

Town of Boscawen, NH

PLANNING BOARD

Boscawen Municipal Complex

MEETING MINUTES – APPROVED

Tuesday, June 9, 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: Matt Lampron

Planning Board Alternate absent: Jeff Reardon

Planning Board Ex-Officio Member absent: Roger Sanborn

Others present: Ken Shibles, Robert Beneze, Katy and Colm Brophy of Pastoral Properties of New England, Timothy Bernier, LLS 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.

Election of Chair and Vice Chair

Doug Hartford moved to nominate incumbent Bruce Crawford as Chairman. Second by Rhoda Hardy. Motion was approved with Chairman Crawford abstaining.

Doug Hartford moved to nominate incumbent Paul Strieby as Vice Chairman. Second by Roberta Witham. Motion was approved with Vice Chairman Strieby abstaining.

Cold Brook Gravel

In response to a request by the applicant, Chairman Crawford announced that the public hearing on Cold Brook Gravel will be postponed to a later date. **Vice Chairman Strieby moved to extend the 2009 permit application for Map 81, Lots 24 until a new Alteration of Terrain (AoT) permit is issued. The motion was seconded by Rhoda Hardy and passed unanimously. [This motion supersedes the motion made at the May 12, 2015 Planning Board meeting to extend the 2009 permit to September 30, 2015.]**

Conceptual for Ken Shibles Tremont and Eel Street

Ken Shibles came forward and indicated that he would like to take the property on Tremont and Eel Street, zoned commercial, and turn it into building lots and have it zoned residential. Alan Hardy explained that zoning changes are done via Town Meeting (by petition with 25 signatures), or through the Planning Board. One lot on Tremont Street has three acres which abuts ten acres on Eel Street. Mr. Shibles would

prefer to not survey the whole 13 acres. Currently there are three locations for mobile homes and one house on the property. Mr. Shibles would like to turn the area into three house lots of approximately 350 feet each. Chairman Crawford indicated that the property is zoned commercial because of the mobile homes. Director Hardy checked the “special exception” provisions and indicated that Mr. Shibles would not need a variance. Work on the configuration of the lots will be necessary.

Approval of Minutes

Motion made by Rhoda Hardy and seconded by Bernie Davis to approve the minutes, as amended, of the May 12, 2015 meeting. Motion was approved by all Board members. Amendment: change Joanne Energy to Joanne Cassulo on the first page.

New Business

- **Pastoral Properties of New England**

Applicants, Katy and Colm Brophy, of Pastoral Properties of New England, submitted an application for Map 81D, Lot 87 and totaling about 21 acres for the purpose of establishing a wedding and event facility and a historic tourist home. The site is located at 215 King Street, within the Commercial Zone.

Mr. and Mrs. Brophy stated that they plan to keep the historic feel of the property intact. In the past, the property was known by many as the Kettle and Crane Restaurant. Mr. and Mrs. Brophy hope to continue to have the Winthrop Carter House stand as a historic and pastoral landmark in town. Plans include cosmetic upgrades to the interior of the two-story home which will sleep up to 16 guests, and expand and renovate the barn to include the foundation, roof, frame, and flooring and upgrading electric. The Brophys intend to remove the driveway pavement and replace it with gravel. They hope to be open for business by September. The Brophys have a similar property in Sanbornton called Long Live Farm.

Central NH Regional Planning Commission (CNHRPC) reviewed the plans for compliance with the Site Plan Regulations and applicable requirements. The Board reviewed the Site Plan Checklist Requirements.

1. Checklist Item 6 (IV.D.6) – No wetland delineation was provided. Additionally, no related waiver request was submitted. [Brophys have requested a waiver since there are no wetlands on the property that are going to be developed.]
2. Checklist Item 8 (IV.D.8) An elevation view or photograph of the house and the barn should be included, indicating height, width, and surface treatment. [A photograph has been provided.]
3. Checklist Item 10 (IV.D.10 & V.G.) – A NHDOT Driveway Permit will be required for the proposed new driveway. Receipt of this permit should be a condition of approval.
4. Checklist Item 11 (IV.D.11 & V.H.) – A NHDES Septic Permit will be required for the proposed updated septic system. Receipt of this permit should be a condition of approval. [Brophys expect to receive DES approval this week.]

