

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **FEBRUARY 11, 2021**

4 Chairman White called the meeting to order at 7:00 pm.

5 Chairman White read the Governor's Emergency Order #12 that authorizes the Planning Board to meet
6 electronically: "As Chair of the Planning Board, I find that due to the State of Emergency declared by the
7 Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency
8 Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.
9 Please note that there is a physical location at 23 Edgemont Rd in the Meeting Room to observe and
10 listen contemporaneously to this meeting, which was authorized pursuant to the Governors Emergency
11 Order. Please note that all votes that are taken during this meeting shall be done by roll call vote. Let's
12 start the meeting by taking a roll call attendance. When each member states their presence, please also
13 state whether there is anyone in the room with you during this meeting, which is required under the
14 Right-to-Know law."

15 A roll call was taken:

16 **MEMBERS PRESENT BY VIDEO:** Peter White, Chair; Michael Jewczyn, Vice Chair (signed in after roll call
17 was taken); Jeffrey Claus; Randy Clark; Joe Butler; Richard Osborne; Sue Gottling, Ex-Officio Member

18 **MEMBERS PRESENT IN THE MEETING ROOM:** Michael Marquise, Planner

19 **ALSO PRESENT BY VIDEO:** Matt Bombaci; Clayton Platt; Anne Spencer; Daniel Bonin; Paul Lembo;
20 Eamon Moran

21 **ALSO PRESENT IN THE MEETING ROOM:** John Augustine

22 **PARCEL ID: 0211-0018-0000: SITE PLAN REVIEW: PROPOSED TWO (2) UNIT RESIDENCE, EACH UNIT**
23 **WOULD HAVE TWO (2) BEDROOMS WITH 1,450 SQ FT AND THREE (3) PARKING SPACES; 962 ROUTE**
24 **11, ACADIA PROPERTIES, LLC**

25 Mr. Marquise said that the application is for a Site Plan Review and is an amendment to a previously
26 approved Site Plan from seven to eight years ago. The fees were paid, notices were posted, and
27 abutters were notified. This is just a change of use for one of the buildings so he believes that the
28 application is complete with the information from the last Site Plan and what has been provided. Vice
29 Chair Jewczyn said that the application includes a drawing showing the leach field and septic system and
30 asked if the drawing is complete. It was explained that the leach field is sufficient, they just need to add
31 another tank but the State Subdivision approval needed to be approved before the septic system
32 application was submitted. Mr. Marquise said that the updated septic system information will make it
33 suitable for a two-family residence. It was explained that the extra septic tank is needed so there is
34 enough time for everything to reach the leach field. Chairman White asked and Mr. Marquise said that
35 he believes that the information provided addresses this issue as the plan is fairly detailed.

Mr. Clark made a motion to accept the application as complete. Mr. Claus seconded the motion. A roll call vote was taken: Mr. Clark voted yes; Mr. Butler voted yes; Mr. Osborne voted yes; Vice Chair Jewczyn voted yes; Mr. Claus voted yes; Mrs. Gottling voted yes; and Chairman White voted yes. The motion passed unanimously.

Daniel Bonin, owner of Acadia Properties, presented the merits of the case.

Mr. Bonin said that the original Site Plan that the Board approved in 2013 was for a dance studio and a three-unit office building. The dance studio will stay and the fire system has been updated. They want to change the three-unit office building to a two-family residential unit. The gallons per day for the septic system changes quite a bit for this use, which is why they need the additional septic tank. Each unit will be two bedrooms, a laundry, will have two ways in and out, etc. They feel as though the parking is more than ample for the use and that they will be fixing a building that has some deferred maintenance.

Vice Chair Jewczyn asked and Mr. Bonin confirmed that the dance studio was able to be run through COVID and will continue. Vice Chair Jewczyn said that he is concerned about adequate parking. Mr. Bonin said that he does not have the Site Plan in front of him, however, he believes there are 35 spots or so and he thinks that they need two parking spaces per dwelling which is four spaces and then he is sure that the three-unit office building needed more so they will be reducing the parking needed for that building. Vice Chair Jewczyn asked about the snow as the cars will be blocked in. Mr. Bonin said that as you pull into the driveway the parking area hangs to the left and the back just keeps going. Pleasant Acres does the snow removal and they utilize that back area to push the snow into. Mr. Marquise said that regarding the parking, originally there were 10 spaces allotted for the office building and the residential use only requires four spaces. Chairman White said that the old Site Plan has the parking delineated on the drawing and, currently, there is just a big gravel area. Chairman Whites asked that as traffic will be entering and exiting from a single driveway cut and there will be traffic going to and coming from the proposed new lot in the rear, if it will affect any of the parking that is supposed to be there. Mr. Bonin said that he thinks that the original Site Plan shows parking to the right of the driveway and those will be eliminated. He was thinking that he would print the Site Plan and hang it at the dance studio so that the parking is not such a free for all and is more organized as he thinks the confusion is that it is a big gravel area. He thinks that a blueprint in the lobby will help people see where they are supposed to park. Chairman White asked if the plan is to have the tenants park in the spaces behind the rental building. Mr. Bonin confirmed that the tenant parking will be closest to the building. Vice Chair Jewczyn asked if there will be a limit to the number of cars allowed per rental unit. Mr. Bonin said that there will probably need to be something added to the lease to not have too many cars.

