

**PLANNING BOARD**  
**27 School Street**  
**HILLSBOROUGH, NH**  
**October 6, 2021**

**DATE APPROVED:** 10/06/21

**TIME:** 7:00 p.m. – 8:00 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

**Public:** Mark Philips, Samantha Livingston, Eugene Livingston, Joyce Bosse, Mark Lawson, Audrey Lawson, Brett and Tammy Davison, Tom Carr, Mary and Paul Plater, Terrence Coleman, Larry Proy, Peter D. Mellen, Richard Head, Riche' Colcombe, Bruce Egner

Chairman Gary Sparks called the meeting to order at 7:00 PM.

Gary mentioned on behalf of the Hillsborough Historical Society that Thursday on Channel 11 at 8:00pm the new film about the composer Amy Beach, who is from Hillsborough will be shown. The Hillsborough Historical Society has been given a credit in the film.

**Minutes-09/15/2021**

**Site Walk Minutes 09/15/2021**

Susanne White made a motion to approve the meeting minutes of 9/15/2021 and the Site Walk minutes of 9/15/21. Melinda Gehris seconded the motion. The motion carried unanimously.

**Signing of Declaration of Partial Revocation-Partner's Farm Subdivision**

222 Windsor Road (Map 7 Lots 119-000-119-042)  
Partner's Farm LLC

This is the final step for the Planning Board in the Partial Revocation process for the Partner's Farm Subdivision.

Gary Sparks called for a motion.

Jim Bailey made a motion to accept the Declaration of Partial Revocation for Partner's Farm. Susanne White seconded the motion. The motion carried unanimously.

Chairman Sparks signed the document.

**Requests for Change of Use/Waiver of Site Plan Review**

**Conversion of Restaurant Space to Storage Units**

37-55 Henniker Street (Map 24 Lot 92)

Mark Phillips

Property owner Mark Phillips is asking to convert the previously occupied restaurant space into additional storage units.

Nancy Egner made a motion to approve the Change of Use and waive Site Plan Review. Jim Bailey seconded the motion. The motion carried unanimously.

**Conversion of General Office Space to Retail**

246 West Main Street (Map 11K Lot 334)

Joyce Bosse

Joyce Bosse is asking to convert two units of office space into retail. Ms. Bosse asked what the difference between office space and retail space was. Planning Director Robyn Payson explained it was a question of traffic going and coming. Traffic would be much heavier with a retail use.

Nancy Egner made a motion to approve the Change of Use and waive Site Plan Review. Melinda Gehris seconded the motion. The motion carried unanimously.

**Applications**

**Site Plan Review-Livingston-Public Hearing**

136 Henniker Street (Map 12 Lot 75)

VIOTECH LLC

Peter Mellen-Donald Mellen Surveyor, LLC

Gary Sparks opened the Public Hearing. Hearing no input from the public he closed the Public Hearing. Peter Mellen reviewed the revisions to the plans that came from the review of the Town Engineer. Adam Charrette said he wanted to address the concerns the Conservation Commission had about the drainage. He said the applicant's engineer addressed that by saying that there are two predeveloped houses there with runoff, and this will not impact the existing run off. There being no more discussion Susanne White made the following motion:

I make a motion to APPROVE the application to construct a 60'x80' commercial building for the sale of outdoor powersports equipment and parts. The project is submitted by Peter Mellen, LLS of Donald R. Mellen Surveyor LLC on behalf of property owner Viotech, LLC. and in accordance with the "Site Plan" revised on 10/05/2021 by Mark Moser of Moser Engineering and submitted as a part of this application with the following conditions:

1. Submission of all Federal and State Approvals (Including but not limited to, NHDES Environmental Permits, EPA Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), SWPPP Field Reports, etc.).
2. A pre-construction meeting with the applicant, the Applicant's Contractor, the Hillsborough Town Engineer, Building Inspector and Planning Director to be completed prior to the commencement of construction.

