

**Town of Boscawen
PLANNING BOARD
Boscawen Municipal Complex
FINAL MEETING MINUTES
Tuesday, December 6th, 2022**

Members Present: Mark Varney—Chair; Loren Martin—Vice Chair; Barbara Randall; Gary Tillman; Roberta Witham; Lorrie Carey—Alternate Ex Officio

Members Excused: Paul Dickey—Ex Officio; Rhoda Hardy

Members Absent: None

Staff Present: Kellee Jo Easler—Planning and Community Development Director; Kearsten O’Brien—Deputy Planning & Community Development Director; Kara Gallagher—Planning & Community Development Assistant; Katie Phelps—Town Administrator; Alan Hardy—Code Enforcement Officer; Tim Kenney—Fire Chief

Guests: Eric Munroe—Building & Loan Development, LLC; Spencer Tate—Meridian Land Services; Joe Wichert—Wichert Land Surveying; Tim Bernier—T.F. Bernier, Inc; Warren Colby—Owner of GMI Acquisition, LLC; Neil Arruba—Operations Manager of Materials Division for GMI Acquisition, LLC

Work Session on Master Plan:

PCD Director Easler said quite a few sections had been updated from the 2002 Master Plan thus far, but there is still more to do. She informed the Board that a grant through InvestNH had been received so the housing section could now be updated. Work on that section is predicted to start in January of 2023. PCD Director Easler said the next round of changes were to the Agricultural Commission and Energy chapters. She said there will be a Public Hearing in January for those sections. PCD Director Easler said the main sections that still need work are the introduction, goals and objectives, and history and culture chapters. She said she will speak with Central New Hampshire Regional Planning Commission (CNHRPC) about those updates. Chair Varney commented on the cover photo being a great “before photo” of the Routes 3 and 4 split and recommended keeping it in the document. Deputy PCD Director O’Brien asked the Board if they would like a multi-picture for the cover to incorporate all of the Commissions. All concurred. Discussion ensued of other potential photos to incorporate into the document.

PCD Director Easler asked the Board if there were any additional changes to be made to the Master Plan amendments before the Public Hearing in January 2023. No comment.

Chair Varney motioned to hold a Public Hearing for the Master Plan amendments at the January meeting. Seconded by Vice Chair Martin. All in favor. None opposed.

Chair Varney opened the Public Meeting at 7:00 p.m.

PCD Assistant Gallagher completed roll call.

Minutes:

Ex Officio Carey requested two changes:

- Line 93-“family” should not be capitalized but should be in quotations.
- Line 118-“housing” and “commercial” should not be capitalized.

Town Administrator Phelps requested one change:

- Line 42-change “definitions” to “definition”.

Vice Chair Martin motioned to accept the 11.01.22 draft minutes as amended. Seconded by Mr. Tillman. All in favor. None opposed.

Old Business:

Public Hearing for updating the Boscawen Land Development Regulations:

Deputy PCD Director O’Brien read the following Public Notice: Notice is hereby given in accordance with RSA 675:7 that the Boscawen Planning Board will meet on **Tuesday, December 6th, 2022** after 6:30 PM, to hold a public hearing for updating the **Boscawen Land Development Regulations** by adding the sections listed below.

- Sections 2.9, 4.1, #7 & #16. & 5.1

Chair Varney opened the Public Hearing at 7:07 p.m.

Chair Varney asked if there were any comments from the staff. PCD Director Easler proposed amendments to the following sections:

- 2.1-Add “All applicants shall meet with the Planning & Community Development Director & the Code Enforcement Officer prior to submission of an application.”
- The addition of Sections 2.9, 4.1, #7 & #16, and 5.1.

No public comment.

Mr. Tillman motioned to accept the changes to the Land Development Regulations as amended. Seconded by Mrs. Randall. All in favor. None opposed.

Chair Varney closed the Public Hearing at 7:13 p.m.

Public Hearing for 2023-2030 Capital Improvement Program (CIP):

PCD Assistant Gallagher read the following notice: Notice is hereby given in accordance with RSA 675:7 that: the **Boscawen Planning Board** will meet on **Tuesday, December 6th, 2022**

after 6:30 PM, at 116 North Main Street, 4th Floor, to hold a public hearing during its regular meeting to consider the **2023-2030 Capital Improvement Program (CIP)** as amended.

Chair Varney opened the Public Hearing at 7:14 p.m.

PCD Director Easler described the recommended amendments to the CIP, and explained that CNHRPC advised placing funds aside for the future King Street improvement project. There will be many items that will not be paid for by the State during this project so by creating a new Capital Reserve Fund, money can be saved to cover those items. Discussion ensued. Mrs. Randall asked what the money can and cannot be used for. Town Administrator Phelps replied for the purpose of repair, construction, and reconstruction of King Street. Vice Chair Martin commented that if this becomes a Warrant Article that the Select Board have the authority to expend the funds when the time comes otherwise the topic will go back to Town Meeting for a vote to take the money out.

No public comment.

Chair Varney motioned to add \$50,000 per year starting in 2023 to the Capital Reserve Fund. Seconded by Mr. Tillman. All in favor. None opposed.

Chair Varney closed the Public Hearing at 7:39 p.m.

