

**PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
January 15, 2014**

DATE APPROVED February 19, 2014

TIME: 7:00 p.m. - 8:15 p.m.

CHAIRMAN: Herman Wiegelman

VICE CHAIRMAN: Martha Caron

MEMBERS: Larry Baker, Alan Urquhart, Denise DeForest, E. Ann Poole

EX-OFFICIO: David Fullerton

PLANNING DIRECTOR: Robyn Payson

ALTERNATES PRESENT: John Penny, William Clohessy

ALTERNATES APPOINTED: William Clohessy for Martha Caron

EXCUSED: Martha Caron was excused from attending due a personal matter.

Members of the Public: Wayne Held, Brett Cherrington, Michael Pon, Mitch Phillips, Joseph Feindel, Eileen Feindel, Thomas Bara, Russell Galpin, Joseph Panarello, Leigh Bosse, Joyce Bosse, Ed Forster and John Segedy

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chairman Herman Wiegelman.

OLD BUSINESS:

Approval of Minutes:

Meeting of December 18, 2013

Mr. Urquhart made a motion to approve the minutes. Mr. Baker seconded the motion. The Board voted all in favor.

Informal Review:

Mr. Phillips came in representing the Family Dollar Store on a site plan for an 8,000 sq. ft. building at 59 Henniker Street. He had met earlier in the evening with the ZBA and was coming to the Planning Board to introduce the project and receive any comments from them.

Mrs. Payson said she had not yet distributed the application to the Board.

Mr. Wiegelman asked Mr. Phillips to tell the Board about his meeting with the ZBA.

Mr. Phillips said the project needed a variance regarding a setback issue. He said the code requires a maximum setback of 25 feet off of Henniker Street and for engineering purposes they needed 101 feet. He said the variance was approved earlier this evening.

Mrs. Payson said there was an issue regarding parking space size shown on the plan as being smaller than the town requires. She said Mr. Phillips is going to have his engineers work on it.

Ms. Poole asked whether there is still a railroad right of way behind the existing building.

Mr. Phillips said he didn't know.

Mr. Baker asked if the existing building was to be removed.

Mr. Phillips answered yes.

Mr. Fullerton said there have been all sorts of discussions regarding no formal applications being submitted.

In response to question, Mr. Phillips said they weren't ready to file a formal application with the Planning Board at this time.

Mr. Fullerton said he understood but the town planner must still be spending time on this project which is not reflected in the records and why hasn't the application been submitted.

Mr. Phillips said there are still some engineering issues before they finalize their formal site plan application.

Mrs. Payson said she has been working with Mr. Phillips for about six months on this project.

Mr. Wiegelman asked when Mr. Phillips thought he would be ready to submit a plan to the board.

Mr. Phillips said in about six weeks.

Public Hearing:

Mr. Wiegelman opened the public hearing regarding the warrant article on zoning changes.

Mrs. Payson said there will be one article to approve the changes we have been working on.

Mr. Wiegelman asked if there were any comments from the public.

Mr. Segedy said it is disrespectful to the voters who voted these changes down two years ago. He said the proposed changes fundamentally change the whole philosophy of commercial zoning in this town. He said zoning has been changed from what is prohibited to what is allowed and there may be some ventures to the Board has not thought of which will not be allowed in the future because they are not on the list of allowable businesses. He urged the Board to withdraw this article and to leave zoning the way it is. He said after these changes were defeated a couple years ago the Planning Board reformed the committee to again review the zoning changes with one member of the Planning Board and one member of the ZBA. He said at their first meeting when the public exercised their rights under RSA 91: A at that meeting, the meeting was closed and the committee was disbanded. He added the law does allow for the Planning Board and the ZBA to create a committee every couple of years to review the zoning ordinances. He feels the proposed changes will set the town back and discourage new business.

Mr. Urquhart asked if our existing zoning ordinance comply with state law.

Mr. Segedy answered absolutely.

Mr. Urquhart asked if the changes conform to state law.

Mr. Segedy answered yes but that doesn't mean they are in the best interest of the town.

Mr. Wiegelman said these changes were not kept from the public, there were numerous public hearings.

Mr. Baker said all the planning board minutes are recorded and posted to the town web site for thirty days for anyone who is interested in knowing what is going on with the planning board. He said nothing is being hidden.

Ms. Poole made a motion to close the public hearing and to place the article the warrant for vote at town meeting. Mr. Baker seconded the motion. The Board voted all in favor except for Mr. Urquhart who abstained.

New Business:

Mr. Wiegelman said there is a major site plan is being presented to the Board for Bara Dental at 60 W. Main Street (the Dutton Twins). He asked Mrs. Payson to comment of the completeness of the application.

Mrs. Payson said the application is complete to begin the process.

Mr. Wiegelman asked for a motion to accept the application for consideration by the Planning Board.

Mr. Baker made a motion to accept the application as complete and consider it. Mr. Clohessy seconded the motion. The Board voted all in favor.

Mr. Forster presented the application as the representative for Bara Dental along with Dr. Bara

Mr. Forster said the barn will be razed and a new structure erected with similar facade and additional parking will be added. He explained the parking was designed for possible future commercial use. He said the water shed in the rear makes creating parking in that area very costly and they would like to develop it as a recreational area such as a kayak landing.

Mr. Baker asked about the traffic flow into the parking area from W. Main Street, especially making the left hand turn off of W. Main Street into the parking area.