Vice Chair Jewczyn asked and Mr. Bonin said that the buildings run off of propane and the tank is located behind the dance studio; there is nothing underground.

Chairman White asked and Mr. Bonin said that they will probably add one light next to the new entry door but other than that he thinks that the lighting is adequate.

Mr. Clark said that there is a question in the chat box. Chairman White read that Anne Spencer asked a question.

Anne Spencer, 23 High Ridge Rd, said that she and her husband are abutters to the property and they are interested in the owner of the property's plans for the Mixed-Use portion of the lot because they directly abut that. She appreciates the question about lighting as light pollution is something that they are trying to escape by spending a large amount of time in Sunapee. Chairman White asked and Ms. Spencer confirmed that she is concerned about what will happen on Lot 2 when that comes before the Board. Chairman White said that he is not sure when that application for Site Plan will come before the Board but Ms. Spencer will receive a notice for it. Mr. Marquise said that the next case is for the subdivision of the lot. Ms. Spencer said that they would like to get a better understanding of the plans.

Mr. Clark made a motion to approve the Site Plan for Parcel ID: 0211-0018-0000 including the requirement of a septic permit. Vice Chair Jewczyn seconded the motion. Vice Chair Jewczyn asked and Chairman White said that he does not know how to limit the number of vehicles allowed on the site. There was further discussion regarding this matter. **A roll call vote was taken: Mr. Clark voted yes; Mr. Butler voted yes; Mr. Osborne voted yes; Vice Chair Jewczyn voted yes; Mr. Claus voted yes; Mrs. Gottling voted yes; and Chairman White voted yes. The motion passed unanimously.**

PARCEL ID: 0211-0018-0000: MINOR SUBDIVISION: THE OWNER PROPOSES TWO (2) PARCELS; ONE (1) 3.05 ACRES AND ONE (1) 13.66 ACRES; 962 ROUTE 11; ACADIA PROPERTIES, LLC

Ms. Spencer asked and Chairman White said that the application is requesting a subdivision of the one lot into two separate lots. One lot will contain the dance studio and two-unit apartment building and the second lot will be used for some other use. Ms. Spencer said that she would like to understand the purpose of the subdivision as well as the use. Chairman White said that they can discuss that with the applicant when they get to that point of the meeting.

Mr. Marquise said that the application was filed in advance, fees were paid, notices were posted, and abutters were notified. The application falls under Section 6.04 of the Subdivision Regulations and it is minor subdivision. He believes that all the required items are here with the normal waivers under regarding utilities, contours, and storm water and since there are no new buildings currently proposed on the new lot, he believes they can be waived. Vice Chair Jewczyn asked and Mr. Marquise confirmed that there was a separate fee paid for this application.

Mr. Clark made a motion to accept the application as complete. Mr. Osborne seconded the motion. A roll call vote was taken: Mr. Clark voted yes; Mr. Butler voted yes; Mr. Osborne voted yes; Vice Chair Jewczyn voted yes; Mr. Claus voted yes; Mrs. Gottling voted yes; and Chairman White voted yes. The motion passed unanimously.

Daniel Bonin, owner of Acadia Properties, presented the merits of the case.

Mr. Bonin said that he would like to address Ms. Spencer's concerns. Currently, the plan is that someone that he will be partnering with will be putting boat storage on the back lot. The use is quiet and some months out of the year it will not be used and it will just be used to store shrink wrapped boats. He does not intend to add any lighting and he believes that the hours will be mostly the same as the dance studio's hours. Regarding the apartments, he has children and the dance studio has a lot of kids attend so he will be very cautious about who he has in the rental building. Ms. Spencer's husband, Paul Lembo, thanked Mr. Bonin for the explanation.

114 Clayton Platt said that he does not want to create the impression that the use of Lot 2 is fixed by the
115 approval of the subdivision because sometimes things change or new owners come in and want to do
116 something else. They are not currently at the stage where the Site Plan for Lot 2 is finalized; what Mr.
117 Bonin has said is what they are planning but it is not complete. Chairman White said that the Board is not
118 approving a use at this meeting, they are discussing the subdivision and what they are thinking about
119 doing with Lot 2. Mr. Lembo and Ms. Spencer said that they understand and appreciate everyone
120 listening to them.

121 Mr. Marquise said that the State permit for the subdivision was approved and received. Regarding the
122 Zoning Regulations, the lot is over three acres, which handles the density for the units, and there is
123 enough buildable area to meet the requirements to have two-thirds of the lot buildable even with the
124 wetlands.

