

Town of Boscawen, NH

PLANNING BOARD

Boscawen Municipal Complex

MEETING MINUTES – Final Tuesday, January 12, 2016 at 6:30 PM

Planning Board Members present: Bruce Crawford, Chair; Paul Strieby, Vice Chair; Doug Hartford, Matt Lampron, Roberta Witham, and Alternate ex-officio member, Roger Sanborn. Alternate member, Jeff Reardon arrived at 7:45 p.m.

Planning Board Members absent: Rhoda Hardy and ex-officio member, Bernie Davis, Jr.

Others present: Ann Dominguez, Tim Bernier, President, T.F. Bernier, Inc., Eric Munro, and John Lemeris. Alan Hardy, Planning & Community Development Director.

Chairman Crawford called the meeting to order at 6:30 p.m. Chairman Crawford mentioned that the California Fields application will continue to proceed forward with the Water Precinct and be signed tomorrow night to include an additional \$16,000 impact fee.

Approval of Minutes

Motion made by Doug Hartford, second by Roger Sanborn, to approve the minutes of the December 8, 2015 meeting, as amended. Motion passed unanimously.

Public Hearings

At 6:40 p.m. and in accord with RSA 676:4, I (d), (1), Chairman Crawford opened a public hearing for the proposed amendments to the Boscawen Official Town Map & Zoning Ordinances.

- **Official Zoning Map Amended:** The Planning Board is proposing changing the zoning on three individual lots in town. The proposed changes will create consistency between lots within a zoning district if approved. Owners of record of the lots have been notified by mail of the proposed changes at the request of the Planning Board. Map 47, Lot 31-A and Map 81D, Lots 58 and 58-A are currently R1, but will change to AR.
- **Article IV – Use Regulations Amended:** Parcels were approved to host flea markets and farmers markets. Conference Center was changed to Event Center.
- **Article XII – Definitions Chapter Amended:** Accessory Building, Non-Residential was defined.
- **Article XIV Cluster Development Amended:** A number of modifications were made to help guide cluster developments.

No comments on the above-stated amendments, in favor or opposed, were made by any members of the public. Chairman Crawford closed the public hearing at 7:00 p.m.

Doug Hartford moved, second by Roger Sanborn, to accept the Zoning Map amendments as presented and approve sending the amendments in final form to Town Meeting. Motion passed unanimously.

Roger Sanborn moved, second by Vice Chair Paul Strieby, to accept Article IV, Use Regulations amendments as presented and approve sending the amendments in final form to Town Meeting. Motion passed unanimously.

Roger Sanborn moved, second by Doug Hartford, to accept Article XII, Definitions Chapter amendments as presented and approve sending the amendments in final form to Town Meeting. Motion passed unanimously.

Vice Chair Paul Strieby moved, second by Matt Lampron, to accept Article XIV, Cluster Developments amendments as presented and approve sending the amendments in final form to Town Meeting. Motion passed unanimously.

Old Business

- **Cold Brook Gravel/Earth Excavation Application**

In accord with NH RSA 676:4 I (d), (1), at 8:05 p.m., Chairman Crawford continued the public hearing on the subject application. Tim Bernier provided copies and went through each sheet of a revised Lot Plan, noting areas addressed in response to the Alteration of Terrain (AoT) permit application and the Town's Conservation Commission. Mr. Bernier stated that he continues to work with neighbors on Pit 1.

John Lemeris of 253 Queen Street asked the Board to "stay vigilant" and that he is sick of the dust and noise caused by the excavation. It is non-stop, daily, noise where he cannot hold a conversation in his back yard. Mr. Lemeris said it is not what he bargained for when he purchased his property and has to vent every now and again. He wondered if there was some kind of sound proofing that might be employed. Mr. Bernier said that he will continue to look into the matter.

In response to Board member questions, Mr. Bernier said that he does not anticipate the plant will be relocated and the trees to be planted are native, hardy trees that grow fast with a 15 year lifespan.

Chairman Crawford closed the public hearing at 8:25 p.m.

The Board discussed and made changes to a list of "conditions for approval" as follows. The conditions will be added to the 2009 permit which will get a new number.

