

1 FINAL

2 Minutes of the Planning Board Meeting

3 April 12, 2022, at the Meeting House

4 And remotely via GoToMeeting

5 Members Present

6 Scott Doherty (Vice Chair), Greg Meeh (newly elected Chair), Anne Dowling, John  
7 Schneider, Lucy Nichols, Kent Ruesswick (BOS rep)

8 Logan Snyder (alternate/technical support), Hillary Nelson (alternate) Ann Berry  
9 (alternate)

10 Members Absent

11 Joshua Gordon

12 Others present

13 Matt and Katie McKerley, owners, MDM Property Management LLC, Tim Bernier  
14 of TF Bernier, Inc.

15 Marty Vaughn (Top O' the Hill Disc Golf), Jacqueline Laufman, Martha Gilman  
16 (remote attendance)

17 AGENDA

18 1. Call meeting to order

19 Scott Doherty as Vice Chair called the meeting to order at 7 pm.

20 2. Election of new Chair

21 Anne Dowling nominated Greg Meeh as Chair. This was seconded by Lucy Nichols.

22 Greg Meeh nominated Scott Doherty as Vice Chair. This was seconded by John  
23 Schneider.

24 Members voted unanimously to elect Greg Meeh as Chair and Scott Doherty as  
25 Vice Chair. Greg took over the Chair role. He noted that the Board was using  
26 GoToMeeting as a courtesy. If an error occurred, they would continue with the  
27 meeting with those present in the room.

28        3. Minutes of March 22, 2022

29        This vote was postponed until later in the meeting as a courtesy to the applicants  
30        waiting. Scott moved the Minutes and John seconded. All voted in favor to  
31        approve the draft Minutes of March 22.

32        4. MDM Management Property Management LLC, new construction on  
33        Oxbow Pond Road - Tax Map 267-Lot 46 – vote for Completeness,  
34        consideration of Waivers and Site Plan Review Application hearing

35        Greg Meeh apologized that with the secretary being away, specific notice was not  
36        given to the MDM landowners prior to the site visit this past Saturday.

37        There is no street number because is no building.

38        Greg said the Board would first vote on Completeness, then move forward to the  
39        Waiver requests and vote on those, and then invite Tim Bernier to further present  
40        the application and hold the public hearing.

41        (i)     Completeness

42        Greg referred throughout to the Required Exhibits and Data on the Site Plan  
43        Review Check list.

44        Tim Bernier gave an introduction of the proposed new construction and waiver  
45        requests. The construction is not expected to produce much traffic, any  
46        lighting will be dark sky compliant with downward focused lights, there will not  
47        be noise produced, and they requested lot coverage of 54.8% in terms of  
48        impervious surface because a paved driveway will be much more efficient to  
49        maintain than gravel. They designed a stormwater system which exceeds DES  
50        standards. There will be catch basins to manage the stormwater and it is much  
51        easier to maintain such a basin in a paved driveway.

52        In going through the check list, discussion included the following points:

- 53            • The ZBA had granted a Special Exception for construction over 5000 sq ft  
54            plus an ADU – the doorways for the office units would be at the front of  
55            the building and a larger warehouse door at the back
- 56            • Tim Bernier referred to such units as very popular in the greater  
57            Concord area, acting as ‘incubator spaces’ for small businesses

- The ADU is intended for people who work in the building, such as an ambulance crew or seasonal labor – there would be 2 bedrooms – and it is not known at present how many different businesses will occupy the 7 units – sometimes a business will use more than one unit as it grows
- The Storm Basin was designed with a 50-year storm event in mind, with a ‘forebay’ that is intended to take the initial run off in a storm, and that can be maintained and cleared of sediment, while the larger pond collects water longer term
- The building will need 2 driveways for turnaround
- There was concern expressed about possible increases in parking around the site, with a Wildlife Management area close by, though so far excess parking has not been an issue, the owners stated
- Utilities will be electric – there is no natural gas line – there is a well that is marked on the site plan and they have state approval for the septic system
- Elevation drawings had been submitted and on the most recent Site Plan there was screening with plantings such as Blue Spruce, Sugar Maple and White Oaks throughout the site
- There was discussion about the potential implications of retail tenants, who could need more parking – the applicants felt that although they were approved for retail, this site was not good for such tenants unless they were specialty retail with little foot traffic
- Signage – the owners thought it was about 2ft by 8 ft – it would have to conform with the town Ordinance requirements
- Solid waste disposal – there is no outside dumpster – each unit will be responsible for their own trash – the owners stated that often these small businesses had a dumpster in a different location and took their trash to it to centralize disposal
- There are snow removal areas marked around the site
- Erosion and sediment control plan is taken care of with the catch basins and a bituminous curb – the forebay will catch sediment and excess run off first – Tim stated they did not need a DES permit due to the size threshold of the operation but they designed to that standard anyway and they have a EPA Construction General Permit (CGP) – the EPA will