125 **Vice Chair Jewczyn made a motion to accept the application as submitted for Parcel ID: 0211-0018-**
126 **0000. Mr. Osborne seconded the motion. A roll call vote was taken: Mr. Clark voted yes; Mr. Butler**
127 **voted yes; Mr. Osborne voted yes; Vice Chair Jewczyn voted yes; Mr. Claus voted yes; Mrs. Gottling**
128 **voted yes; and Chairman White voted yes. The motion passed unanimously.**

129 **PARCEL ID: 0225-0008-0000: SITE PLAN REVIEW: PROPOSES TO REDEVELOP WITH A 9,100 SQ FT RETAIL**
130 **SPACE; CORNER OF ROUTE 103 & ROUTE 11; AUBUCHON REALTY CO (MCDONOUGH)**

131 Mr. Marquise said that the application was filed in advance, fees were paid, notices were posted, and
132 abutters were notified. The application falls under Article V of the Site Plan Regulations and going
133 through the list the application is very complete with quite a bit of information submitted. Two things
134 that he likes to leave open for discussion as the Board does not know what will be stored are toxic
135 materials and hazardous waste. There are also a couple of pending State permits that need to be
136 addressed, however, this does not mean that the application is not complete. Keeping in mind the
137 hazardous waste and toxic materials, he believes that the application is complete.

138 **Mr. Clark made a motion to accept the application as complete. Mr. Butler seconded the motion. A**
139 **roll call vote was taken: Mr. Clark voted yes; Mr. Butler voted yes; Mr. Osborne voted yes; Vice Chair**
140 **Jewczyn voted yes; Mr. Claus voted yes; Mrs. Gottling voted yes; and Chairman White voted yes. The**
141 **motion passed unanimously.**

142 Matt Bombaci, Bohler Engineers, and Eamon Moran, Aubuchon Realty Company, presented the merits of
143 the case.

144 Mr. Bombaci said that they are asking to build a 9,100 sq ft retail store as permitted in the Mixed Use I
145 District. The property is at the corner of Route 11 and Route 103 and is the old Smith Mill property and
146 right now there is a foundation and overgrown gravel area.

147 Mr. Bombaci said that before coming to the Planning Board they had to go before the Zoning Board to get
148 approval to build in the Aquifer Overlay District. Sunapee does not have many Aquifer Overlay Districts
149 and Mr. Bombaci further explained this area to the Board and the approval they received from the Zoning
150 Board.

151 Mr. Bombaci said that they have filed for a driveway permit from NH DOT and he will further explain
152 those details later in the meeting as well as the NH DES Shoreland Permit and NH DES public well permit.

153 Mr. Bombaci said that the building will be a 9,100 sq ft retail building with associated parking and loading
154 areas. The building will be located more or less where the existing foundation and driveway are located;
155 approximately at the same elevation of Route 103 and about 7 ft lower than Route 11. There are 30
156 parking spaces proposed for the development including ADA compliant parking and a sidewalk to get into
157 the building. The trash enclosure will be completely screened with a solid wood fence and there will be a
158 loading area at the rear of the building.

159 Mr. Bombaci said that lighting will generally be along the building and one light in the parking area. NH
160 DOT has requested that the lights be screened and cast away from the right of way so it is designed to
161 fully cut off at the angle and will also be fully dark sky compliant.

162 Mr. Bombaci said that the proposed hours of the facility will be 8:00 am to 10:00 pm and typically the
163 lights are on about a half an hour after closing and one small light is left on outside the building for
164 security purposes.

165 Mr. Bombaci said that the site is designed to load and unload different types of trucks including box
166 trucks and tractor trailer trucks. Mr. Bombaci further explained the trucks that may enter and exit the
167 site and that NH DOT requires them to provide all the truck turning movements to show that trucks will
168 not be crossing over the opposing lanes into the State highway.

169 Mr. Bombaci said that the first thing that caught their attention with the site is the access at the
170 intersection of Route 103 and Route 11. They spent quite a bit of time with NH DOT working with them
171 before jumping into a design to ensure that they were comfortable with the driveway location, use, trip
172 generation, etc., and subsequently have filed a formal application with NH DOT for a driveway permit. He
173 checked in with NH DOT and they have reviewed the application internally and have reviewed it with the
174 traffic safety office. This is NH DOT's preferred location of the driveway and they would have told them if
175 there were issues.

176 Mr. Bombaci said that the use will be as a retail store and in the grand scheme of commercial uses it is
177 not a high trip generator. It is estimated that there will be 36 trips in the AM peak hour and 64 trips in
178 the PM peak hour with 64 trips being essentially 32 customers in the course of one hour so one car every
179 two minutes. This will not be a heavy user like a gas station, fast food restaurant, etc., and would not
180 have an appreciable impact on Routes 11 or 103 or the surrounding network. The standards that NH DOT
181 typically looks for is the access location, the movements into the site, and sight distance to the
182 intersections.

183 Mr. Bombaci said that he knows that there are some concerns about Route 11 down through this corridor
184 but this project will not generate or severely impact traffic through this area. He did ask NH DOT about it
185 and if they have any plans for the area and he was told that it is something that they have looked into for
186 different potential solutions but their opinion is to leave it as is right now.

187 Mr. Bombaci said that they provided a building elevation as part of their application to the Board. The
188 building will have brick along the bottom façade of the face. There will be store front windows and
189 awnings and lighting over the sign. He spoke with Mr. Marquise before submitting the application and

190 was told that landscaping is something that is important to the Board so they have tried to pay attention
191 to that. They are proposing 16 shade trees along the perimeter of the site and focused on the view
192 corridors from Route 11 and Route 103 from all the different angles. He believes that they exceed the
193 landscape requirements by five trees and including in the plantings will be 43 shrubs around the trees
194 focusing along Routes 11 and 103 and providing interior landscaping.

