

Planning Board
March 28, 2024
Public Meeting
7:30pm

Members present: Barry Hantman, Leo Traverse, Chip Current, Joe Hester, Charles Underhill

Others Present: Gail Turilli, Jim D'Agati, Jim Macomber, David Knight, Donald Stokes (Eversource), Jacob Kwaspiszeski (Eversource), Sherri Trefry (VHB), Carsten Springer

The minutes from 2/22/24 were reviewed. One minor change was made per Barry's previous recommendation. Barry **made** and Joe 2nd a **motion to accept the minutes as amended**. All in favor, **motion carries**.

S.J. D'Agati Trucking LLC: 12 Olde Road Amended Site Plan:

Leo recuses himself from the table as he is a direct abutter. Jim D'Agati addresses the Board stating that he is here tonight to discuss modifying his hours of operation. His business has currently acquired 2 new jobs located at Yale University and Martha's Vineyard. He further explains that in order to get on the ferry for Martha's Vineyard, he needs to be there by 7am and would like to do away with the current hours of operation. Barry asked what hours he is looking for and how often. Mr. D'Agati explained that he is coming into his busy season and it is tough to give a definitive answer as hours vary. Chip noted that something has to be applied. 4am – 7pm was brought up and Mr. D'Agati stated that would work and also mentions that there have been no complaints. Carsten asked where the location of the business is located. Chip stated 12 Olde Road in the Highway Commercial Industrial Zone. Carsten mentioned that depending on where located, all property owners who own on the other side of Olde Road have purchased in recent years when that was previously designated as industrial property. Carsten also stated that the two properties across the street have changed hands in the last 4 years. The BOS passed a noise ordinance a number of years ago but, doesn't relate to this zone. Carsten's hope is that the Board can give business owners the widest possibility to run their business in a fashion that will allow them to take advantage of new opportunities provided that they are not creating too much noise or shining lights at neighboring properties. Barry explained that an initial set of hours was approved when the business was established, extended those hours four times with the most recent being when Mr. D'Agati was in previously. He further expresses a concern that we haven't had the time of year when people have windows open, etc. and would have been more open to it if the business had gone through a summer with no complaints. Mr. D'Agati noted that it is a state highway and people are only going to hear 2 pieces of equipment leaving, it will be less of an impact. Barry **made** and Joe 2nd a **motion to accept the application**. All in favor, **motion carries**. **Application accepted on 3/28/24**.

Joe noted that maybe Mr. D'Agati didn't foresee these new contracts. Mr. D'Agati stated that jobs are being bid on for next year, 4am would be the earliest start time as he needs to be on site before 8am and off site by 1:45pm. Dave Knight explains that people are heading into Boston and hitting the 128 belt earlier than they used to. He lives in a residential neighborhood and gets at least 6 vehicles that leave between 4-4:30am. Businesses start early and he feels if the

applicant's request isn't allowed, it's like asking to kill the business and feels the town needs to be encouraging business. Charles noted that there are 2 new contracts this year with earlier starts and the terms laid out mitigating issues in the neighborhood have been exceeded. He then proposes to allow a temporary advancement of hours for the summer and then re-evaluate. Chip is not in favor of this idea as it costs money every time an applicant comes in and triggers a new site plan review. Mr. D'Agati stated that some contracts can go up to 3 years. Carsten stated the property is in the Commercial Industrial zone and folks who purchase in the area know the zoning. He proposes that the applicant's request can be granted permanent with the condition that if there are complaints, the BOS will work with the Planning Board if there is a noise ordinance violation. Chip is not in favor of this idea either and states it is not germane to this applicant. Chip **made** and Charles 2nd a **motion to grant approval for extended hours of operation to 4am – 7pm**. All in favor with Barry abstaining. **Motion carries, Amended Site Plan approved on 3/28/24.**

At this time, Leo re-joins the Board at the table. Charles stated that before Eversource begins, he informs the Board that he has accepted and begun a position with the Office of the Consumer Advocate who has the right and statutory obligation to insert itself into regulatory investigations including those of Eversource. He doesn't see a conflict but, will give Eversource the opportunity to object to his participation in Eversource matters before the Board if there is a concern. Jake (Eversource) appreciates the transparency but, has no objection. Chip states that if there were some kind of action between Danville and Eversource at this time, he would ask that Charles leave the table but this is not the case.

