

MINUTES OF THE MEETING
OF THE
CANTERBURY PLANNING BOARD

May 12, 2015

The Chair called the meeting to order at 7:00 p.m. It was determined that a quorum was present.

BOARD MEMBERS PRESENT: Art Rose, Chair, Jim Snyder, Vice-Chair, Tyson Miller, Kent Ruesswick.

BOARD MEMBERS ABSENT: Joshua Gordon, Hillary Nelson, Chris Blair, George Glines, BOS Representative

OTHER PARTIES PRESENT: Web Stout, Eric Foster, John Jordan, Hope Jordan, Lisa Beck, Frank Beck, Andrea Wright, Joshua Hart, David Rauseo, Lori Rauseo, Art Landry, Carol Landry, Nancy Larson (City of Concord Planner)

Kent Ruesswick was invited to sit as an alternate.

Draft Minutes of April 28, 2015: Jim made a motion to approve the minutes of April 28, 2015. Tyson seconded the motion.

Discussion: None.

Vote to approve April 28, 2015 minutes: Unanimous. Minutes were approved.

Public hearing for Site Plan Review Application of Eric Foster, Lakes Region Tent & Event, Map/Lot # 267/68, Old Boyce and Shoestring Roads:

Art explained to all in attendance what the process would be tonight. Jim reminded the Board that we still need to establish completeness of the application. The Board reviewed the items that were still needed from the applicant and determined that all items were provided.

Tyson made a motion that the application is complete. Jim seconded. Discussion: None.

Vote: Unanimous.

37 Art opened the public hearing and the Board took a few moments to review the plans
38 and documents provided. Eric Foster spent a few minutes explaining the history and
39 operation of his business to the parties present in the audience.

40 There was discussion about regional impact and Art reminded the Board it was
41 determined that this project was not a regional impact issue at our last meeting. Jim
42 said after thinking about it, he feels that determination is an unusual one because of the
43 way the law was written. The law says if there's any doubt, it's regional impact. If you
44 hold a vote that is 4 to 3 or something similar, it is regional impact. He feels it may be
45 the one time when a majority vote doesn't make sense. Jim still doesn't think it's
46 regional impact, but because it's on the border, we should have given Concord a call.
47 Art said we can discuss the regional impact issue again, but since everyone is here,
48 he'd like to have Web present the plan and hear from the members of the audience.

49 Web discussed the 5 sheets making up the plan, which include septic design, erosion
50 control, and landscape plan. What is proposed is a one story 1,800 square foot metal
51 frame office building. The larger building is a two story metal frame office storage
52 facility at 12,000 sq. ft. In the rear there would be a covered loading dock. There is a
53 gravel drive that allows fire trucks to get just about 80% around the building. They are
54 proposing two entrances, on Old Boyce Road and Shoestring Road.

55 There was discussion about the loading dock and the type of activity that would go on
56 there. Tyson asked about grass and plantings around the structures. Web referred him
57 to sheet 5.

58 Jim asked about the Table of Uses and where this project would fit. Web said it was
59 first thought of as a warehouse, but they don't feel it is. This is an office. The building is
60 needed for the storage of his materials. He doesn't do any selling there. There was
61 discussion of square footage of the office space and whether it was an accessory
62 space. Jim thought that you could have an office with a warehouse as an accessory
63 use if the office was the principal use, but others may not agree. Tyson felt the Zoning
64 Board should make the decision. Jim stated that we can accept Web's view and go
65 ahead and continue with the hearing, or we could make a determination that this is an
66 issue that has to go to the ZBA. Art decided to proceed with the meeting and when we
67 get to the end we can table it until they get zoning approval and can pick up the meeting
68 again if that's the route everyone agrees on.

69 There was further discussion about existing trees and what landscaping would be done.
70 Art felt we should make a note and request a colored rendering of these things showing
71 the roof and the plantings. There was discussion about the possibility of having a
72 tenant rent some of the space at some point and how that would fit in to the use of the
73 property.