195 Mr. Bombaci said that one of the questions that came up with the Zoning Board was the storm water and
196 aquifer checks and they have designed a full and complete storm water management plan. They have
197 gone the conservative route with this as it will be in the Aquifer Protection District and they have the
198 advantage as there is some development on the lot. When they do their analysis, it is usually pre versus
199 post analysis to ensure that there are no impacts and they have run the analysis based on the site being
200 pristine area and then met those criteria for the post development design. In order to do that they have
201 to hold and maintain all of the storm water from the surfaces for all the storms that they look at up to the
202 50-year storm event. Therefore, the basins are a little larger than typical, however, they had the space
203 for it and wanted to go a little above and beyond. Mr. Bombaci further explained the storm water
204 management plan to the Board. Mr. Clark asked and Mr. Bombaci said that they look up to the 50-year
205 storm event; they use the Cornell University 50-year storm data.

206 Mr. Bombaci said that they have provided a detailed erosion and sediment control plan as part of their
207 application to show how they will not be tracking sediment into the State highway. They will be filing a
208 construction general permit with the Environmental Protection Agency as the project will disturb more
209 than one acre and it will include the erosion and sediment control plan and a storm water pollution
210 prevention plan.

211 Mr. Bombaci said that public sewer is available at the site and they will be connecting to it via an E-1
212 pump system. They have had some initial conversations with Water and Sewer and they seem
213 comfortable with it.

214 Mr. Bombaci said that the fuel will be a private propane tank located behind the trash enclosure to
215 screen it and they will protect it with bollards. There will also be a private water supply with a private
216 well and they will get a permit from NH DES for the well.

217 Mr. Clark asked about the Zoning Board hearing as they brought up the storage of fertilizers and those
218 types of products outside and asked if there will be any runoff. Mr. Bombaci said that with the Aquifer
219 Protection District they look at having a proper storm water management system and that certain uses
220 are not appropriate. He thinks that the condition that the Zoning Board gave was that there would not
221 be any outside storage of environmentally sensitive materials and the reason that they worded it that
222 way is because there are things, such as salt, that are not hazardous to store outside but still should not
223 be stored in the Aquifer Protection District. There will not be any outdoor storage of any environmentally
224 sensitive materials.

225 Chairman White said that Aubuchon is known as a hardware chain and he saw that they do other stores
226 as well and asked if there is any idea of what will be in the retail space. Mr. Bombaci said that he thinks
227 that Mr. Moran works with all different types of retail stores including Aubuchon stores. Mr. Bombaci
228 continued that Mr. Moran is aware of the conditions that have been put on the approval and he will own
229 the building but there is always a chance for a tenant to come in and then leave. Mr. Moran said that the

230 process of finding a tenant requires permitting to be in place and acknowledgement that the project can
231 move forward before finding a tenant. He develops real estate for the Aubuchon Hardware Company,
232 but they also develop real estate for other types of retailers. The first step is getting through permitting
233 and then the next step is to find a tenant. Chairman White said that he just did not know if there was a
234 plan for a certain type of retail that the Board could address more specifically but he appreciates the
235 position that they are in.

236 Chairman White asked about the well location as it is behind the building and asked if there are any
237 concerns for future access. Mr. Bombaci said that there would be access from the loading area and
238 around the back. The well location is not the most easily accessed area on the lot but they cannot just
239 request waivers from DES to locate the paved and impervious areas within the 75 ft radius of the well,
240 they must show that there is no feasible way to place it and even though it is not a perfect location for
241 access NH DES probably will not care. Chairman White said that looking at the topography it looks like it
242 gets steep and asked if there are any concerns for access. Mr. Bombaci said that it does get steep around
243 the edge of the development but there is a good width of flat area.

244 Mr. Butler asked if there will be a 21-E requirement on the site. Mr. Bombaci said that Mr. Moran has run
245 all the environmental studies on the site and he does not believe that there was a 21-E requirement. Mr.
246 Moran said that there is there is a history with NH DES and this property as DES had several case files that
247 had been opened but there has been work done to the site both before and while the McDonoughs have
248 owned the property. From discussions and reviews of the environmental reports the cases have all been
249 satisfactorily closed so there are no open files. They have a fairly robust program they go through in
250 terms of environmental due diligence and they are comfortable.

251 Vice Chair Jewczyn said that whenever he sees a project like this, he applauds it but he questions where
252 the snow will go. Also, with the drainage he is concerned about what will happen when there is snow
253 and it ices over and then there is rain. Mr. Bombaci said that there is a lot of space for snow storage.
254 Regarding the infiltration basins they are in a drift aquifer with sandy materials. Therefore, over a period
255 of time where snow may start to melt, he thinks there will not be an overtop of the weir. They sized
256 them for the 50-year storm so they will hold 6 to 7 inches of rain which should be sufficient for the ice
257 melt. Additionally, there are pretreatment measures which are intended to catch the sand and silt off the
258 parking lot. Mr. Bombaci gave additional information regarding the storm water management system
259 and the maintenance plan that will be provided to the owner.