Eversource: Conditional Use Permit for V103 & J147 Transmission Lines:

Chip explains that this is a conditional use permit application for a wetland impact having to do with the replacement of 3 structures in Danville all around the Peaslee Tap and all on Eversource property. There is 4,267 sq ft of temporary wetland impact. Sherrie, from VHB, explains that the project consists of 3 existing wood structures on 2 lines. Poles 2 & 3 are located on the V103 line and pole 5 is located on the J147 line. The structures need to be accessed, 100ft x 100ft work pads will be put down, and the area will be leveled so that the cranes and bucket trucks can get to the structure, drill the new structure locations, remove the old structures, place the new structures and transfer the wires from the old structures to the new structures. The wooden poles will be replaced with steel as the current poles have come to their end of life. The poles are located on Eversource property with an existing access road. NH DES wetlands permit and shoreland permit are required due to the close proximity of the Exeter River. NHB has been consulted and consultation with Fish & Game has been completed. Aside from the normal monitoring, reporting, and educating contractors, it was also agreed that the work wouldn't be done during active season, April 1 – October 15. Chip noted that the Board has stopped practices in giving non-deadlined Conditional Use permits and asks for an end date. Work is not starting until October/November. Jake, Eversource, stated that they have a requirement as a condition from NH Fish & Game to not start work until October 15 and anticipates all structure work, restoration activities would be completed by early December. December 1 would be a safe estimate at this time.

Barry **made** and Charles 2nd a **motion to accept the application**. All in favor, **motion carries**. **Conditional Use Application accepted on 3/28/24**. Barry recommends adding a few extra months just in case. Jake stated that the end of the year is more than adequate. There will be outage at certain times and due to the proximity of the tap yards, outages have to be coordinated with other transmission lines in the area. Charles asked about getting the Conservation Commission's opinion. Chip asked for Carsten's opinion as to whether or not to send this project to the Conservation Commission. Carsten stated that Conservation was contacted by Eversource and feels this project is not necessary to go before the Conservation Commission. Carsten also suggests that the project start before October 15 in order to start staging. Barry **made** and Charles 2nd a **motion to waive Conservation Commission review**. All in favor, **motion carries**. Barry **made** and Charles 2nd a **motion to grant approval for the Conditional Use Permit from 3/28/24 until 12/31/2024**. All in favor, **motion carries**. **Conditional Use Permit granted on 3/28/24**.

Nominations for Board Chair and Vice Chair:

Barry **made a motion** to nominate Chip to continue as Chairman. The motion was seconded by Joe. Chip accepts the nomination. All in favor, **motion carries**. Chip **made a motion** to nominate Barry to continue as Vice Chair. The motion was seconded by Charles. Barry accepts the nomination. All in favor, **motion carries**.

Other Business:

Chip mentions that there was a principal agreement received for the Route 111 access signed by Jim Boraczek and the Selectmen. Mr. Boraczek has agreed to personally finance the fee due to DOT without financial support of the Town. Charles asked if this would allow for traffic re-routing to which Chip and Barry agreed it would be minor.

Carsten notes that he is concerned with the mapping issues going on. The assessor creates his own database as he can't rely on town maps. The Forestry Committee uses GPS for a lot of things as they can't integrate due to the maps not being accurate. He expresses the need to find the source of the problem and how to fix it. Chip mentions that Gail and himself have been working with the mapping company, CAI, regarding this issue and believe that the maps are now up to date. The final preview map will be sent via email for review prior to printing. Carsten suggests looking at the contract as he questioned if it includes updating. Barry suggested to bring this issue up to the Board of Selectmen and if the only town having issues with mapping is Danville, maybe reach out to other towns to see what their process is.

Barry **made** and Joe 2nd a **motion to adjourn**. All in favor, **motion carries**. **Meeting adjourned at 8:30pm**.

138 **Agenda for next meeting:**

- 139 1. 29 Olde Road Site Plan Continuance
140 2. Sapphire Woods, final approval and signing of mylars

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142 Respectfully,

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144 Gail Turilli

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