

HILLSBOROUGH PLANNING BOARD

December 19, 2012

Approved Meeting Minutes

Present:

Members: Herm Wiegelman (Chair), Ann Poole, Dave Fullerton, Larry Baker, Ken Stafford, Sr., Paris Wells, Bob Eckberg (Alternate).

Staff: John P. Segedy, Recording Secretary; Robyn Payson, Planning Director

Brett Cherrington, Chair Conservation Commission

Dennis Roberts, Jr., Chair Economic Development Council

Wayne Morrill, Michael Black, Tony Martes, Ken Fowle, Michael Manley, Edward Tasker
Leigh Bosse, The Messenger, Michael Pon, The Villager

CALL TO ORDER

The meeting was called to order at 7:00 pm by Herm Wiegelman, Chair.

A packet of information regarding agenda items was provided to Board members by Robyn Payson, Planning Director.

Bob Eckberg was designated to vote in place of Martha Caron.

MINUTES

December 5, 2012

Larry Baker moved: *To approve the minutes of December 5, 2012 as presented.*

Dave Fullerton seconded. Motion passed 5-0-2 (Paris Wells and Bob Eckberg abstained).

PLANNING DIRECTOR UPDATE

Robyn Payson reported that she and Town Business Administrator Laura Buono had met with the Living History Committee and the Chamber of Commerce. She noted that there are a lot of groups doing great things in town and that she thought it would be a good idea to get them all together for a scoping session so they could know what they all are doing and to brainstorm and coordinate events and what they each are doing.

Robyn Payson reported she received an e-mail about a Community Planning Grant Program.

Dave Fullerton asked about the cost.

Robyn Payson said it was a grant program that could provide money to pay for a consultant working for the town to review the ordinances and make suggestions for making improvements.

Herm Wiegelman asked if she had applied for it.

Robyn Payson answered that she hadn't and noted that the deadline was coming up.

Herm Wiegelman said he thought she should apply for it.

Robyn Payson noted that in reviewing the Impact Fee Ordinance she had noticed that while 55+ elderly housing exemption from the Impact fee (which had been adopted at a Planning Board Meeting in 2006 as part of the fee schedule) had not been added to the ordinance its self by town meeting vote. This is something Robyn is bringing forward as a warrant article as an important housekeeping item.

Robyn Payson informed the Board that there was also a citizen's petition received that would eliminate the impact fee entirely. The Planning Board at a public hearing will have the opportunity to vote to support or not support the citizen's petition. If the petition does not pass, it is important that the 55+ exemption be in place. Robyn pointed out that as soon as the warrant articles are posted they are temporarily in effect.

Larry Baker asked about getting the packet & memos in advance of the meeting.
Herm Wiegelman noted that Shane O' Keefe used to do that.
Robyn Payson said she would do them on the Thursdays before meetings.

Larry Baker asked if the application for tonight's hearing was in the packet.
Robyn Payson said no – she didn't realize the Board would want it.
The cover sheet was copied for the Board members.

PUBLIC INPUT / DISCUSSION

a) Public Hearing – Requested Exemption From Site Plan Review –
Michael Manley, 72 Church St. (M 23, L 4).

Chair Wiegelman opened the Public Hearing at 7:10 PM.

Robyn Payson read from her memo:

This application is for the renovation of an existing barn with the intention of creating three additional units. This use is allowed in the district and the applicant is seeking an Exemption from Site Plan per town Site Plan Regulation 185-5.1.

This application has been reviewed by Building/Code/Health Inspector, Fire and Highway and there were no concerns. The Police Chief is requiring apartment numbers on the main entrance and internal apartment doors.

There is adequate parking at the rear of the property for the additional units.

This development is subject to the Town of Hillsborough Impact Fee Ordinance.

Chair Wiegelman asked if the Board had any questions.

Larry Baker asked how many parking spaces there were.

Mike Manley answered that there will be 6-8 plus he had 6 in the front all ready.

Herm Wiegelman asked if there was any public comment.
None was offered.

Paris Wells asked if it was approved for water and sewer,
Mike Manley answered yes.

Bob Eckberg asked about the floor plan.

Herm Wiegelman clarified asking how many bedrooms there would be.

Mike Manley answered that there will be 2 bedrooms in each unit.

Chair Wiegelman closed the Public Hearing at 7:25 PM.

Ann Poole moved: *To accept the application of Michael Manley-72 Church St (M 23, L 04) for Exemption from Site Plan Review per Site Plan Regulation 185-5.1 as complete.*

Dave Fullerton seconded. Motion passed 7-0.

Ken Stafford, Sr. moved: *To approve the application of Michael Manley-72 Church St. (M 23, L 04) for Exemption from Site Plan Review per Site Plan Regulation 185-5.1.*

Dave Fullerton seconded. Motion passed 7-0.

b) Conceptual Plan – Master Site Plan

Michael Black – Antrim Road. (M 11D, L 296; Map 11H, L 305 & 306; M11, L 311 & 327).