260 Mr. Claus asked if there is a pre- and post-erosion control plan for the contractor. Mr. Bombaci said that
261 he believes that there needs to be 75% site stabilization and then the silt fence must remain until
262 everything is vegetated.

263 Mr. Claus asked and Mr. Bombaci confirmed that there are no access issues for maintenance of the catch
264 basins but it depends on what they want to use to access the areas.

265 Mr. Claus said that it looks like there is curb and gutter for the building and asked about the concrete pad
266 for the trash. Mr. Bombaci said that the concrete pad is pitched to flow to the basin so there will be a
267 curve along the right side.

268 Chairman White asked and Mr. Bombaci showed on the plan where the snow can go on the lot and
269 explained that it does depend on what type of plow will be used. Mr. Moran said that it is fairly common
270 with their properties in the Northeast that between one to three times per year they have someone
271 come to the site to remove the snow.

272 Mr. Claus said that his concern about the snow removal and the sensitivity of the site is the space for the
273 loading pad and pushing snow that could be salted off that area. Mr. Bombaci said that there are two
274 options because it is hard to condition something like that. They could block the back area off or they
275 could create a swale so that when it is plowed it runs off. Mr. Claus said that he is fine with the swale
276 option but removable bollards are also an option.

277 Mr. Butler asked if there are grassy areas to the right and left of the parking lot. Mr. Bombaci said that
278 the lighter colored green areas are the storm water basins. Chairman White asked and Mr. Bombaci said
279 that they have proposed either hydroseed or sod close to the building and then along the outsides of the
280 development is meadow now and they are proposing what is called a conservation seed mix which is a
281 combination of 15 to 20 different plants that are more naturally growing. Chairman White said that on a
282 lot of lake front developments the State frowns on grass and possible fertilization and asked if they have
283 commented about that. Mr. Bombaci said that they have spoken with NH DES in detail regarding their
284 Shoreland application and their stance is that for a wooded site and tree removal then they require
285 detailed calculations. In this case, they are reducing the amount of degraded area by about 15,000 sq ft
286 so it might not have actually required an application. The State has not commented on the fertilizer but
287 they are proposing more natural areas along the river and seed areas closer to the store.

288 Chairman White said that here is an adjacent site that this parcel used to be part of and there is a
289 driveway cut for the other site. He understands that there is no control over what happens on the other
290 parcel; however, he would like to know if there has been any discussion with the owners or with the
291 State on using a combined access for the two lots so there would not be two driveways there. Mr.
292 Bombaci said that they looked at every option with NH DOT and they are aware of the potential for a
293 project on the property next door and asked them to consider that detail, however, the State is
294 comfortable with that as the sight distance is substantial. There was further discussion regarding this
295 matter.

296 Mr. Marquise asked Mr. Bombaci to discuss the floodplain. Mr. Bombaci said that the dashed double line
297 is the floodplain and they will be out of the floodplain as it coincides with the steep slope at the back.

298 Mr. Marquise asked about the access as Police and Highway were concerned with turning movements
299 and getting in and out of the site. There were concerns about not knowing the times of the deliveries or
300 the trucks that will be there stacking along the road. Mr. Bombaci said that there could be smaller box
301 trucks that park in the parking spaces once per day or so; however, the expectation is that tractor trailer
302 deliveries would be no more often than once per week and would occur first thing in the morning or mid-
303 weekday when there would not be a lot of customers. The likelihood of two trucks needing to be on site
304 at the same time is close to 0%.

305 Vice Chair Jewczyn said that with the presumption that this could be a hardware store he would like to
306 know where the forklift will be located. Mr. Bombaci said that they have not designed the details of the
307 building for the interior but typically the forklift would be stored in the building. Vice Chair Jewczyn asked

308 and Mr. Moran said that if the building will be a hardware store generally the new modernized forklifts
309 do not like to be outside.

310 Mr. Marquise asked for an update on the State permits. Mr. Bombaci said that they have not received
311 any permits yet. He spoke with NH DOT and the permitting engineer has reviewed the plan but their
312 process is to float the application around to different departments for their review. They should expect
313 their response within the next two weeks. They have been working with the Shoreland Division for that
314 permit and spent quite a bit of time with them before they formally filed and they expect that within a
315 couple of weeks as well.

316 Mr. Claus asked if there were any staff comments, particularly from the Fire Department. Mr. Marquise
317 said that he did not receive any comments from the Fire Chief though he expects they will have to review
318 the building at some point. He has noted the comments from Police and Highway regarding the traffic
319 turn movements.

320 Mr. Marquise said that the Board may want to wait to hear what comments come back from NH DOT
321 before approving this Site Plan as there is sensitivity with this site. Mr. Bombaci said that he does
322 understand that the Board may want to wait, however, Mr. Moran does have a tight due diligence
323 timeline with this proposal. They have had enough correspondence with NH DOT that they feel pretty
324 comfortable with what they are proposing as they have been working with them since August. If NH DOT
325 wanted to have any changes they would gladly come back before the Board for a revised Site Plan. Mr.
326 Moran said that they have had to extend their due diligence with the owners due to COVID and some
327 other factors but they have gone through all their time to decide if they are moving forward so he would
328 appreciate a conditional approval if the Board would be willing.

