

1 Planning Board  
2 December 9, 2021  
3 7:30pm  
4

5 Members present: Barry Hantman, Chip Current, Charles Underhill, Chris Smith, Steve  
6 Woitkun  
7

8 Others present: Gail Turilli, Richard Atkins, Tim Lavelle, John Jalbert, Emily Jalbert, Doug  
9 Anderson, Norm Collins, John Ratigan  
10

11 Barry stated there was no meeting held on November 11. Meeting minutes from October 28  
12 were reviewed. Chip stated there were some typographical errors and one statement that he  
13 would like to strike on line 383 which states, "Chip stated has to be attached." Board is in  
14 agreement. Chip **made** and Charles 2<sup>nd</sup> a **motion to accept the minutes as amended**. All in  
15 favor, motion passes.  
16

17 Barry mentioned that the Warrant Articles up for discussion were on the agenda for tonight's  
18 meeting but, they were not noticed correctly. The sentence stating the meeting date and time was  
19 left off so, they have been re-noticed for the January meeting. This will not allow enough time  
20 for a second public hearing. The Board will have a choice to either put the Warrant Articles  
21 forward as noticed or have them removed. John Ratigan of Donahue, Tucker & Ciandella,  
22 PLLC, who is present representing Doug's Tree Service, addressed the Board concerning this  
23 issue. He explained that he was asked to give advice to the planner in Pelham regarding a notice  
24 for Zoning Amendments. RSA 675:7 states that municipalities do not have to put their notice in  
25 the newspaper, just post on their website and in two public places. Barry stated that our next  
26 meeting in on January 13, 2022 and has already been noticed. Chip stated the last day to hold  
27 public hearings in on January 31, 2022 and second hearing could be scheduled for the 27<sup>th</sup> if  
28 needed. It could be noticed on that Friday and would meet the 10 day requirement. Barry noted  
29 it is a possibility.  
30

31 **Correspondence:**  
32

33 Barry mentioned some correspondence that was received. A letter from Northern New England  
34 Chapter of the American Planning Association asking that the board become members. Each  
35 membership costs \$80, and he asked that interested parties get back to him. NH DES newsletter  
36 was also received. A couple of things to note are Cyber Security in the water sector, specifically  
37 community water systems and federal requirement of their plan on how to protect cyber security  
38 issues. Also an article on forecasting well problems and data collection and an article on road  
39 salt in drinking water which specifically mentions Rockingham County that has seen a large  
40 increase. This will be passed around for those interested.  
41

42 **Continuance of Stage Coach Estates, Map and Lot 1-19-B:**  
43

44 Tim Lavelle addressed the board. He states that the AOT has been a long process due to new  
45 rules for state approvals. Plans have been sent to the town engineer and all items have been  
46 addressed. Barry stated that the Planning Board had 17 items which are as follow:

- 47 1. Note 9 – waiver requested or removed
- 48 2. Easement added to lot 15.
- 49 3. Adjust house on lot 15, not in easement
- 50 4. Soil scientist signature on sheets 1,9 & 10
- 51 5. Speed Limit Sign on sheet 9 above station 150
- 52 6. Fire suppression plan (sprinklers)
- 53 7. Driveway permits and review from Road Agent
- 54 8. Conservation letter
- 55 9. Missing tree on sheet 9
- 56 10. Input from site walk
- 57 11. Update to abutter on lot 2-4-1 (incorrect name)
- 58 12. Engineer's report
- 59 13. Easement on 1-9-13 specific to the finger to benefit lots on either side on sheet 3
- 60 14. Construction vehicles on the lot
- 61 15. Finger shown on sheet 6
- 62 16. Surveyor signature on all sheets
- 63 17. State sub-division approval on note 9

64  
65 Barry stated that there are two outstanding items remaining which are: Acceptance of the road  
66 bond from the Board of Selectmen and Soil Scientist signature on sheets 9 & 10.

67  
68 Richard Atkins questioned the 65% of the project needs to be completed within a year. Chip  
69 explained that this is something known as active and substantial development. It relates to whether  
70 or not they would need to bring the entire site up to new zoning that got brought forth. Since the  
71 time of approval to the time of completion of the project, if they are not showing active and  
72 substantial progress, they would have to go to new zoning requirements effectively. Richard also  
73 brought up a concern from the second site walk regarding the road center being close to his  
74 property line. It appears that new road center stakes are now in place. Tim Lavelle and John  
75 Jalbert both stated that they have not been on the site and did not put them there. Chip noted that  
76 the road center should be roughly 30ft from the property line. Barry mentioned that this was  
77 discussed by the board and determined that the road is in the R.O.W. and does not have to be  
78 directly in the center. Tim Lavelle explained that since the time that has lapsed with this project,  
79 the road will be re-staked prior to construction.