- inspect during construction, when the highest risk is from storm water damage during the building phase
- There will not be floor drains but a tank that will be closed and will have to be pumped out and taken to a state approved facility – the tank will need to be registered with the DES and records kept regarding regular pumping – it depends on the nature of the business there if that is needed or not (ex. it was not an issue for the yoga studio, but it was for truck detailing)

**Having been through the check list, Scott Doherty made a motion to accept the application as complete. This was seconded by John Schneider and all members voted in favor of accepting it as complete.**

(ii) Waiver Requests

There was discussion about the waiver requests:

- Noise – there were not to be any alarms heard, even if it was an ambulance company who rented space – no lights or sirens as they would be leaving the driveway although they are supposed to do this under State Law – that would be a condition in the approval – and as Tim Bernier pointed out, the Board would be seeing each new tenant as they came in unless their use was already approved and the Board could address such issues with them – there were no abutters present even though Lucy Nichols mentioned having heard some were unhappy with the existing MDM Property building. The owners stated they had met many of the abutters and had only encountered positive responses. Abutters were noticed and would be again in the future for new tenants. **Scott made the motion to waive the Noise Study, John seconded the motion and all voted in favor.**
- Traffic Study – this had been discussed to some extent when the Board voted not to determine this application of Regional Impact – Lucy asked about possible retail tenants and traffic associated with that kind of business but should such an application come to the Board, it would afford an opportunity to require a traffic study, if appropriate, then.

124 **Scott made a motion to waive the traffic study, Anne seconded and all**  
125 **voted in favor of that waiver.**

- 126
- 127 • Lighting study – members had heard that the lights would be shrouded,  
128 would be downward facing and dark sky compliant. **Scott made a**  
129 **motion to waive the lighting study. John seconded and all voted in**  
130 **favor.**

- 131
- 132 • Lot Coverage Request waiver – Greg reminded the meeting that this site  
133 was in the Aquifer and Groundwater Protection District (AGPD). He had  
134 sought advice from the CNHRPC, the town’s Conservation Commission  
135 and local engineers. It was important to protect groundwater districts  
136 with good regeneration and absorption so that those natural processes  
137 were not threatened. He asked Tim to speak to the request for 54.8%  
138 instead of the town’s 35%. Tim said the difference was between gravel  
139 versus pavement. The way they had to design for groundwater now was  
140 different from in the past, when pipes were used to prevent ‘peaking’ of  
141 waters by taking them away from the watershed – now they could not  
142 design to remove water reducing infiltration, so the pond that will be  
143 there will drain downwards to meet the new recharge standards. The  
144 forebay will be maintained, it will have a dam and a dyke, and will spill  
145 over a weir into the larger pond – cleaning out of sediments etc. occurs  
146 in the forebay. There will be no roof drains. That water will fall on the  
147 pavements. **Scott made a motion to accept the waiver of the lot**  
148 **coverage, and Kent seconded. Members voted 4 to 2 in favor (Greg,**  
149 **Scott, John and Kent for; Lucy and Anne against).**

150

151 (iii) Hearing on merits of the application

152 The Board turned to consideration of Conditions that would be part of any  
153 approval. Discussion included the following points:

- 154 • Parking spaces – there are 19 included for the 7 units – parking was  
155 relevant since off street parking has to be provided and there might be  
156 concern for increased traffic overflow in the future, though the owners

- 157 thought this is not a good site for retail businesses and so far, parking  
158 has not been problematic
- 159 • Signage should meet the parameters of the Canterbury Ordinance on  
160 signs
  - 161 • There should be no outdoor waste
  - 162 • There should be no outside alarms or announcements
  - 163 • The outside salt storage seen on the site visit was mentioned. The  
164 owners said the cover had blown off. And the construction debris and  
165 trash that was in the ravine at the site – the Chair requested that they  
166 take a look, and let the Board know – the owners agreed to take care of  
167 it ‘on their property’
  - 168 • There should be bollards or large stones placed on the site to prevent  
169 vehicles, other equipment, or other storage, including snow storage, or  
170 any access that could compromise the storm water management  
171 systems
  - 172 • The Board of Selectmen were satisfied with the application

