

**PLANNING BOARD  
27 School Street  
HILLSBOROUGH, NH  
January 5, 2022**

**DATE APPROVED:** 01/19/22

**TIME:** 7:00 p.m. – 8:10 p.m.

**MEMBERS:** Gary Sparks- Chairman, Susanne White-Vice Chair, Adam Charrette, Ed Sauer, Melinda Gehris, Nancy Egner

**EX-OFFICIO:** James Bailey III

**PLANNING DIRECTOR:** Robyn Payson

**ALTERNATES:** Bob Hansen

**Excused:** Bob Hansen, Adam Charrette

**Public:** Leigh Bosse, Zach Whitney, Peter Mellen LLS., Riche' Colcombe

Chairman Gary Sparks called the meeting to order at 7: 02 PM

Gary welcomed Ed Sauer back after being absent with a medical issue.

**Minutes**      **12/15/21** Susanne White made a motion to approve the minutes. Nancy Egner seconded the motion. The motion carried with Ed Sauer abstaining.

**Site Walk**      **12/11/21** Jim Bailey made a motion to approve the minutes as amended. Susanne White seconded the motion. The motion carried with Ed Sauer and Melinda Gehris abstaining.

**Public Hearing-Zoning Changes**

1. Amend Article III Use Districts section 229-21 Dimensional Standards to extend the Lot Area and Frontage exemption for lots in existence prior to March 8, 1977 to all zoning districts and to those lots in existence prior to March 8, 1977 that have been merged, but are still non-conforming.

Chairman Gary Sparks introduced the first zoning article. There being no comments from the Board the Chairman opened the article up for public comment.

Peter Mellen asked what Tables 1 and 2 covered. Planning Director Robyn Payson said they cover Lot Area and Frontage requirements.

He said his comment was that if the properties were merged and became conforming it would not apply. Robyn said this was correct.

There being no other public comment Chairman Sparks closed the Public Hearing.

Nancy Egner made a motion to accept the article in its final form to be placed on the ballot for the 2022 Town Meeting. Susanne White seconded the motion. The motion carried

unanimously.

2. Amend Article II General Provisions Section 229-6 Definitions and Word Usage to add the definition of Electric Vehicle Charging Stations and to add same to the Table 4 Chart of Uses as a Permitted use in the Commercial and Central Business Districts and a use allowed by Special Exception in the Village Residential District.

Chairman Gary Sparks introduced the second article. The Planning Board having no comment, the hearing was open to public comment.

Riche' Colcombe of Jones Road asked what the Village Residential Zone was. Robyn Payson pointed it out on the Zoning Map.

Ed Sauer asked if in 20 years a farmer wants to put an Electric Vehicle Charging Station on his property will he be able to put it in.

Robyn said not "today" but the permission could be changed at a future Town Meeting.

There being no further comment or questions Chairman Sparks closed the Public Hearing.

Susanne White Made a motion to accept the article in its final form to add to the ballot of the 2022 Town Meeting. Melinda Gehris seconded the motion. The motion carried unanimously.

### **Request for Clarification of Condition in Decision**

West Main Street (Map 11F Lot 20)

John Noonan

Gary Sparks read the letter from Mr. Noonan regarding peer review. (attached)

The Planning Board had an extensive discussion about this application and the peer review process in general. The Planning Board concluded that Mr. Noonan should come to the Planning Board meeting of February 2, to discuss the matter.

### **Applications**

#### **Site Plan Review**

Dascomb Road (Map 11P Lot 191)

Vertex Towers/Dascomb Associates

#### **Public Hearing**

Gary asked a person in the audience if he had any questions or comments on the application. He said he had already spoken at the previous meeting (Zach Whitney) but thanked the Board for the opportunity to speak again.

Gary asked if there were any further questions from the Board.

Melinda Gehris asked whether Mr. Whitney was able to get some answers from the applicant. Gary Sparks asked Mr. Whitney if he was satisfied. Mr. Whitney said they had spoken after the meeting, and he was satisfied.

Melinda Gehris made a motion to approve the Site Plan application to construct a telecommunication facility consisting of a 115 foot monopole inside a 70'x72' fenced in compound. The project was submitted by Vertex Tower Assets LLC. on behalf of property owner Dascomb Associates, and in accordance with the plan titled: "Site Name: Hillsborough, Site Number: VT-NH-3014 Address: Dascomb Street Hillsborough, NH 03244" revised on 10/04/21 by ProTerra Design Group, LLC and as submitted as a part of this application. Susanne White seconded the motion. The motion carried with Ed Sauer abstaining. The Site Plan application was approved.

Melinda Gehris made a motion to approve the application for a Conditional Use Permit to construct a telecommunication facility consisting of a 115 foot monopole inside a 70'x72' fenced in compound. The project was submitted by Vertex Tower Assets LLC. on behalf of property owner Dascomb Associates, and in accordance with the plan titled: "Site Name: Hillsborough, Site Number: VT-NH-3014 Address: Dascomb Street Hillsborough, NH 03244" revised on 10/04/21 by ProTerra Design Group, LLC and as submitted as a part of this application with the following condition:

1. The Town will be provided a copy of the final NEPA checklist concurrent with its application for a building permit.

Jim Bailey seconded the motion. The motion carried with Ed Sauer abstaining. The Conditional Use Permit was granted.

### **Subdivision**

Sulphur Hill Road (Map 10 Lot 27)

Jerry and Steven Leksutin

Represented by Peter Mellen, LLS

### **Public Hearing**

Peter Mellen introduced the application for a two-lot subdivision.