80  
81 Charles has recused himself from the vote as he is an abutter. Chip **made** and Chris 2<sup>nd</sup> a **motion**  
82 **to grant conditional approval with the following conditions:**

- 83
- 84 1. **Acceptance of the bond by the Board of Selectmen**
- 85 2. **Soil scientist signature on sheets 9 & 10**
- 86

87 All in favor, motion passes. **Conditional approval granted on 12/9/2021.** Barry mentioned upon  
88 final approval, impact fees will be looked at. Conditional approval is valid for one year.

89  
90 **Site Plan & Conditional Use Permits for Doug's Tree Service, Frye Road and 111, Map and**  
91 **Lot 4-207:**

92

93 John Ratigan addressed the board for Doug Anderson and gives an overview of the proposed  
94 project. The top sheet of the site plan on the right shows the entrance to the property which runs  
95 east to west. The left to the north side of the road has 23,000sq ft for firewood storage and the  
96 other side has 7700sq ft gravel drive. There is no proposal for structures, just putting down some  
97 broken up concrete on either side of the road. Erosion control, silt fencing will be put in. There  
98 are 2 drainage culverts that have already been installed. Wetlands permits from DES have been  
99 obtained. Conservation is ok with the wetlands permits. Seven trees have been taken down but,  
100 no changes to the property. There will be 3 employee parking spaces. Chip confirmed that all of  
101 the abutters have been notified. A concerned neighbor asked what is taking place on the property.  
102 It was explained that it will be used for the storage of firewood. Charles **made** and Chip 2<sup>nd</sup> a  
103 **motion to accept the site plan and conditional use permit.** All in favor, motion passes. **Site**  
104 **Plan and Conditional Use permit accepted on 12/9/21.**  
105

106 The details of the proposed project were then discussed. The property will be used solely for the  
107 storage of firewood and adding some crushed gravel where the trucks will be coming in. There  
108 will be no out of state wood coming in, operating within a 10 mile radius. The wood piles will be  
109 no higher than 10ft. Log length will be cut, split and stacked. Hours of operation will be 7am –  
110 5pm with no work on major holidays. Deliveries of firewood will be loaded onto the trucks via  
111 conveyor. The 2 trucks being used for this operation are 33,000 lbs and 50,000 lbs in gross vehicle  
112 weight. There are 2 wetlands crossings and a bridge that is rated for the truck weight. Barry  
113 questioned the board if this project needs a review from the town engineer. The consensus was it  
114 is not necessary. It was recommended that a requirement to repair or replace the silt fencing if  
115 needed. Barry asked about a plan for plowing. Doug stated he will have a skid steer on site.  
116 Charles questioned the provision for turning trucks around, description of the mechanical  
117 equipment on site and how long would the product be static. Doug stated he does not expect the  
118 wood to last more than a year on site. He also questioned backing in from the street or pulling in  
119 straight to turn trucks around. Barry prefers that he does not back in. There will be a conveyor  
120 and tumbler to clean the wood and then it will be loaded into the truck. There was an area that  
121 was cleared out in front of the property prior to this plan. There is an area of excavation that they  
122 are working on for stage 2 but, not proposing at this time. Barry advised to take this off the plan  
123 and a signature block will need to be added. There are no plans for paving, just adding some gravel  
124 going up to the pavement on Frye Road. Barry suggested to go 5ft beyond the R.O.W. and to  
125 contact the Highway Department to coordinate as this will help protect the town road. Chris  
126 questioned the silt fence and maintenance and suggested a drainage swale in thinking long term.  
127 Conservation may want to be consulted regarding silt fencing and if it is necessary. The consensus  
128 of the board was that Conservation does not need to be consulted for this plan but, will leave the  
129 option to the applicant. Charles noted that silt fencing is to prevent erosion during turmoil. This  
130 is a quiet operation with no permeable surfaces creating runoff. There is limited liability for silt  
131 fencing. Chip feels having the silt fencing between the two culverts is necessary but, not beyond  
132 that. Barry stated if the applicant comes back within a year he may want to re-thing silt fencing.  
133 Permission from DES was granted to put in the culverts.  
134