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3. Submission of annual stormwater inspection reports that identify the third-party inspector (including name of company, contact information and name of inspector) date of the inspection, results of the inspection, corrective measures performed (include date of the completion).
4. The Developer provide the Town an erosion control surety (cash or letter of credit, not bond) for \$30,000. (See attached)
5. Submission of certification that all Town engineering review fees have been paid in full prior to the signing of the site plan by the Planning



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Project: Hillsborough, NH - Tax Map 012 / Lot 075

Calculated By: SMB Date: 09/29/21

Checked By: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE:** In providing opinions of probable construction costs, the Client understands that Gale Associates, Inc. has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's methods of pricing, and that our Opinion of Probable Construction Costs are made on the basis of our professional judgment and experience. Gale Associates, Inc. makes no warranty, expressed or implied, that the bids or the negotiated costs of the Work will not vary from the Opinion of Probable Construction Cost provided herein.

**OPINION OF PROBABLE CONSTRUCTION COST**

UNIT NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE*	AMOUNT
203.1	Common Excavation	CY	740	\$5.00	\$ 4,440.00
203.6	Embankment-In-Place	CY	0	\$9.00	\$ -
641	Loam	CY	740	\$12.00	\$ 8,880.00
643.11	Fertilizer for Initial Application	LBS	1,196	\$1.50	\$ 1,794.00
644.15	Park Seed Type 15	LBS	170	\$3.00	\$ 510.00
645.119	Mulch with Tackifiers	SY	6,650	\$0.50	\$ 3,325.00
692	Mobilization	U	1	\$5,000.00	\$ 5,000.00
Sub-Total					\$ 23,949.00
25% Contingency					\$ 5,987.25
Sub-Total					\$ 29,936.25

<b>ESTIMATE</b>	<b>\$</b>	<b>30,000.00</b>
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Board Chair.

Adam Charrette seconded the motion. The motion carried unanimously. The application was approved.

**Subdivision (Acceptance of application and Site Walk Scheduled-Public Hearing will not be opened)**

216 Bible Hill Rd (Map 11I Lot 50)

Brett M. Davison

Chairman Gary Sparks asked Planning Director Robyn Payson if the application was complete. Ms. Payson said it was technically complete. Jim Bailey made a motion to accept the application as complete. Ed Sauer seconded the motion. The motion carried unanimously. The application was accepted.

Tom Carr of Meridian Land Services Inc. gave an overview of the application. This an 8-lot subdivision with no internal roads. The property is approximately 16 acres and has frontage on Moore Hill Road, Beard Brook Road, and a section of Bible Hill Road.

They were before the Planning Board previously for a conceptual review and to ask some questions of the Board.

Mr. Carr reviewed the subdivision plan and highlighted the wetlands on the property. There are also lots within the 250' Shoreland Protection zone. There will need to be Shoreland permits on those lots when they are developed. Each lot will require DES Subdivision approval as they are all under five acres. These applications have not been submitted yet, but they expect to after the site walk.

Adam Charrette said he had a question about lot 50-2. This lot had to be made smaller because of the road frontage. He said that it appears that the buildable square footage dropped to 31,000sq ft which is less than the 40,000 sq ft that is required. Mr. Carr said the regulations don't stipulate that it has to be non-wetland soil.

Mr. Charrette said that in the General Requirements, section 201-3 it says "The buildable area of a lot, as defined in these regulations, shall be clearly delineated on the plat and shall not be less than the minimum lot size as required in the Hillsborough Zoning Ordinance.". He said he had a couple more questions.

On lot 50-7 the square footage of the lot is 65,000 square feet, but the buildable area is 63,000 square feet. He said that seems to be a miscalculation based on the square footage of the other lots and how much the buildable area was reduced. Mr. Carr said that appeared to be a mistake and he would correct it.