Cold Brook Gravel Excavation Permit Application
Conditions of Approval

1. Pit area 1 shall be loamed and seeded in early spring of 2016, as soon as weather permits. The restoration shall be verified by the applicant's consultant and the code enforcement officer once completed.
2. To the extent feasible, applicant shall coordinate the closure of that portion of pit area 1 that extends over the property line during the 2016 growing season. Understanding that the work can only be accomplished with the blessing of the land owner. The restoration shall be verified by the applicant's consultant and the code enforcement officer once completed.
3. All wetland buffers, adjacent to the active quarry shall be clearly marked with appropriate signage to be verified by the applicant's consultant and the code enforcement officer once completed.
4. All wetland restoration work shall be completed in accordance with the wetland restoration as amended by the Conservation Commission comments and to be approved by the NHDES Wetlands Bureau to be verified by the applicant's consultant and the Boscawen Conservation Commission once completed.
5. The applicant's consultant and the code enforcement officer shall inspect the phase boundary annually to ensure compliance with the permit and phasing boundaries.
6. All above items shall be completed by December 31, 2016.
7. The Phase 2 boundary as shown on the phasing plan shall be clearly marked on the ground in accordance with the plan and shall be verified by the applicant's consultant and the code enforcement officer once completed.
8. All property lines and property setbacks, abutting current and future quarry expansion shall be clearly marked such as blaze and paint shall be verified by the applicant's consultant and the code enforcement officer once completed.
9. All work shall be completed in accordance with the NHDES Alteration of Terrain Bureau permit AoT-1020 and the plans submitted to the board as follows:
 1. Overall Lot Plan Cold Brook Gravel, Inc. Sheet 1 of 7 dated March 2015 last revised 8/26/15.
 2. Overall Lot Plan Cold Brook Gravel, Inc. Sheet 2 of 7 dated March 2015 last revised 8/26/15r
 3. Excavation/grading/reclamation Phasing Plan Sheet 2A of 7 dated December 2015 no revisions
 4. Excavation/grading/reclamation Plan Sheet 3 of 7 dated March 2015 last revised 12/17/15
 5. Excavation/Grading/Reclamation Plan Sheet 4 of 7 dated March 2015 last revised 12/21/15
 6. Excavation/Grading/Reclamation Plan Sheet 5 of 7 dated March 2015 last revised 12/17/15
 7. Interim Pit Area 1 Reclamation Plan Sheet 6 of 7 dated May 2015 last revised 11/3/15
 8. Detail Sheet Cold Brook Gravel, Inc. Sheet 7 of 7 dated March 2015 last revised 4/23/15

Vice Chair Paul Strieby moved, second by Roger Sanborn, to approve condition numbers 1 – 6 as “condition subsequent” and numbers 7 – 9 as “condition precedent”. Motion passed unanimously.

Chairman Crawford provided an update on Agritourism legislation. The Farm Bureau offered an amendment that everyone agreed with at a recent legislative hearing. The Board reviewed and discussed an article wherein a woman at the center of an agritourism battle has filed suit against the town of Gilford asking the court to issue a restraining order on the owners of Timber Hill Farm for conducting weddings and other similar events on their property on Gunstock Hill Road. Boscawen is protected from such a suit by its zoning ordinances; i.e., Event Center definition.

New Business

- **Tom Smith Conceptual**

Mr. Smith was not in attendance. Alan Hardy indicated that Mr. Smith owns the Fontaine Trailer Park that was created from two lots and there are units on each parcel. The town merged the parcels but no merger document exists. The park was laid out to include one more unit and Mr. Smith wants to know if he can add that unit. The Board felt that Mr. Smith should move forward with including the additional unit.

- **Master Plan: Energy Chapter Revisions & Transportation Chapter**

Alan Hardy provided Board members with a copy of the Master Plan with the latest revisions. Mr. Hardy will schedule a public hearing on the matter during the Planning Board's February meeting.

- **Other**

Alan Hardy said he will start working on an application seeking a 25% cash match grant totaling \$7500-\$8000 for the King Street multi-use district. He will send Board members a copy. Mr. Hardy also mentioned that volunteers are being sought for a study on public transportation options from Franklin to Concord. On behalf of a neighbor, Vice Chairman Strieby asked for ideas on taking down a 20x20 barn. Chairman Crawford suggested getting in touch with Rick Belanger.

Motion to adjourn was made by Roger Sanborn, second by Doug Hartford, at 9:45 p.m. Motion passed unanimously.

The next regular meeting of the Planning Board will be held on February 10, 2016 at 6:30 p.m.

Minutes are respectfully submitted by Suzanne Beauchesne