Robyn said the application was complete upon the approval of the waivers. (attached).

Susanne White made a motion to grant the waiver as stated in the letter presented. Melinda Gehris seconded the motion. The motion carried unanimously.

Jim Bailey made a motion to accept the application. Ed Sauer seconded the motion. The motion carried unanimously.

Mr. Mellen said this is a two-lot subdivision which creates one five-acre lot out of a 36.5-acre lot.

Chairman Sparks opened the Public Hearing. There being no comments the Public Hearing was closed.

Melinda Gehris made a motion to approve the subdivision application to subdivide Map 10 Lot 27 into 2 lots: Lot 21 with 1499 +/- feet of road frontage and an area of 31.3 +/- acres and lot 21-3 with 277.40 feet of road frontage and an area of 5.20 acres. The project was submitted by Peter A. Mellen LLS of Donald R. Mellen Surveyor, LLC. on behalf of property owners Jerry L. and Steven A. Leksutin,

and in accordance with the plan titled: "Plan of Lots Map 10 Lot 21 Hillsborough, NH" dated on 11/22/21 by Donald R. Mellen Surveyor, LLC. and as submitted as a part of this application with the following conditions.

1. Compliance with all local, state, and federal laws and regulations.

Jim Bailey seconded the motion. The motion carried unanimously. The subdivision was approved.

### **NON-PUBLIC SESSION**

#### **Minutes Non-Public Session pursuant to RSA 91-A:3, II(c)-Reputation**

**2-3 at 9:30 pm-9:35 pm on 12-15-2021**

Susanne White made a motion to approve the minutes. Nancy Egner seconded the motion. The motion carried with Ed Sauer abstaining.

#### **Next Meeting**

Robyn said Mike Tardiff will be coming to discuss the Gateway District and discussion and work will begin on the Dark Skies ordinance.

There being no other business, Nancy Egner made a motion to adjourn. Susanne White seconded the motion.

#### **Meeting Adjourned 8:10pm**

Respectfully Submitted,

Robyn L. Payson, Planning Director



## Donald R. Mellen Surveyor, LLC

22 Center Road  
P.O. Box 412  
Hillsborough, NH, 03244-0412

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December 2, 2021

Gary Sparks, Chairman  
Town of Hillsborough Planning Board  
PO Box 7  
Hillsborough, NH 03244

**Re: Application of Jerry L. & Steven A. Leksutin for a two-lot subdivision, Map 10 Lot 21,  
Sulphur Hill Road, Hillsborough, N.H.**

Dear Gary,

In regard to the above referenced application, the applicant is requesting a waiver of the following highlighted requirements of the Town of Hillsborough Subdivision Regulations:

- 201-5.B(6)      Bearings to the nearest second and distances to the nearest hundredth of a foot on  
all pertinent property lines of the entire parcel.**
- 201-5.B(26)      Topographic survey, with a minimum contour interval of 20 feet, of the entire  
subdivision.**

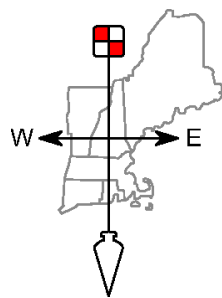
This application results in the creation of one new 5-acre lot. A full survey showing bearings to the nearest second and distances to the nearest hundredths of a foot and topographic data at an interval of two feet are provided for this lot.

The remaining lot, consisting of 31.3± acres, is currently the site of a residential dwelling. As the remaining lot far exceeds the minimum lot size of two acres, a full instrument survey at this time would place an undue financial burden on the landowner. Since no additional development of the remaining land is planned at this time, a topographic survey of the entire subdivision would appear to be of little additional value to the board in evaluating this application.

We therefore ask that these requirements be waived.

Sincerely,

  
Peter D. Mellen, LL\$



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www.FieldstoneLandConsultants.com

Gary Sparks December 30, 2021

Planning Board Chairman Town of Hillsborough Hillsborough, NH 03244

**RE: Site Plan Approval – App# 2021-18 Patriot Holdings Self-Storage Facility Tax Map  
11F, Lot 20 West Main Street Clarification of Conditional Approval**

Chairman Sparks,

On behalf of our client, Patriot Holdings, LLC, we are submitting this letter to request a clarification on Condition #2 of the approval decision letter, dated December 16, 2021.

1. *Third party drainage review by an engineering firm approved by the Planning Board and acceptable to the applicant:* We would like to request clarification on this approval condition, as the discussion at the December 15th meeting was about the drainage management systems being inspected at the time of construction. One of the board members requested the condition, stating the building inspector does not have the expertise to ensure these drainage practices are built per the plans.
  - Is the intent of the condition to have a third party inspect that the drainage installation at the time of construction is done according to the approved plans? The drainage design and calculations will be reviewed by the NH Department of Environmental Services under the Alteration of Terrain permit process to ensure all drainage is designed to meet state standards.
  - Could Fieldstone Land Consultants be considered for these inspections? Fieldstone must inspect the drainage during construction as part of the Alteration of Terrain permit requirements.

Thank you for clarifying the intent of this condition and providing direction on the scope of the inspection requirement. Please do not hesitate to contact me at [jenoonan@fieldstonelandconsultants.com](mailto:jenoonan@fieldstonelandconsultants.com) or (603) 672-5456.

Sincerely,

John Noonan  
Fieldstone Land Consultants