74 Art allowed the abutters time to look at the plans prior to asking their questions.

75 Nancy Larson, the City Planner for the City of Concord spoke first. She received phone
76 calls from some concerned people in Concord. Nancy conveyed their opinions that
77 based upon two of the criteria, transportation network and proximity to the adjacent
78 community, it meets the criteria for regional impact. For those two reasons, she
79 requested they reconsider the vote and find that it is a project of regional impact. Nancy
80 read RSA 674:53, Section 7 and requested that the City of Concord receive abutter
81 notification. She also referenced sections 2 and 4 of RSA 674:53. She discussed the
82 intersection as being in Concord's Capital Improvement Plan in the outlying years but is
83 concerned that the extra traffic from this project is going to bring the signal warrants to
84 the forefront , and that intersection will have to be addressed sooner than planned. She
85 also expressed concern about traffic on Old Boyce and Shoestring Roads in relation to
86 the condition of the road. There was also discussion about the Mobil station that went in
87 without a traffic light and the resulting impact fees. A request to waive a traffic study for
88 tonight's application was included but Art thought a traffic study may be a good thing to
89 do.

90 Art Landry asked about the washing and cleaning of the tents. Hope Jordan spoke to
91 say her well is near where the washing is going to happen and she's interested in
92 understanding the chemicals being used and how the ground water will be managed.
93 Eric said it's a mild detergent used. It's a watered down diluted soap that can't be too
94 harsh. All of that would be directed toward the leach field. Web said Eric is doing a
95 metered water count now to determine how much water he uses. Web will design
96 according to the results of the meter count and would also locate the wells of abutting
97 properties.

98 There was discussion about the type of trucks entering and exiting. Eric described the
99 type of activity to be expected and that only between 5 and 10 times per year a large
100 truck would come in. Frank Beck brought up the issue of running into school buses in
101 the morning and the afternoon. This is also the same time that Dumpster Depot and the
102 landscape company have a lot of activity. They can't turn off their road as it is and it is a
103 very dangerous area.

104 Jim asked Nancy what kind of contribution they asked the gas station for to put toward
105 the future plans. Nancy said the current impact fee is \$3,374.07per pump and is based
106 upon the use. It's a one-time fee. Lori Rauseo said the Xtra Mart people paid about
107 \$80,000, and they added the turn on Route 4.

108 John Jordan spoke about his dissatisfaction with the discussion of this project and felt it
109 should be in front of the Zoning Board for a variance.

110 Tyson made a suggestion that this be declared a project of regional impact. Secondly
111 that it needs to go to zoning for a variance.

112 Art stated that we have zoning issues, abutters concerns, and regional impact concerns.
113 We have a pretty good representation of the abutters and a semi-official opinion from
114 Concord. Nancy said she is here as a city employee and is not speaking for their
115 Planning Board.

116 Tyson stated that if we vote this application down, the applicant can always come back.
117 If he comes back, he will have gone to ZBA and had a review for regional impact. Jim
118 said he thinks that we should give the applicant the choice of putting it to a vote or
119 continuing the hearing. He's not sure if they can go to the ZBA for an opinion or if they
120 have to apply for a variance. Art said a cleaner approach would be to not approve and
121 let them regroup.

122 Tyson made a motion that we reject this site plan application because it does not meet
123 the zoning requirements and is not allowed in that zone. There was no second on the
124 motion.

125 After further discussion it was thought that the best approach would be to continue the
126 meeting which would allow the applicant to go to the Zoning Board.

127 Jim made a motion to continue the hearing until the second meeting in July and also
128 that we consider it going forth as a project of regional impact and notice appropriately
129 before that meeting. Kent seconded.

130 Discussion: Jim said before we continue, it might make sense to act on the waivers.
131 There was discussion as to whether we could act on waivers without regional impact. It
132 was decided that the waivers would not be acted on at this time.

133 A vote on Jim's motion was held and was unanimous. We will notice the July 14th
134 meeting and it will be considered regional impact. The applicant will go to the Zoning
135 Board and return on July 14th.

136 **Other Business:**

137
138 Kent would like to talk about zoning and land use issues. After short discussion it was
139 decided that Kent's motion made at the meeting of April 28, 2015 will be on the May
140 26th agenda.

141
142 Kent made a motion to adjourn. Jim seconded. Vote: Unanimous

143
144 Meeting adjourned at 9:00 p.m.

145
146 Lori Venie, Secretary

Next meeting: May 26, 2014, 7:00 p.m.