329 Mr. Clark asked what the most likely use of the site could be as the proposal is a rectangular box with
330 some parking. Mr. Moran said that the three most likely uses in this region are a hardware store, a dollar
331 store, or an auto parts retailer. Their model is to see if they can get permits to build something that
332 would be suitable for any of those or something similar to those and then move forward to get a lease
333 agreement.

334 Mr. Butler asked if a traffic study has been conducted. Mr. Bombaci said that they did a trip generation
335 study and a sight distance study which are the two studies that NH DOT requires. The trip generation
336 study looks at the use and the potential impact to the surrounding networks and this use is a low
337 generation use. The sight distance is also clear to the different intersections.

338 Vice Chair Jewczyn asked if there is any potential development of the rest of this area. Mr. Moran said
339 that he has had conversations with the owners as they own self storage facilities and it could potentially
340 be an expansion of their business on some portion of the site but he does not know anything else. They
341 are focused solely on this parcel. Vice Chair Jewczyn said that he was not sure how far the commercial
342 zone continued past the site. Mr. Moran said that the property adjacent to the subject site is in the same
343 zone, however, he is not familiar with the rest of the area. Vice Chair Jewczyn said that he asked because
344 Mr. Butler asked about a traffic study.

345 Chairman White asked if this site intersects or abuts the existing snow mobile trail. Mr. Claus said that
346 the snow mobile trail is on the other lot. There was further discussion regarding this matter.

347 Mr. Butler asked and Mr. Bombaci said that he does not know if the zoning in this area prohibits gas
348 stations but a gas station would require a special variance from the Zoning Ordinance and he doubts that
349 it would be approved.

350 Chairman White asked if there are any abutters with any questions about the proposal and there were
351 none.

352 Mr. Bombaci said that they would be amenable to having a condition of approval for a swale or bollards
353 by the loading area as discussed.

354 Mr. Butler asked and Mr. Moran said that their period of due diligence expires February 12th.

355 Chairman White said that the application is pretty thorough and there have been significant studies
356 conducted and the few concerns that have come up and it sounds as though they have been considered
357 or addressed.

358 Mr. Butler said that his only concern is the curb cut and the traffic. Mr. Clark agreed as he has seen
359 people go through that area going 50 MPH. Mr. Claus said that he believes that will become a learned
360 condition because there is currently nothing there to slow down traffic but once people realize there will
361 be traffic entering and exiting, they will slow down.

362 Mr. Claus said that this is a very well thought through Site Plan and he is impressed. Mr. Butler agreed
363 with Mr. Claus. Mr. Clark said that he thinks that this is a good use for the site.

364 Mr. Claus said that he thinks that the biggest concerns were the sensitivity of the site and the aquifer
365 overlay and traffic concerns. NH DOT has more expertise than the Board and from his experience
366 working with DOT in other states the permits are highly scrutinized and it is not easy to get them
367 approved so he is sure the applicants had to work hard. Mr. Butler said that he knows on Route 11 NH
368 DOT wants a 400 ft sight distance and he does not believe that there is 400 ft on this site. Mr. Claus said
369 that he thought that speed is a factor for sight distance. There was further discussion regarding this
370 matter.

371 Mr. Butler said that his concern is the approval of the State permits and if their conditions create changes
372 to the site. The access is a common concern for the Department Heads and the Board so if there are any
373 changes that are not in accordance with the plans submitted, they would need to come back to the
374 Board.

375 Mr. Clark asked if the tenants would need to come back before the Board for their use. Mr. Marquise
376 said that as long as it is a retail use as submitted the tenant would not need to come back to the Board;
377 for example, if there was a food service / restaurant that would be going into the building it would need
378 to come before the Board.

379 Chairman White asked and Mr. Marquise that the Zoning Board gave approval for the proposal with
380 conditions that must be met. Mr. Marquise continued that the conditions are site related and not based
381 on the use. Chairman White said that the condition related to the storage of environmentally sensitive
382 materials would be in place no matter who uses the building.

383 Mr. Butler asked if the lights will be turned off at 10:00 pm when the store is closed or if they will remain
384 on throughout the night. Mr. Claus said that he thought the Board was told there would be a few lights
385 left on. Mr. Bombaci said that there would be a few lights left on for a little while after closing and during
386 the night one of the smaller lights on the sides of the buildings will remain on for security reasons.

387 Chairman White said that he thinks that the Board does have concerns about landscaping, so it was good
388 to have that as part of the application.

389 Mr. Claus asked and Mr. Marquise confirmed that the sign will require separate permitting as it has to
390 meet the limitations for the site.

391 Mr. Claus said that the planting plan includes more plants than he has ever seen come before the Board
392 so he is happy.

