

Town of Boscawen, NH

PLANNING BOARD

Boscawen Municipal Complex

MEETING MINUTES

Tuesday, May 12, 2015 at 7:00 PM

Planning Board Members present: Bruce Crawford, Chair; Paul Strieby, Vice Chair; Rhoda Hardy, Doug Hartford, Roberta Witham, Karen Mackenzie, and Ex-Officio Member, Bernard Davis, Jr..

Planning Board Alternate present: Jeff Reardon

Planning Board Alternate absent: Matt Lampron

Planning Board Ex-Officio Member absent: Roger Sanborn

Others present: Joanne Cassulo of Central NH Regional Planning Commission (CNHRPC), Donald Fannie and Joe Wichert for Delois-Fannie Subdivision, Timothy Bernier, LLS and Richard Edmunds for Earth Excavation, Alan Hardy, Planning & Community Development Director and Kellee Jo Easler, Planning & Community Development Assistant.

The meeting was called to order by the Chair at 7:00 p.m.

Boscawen's Master Plan – Energy Chapter

Chairman Crawford welcomed Joanne Cassulo of the CNHRPC who came forward to present a draft 2015 Energy Chapter of Boscawen's Master Plan. The document presents a framework that the town can use in the areas of energy use and planning. It includes background on energy usage and identifies strategies for energy conservation and efficiency. Also, there is a summary of New Hampshire's energy profile and sources as well as a series of recommendations for achieving an overall vision of an efficient community through programs, operational practices, ordinances, and regulations. There is also a summary of Boscawen's municipal energy consumption and an overview of potential opportunities for usage and cost savings, energy efficiency improvements and renewable energy options. Planning and Community Development Director, Alan Hardy, will distribute digital copies of the document to Board members. Chairman Crawford asked Board members to review the document and prepare questions that can be addressed at the next meeting

Approval of Minutes

Motion made by Rhoda Hardy and seconded by Doug Hartford to approve the minutes of the April 14, 2015 meeting. Motion was approved by all Board members.

47 **Old Business**

48
49 • **Delois-Fannie Subdivision – Continuation**

50
51 An application was submitted for Map 83, Lot 8-1 for the purpose of creating a five-lot subdivision with a
52 shared access way. The site is located at 151-157 North Main Street, within the R-2 Zone. Numerous
53 questions were addressed during the April Board meeting. Joe Wichert, L.L.S. and Donald Fannie came
54 forward to answer any remaining questions. A motion to accept the application as completed was taken
55 and passed unanimously at the April meeting. In response to an abutter's email, Delois-Fannie
56 requisitioned a site evaluation to determine if any jurisdictional wetlands are located on the property. In a
57 letter dated May 12, 2015, Michael Seraikas, Certified Wetlands Scientist, stated that "no jurisdictional
58 wetlands were noted on this property." More discussion took place regarding parking spaces, road
59 maintenance, and the fact that only three sheds are provided for four properties. Mr. Fannie indicated that
60 they would include another shed – all four sheds will be within compliant distance.

61
62 **A motion was made by Karen Mackenzie that the proposal does not appear to have a regional**
63 **impact. Seconded by Rhoda Hardy and passed unanimously.**

64
65 **A motion was made by Vice Chairman Strieby to grant the waiver for delineating the water and**
66 **sewer lines on the plan. Seconded by Karen Mackenzie and passed unanimously.**

67
68 **A motion was made by Vice Chairman Strieby that the driveway grading details have been**
69 **addressed. Seconded by Roberta Witham and passed unanimously.**

70
71 **A motion was made by Vice Chairman Strieby to accept the application as administratively**
72 **complete. Seconded by Jeff Reardon and passed unanimously.**

73
74 **In accord with NH RSA 676:4, I (d), (1), Chairman Crawford opened the public hearing on the**
75 **subject application. No comments, in favor or opposed, were made by abutters or members of the**
76 **public. Chairman Crawford closed the public hearing.**

77
78 **Vice Chairman Strieby moved to approve the application for Map 83, Lot 8-1 located at 151-157**
79 **North Main Street in Boscawen. Seconded by Bernard Davis and passed unanimously.**

80
81 **Motion was made by Vice Chairman Strieby to authorize Chairman Crawford to sign final**
82 **documents. The motion was seconded by Roberta Witham and passed unanimously.**

83
84 **New Business**

85
86 • **83 64 5 Easement Release**

87
88 Planning and Community Development Director, Alan Hardy, included this item on the agenda to inform
89 Board members that the property owner will be told that a record of the easement affecting his property
90 cannot be located.
91

92 • **Earth Excavation Application**
93

94 Timothy Bernier addressed the Board on an Earth Excavation Application for the expansion of an existing
95 excavation operation at 267 Queen Street by Cold Brook Gravel, c/o R.D. Edmunds & Sons, Inc. The
96 application is for an expansion of approximately 50 acres of new excavation plus approximately 5.5 acres
97 of existing excavation which has taken place beyond the 2009 permit. Plan sheets included the overall
98 Existing Conditions on the entire Lot 24, proposed excavation and final grading overlaid on the existing
99 conditions, pertinent details and lists erosion control measures, and blasting control measures. The project
100 requires an Alteration of Terrain (AoT) permit from the New Hampshire Department of Environmental
101 Services (NHDES). Copies of this application will be provided to the Town.
102