### 135 **Waiver Requests:**

136

137 The consensus of the board is to do the waiver request in bulk as there are multiple, and then vote.  
138 Waiver requests are as follows:

- 139 1. Section 20.1 Traffic Impact Analysis  
 140 2. Section 21 F, H&I Driveways/Vehicular Pedestrian Access, connecting drives, frontage  
 141 and sidewalks  
 142 3. Section 23 Parking Lot Design  
 143 4. Section 24 Loading  
 144 5. Section 25 Snow Removal  
 145 6. Section 26 Pedestrian Access & Circulation  
 146 7. Section 27 Lighting  
 147 8. Section 28 Storm Drainage  
 148 9. Section 29 Utilities  
 149 10. Section 30 Landscaping  
 150 11. Section 30.1 General Appearance Criteria  
 151 13. Section 32 Solid Waste Recycling & Disposal  
 152 14. Section 34 On Site Water Supply  
 153 15. Section 35 On Site Sewage Disposal  
 154 16. Section 36 Handicapped Accommodation  
 155 17. Section 40.1 A,D&E Plat Notes Required, Landscaping, Snow and Waste  
 156

157 Granting of the waivers shall not be detrimental to the public health, safety, or general welfare

158 All members are in agreement

159 Granting of the waivers shall not , in the opinion of the board, be injurious to other parties

160 All members are in agreement

161 Granting of the waivers shall not have the effect of nullifying the intent and purpose of this chapter

162 All members are in agreement

163 Strict compliance with the regulations would cause a hardship to the applicant solely because of  
 164 the unique physical characteristics of the site (financial hardship shall not be considered)

165 All members are in agreement

166 The Board determines that granting the waivers would result in substantial public benefit

167 All members are in agreement  
 168

169 Chip **made** and Charles 2<sup>nd</sup> a **motion to grant the waivers. All in favor, waivers granted.**  
 170

171 Section 21.D & 38 Driveways and Site Construction Standards with the exception of  
 172 paving the existing Frye Road to 5ft onto the property.

173 All Board members are in agreement with the five criteria as listed above. Chip **made** and Charles  
 174 2<sup>nd</sup> a **motion to grant these waivers with exception. All in favor, waivers granted with**  
 175 **exception.**  
 176

177 Barry stated notes need to be added to the plan with waivers and date of meeting. The applicant  
 178 will need to be put on the Selectmen's agenda for their next meeting regarding lifting the cease  
 179 and desist as the Selectmen had issued that. No bond is necessary. Notes to be added to the plan  
 180 are as follows:

- 181 1. No out of state firewood storage
- 182 2. No higher than 10ft
- 183 3. No operation on federal holidays
- 184 4. Modify maintenance #1 to say it will continue to be functional

- 185 5. Clearing of snow for public safety access  
186 6. Signature block  
187 7. Remove excavation area  
188 8. Pavement from Frye Road to 5ft onto property of plan  
189 9. Add “pounds”  
190 10. Correct “genrally” to “generally”  
191 11. Potential removal of some silt fencing  
192 12. Notes on plan regarding waivers  
193 13. Correction of typographical/spelling errors on plan

194 Crossings are already completed per DES. Chip **made** and Chris 2<sup>nd</sup> a **motion to grant the**  
195 **Conditional Use Permit. All in favor, motion passes. Conditional Use Permit granted 12/9/21.**  
196 No notes on the plan are necessary for the Conditional Use Permit. Access to 111 is being worked  
197 on with the state and Chris Giordano.

198  
199 Chip **made** and Charles 2<sup>nd</sup> a **motion to grant conditional approval for the site plan. All in**  
200 **favor, motion passes. Conditional Approval for Site Plan is granted 12/9/21,** with 13  
201 conditions as listed above. Potential Impact Fees will be discussed at final approval.

202  
203 Barry noted that our public hearing to discuss Warrant Article changes will be held on January 13,  
204 2022 and also mentioned that there are open positions on the board for alternates. Elections will  
205 be held in March.

206  
207 Charles **made** and Chip 2<sup>nd</sup> a **motion to adjourn. All in favor, meeting adjourned at 9:30pm**

208  
209  
210

211  
212 **Agenda for next meeting:**

- 213  
214 1. Discussion of proposed Warrant Article changes

215  
216  
217 Respectfully

218  
219 Gail Turilli