Michael Black and his Engineer Wayne Morrill of Jones & Beach Engineers, Inc. returned to the Planning Board for a preliminary discussion of an updated conceptual design as a follow up to the concept plan presented previously, that they hope to bring to the Board next month for a Master Site Plan Approval. He explained they were here for a conceptual discussion to describe and explain the proposal and also to receive input from and hear any concerns of the Board. Wayne Morrill said that in 2008, they had proposed an 85 unit elderly housing development. He described the proposal as going forward with a residential development at the rear and for 245,000 square feet of commercial retail space and 5,000 square feet of a restaurant with a drive through. Mr. Black may be going back to the Board of Adjustment to address a change in the type of residential development that will be going on in the back. Wayne Morrill pointed out the main entranceway they were proposing for the site as well as a secondary exit. He explained that they were looking for a Master Site Plan approval and hoping to do the project in phases with the first phase being a major tenant or 'anchor store'.

Wayne Morrill said that the back parcel is 167 acres. He said that they are not looking to develop that at this point. The section that is being proposed for development is about 100 acres.

He said that they were not looking for approvals tonight, but just looking for direction from the Board. Michael Black said they may go back to the Zoning Board (of Adjustment) for different housing options as they previously had proposed and been approved for 85 units of elderly housing.

Wayne Morrill noted that there are 1,069 parking spaces proposed for the retail portion of the development, and that the lighting will be Dark Skies compliant and in compliance with the town's code. He said signage will be within the town regulations but they may be asking for additional pylon signs.

Herm Wiegelman asked about a traffic light.

Mike Black answered that yes there would be one and they have talked to the DOT (Department of Transportation).

Wayne Morrill said they would be upgrading the road (Rt 202). He said they planned on grading and using materials on site.

Mr Morrill said "There will be significant grade changes to the site." Our focus is to cut and balance the site so all of the material on the site, is used on the site. There will be a nice rock wall on the front and a 2% slope on the back coming down to enhance this corridor so as you are out on route 9 as you look at that hill from route 9 you'll be able to see where this development is. So our whole focus is to keep those Dark Skies compliant lights so you see the actual buildings as you drive up to the site, there will be a wall and you will see the actual buildings themselves, you wouldn't be seeing parking lots. You would be seeing the actual facade of the building so you enhance that whole look of the building. The parking is in the front which is better for us to bring customers in the front door but you never see the parking lots until you get up on the hill "Our focus is to be sure we have a nice development, that

there is a nice corridor going up and you open up to a nice development and then the residential part will be out behind and it will help enhance that whole development.”

Dave Fullerton asked if adding a traffic light was necessary.

Wayne Morrill answered yes. He said that they had been to DOT scoping sessions and that it would be required.

There was discussion of the traffic light.

Ann Poole said she was concerned about (traffic) stacking.

Wayne Morrill assured her that they would have to get approvals from the State DOT.

Paris Wells asked what the image and look of the buildings would be.

Wayne Morrill responded that they hadn't addressed that yet, but that it would probably be similar to the 'Brickyard Plaza' in Epping.

Ann Poole asked about the light green versus the dark green on the plans.

Wayne Morrill said the light green was grassy area and dark was wooded.

Ann Poole asked why they would be cutting in the area along the entranceway.

Wayne Morrill said that he wasn't positive, but that it might be for grading or that it might already be cut from PSNH's easement work.

Ann Poole said she was concerned about cutting all the way down to Beard Brook.

There was further discussion of the area in question.

Wayne Morrill said they would probably be using a wildflower type mix to leave the area somewhat wild as opposed to plain grass.

Paris Wells asked about lighting on the access road.

Wayne Morrill said that the entrance road would be lighted and that all lighting would be 'dark sky' compliant.

Ann Poole asked about a paved area off of the access road.

Wayne Morrill said that was put there to allow for future connection to the adjacent lot if it was needed to possibly require use of the traffic light.

Dave Fullerton said he was concerned about the downtown area and wondered about possibly including a sign to direct traffic to it (the downtown).

Mike Black said that this project is a sign itself that will attract traffic into the town including the downtown.

Ann Poole suggested a kiosk with information.

Wayne Morrill said that if the Board wanted they could probably include something.

Ann Poole asked if there would be rock walls similar to the Bedford Target development.

Wayne Morrill answered 'Yes'.

Ann Poole said she was concerned with the view.

Bob Eckberg asked why build on the side of a hill?

Mike Black answered: 'because all the good land is gone'. He said that they have done some geo-technical work and contrary to common belief, there is not much ledge. He said that one of the ways this project works is by being able to move material around and use it on site.

Anne Poole said she wanted to reiterate her concern for the view of those that will have visual access to the project for example from Bible Hill.

Wayne Morrill said they would be keeping all lights pointing down.

Herm Wiegelman noted that the plan has the support of the Economic Development Council.

Dave Fullerton asked about drainage.