103 **In accord with NH RSA 676:4, I (d), (1), Chairman Crawford opened the public hearing on the**
104 **Earth Excavation Application for an expansion of the existing excavation operation submitted by**
105 **Cold Brook Gravel, Inc. with the location of existing and proposed excavation at Map 81, Lot 24, 267**
106 **Queen Street in an AR Zone.**
107

108 David Leuser asked if he could be notified when blasting would occur since his family is close by. Mr.
109 Bernier and Mr. Edmunds confirmed this is the arrangement agreed upon.
110

111 Jon Kelly felt the maps were insufficient and he had a number of concerns. He is not comfortable with the
112 project going forward.
113

114 Eric Munro stated that he felt similarly to Mr. Kelly and asked if a restoration bond was in place.
115

116 Ed Emrick rose to state that he had three concerns: 1) truck traffic; 2) noise level; and whether the water
117 table would be affected. Mr. Emrick doesn't want to be stuck with not being able to sell his property at
118 some point in the future. Mr. Bernier stated that the water table would not be affected and the noise level
119 should be quieter since blasting will be against opposing walls.
120

121 No comments were made, in favor or opposed, from members of the public. Chairman Crawford closed
122 the public hearing.
123

124 The Board reviewed the comments received from the CNHRPC. In response to issues raised in the overall
125 summary, Mr. Bernier stated that they are "working on" rectifying the activities that seem to have "created
126 a de-facto dam along the existing haul road", and that AOT will be sending a copy of the drainage analysis.
127

128 Checklist Requirements:
129

- 130 1) Checklist Item 1 – CNHRPC did not receive a Determination Letter from Code Enforcement. This
131 is pending.
- 132 2) Checklist Item 7 – The 100' setbacks outlined in the 1986 Special Exception are not fully depicted
133 on the plan. This is to be addressed by the Zoning Board of Adjustment.
- 134 3) Checklist Item 2 – Benchmark from the most current vertical datum and annotated datum used on
135 the plan not depicted. Mr. Bernier will get this fixed.

- 136 4) Checklist Item 4 – Wells and water lines to the existing crusher were shown on the 2009 plan but
137 not the current plan. Mr. Bernier indicated that they are still present and will show them on the
138 plan.
139

140
141 RSA 155E Requirements:
142

- 143 6. RSA 155-E3.V – The highest annual average groundwater table within or next to the
144 proposed excavation was not provided. Applicant will fix.
145 7. RSA 155-E:4-a. VII – A reclamation bond will be needed as a condition of approval.
146 Applicant has a reclamation bond.
147 8. RSA 155-E:5.V – Review of the proposal by the Town Engineer will be needed to ensure
148 compliance with this section. Alan Hardy stated that the Town Engineer’s review is not
149 required.
150

151 2009 Permit:
152

- 153 9. Areas shown beyond the extent of the 2009 permit should be incorporated into the current
154 application for a new permit. Applicant states that existing and proposed contours are
155 depicted.
156

157 The application cover letter dated March 20, 2015 indicates that the application is for a new 50
158 acre excavation plus 5.5 acres of existing excavation which has taken place beyond the 2009
159 limit. The 2.5 acre area described may be part of this 5.5 acre area, and, if so, the discrepancy
160 should be revised. The applicant indicated that once this issue has been resolved by the ZBA,
161 they will submit an update.
162

163 The Board agreed to continue the review of issues raised by CNHRPC at its next meeting of June 9th, 2015.
164

165 **Vice Chairman Strieby moved to extend the 2009 permit application for Map 81, Lots 24 to**
166 **September 30, 2015, and pending receipt of the Alteration of Terrain (AOT) permit renewal. The**
167 **motion was seconded by Roberta Witham and passed unanimously.**
168

169 **Karen Mackenzie moved that the application be continued to the June 9th meeting. Seconded by**
170 **Roberta Witham and passed unanimously.**
171

172 Director Hardy apprised the Board of a communication received from Dana Willis and Peter Henenberg
173 with **California Fields** asking how they were expected to handle Item 11 in the Notice of Decision on
174 “superimposing lot lines into the road”. Director Hardy posed the question to Matt Monahan of the
175 CNHRPC who indicated that “as long as the homeowners association spells out that the responsibility lies
176 on the association and not the Town for maintenance (all common areas and road) and that the association
177 spells out what percentage of that overall maintenance cost each owner is responsible for, there is no need
178 to include those lot lines in the road.”
179

180 Director Hardy also stated that as indicated in a memorandum dated May 12, 2015 all **White Plant, LLC**
181 application conditions have been met.

182
183 **Motion to adjourn was made by Doug Hartford and was seconded by Karen Mackenzie. All Board**
184 **members approved and the meeting ended at 10:10 p.m.**

185
186 The next regular meeting of the Planning Board will be held on June 9, 2015 at 7:00 p.m.

187
188 *Minutes are respectfully submitted by Suzanne Beauchesne*
189
190
191