Mr. Forster said they have received approval from NHDOT and they will be widening the entrance.

Mr. Urquhart asked about the existing sidewalk.

Mr. Forster said there is a very narrow sidewalk. He said the sidewalk is not cleared in the winter but there is a sidewalk on the other side of the street.

Mrs. Payson has contacted Bill Rollins, of Rollins Engineering, to review the drainage calculations, water quality and erosion control. She said this will also address concerns the Conservation Commission have expressed. She said there have been no other comments received from any other department.

Someone asked how many parking spaces will there be.

Mr. Forster answered fifty-four. He added right now there are no defined spaces, just a cleared area for about fifteen cars.

Mr. Urquhart asked how many dentists will there be.

Mr. Bara answered two with specialists coming in. He said as the practice grows there could be one more.

Mr. Urquhart asked about the occupied living spaces.

Mr. Forster said the left building has two apartments and there is one living space in the cottage behind. He said the present plan is to keep those as is for now.

Mr. Clohessy asked about the drainage from the parking lot and where it will go.

Mr. Forster said it goes back into the ground, like the crushed stone area at Dollar General.

Mr. Panarello voiced his concerns regarding the traffic from the parking lot onto W. Main Street, the fact there are no crosswalks in the area and storm water pooling on W. Main Street between his shopping plaza and Church Street.

Mr. Forster said the majority of the drainage from the parking lot will be percolating towards the river.

Ms. Poole asked if they would consider a pervious material or pavers for the parking area rather than asphalt.

Mr. Forster said the drainage will be going underground. He said what she is asking sounds great but it really doesn't work well as it does get clogged.

Mr. Wiegelman said the town's engineer will be looking at this issue.

Mr. Cherrington, from the Conservation Commission, said the commission has reviewed the project and like the idea the town engineer will be looking at it because they have concerns regarding the large amount of impervious area being proposed. He said one issue which has not been addressed is that part of the impervious area is within the seventy-five foot river setback and will require a variance.

Ms. Poole asked about the stone retaining wall.

Mr. Bara said that is an existing wall built long ago.

Ms. Poole asked about the removal of the old sugar maples.

Mr. Bara said landscaping will be done. He said some of the existing trees are a hazard to the building and are not in good condition.

Mr. Wiegelman said they will have to address Mr. Cherrington's concern regarding the five parking spaces which are within the seventy-five foot river setback

Mr. Forster will speak to their engineers and have answer for the formal review hearing.
Mr. Wiegelman asked for a motion to set a site walk and formal hearing. He asked how soon they would be ready.

Mr. Baker made a motion to schedule a site walk on February 5 at 4:00 p.m. and a public hearing that night at 7:00 p.m. Mr. Urquhart seconded the motion. The Board voted all in favor.

Old Business:

Mr. Wiegelman asked for a report from the Master Plan Committee Chairman.

Mr. Baker said Michael Tardiff is scheduled to meet with us at our next meeting to discuss the organization of the survey.

Mrs. Payson distributed the final draft of the pamphlet explaining the warrant article and the Board members to let her know if they have any comments. She also gave them a copy of the final 2014 budget request.

Ms. Poole addressed Mr. Wiegelman regarding a comment he made during the previous public hearing regarding a commitment on the part of the town, the Selectmen, to do something about the crosswalk at Municipal Drive and she asked what that is.

Mr. Wiegelman said the developer gave the town \$5,000 towards the crosswalk and his understanding is the road crew is going to do something about that along with some other things that need to be addressed at that intersection.

Ms. Poole asked if it had been discussed at a Selectmen's meeting.

Mr. Galpin said the highway department has said they will be doing the crosswalk this year along with a few other things the State is requiring. He said the hardest thing will be to get the State's approval on where the crosswalk should be located.

Mr. Baker said the Selectmen have been asked to encumber the remaining amount in the 2013 Master Plan budget. He takes issue with that because the \$2,000 which was approved for the first two chapters of the Master Plan should be encumbered but in the 2014 budget we are asking for \$10,000 to continue the work. He said by encumbering the entire remainder it appears we are asking for over \$17,000. He proposes to ask for only the original \$2,000 be encumbered or reduce the request for 2014.

Mr. Wiegelman said it would be easier to reduce the requested amount.

Mr. Baker agreed just as long as the total amount available is not over \$10,000.

Mrs. Payson would rather see the encumbrance reduced rather than cutting a line item because it will be harder to raise that line item budget the next year.

Ms. Poole asked if part of the Master Plan project to include a downtown master plan.

Mr. Baker envisions it will be part of the Master Plan project and by the end of 2014 the committee will have a better idea of how much it will cost to finalize the project.

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Mrs. Payson said \$10,000 will not cover the entire cost of creating a new Master Plan.

Ms. Poole said if the project had gone out to bid you would have a timeline for completion and an exact cost.

Mr. Baker said the only thing which has been contracted so far is the first two chapters in order to get things moving.

Mr. Galpin said the EDC will be doing a parking survey of downtown and it could be incorporated in the Master Plan.

Mr. Baker and Mr. Wiegelman agreed it should be.

Adjournment:

Mr. Clohessy made a motion to adjourn. Mrs. DeForest seconded the motion. Board voted all in favor.

Meeting Adjourned at 8:15 p.m.

Respectfully Submitted:

Iris Campbell
Recording Secretary