5. Checklist Item 12 (IV.D.12) – A Waiver should be requested for the location, size, and design of proposed signs and other advertising or instructional devices. [Brophys have noted on the site plan the placement of signage that will include directional signage for parking as well as a sign in front of the house. These signs will comply with the sign requirements of the town and be taste in nature and design.]
6. Checklist Item 13 (IV.D.13 & V.F.) – Light locations are shown on the plans but details/manufacturer's specifications for the type of lighting and how the proposed lighting will comply with Article XXIV (Outdoor Lighting Ordinance) should be on a detail sheet in the plan set. [Brophys have indicated that light locations are shown on the site plan and will comply with the Outdoor Lighting Ordinance of the town and be dark sky compliant.]
7. Checklist Item 16 (IV.D.16 & V.I.) – A flood map reference was not provided on the plan, indicating the base flood and the 100 year flood elevation. The Code Enforcement Officer stated that the property is not affected.
8. Checklist Item 2 (IV.E.2) – A waiver should be requested for the topographical plan including grade contours and benchmark. [Brophys have requested a waiver in regards to the topographical map as the area being developed is extremely flat. Brophys feel there will be no issues with surface drainage as the land is flat and the subsurface material is sand.]
9. Checklist Item 3 (IV.E.3) – No elevation of the proposed barn addition was provided on the untitled plan containing the proposed second floor of the barn facility. [Brophys have requested a waiver on the elevation of the proposed barn addition and replacement ell as both structures will evolve as they get in the renovation process. The barn will remain one story and the ell will be taken down and replaced with a two story building.]
10. Checklist Item 7 (IV.E.7) – Access to public service connections was provided, however details of size and condition were excluded. [Power and water connections are listed on the site plan and will be upgraded or replaced if necessary due to the needs of the proposed event space. We will determine the nature of the upgrades as the renovations occur.]
11. Checklist Item 8 (IV.E.8 & V.5) – A snow management plan should be provided per Site Plan Regulations V. General Standards, D.5. [Our snow management plan is to utilize the back parking area and for all snow removal to be deposited here.]
12. Site Plan Regulation Section V.C.2 – Screening around the dumpster should be noted or shown on the plan. This could be a condition of approval. [The dumpster will be appropriately screened as per Town of Boscawen site plan regulations.]
13. In accordance with RSA 36:56, the Board shall determine if the proposal is a development of regional impact. **Motion was made by Rhoda Hardy, seconded by Roberta Witham, that the subject proposal does not appear to have regional impact. The motion passed unanimously.**

14. The proposed new driveway and parking area should be reviewed by the Town Engineer. After some discussion, a **motion was made by Karen Mackenzie that a review by the Town Engineer is not needed. Second by Doug Hartford and passed unanimously.**

15. Any conditions of approval and waivers granted should be listed on the final plan to be signed. This is required by statute.

Vice Chairman Strieby moved to approve waivers referenced as Checklist Item 6 (#1 above), Checklist Item 2 (#8 above), Checklist Item 3 (#9 above). The motion was seconded by Bernie Davis and passed unanimously.

A motion was made by Rhoda Hardy to accept the application as administratively complete. Seconded by Vice Chairman Strieby and passed unanimously.

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

Bernie Davis moved to grant a conditional approval for the application for Map 81D, Lot 87 located at 215 King Street in Boscawen. Second by Doug Hartford and passed unanimously. Conditions include the driveway permit (#3 above), septic approval (#4 above), and the dumpster screening (#12 above).

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

Old Business

- **Earth Excavation Application**

Timothy Bernier, Land Services Consultant, was available to answer any questions from the Board. Chairman Crawford advised Mr. Bernier of the Board's earlier vote regarding the extension of the 2009 permit application. Discussion took place surrounding the error made in drilling beyond the area permitted by the 2009 permit. Mr. Bernier stated that it would not happen again. Mr. Davis stated that the Selectmen had approved "shooting" the area but no materials are to be removed from the site. **Mr. Hartford moved that the Planning Board agree with the Select Board's decision. Seconded by Karen Mackenzie and passed unanimously.**

Vice Chairman Strieby moved to continue the public hearing on Earth Excavation's application to August 11, 2015. The motion was seconded by Rhoda Hardy and passed unanimously.

- **California Fields**

Director Hardy suggested that the Board re-visit the issue of lot and property lines, particularly with regard to drawings that appear to show a separate lot beyond the five lots. At its April 2015 meeting, the Board

approved a motion that applicant was to provide lot/property lines of subdivision as approved on November 13, 2007 to include superimposed property lines over the road. After much discussion about the required overlay and what that means in terms of lot size and liability, it was agreed to schedule a meeting with Town Counsel to discuss and ensure certain specifics are included in the condominium documents.

Vice Chairman Strieby moved to continue discussion on the matter with Attorney Raymond. Seconded by Rhoda Hardy and passed unanimously. Assistant Kellee Jo Easler will check on Attorney Raymond's availability on June 16, 2015 and follow-up with Board members.

- **Zoning Ordinance**

Vice Chairman Strieby moved, seconded by Mr. Hartford, to review draft Cluster Development ordinances at its August meeting. The motion passed unanimously.

- **Adjournment**

Motion to adjourn was made by Doug Hartford and was seconded by Rhoda Hardy. All Board members approved and the meeting ended at 9:15 p.m.

The next regular meeting of the Planning Board will be held on July 14, 2015 at 7:00 p.m. **NOTE:** Alan Hardy will be on vacation and not able to attend.

Minutes are respectfully submitted by Suzanne Beauchesne