Mr. Charrette said he had one more issue under the definition of "Buildable Area" which reads :

"Buildable Area-A contiguous area within a lot exclusive of road rights-of way and other easements, surface waters, wetlands, areas of steep slope exceeding 25%, and areas within a federally designated one-hundred-year floodplain. The buildable area is the portion of a lot upon which any building may be placed, in conformance with the Hillsborough Zoning Ordinance."

He said the biggest word there was “contiguous” which is “connected throughout and unbroken”. He said there are a couple of lots where the wetland goes straight through the lot therefore breaking the buildable areas into two sections. He said he didn’t know if that would be conforming or if you would only take the bigger area as the total buildable lot. Mr. Carr said they would look in to that. Mr. Charrette said he is not against the subdivision; he just thinks it might be necessary to reduce the number of lots.

Melinda Gehris asked why photographs were not submitted with the application. Mr. Carr said it is all woods, so they didn’t think it was necessary. If there were improvements on the lot that would make sense, but it is all woods. Melinda said that when the Board goes on the site walk, she wanted it made clear where the lot lines are going to be. Robyn Payson said that the Highway Director wanted to see where the driveways were going to be located.

A site walk was planned for Saturday October 30<sup>th</sup> at 9:00 am. Parking will be at the beach area across the street from the property.

Chairman of the Conservation Commission Richard Head asked if the Conservation Commission could be invited to the site walk. Gary Sparks said yes and said that the site walk was open to the public.

The public hearing on this application is scheduled for November 3<sup>rd</sup>.

## **WORK MEETING**

### **Review of Application Fees-Handout**

Robyn said she had been asked to look at the current application fees. She distributed list of application fees and the fees from other local towns. She asked the Board to review them to see if they thought the current fees should be revised. This would be discussed at a future meeting.

Melinda Gehris said she would put together a spreadsheet and asked Robyn if she would distribute it to the Board. Robyn said she would.

Melinda Gehris said she didn’t know what was reflected in the fees. She didn’t know if it had something to do with the amount of time Robyn spent on applications or if it is a random number.

There was discussion about the amount of time Robyn and other staff spend on an application.

Jim Bailey said while they are talking about fees, there should be discussion about the Town Engineer’s fees to ensure they are fair. He said he saw that Robyn put a question out on Plan link and didn’t see that there were any answers that came back.

Robyn said that she had seen some and there was a big difference in cost with towns that retain engineers. She said she had spoken with someone from Office of Planning and Development

ken with someone from the Office of Planning and Development who basically said that it was important for the town to protect its self.

Robyn said that when the scope of services is determined, an agreement with the town is sent to her which she has been signing off on. She said from now on she would bring it to the Planning Board for their approval first from now on. She also said the Town Engineer would be happy to come speak to the Board about how the fees are determined. Gary said it is an important issue that needs to be discussed in the future.

Jim said he wanted to make sure we are being fair and not discouraging development with the fees.

Melinda said that her position was that if changes (to the fees) were going to be made, they should know why.

The meeting of 10/20 will be a work meeting and the fees can be discussed further.

There being no other business

Susie White made a motion to adjourn. Jim Bailey seconded the motion.

Meeting Adjourned 8:00

Respectfully Submitted,

Robyn L. Payson, Planning Director





10/06/2021

Hillsborough

Planning Board

Sign in Sheet

Name <u>Please Print</u>	Address <u>Please Print</u>
MARK PHILLIPS	37-55 HENNIKEN ST
Samatha Livingston	127 Henniker Street
Eugene Livingston	190 Preston ST.
Joyce Bosse	66 Preston St, #22
Mark Lawson	288 Beard Road
Audrey Lawson	288 Beard Road
Brett + Tammy Davison	216 Bible Hill Rd.
Tom Carr	Meriden, Anhest N.H
Mary + Paul Plater	153 Bible Hill Rd,
Ferris Coleman / Amy Proy	160 BIBLE HILL RD
PIETER D. MEULEN	22 CENTER RD, HILLS.
Richard Head	238 Jones Road
Riché Colcombe	76 Jones Road
Bruce Egge	97 Beard Rd.