393 Chairman White asked if the construction plan is something that the Highway Department reviews or the
394 Zoning Administrator. Mr. Marquise said that there are a couple of parts that the Planning Board needs
395 to address as the Board has been requesting a third-party review of certain items by an engineer selected
396 by the Town. In this case, it would be items such as the driveway prep and the installation of the
397 drainage systems and then what happens is at the end of the project all of the Department Heads will go
398 out and do a walkthrough to verify that everything presented on the plan is in place. The Town engineer
399 is the one who reviews what gets covered up and the Department Heads are the ones who review the
400 final product. Chairman White said that this is a visible site so whatever is done will have a lot of eyes on
401 it.

402 Mr. Butler asked and Mr. Marquise confirmed that typically the Board asks for a bond because if
403 someone goes in and disturbs a site then leaves, then things like drainage will need to be completed. The
404 bond is usually for the site, not the building; in this case, he thinks that the driveway should be included.
405 Mr. Butler asked and Mr. Marquise said that they are tying into the Town's sewer. Chairman White asked
406 and Mr. Marquise said that he thinks the bond requirement needs to be part of the Board's approval.

407 Chairman White asked if the approval should have a time limit as the Board usually gives a two-year
408 window. Mr. Marquise said that the Board has been giving a two-year time limit lately. Also, when
409 someone gets a building permit, they have one year to build and one year to renew so two years is
410 reasonable.

411 Chairman White said there may need to be further discussion about the bond, a time limit, the State
412 permits in place and to match the drawings, blocking off the loading area with removable bollards and
413 providing a swale from that area to one of the detention ponds.

414 Mr. Clark asked how much the bond amount should be and if it is determined by the Town's engineer.
415 Mr. Marquise said that prior to construction the Board usually has a bond hearing based on 110% of the
416 estimated costs of the site improvements and the bond would be accepted at that time.

417 Mr. Clark asked and Mr. Marquise said that he does think that two years for an approval goes hand in
418 hand with the building permit approval.

Chairman White said that if the Board asks for removable bollards and a swale then it changes the plans and asked if they will need to return to the Board with the new drawings. Mr. Marquise said that the Board would just be accepting these plans with the improvements and they would not need to return to the Board. Mr. Clark asked if the Board is requesting the bollards to be placed behind the loading area. Mr. Osborne said that he thought it was bollards or a swale. Mr. Moran said that, operationally, they have tried removable bollards before and they are not great; the idea about a swale is very functional and operational. If it is an either-or choice it would be better to have the swale. Mr. Claus asked and Mr. Moran said that the bollards are about 500 lbs to remove and put back. Mr. Claus said that he has a lot of experience with removable bollards and they are physically manageable for one person. Mr. Moran asked and Mr. Claus said that there are different types of bollards including the laydown ones and removable ones and they are easy to manage. Chairman White said that he thought the intent was the only way they would need to be removed was to be able to access the back of the building and the well. Mr. Claus said that his concern with the swale is if snow is pushed down the hill past the swale to make room for the next storm. There is also a sensitivity with the amount of salt that may be in that area. Mr. Claus asked if the Board has ever limited a site to what can be used for ice. Mr. Butler said that it is tough to regulate something like that. Mr. Clark said that a business does not want customers to slip and fall so they will be heavy in some respects. Mr. Claus said that there is just that one area where there could be a potential issue with snow removal which could undermine all of the preparations done by the engineer. Mr. Butler asked if the granite curbing could be continued with a drain port to the swale to alleviate the water from the pad. Mr. Osborne said that the pad slopes towards the parking lot so there is no water running off the back; the concern is pushing the snow off the pad and onto the grass, then the water would run off that. He believes that the swale is the easiest option and if there was maybe a fence or something in front of the swale so the snow would not be pushed further. Mr. Bombaci said that he was going to say that they could either do the bollards or if they want to do a swale, they could add boulders or a wooden rail behind the swale. Mr. Butler asked and Mr. Claus confirmed that his concern was the salt running into the river as this was the one area that was not addressed. Mr. Claus said that he thinks that the boulders are a good idea. Mr. Bombaci said that if the boulders are not right behind the loading dock, they will ensure that the area is drained as well. There was further discussion regarding this matter to determine the wording for the motion.

Mr. Clark made a motion to approve the Site Plan for Parcel ID: 0225-0008-0000 subject to the requirement for a bond; subject to a two-year time limit on the approval; subject to a potential drainage swale or other rock to address snow loading; subject to all of the conditions per the Zoning Board's approval; and subject to the State DES permit approvals. Vice Chair Jewczyn seconded the motion. Chairman White said that he believes that they need a DOT permit as well as DES permits. **Mr. Clark amended his motion to include all State permits.** Mr. Marquise said that the bonding should be at 110% of site improvements and third-party construction oversight of drainage and driveway construction. **Mr. Clark amended his motion to include the bond will be 110% of the sum and the need for the third-party oversight of construction. Vice Chair Jewczyn seconded the amendment. A roll call vote was taken: Mr. Clark voted yes; Mr. Butler voted yes; Mr. Osborne voted yes; Vice Chair Jewczyn voted yes; Mr. Claus voted yes; Mrs. Gottling voted yes; and Chairman White voted yes. The motion passed unanimously.**

MISCELLANEOUS

461 There was a discussion regarding the schedule for the Board to work on the Master Plan through Zoom as
462 they will meet on the third Thursday of the month starting in March. They also discussed reviewing the
463 questionnaire that needs to be sent out to the Town.

