

Town of Boscawen, NH

PLANNING BOARD

Boscawen Municipal Complex

MEETING MINUTES – FINAL

Tuesday, May 3, 2016 at 6:30 PM

Planning Board Members present: Bruce Crawford, Chair; Roberta Witham, Vice Chair; Douglas Hartford, Matt Lampron, Jeff Reardon, and Bernie Davis, Jr., Member ex officio, and Rhoda Hardy, Alternate member.

Planning Board Members absent: Roger Sanborn, ex-officio Alternative Member

Others present: Alan Hardy, Planning & Community Development Director; Kellee Jo Easler Planning and Community Development Assistant.

Bruce Crawford called the meeting to order at 6:30 p.m. Paul Strieby, former Vice Chair, came forward to let the Board know that he “thoroughly enjoyed being a part of this group”. He said it is so important to ask when the application expires and to remember impact fees. Chairman Crawford indicated that Mr. Strieby was missed and that Matt Lampron has taken on his duties of keeping track of conditions. Roberta Witham is serving as Vice Chair. Mr. Strieby said there is no better Chair than Bruce Crawford who gives of his time selflessly. He said in the future, if he is able, and if a position opens up again on the Board, he’d be happy to come back. Board members wished Mr. Strieby well.

Approval of Minutes

Motion was made by Jeff Reardon , second by Doug Hartford, to approve the minutes of the April 5, 2016 meeting, as amended. Motion passed unanimously.

New Business

- Conceptual Site Plan – Retail Economic Development

Chairman Crawford recused himself from the proceeding. Vice Chair Witham chaired. Jim Kranston with Bohler Engineering and Patrick Natreba from Lisciotti Development attended the Board meeting to provide a conceptual site plan for property at King Street, north of Queen Street, to house a Dollar General retail store. The property encompasses 61,000 square feet within the commercial zone. Mr. Kranston said they met with Alan Hardy and Kellee Easler to go over with them their plans and to learn the process. The lot is not conforming and relief from the Zoning Board of Adjustments will be sought. Once the Zoning Board concerns are addressed they will return to the Planning Board. Mr. Kranston said signage is a final factor where they’ll need relief. They are currently working with a sign vendor and signage plans will be submitted. The property is on a state road but doesn’t generate a lot of traffic. The Department of Transportation (DOT) didn’t see any issue with what is being proposed. A traffic summary will be submitted to the Zoning Board.

Board members asked a number of questions dealing with setback, fencing, parking, size of the building, signage, color of the sign, and the time of deliveries which revealed the following information: ensure that no snow gets cleared on abutting property

- the property has about a 12 foot setback on each side
- haven't discussed fencing yet
- building will be even with the road
- not sure of the size compared to the Franklin, Concord, and Fisherville Road store but there is not major variation between the stores
- topography is challenging
- deliveries will be made on Mondays, maybe around 7:00 a.m.

Mr. Kranston said they want to segment the signage process so that construction is not held up. Alan Hardy said that normally signage is included as part of the site plan. If no relief is required, than it's a building permit that is necessary. He said the Planning Board would be looking at the site plan and where the sign would be going, and looking at their street sign versus their building sign. Rhoda Hardy suggested different colors than yellow and black, the "bumble bee" appearance. Mrs. Hardy said that when Dunkin Donuts came in, one of the main objections was the color. Mr. Hardy asked if Dunkin Donuts changed the color. She said the color was not as gaudy by the time "it got built", and said that Dollar General even using a softer yellow would help. Mr. Netreba said branding is up to corporate and it is highly unlikely it would change the colors. Mr. Hartford pointed out that Dunkin Donut used an existing building.

Rhoda Hardy said a condition should include the traffic problems with Queen Street coming in such a close area. It's already hard to get out of Queen Street to take a left. Mr. Kranston said there are about 10 per hour and "this kind of fuse is more benign to exit lanes. Jeff Reardon asked if some parking could be placed in back of the lot and strategically place shrubbery in the front.

Definition of Yard Sale: Chairman Crawford resumed chairmanship of the meeting. Alan Hardy said Bill Lambert will be here next month and will be first on the agenda to discuss the yard sale regulation. Mr. Hardy said the current regulation holds that yard sales can be held at certain times of the year. After that it becomes a business. Chairman Crawford said he would work on the matter once the legislative season winds down. Mr. Hardy said some on King Street are in the right-of-way right up to the traffic circle. There was mention of one directly across from the Historical Society. Mrs. Hardy said there is one across from the Smoke Shack. The Chairman said that was a permanent structure. Alan Hardy stated that when safety becomes a concern than RSA 47:17 comes into play. He said the purpose of a yard sale is the sale of your own personal property. Mr. Hardy read the yard sale ordinance which gives the Board of Selectman (BOS) certain powers regarding safety. Chairman Crawford said "every year it pops up somewhere". Rhoda Hardy said "it is unsafe up there" and it takes her 20 minutes to get from the church to the bank and back to the church. Matt Lampron said you can't control where people park. As a state road you don't see the NH Department of Transportation coming to Boscawen to address the situation. Mr. Hardy said enforcement has to be uniform – yard sale, church supper, or funeral – anything that puts cars on the side of the road must be addressed. Mr. Hardy said he is watching other towns with significant activity on Main Street. The opportunity may come along and he wants to look at municipal parking to relieve the stress and deal with in a positive way. Chairman Crawford said the yard sale part is easy. There was much discussion about yard sales, traffic back up and parking that will need to be discussed with Town Counsel.