New Business:

Code Enforcement Discussion:

1. Class VI Roads-Code Enforcement Officer Hardy said the decision of issuing building permits on Class VI roads lies with the Select Board. He believes it prudent to meet with the current Select Board occasionally to see if the position taken by prior Select Boards still makes sense. The process is the governing body consults with the Planning Board for a recommendation. Code Enforcement Officer Hardy suggested different scenarios that could be approved such as allowing building permits for detached structures, attached structures, construction of a home, etc. Discussion ensued on the procedure to change the current policy for Class VI roads. Vice Chair Martin asked if there was a document listing the Class VI roads. Code Enforcement Officer Hardy said yes. Chair Varney recommended tabling the discussion until the January meeting for the purpose of researching Class VI roads in town. All concurred. Code Enforcement Officer Hardy will send the Class VI road document along with a presentation from New Hampshire Municipal Association (NHMA) and RSA 674:41.
2. Zoning Ordinance Updates-PCD Director Easler proposed the following changes:
 - Article X 10.01-Add “the Land Use Ordinances”
 - Article XII-Remove “The accessory structure is not to exceed 144 square feet in size.”
 - Article XII-Add the definition for “Lodging or Rooming House”A Public Hearing is scheduled in January for changes to the Zoning Ordinance.

PCD Director Easler said currently the Code Enforcement Officer can only administer the provisions of the Zoning Ordinance, but it would be helpful to include the Land Use Ordinances as well. Discussion ensued of who currently enforces the Land Development Regulations.

3. GMI Discussion-PCD Director Easler received a complaint from a neighboring parcel on Queen Street regarding blasting for Boscawen Sand and Gravel. She then reached out to Warren Colby and Neil Arruba and asked them to attend the meeting to address the complaint. Tim Bernier went through the gravel permit with Mr. Colby and Mr. Arruba to find out where the day to day operations had gone astray. Mr. Bernier found they were in violation of their conditions. He said they plan to submit an application to amend the site plan to address the current issues and adjust to changes in the industry.
4. Eagle Perch Drive Discussion-PCD Director Easler said the developer of Eagle Perch Drive would like to place a beam at the edge of the driveway of each lot and have the future owners of each lot provide their own mailbox. She said in the Notice of Decision a condition was stated that “if a cluster mailbox was not required by USPS it does not need to be put it.” According to the USPS National Delivery Planning Standards Handbook, a cluster mailbox is required. PCD Director Easler wanted to bring this to the Board’s attention.

PCD Director Easler said she also received a call from an abutter that wanted to know when the greenhouse was supposed to come down. PCD Director Easler stated that the greenhouse is supposed to come down in August, 2023. If it isn’t down by July, 2023 the developer will need to come back to Planning Board for an amendment to the site plan.

North Main Street & Water Street Non-Binding Discussion:

North Main Street-Mr. Joe Wichert was at the meeting to gain some feedback for two different projects. He said this 2.3 acre lot in a R2 zone owned by Donald Fannie was part of a subdivision in 2015 and was originally thought to be developed into 10 units. Recently there have been discussions on whether this plan was the best use of the property. PCD Director Easler stated that affordable housing is in high demand and would be a great use of this property. Ex Officio Carey asked where the entrance would be for this property. Mr. Wichert replied a potential private road would be constructed to access the back of the property. PCD Director Easler suggested bringing this project to the Technical Review Committee to speak with the department heads once a conceptual plan has been created. Fire Chief Kenney suggested looking into the sewer requirements because of a large subdivision currently going in across the street and speaking with the Penacook Boscawen Water Precinct.

Water Street-Water Street Villages LLC owns a 23.75 acre lot in a R1 zone on Knowlton Road with frontage on Water Street. Mr. Wichert discussed the difference in density requirements of municipal water versus private water. He also asked when the Cluster Ordinance would be available. PCD Director Easler said after 2024 Town Meeting. The Board discussed different scenarios for water supply.

Application for a Major 5-Lot Subdivision Map 94 Lot 23:

Deputy PCD Director O'Brien read the following Public Notice: Notice is hereby given in accordance with **NH RSA 676:4, I, D1** and the **Town of Boscawen Land Development Regulations** that the **Planning Board** will meet on **Tuesday, December 6, 2022 after 6:30 PM** at the Boscawen Municipal Complex, 116 North Main St, during a *regular meeting* of the Board to hear an Application for a **Major 5-Lot Subdivision Application** submitted and owned by **Building and Loan Development LLC of 23 Bush Hill Road, Kinnelon NJ, 07405** with a location of **Map 94 Lot 23, 477 High Street, located in an AR zone**. Upon a finding by the Board that the application meets the submission requirements of the Zoning Ordinance and the Land Development Regulations, the Board will vote to accept the application as complete and a Public Hearing on the merits of the proposal may follow. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

Chair Varney said all members of the Board should have a letter from the PCD staff and asked if all had had a chance to review it. All concurred. Chair Varney asked if there were any comments from the Board. Vice Chair Martin said the application was not complete. All were in agreement. Chair Varney said the Board would not entertain the application. The Board made a recommendation for the applicant to make an appointment with the PCD Office and to continue the application to the next meeting.

Chair Varney motioned to table the Major 5-Lot Subdivision application to a date certain of January 3, 2023 and to waive the fees for the refile on the condition the applicant make an appointment with the Planning and Community Development staff to complete the application. Seconded by Mr. Tillman. All in favor. None opposed.

Other Business:

Barbara Randall's appointment term expires in January 2023. Chair Varney said a recommendation needs to be made to the Select Board to reappoint Mrs. Randall.

Chair Varney motioned to reappoint Barbara Randall to the Planning Board. Seconded by Vice Chair Martin. All in favor. None opposed.

The next meeting will be held January 3rd @ 6:30 p.m.

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

Respectfully submitted by Kara Gallagher.