464 Chairman White said that the Board received an email from Donna Larrow informing them that she is
465 resigning as Alternate Member of the Board. He thinks that Mrs. Larrow was a wonderful Board member,
466 and he would like to have a letter sent to her thanking her for being on the Board.

467 John Augustine, Stagecoach Rd, said that as part of their newest proposal, the School Board has said that
468 they would like to add a biomass furnace behind the Sherburne Gym to provide heat to the Elementary
469 School and Sherburne Gym. The question that came up at the last Board of Selectmen's Meeting was
470 what process would have to occur for a biomass furnace to be approved and the Town Manager said that
471 as long as it meets the setback requirements that would be all that would be required. He was surprised
472 at that answer as he thinks that there are other potential factors involved in terms of smoke, the delivery
473 of materials, how people will be kept away from it, and the fact that it will be behind the gym and close to
474 a playground. At that meeting, Mrs. Gottling indicated that the School Board has not come before the
475 Planning Board to ask for any consultation or advise. He would like to know if it is true that the only thing
476 that the School Board would have to do to have a biomass furnace would be to make sure that it meets
477 setbacks and asked if there would be any other discussion, notification of abutters, or input from the
478 public. Chairman White said that it would be something that would need to be considered as part of the
479 Site Plan that will need to come before the Board and he is sure that there will be some discussions
480 regarding the furnace. It will need to meet setbacks, however, they will need to come before the Board
481 for a Site Plan Review as they will be building the addition, changing the parking, etc. and it would be part
482 of the whole discussion. Mr. Osborne said that he was at the Cheshire Fairgrounds last weekend and
483 there is a school next door that has a biomass plant and there was virtually no smoke because in that
484 particular application they had three separate pellet boilers that come on in series as the heat increases
485 and it has a silo for the pellets which is filled by a truck as needed. The boilers themselves were in a
486 storage container type building that is fully enclosed so there is no exposure to the boilers. Mr. Butler
487 asked and Mr. Osborne said that it was sized similarly to a 20 ft storage container and the silo was
488 probably 8 ft to 10 ft in diameter and maybe 15 ft tall but he is sure that the size is dependable on the
489 heating requirements. Mr. Clark asked if there was a lot of steam produced and Mr. Osborne said that
490 one of the boilers was running and the only way you could tell was a slight fan noise and the heat waves
491 from the stack. Mr. Osborne continued that there was virtually no visible smoke from the boiler.
492 Chairman White asked and Mr. Osborne confirmed that the Audobon Center in Concord has some type of
493 biomass furnace but he is not sure if it is a chip boiler or a pellet boiler. Mr. Claus asked and Chairman
494 White confirmed that regardless of footprint of the alteration, it will need to come before the Planning
495 Board for Site Plan approval. Mr. Augustine said that the Board just asked about air pollution and noise
496 and deliveries and things that one would hope as a neighbor would be questioned. Chairman White said
497 that the Board also asks for public comments from other people who may have specific concerns. The
498 Board tries to cover as many bases as they can but the more input from people the better. Mr. Claus said
499 that page 47 of the Zoning Ordinance talks about when a Site Plan Review is required and lists what the
500 Board will look at. Mr. Augustine said that it does not seem as though there has been a lot of details
501 given regarding the biomass facility. Mr. Osborne said that the boilers are relatively small and it is
502 possible that they could put a multiboiler installation inside the gymnasium and have the silo outside so
503 they could be inside the existing footprint of the building. Mr. Augustine said that the way that it has

been presented is that they will provide the heat to both the elementary school, which if it is approved will be significantly larger, as well as the gymnasium. He believes that it will be a standalone structure outside of the gym. Mr. Osborne said that he has not seen any plans showing what is being proposed other than the artist rendering. It will depend on the heat load how many boilers are needed but the piping will go underground up to the school if they decide to put the heating system at the gym. Chairman White said that he thinks that the proposal shows the facility at the school and then the pipes will run down to the gym. Mrs. Gottling said that she thought it was said that it would go behind the Sherburne Gym. Chairman White said that the Board will have to wait to see what comes before them. Mrs. Gottling said the question was specifically asked where it would be put and the answer was behind the Sherburne Gym.

MINUTES

Changes to the Planning Board minutes from February 13, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from March 12, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from June 11, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from July 9, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from August 13, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from September 10, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from October 8, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from November 12, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from December 11, 2020: The minutes were continued until the next meeting.

Changes to the Planning Board minutes from January 14, 2021: The minutes were continued until the next meeting.

Mr. Osborne made a motion to adjourn at 9:25 pm. Mr. Butler seconded the motion seconded the motion. The motion passed unanimously.

Respectfully submitted,

Melissa Pollari

539	Planning Board	
540		
541	Peter White, Chairman	Michael Jewczyn
542		
543	Joseph Butler	Randy Clark
544		
545	Jeffrey Claus	Richard Osborne
546		
547	Donna Davis Larrow, Alternate	Suzanne Gottling, ex-officio member
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