

**Town of Boscawen  
PLANNING BOARD  
Boscawen Municipal Complex  
FINAL MEETING MINUTES  
Tuesday, August 2<sup>nd</sup>, 2022**

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

**Members Excused:** Paul Dickey—Ex Officio

**Members Absent:** Rhoda Hardy

**Staff Present:** Kearsten O'Brien—Deputy Planning & Community Development Director and Kara Gallagher—Planning & Community Development Clerk

**Guests:** Tim Bernier—T.F. Bernier, Inc. and Ryan Audley—R.S. Audley, Inc.

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Chair Varney opened the public meeting at 6:30 p.m.

PCD Clerk Gallagher completed roll call.

**Minutes:**

**Ex Officio Carey motioned to accept the 07.05.22 draft minutes as amended. Seconded by Mr. Tillman. All in favor. None opposed.**

**Old Business:**

**Pit Inspections:** Deputy PCD Director O'Brien stated pit inspections will take place in mid-August for GMI Acquisition LLC. with a location of Map 81 Lot 24, Ryan Stacy LLC. with a location of Map 47 Lot 6, and Boscawen DW Highway Realty, LLC. with a location of Map 49 Lot 6 Sublot 2.

**Continuation of Conditional Use Permit and Amendment to the Excavation Site Plan for Map 47 Lot 6:** Chair Varney stated that the cutoff for submission of paperwork was July 12<sup>th</sup>, 2022. The paperwork submitted by T. F. Bernier, Inc. was not received until July 27<sup>th</sup>, 2022. Therefore Underwood Engineers did not have an opportunity to review and respond. The 65 day window allotted for the application closes the week following this meeting. Chair Varney said there were two courses of action that could be taken. The first being that both parties agree to continue to a date certain, which would be the next meeting on September 6<sup>th</sup>, 2022. This would give Underwood time to provide a response. The second option would be to disapprove the application. Both parties agreed to continue to a date certain. Mrs. Randall recused herself.

**Chair Varney motioned to continue the Public Hearing for the Amendment to the Excavation Site Plan to a date certain of September 6<sup>th</sup>, 2022. Seconded by Ex Officio Carey. All in favor. None opposed. One abstention.**

Mr. Audley told the Board that he and Mr. Bernier met with the Penacook Boscawen Water Precinct. He feels that all parties are on the same page. The PBWP minutes from that meeting were provided as well as an email from Commissioner Bill Murphy. Ex Officio Carey had a question about the email. Mr. Murphy states that he is concerned that the wishes and concerns of the PBWP will not be respected. Ex Officio Carey asked for clarification. Mr. Audley said the tank is inspected biannually and is due for inspection sometime in the near future. He said they are in agreement with the PBWP to coordinate their activities so the inspection can be done prior to the gravel pit starting up. Mr. Audley said they would then do vibration monitoring on the facility when blasting activity takes place. Chair Varney asked if the foundation survey was going to be done outside the 1000 foot radius as was stated in the PBWP minutes. Mr. Audley said the PBWP facility is almost 2000 feet away from the blasting area, but they are planning to do vibration monitoring there as well as on any foundations within the 1000 foot radius. Mr. Tillman asked if there will be any measures put in place to ensure the excavation does not go outside of the agreed area limits in the future. Mr. Bernier said yes, boundaries will be made. Mr. Bernier said there had been concerns of erosion control previously. Chair Varney said that was a concern raised by Underwood and once the response comes back, the clarification about erosion control should be made to them. Mr. Audley said that Underwood also asked for a culvert in the ditch line at Route 3 in the state right-of-way to the driveway. He said the driveway sits on ledge. There is an existing PBWP pipe facility on the ledge as well. It was ill advised by the PBWP to put a pipe in that area. Chair Varney said that there is already an approved state driveway permit and is that document is sufficient as far as the Board is concerned. Chair Varney thanked Mr. Audley and Mr. Bernier.

Compliance Hearing regarding Site Plan Review for Map 81D Lot 35: Chair Varney informed the Board that Gary Kenney called Deputy PCD Director O'Brien before the meeting to inform her that he would not be attending any meetings going forward without his attorney present. Deputy PCD Director O'Brien asked Mr. Kenney to submit either an email or a letter in writing stating that information. As of the meeting on August 2<sup>nd</sup>, 2022 the Board had not received anything from Mr. Kenney.

**Chair Varney motioned to continue the Compliance Hearing to a date certain of September 6<sup>th</sup>, 2022. Seconded by Ex Officio Carey. All in favor. None opposed.**

Chair Varney asked that a certified letter and letter by regular mail be sent to Mr. Kenney advising him of the Board's decision.

### **New Business:**

Municipal Transportation Tax: Deputy PCD Director O'Brien told the Board that this topic is something that the Economic Development Committee has been working on with CNHRPC and has asked for every Committee's input. She explained that this tax would add up to \$5 to vehicle registration fees per vehicle in town. So far the only Committees that have reviewed this tax are

the Conservation Commission and the Agricultural Commission. The Conservation Commission had no issues. The Agricultural Commission is not in favor as they have concerns that agricultural vehicles will be more greatly impacted by this tax since some farms register 20 vehicles or more. Other than the exemptions for antique vehicles, motorcycles and tractors, there are no exceptions for agricultural vehicles. The EDC talked about adopting a lesser amount. With the King Street project developing in a few years, the state isn't going to contribute the total cost, so the EDC is looking to this tax as a way to match funds. This money could offset the costs related to transportation such as, sidewalks, bike lanes, EV Charging Stations, etc. Town Clerk Nicole Hoyt will get Deputy PCD Director O'Brien numbers of how much Agricultural vehicles will bring in compared to others as well as how many vehicles are registered within town. Deputy PCD Director O'Brien will then compare different amounts of what this tax could bring in. Discussion ensued about what future projects this tax could be put towards.

*Exit 17 Update:* Chair Varney received an email from the parties working on the Exit 17 project stating the rotary is expected to be functional by the end of August. Market Basket and the NH State Liquor Store will then be open to the public. Home Goods and Wendy's are expected to open in mid-September. Chair Varney also informed the Board that the Urgent Care Facility that will be in the development is going to be a part of Concord Hospital. There will also be a Jersey Mike's Sub restaurant going in as well as another sit-down restaurant.

*Merrimack County Update:* The EDC had Ross Cunningham from the Merrimack County facilities attend their July meeting so that he could provide updates on new projects that are coming in the future. They will be putting in a solar array, and the RFP's are currently out for bidding. Ed Cherian, Chair of the Energy Committee recently went on the site walk for that project. Mr. Cunningham also informed the EDC that the County has a substantial amount of ARPA funds that they will use to create new grants for municipalities to apply for. More information will be available in September. Mr. Cunningham offered use of the County's grant writer as well. The old nursing home building will be renovated soon and Mr. Cunningham would like some input and ideas of what could go into that building so that the space may be utilized. Mr. Tillman mentioned that there will be EV Charging Stations placed at the County facilities according to Chair Cherian's report of the site walk.

*NH Invest Discussion:* Deputy PCD Director O'Brien attended a training for NH Invest recently and wanted to share the information with the Board. The program is geared towards creating new housing, demolition of buildings, etc. She said CNHRPC will be looking into some of the grants available especially for the Master Plan. There isn't much information currently, but as new information becomes available it will be brought to the Board.

### **Other Business:**

**The next meeting will be held August 2<sup>nd</sup> @ 6:30 p.m.**

**Motioned to adjourn made by Ex Officio Carey. Seconded by Mr. Tillman. All in favor. None opposed.**

*Respectfully submitted by Kara Gallagher.*