- Master Plan: Draft Economic Development
 - Cultural Heritage

An email dated August 7, 2014 from Karen Mackenzie and a response to the Master Plan Chapter on Economic Development written by Lorrie Carrier were distributed. Chairman Crawford said that Karen Mackenzie and John Parker were carrying the ball on that issue for a while. Alan Hardy stated that Boscawen was in the final group to receive the Plan NH grant for King Street mixed use zoning study which will be announced shortly. Chairman Crawford said he could work on this. Regarding the Cultural Heritage section, there was some discussion about Elaine Clow taking a look at it. Alan Hardy, Bruce Crawford, and Lorrie Carrier will work on the Economic Development portion.

- Master Plan: Draft Demographics

A copy of Chapter III, Population and Demographics, of the Master Plan was distributed. Alan Hardy said it was never acted on and the last data set is from 2010. He said the document can sit and the data will not change until “we get to it”.

Doug Hartford moved, second by Vice Chair Witham, to hold a public hearing next month on the matter. Motion passed unanimously. There was discussion on Boscawen not attracting new families to the area. Doug Hartford indicated that the problem is not exclusive to Boscawen or NH. Chairman Crawford said NH is disadvantaged by high energy prices and making housing more available and less expensive. An audience member who just moved to the area from Portland, Washington said she liked the area. She is an army recruiter and would like to serve on the Conservation Commission. Someone asked what the purpose of the discussion was. Alan Hardy explained the Master Plan. Rhoda Hardy said the Board needs to make sure that what the Concord Monitor publishes is true.

Chairman Crawford noted that when one seconds a motion, it is to get the conversation going, and the person does not have to necessarily vote in favor because it moved or seconded the question.

- Site Plan Review (Board: Individual Binders)
 - Parking Place Standards

Individual binders were provided to Board members. Alan Hardy said that four Planning Board members are needed to put a directive in regulation. A vote of the town is required to change an ordinance. There is a reference to a sprinkler in the regulation which was never approved in the ordinance. Short term issues should be put in regulation so long as it doesn't conflict with the ordinance. Mr. Hardy said there was an ADA standard. He did not know if there was a federal standard. Chairman Crawford said that 9x18 is standard use and a truck doesn't fit in parking spaces anymore. There is a requirement that spaces be for full sized vehicles or include a sign for compact cars only.

Discussion continued about a property across from Ross Express and the hydrant location. The Chairman said he would call Ray about the matter. It seems the pipe isn't big enough to supply the hydrant. The Water Precinct has responsibility.

Alan Hardy and Kellee Easler will look at things that need to be part of the Planning Board process. A consultant engineer named Janet suggested looking at Hooksett's procedures since something is always being built there. Exeter is another that Mr. Hardy will take a look at.

Bernie Davis asked "what to do with all of their [Dollar General] changes. Alan Hardy said each variance is unique and if they've got requests for multiple variances, "maybe it's not the right piece of land". If it doesn't create a safety problem, you can do it. Mr. Hardy said "we could successfully defend why we have certain requirements". Simplex v. Newington is where variance went down a bad place. Keene lost a good one on use where the judge was so mad, he issued a directive verdict. Mr. Hardy continued, saying that a variance is intended as an escape where the hardship must be demonstrated.

The discussion then went back to the colors of the Dollar General store. It was mentioned that it would be the same as the one in Franklin. Chairman Crawford stated that Boscawen has a parking issue on King Street with the funeral home and that any development needs to have parking. Alan Hardy said to "get it in the ordinance and have in advance of..." It was also mentioned that Dover has a different process and that towns with historic district have an easier time enforcing colors and other issues. Matt Lampron pointed out that this is the first paying entity coming into town in a long time. Mr. Hardy said that condominiums will create opportunities and hopefully Concord doesn't get it all.

- Sign Ordinance

Alan Hardy mentioned that the sign ordinance is tied to the lighting ordinance and explained the difference between externally lit and internally lit lighting. Both the Elmwood and Cumberland signs are internally lit where there is a difference in color density. Mr. Hardy indicated that Boscawen's standard wasn't designed for digital signs.

Doug Hartford moved, second by Bernie Davis, to enforce that signs be shut down between the hours of 11:00 p.m. and 6:00 a.m. If the business is open, the enforcement would not apply. Motion passed unanimously.

Old Business

- Changes for new year's Zoning Ordinance
 - Article V Lot Area Coverage
 - Definitions – Yard Sale – **taken up earlier**

Chairman Crawford spoke of Senate Bill 146 which included all kinds of variables and is "lost". Several versions will be filed next year. Portsmouth is "mad". Ride-sharing is not a regulated taxi. Portsmouth has become the poster child for the matter. Alan Hardy said that Article V was an issue in the conceptual plan heard tonight.

Adjournment

Doug Hartford moved, second by Jeff Reardon, to adjourn the meeting at 8:40 p.m.

The next regular meeting of the Planning Board will be held on June 7, 2016 at 6:30 p.m.

Minutes are respectfully submitted by Suzanne Beauchesne