, that it met this criterion and that it being in the best interest of the restaurant, Mr. Rossi would want a well maintained and orderly car lot. Mrs. Gregg made a motion, seconded by Mr. Irvine, to add that no trees will be cut. Vote was unanimous.
- g. *Impact on property value:*
Members agreed that the proposed use would not affect property values. Mr. Conkling made a motion, seconded by Mr. Luciano, that the proposal meets this criterion. Vote was unanimous.
- h. *Availability of Public Services & Facilities:*
Mr. Irvine advised that the only concern may be the use of the garage. Mr. Irvine made a motion, seconded by Mr. Mertz, that only detailing would be done in the building, with no repairs or painting, and that the proposed use met this criterion. Vote was unanimous.
- i. *Fiscal impacts:*
The board agreed that that this should not have any negative fiscal impacts. Mr. Mertz asked Mrs. Lucas if she knew of any fiscal impacts and she said she did not think there was. Mr. Love made a motion, seconded by Mr. Irvine, that the proposal meets this criterion. Vote was unanimous.

Mr. Kettenring advised that they have reviewed and determined that they met all the criteria required for a conditional use permit. The board reviewed the conditions required:

Limited to detailing only, in the garage on the property.

Hours of operation being 7 days/week, 9:00 am to 9:00 pm, or less.

Vehicles for sale will be in the designated area only, as shown on the plan.

No further cutting of trees.

It was noted that the sign that is being relocated is grandfathered where it sits, but upon moving it, must conform to the current sign regulations.

Mr. Kettenring advised that the board still has the separate matter of the Site Plan Review, as the Conditional Use permit criteria have been discussed and voted on.

Mr. Rossi explained that instead of taking the existing sign and moving it, he expects to replace it with a newly constructed sign. Mrs. Lucas asked the board if they wanted to place any specific condition relative to the sign in the conditional use findings, as it seems to relate to the criteria "Character of buildings and structures". Mr. Rossi clarified that the sign framing and posts would be the reused, and the sign itself would be updated. The board was satisfied with the explanation.

Mr. Irvine made a motion, seconded by Mr. Irvine, to approve the Conditional Use Permit, with findings as discussed. Vote was unanimous.

(Planning Board, April 15, 2014, cont.)

Mr. Mertz made a motion, seconded by Mr. Luciano, to accept the Site Plan Review as complete but will require the modifications discussed, to be reflected on a new site plan, prior to approval. Vote was unanimous.

The board discussed whether to make this a conditional approval. Mr. Conkling made a motion, seconded by Mr. Luciano, to approve the site plan review subject to meeting the concerns relative to parking, addressing the issues raised by the Fire Chief, a letter from the Police Chief, and a revised plan. Vote was unanimous.

INFORMATIONAL/CONCEPTUAL MEETING:

*Joseph Sanville, on land owned by
Hilshar Assoc. Inc., NH Route 104, Tax
Map R-4, Lot 92A*

No one was present to represent this discussion.

OTHER BUSINESS

There was none.

ADJOURNMENT

Motion to adjourn was made by Mr. Mertz, seconded by Mr. Irvine. Vote was unanimous. The meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Pamela Vose

DRAFT