Wayne Morrill said that they would have underground retention ponds.

Dave Fullerton asked if they knew there were wet areas up there.

Wayne Morrill said that there were some rutted areas.

Herm Wiegelman asked what they would be doing for sewage.

Mike Black said they would use the town system.

Ann Pool asked if they knew of any vernal pools.

Mike Black said that there weren't any in the development area. He said that Mark West had identified 2 in the area by the PSNH lines.

Herm Wiegelman said he thought this was a great idea.

Wayne Morrill said they were hoping to move forward next month.

Herm Wiegelman noted they had been vague about the housing section and that it had originally been just for seniors but he was getting the impression that was possibly changing.

Mike Black said he was considering 'work force' housing.

Dave Fullerton said he wanted to make sure the town has the resources needed. He asked how much time the town planner would be needed for this project.

Wayne Morrill said 25-30 hours a week. He said he was planning on an aggressive development schedule of about 180 days.

Ann Poole asked if one of the retailers was going to be a grocery store.

Mike Black said he didn't know.

Ann Poole said that the town is looking for another grocery.

Wayne Morrill said that they are aware of that.

Dave Fullerton asked for a number to call with questions.

Robyn Payson said that questions should probably go through one point – herself.

Herm Wiegelman agreed with her.

Dave Fullerton said there may be questions from the Select board.

Wayne Morrill said they would be glad to come to a Select board meeting if wanted.

Brett Cherrington asked if he could ask questions.

Chair Wiegelman answered no. He said this wasn't a Public Hearing.

Edward asked why this proposal had taken so long to come forward. He asked if the Planning Board had stopped it like Walmart.

Chair Wiegelman said the Planning Board hadn't stopped it and had approved Walmart.

Most of the Public left the meeting at this time.

Old Business**a) Zoning Amendments**

Robyn Payson referred the Board to their packet which had the proposed amendments in it.

Paris Wells questioned if this refers just to permanent signs, as it doesn't say.

Robyn Payson said her understanding was that it was applicable to permanent signs, it might be defined elsewhere in the ordinance.

Ann Poole said that at a quick read through it looks like the items that the Planning Board had discussed about the ordinances were incorporated.

Ann Poole moved: *To bring warrant articles 1-3 as listed:*

1. Section 229-35 C. (1) (b): Ground Sign. One ground sign is allowed per property. A property on a corner facing two streets may have two ground signs. The maximum height for a ground sign is 18 feet and the maximum area is 50 square feet.

2. Section 229-8: The maximum height of all buildings shall not exceed fifty (50) feet above grade level. Steeples, cupolas, chimneys and other service appurtenances shall not be considered in determining height.

3. Delete Section 229-20.1 (f) maximum height for central business district is four stories.

to public hearing.

Larry Baker seconded. Motion passed 7-0.

There was discussion of the hearing date. Consensus of the Board was to have it on the 16th (January).

b) Impact Fee Amendment

Ann Poole asked for an explanation.

Robyn Payson explained to the Board that the Planning Board intended to exempt 55+ housing from the Impact Fee Ordinance. The Planning Board adopted this exemption as part of the fee schedule at a planning board meeting in July of 2006. In order for the exemption to be legal it has to be part of the ordinance which can only happen by being voted on at town meeting.

Ann Poole said she doesn't see the actual wording in the packet.

Robyn Payson read the proposal from her memo:

Section 149-5 A Development that is maintained in compliance with the provisions of RSA 354-A: 15, Housing for Older Persons, shall not be subject to the Impact Fee Ordinance.

Larry Baker moved: *To bring warrant article 4 as listed:*

4. Section 149-5 A Development that is maintained in compliance with the provisions of RSA 354-A: 15, Housing for Older Persons, shall not be subject to the Impact Fee Ordinance.

to public hearing.

Dave Fullerton seconded. Motion passed 5-0-2 (Ken Stafford, Sr. and Ann Poole abstained).

Ann Poole asked about the citizens petition to eliminate the impact fee.
Discussion ensued during which it was noted that would be for public hearing also.
There was discussion of the January 16, 2013 agenda. Consensus was to put citizen's petition after the Black development so the developer wouldn't have to sit through that hearing.

Other Business

a) 2013 Meeting Schedule

Herm Wiegelman noted that there is usually only 1 meeting in July and August.
Ann Poole said that a July 3 meeting is likely to be sparsely attended.

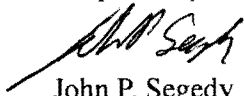
Paris Wells moved: *To drop the July 3rd meeting date from the schedule.*
Herm Wiegelman seconded. Motion passed 7-0.

Bob Eckberg moved: *To approve the 2013 schedule as revised.*
Larry Baker seconded. Motion passed 7-0

Adjournment

Ann Poole moved: *To adjourn.*
Larry Baker seconded. Motion passed 7-0 at 8:24 pm.

Respectfully Submitted:



John P. Segedy
Recording Secretary
Approved January 16, 2013