173 There were no other questions from the Board and no abutters present. The  
174 Board then voted. **Scott made the motion for conditional approval, based on the**  
175 **conditions outlined in the discussion above. John seconded. Members voted**  
176 **and all but one, Lucy Nichols, voted to grant conditional approval.**

177

178 5. Marty Vaughn and Gilman Girls – Top o’ the Hill Disc Golf Expansion –  
179 preconceptual discussion

180 Marty Vaughn spoke to his preconceptual application. He needed to expand  
181 his very successful disc golf business on Rt 132. His neighbors, the Gilman girls,  
182 were keen to lease land to him to facilitate the expansion. Martha Gilman  
183 attended remotely and said she was in support of the expansion.

184 Marty described some features of the Course. There are hoops with chains  
185 into which folks throw frisbees. These are mounted on the ground in 5-gallon  
186 buckets, with concrete, so they are not permanent features on the landscape.  
187 He uses stone dust and recycled rubber. Trees are not affected - only dead  
188 ones are cut down – people throw frisbees through trees.

189 One main concern the Board had was to do with parking needs in the future,  
190 given how full the parking lot has already been. Ideally this would be shown on  
191 a new, larger site map. This new map should show the facilities that need to  
192 expand, perhaps with dotted lines, such as the rental house where people pay  
193 for the frisbees, as well as parking spaces.

194 Bathroom facilities on the site are portapotties, generally just one that is  
195 cleaned out twice a week, but if there is a tournament, then more are brought  
196 in. There is no food service or drinks offered. Customers bring their own and  
197 take away their trash. There are no lights and no paving. It is 'blue collar golf'  
198 and mainly guys who play.

199 The Board agreed to undertake a site visit, scheduled for Wednesday April 27,  
200 10.30 am. Greg asked if Marty could show parking space, somewhere for an  
201 overview of the Course, if possible, maybe walk to the first hole. They were  
202 thanked for attending.

#### 203 6. Planning Board Regulations

204 Greg said he has been going through these pages in the binders and seen  
205 things that members can straighten out – typos, inconsistencies etc. He asked  
206 for members to volunteer to go through some pages each. A public notice  
207 would have to be given for the meeting in which any changes would be  
208 adopted. In the first instance, if members could go through their pages by the  
209 next meeting, April 26, that would be helpful.

210 Anne: pages 1-4; John pages 5-9; Hillary pages 10-15; Logan pages 16-20.

211 Greg had also noted item K, of page 10 on the site plan regs where it is stated  
212 that the Board has discretion about the lot coverage. Tonight, the Board had  
213 set a precedent for impervious surfaces. Hillary pointed out an inconsistency in  
214 the Ordinance where crushed gravel counts as asphalt and gravel therefore  
215 counts as permeable. Hillary will look into that for the next meeting.  
216 (Ordinance p. 92, Article 17.18 Definition 6. Impervious Surface may be  
217 relevant?)

218 CCC has been asked to give a recommendation on this at their meeting this  
219 coming Thursday.

It was also agreed that the secretary will make 4 spare hard copies of agendas and documents for meetings for those members who prefer paper to the digital copies.

## 7. New Business

1. The short-term rental bill being considered in the NH State House was mentioned. It seeks to take away local control over short term rentals but provides for some aspects of regulation. Senator Harold French has created that bill.

2. Lucy had plans for David Day's garage on the Riverland, from Sam Papps, to share before they were returned to the town office. There are cameras monitoring the conservation area.

3. Greg thanked the members who came to site walk at the weekend

4. The Pachamama Sanctuary/Ayahuasca Retreat site plan application will be coming before the Board on April 26, the next meeting, for a vote on completeness and waiver requests. The April 26 meeting is scheduled to be a work meeting with Mike Tardiff, so it will remain to be seen if the Board considers the application complete enough for a hearing on May 10, or if the hearing will have to be scheduled for June.

## 8. Adjournment

Scott moved to adjourn and John seconded. It was around 9.15 pm.

Respectfully submitted,  
Lois Scribner, secretary