

**PLANNING BOARD**  
**27 School Street**  
**HILLSBOROUGH, NH**  
**April 7, 2021**

**DATE APPROVED:** 04/26/2021

**TIME:** 7:00 p.m. – 9:00 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:** Denise Deforest, Bob Hansen

**Excused:** Denise Deforest, Ed Sauer, Bob Hansen, Gary Sparks

**Others Present:**

Consultant: Glenn Sheppard GWTS LLC

Public: Anthony M. Licciardi, Audrey Lawson, Donna Andersen, Erik McCauley, Kevin McCauley, Marilyn Jost, Riché Colcombe, Richard Head

Vice Chairperson Susanne White called the meeting to order at 7:00 PM and read the “Right to Know Meeting Check list” (at end of document).

Vice Chairperson Susanne White called the roll:

Adam Charrette-Present; no one in the room.

Susanne White-Present; no one in the room.

James Bailey- Present; no one in the room.

Melinda Gehris- Present; no one in the room.

Nancy Egner-Present; no one in the room.

**Minutes**

**03/17/21** Jim Bailey made a motion to approve the minutes. Melinda Gehris seconded the motion.

**Roll Call Vote-**Jim Bailey-Y, Susanne White-Y, Melinda Gehris-Y, Adam Charrette- Y, Nancy Egner-Y, the minutes were approved.

## **Public Hearing**

### **Site Plan Amendment**

Map 11P Lot 230  
492 West Main Street  
Keith Edwards  
Case No. 2021-07

Adam Charrette recused himself because he knows one of the investors.

This application was accepted for consideration at the previous meeting. The Planning Board determined the application was not sufficient for approval. The applicant submitted additional information and the original approved 1996 site plan.

The application before the Board is for a Change of Use from Retail to Vehicle Sales/Service. The applicant will comply with the approved site plan and has also provided a written description outlining how waste oil and other fluids will be stored and disposed of. (Attached)

Susanne White asked the Board if they had any questions.

The Board had no comments so the hearing was opened for public comment.

Harry Andersen asked if this business was going to be at the old "Village Discount" building. Susanne White said it was and it was going to be vehicle sales and service.

Susanne White asked if the applicant had any comments.

Anthony Licciardi said they submitted everything that was asked for at the last meeting and he had met with Robyn and with Richard Head of the Conservation Commission and he said they agreed in everything that needs to be done.

Susanne thanked Mr. Licciardi for his comments.

Susanne White asked if there was a motion to approve.

Nancy Egner made a motion to approve the Change of Use at 492 West Main Street. Melinda Gehris seconded the motion.

**Roll Call Vote**-Jim Bailey-Y, Susanne White-Y, Melinda Gehris-Y, Adam Charrette- Y, Nancy Egner-Y, the application was approved.

**Site Plan Review**

Map 1 Lots 21-1 & 27

25 & 31 Carr Rd.

Kevin McCauley

Case No. 2020-02

Robyn announced that the Public Hearing on this application had concluded two meetings ago and the Planning Board was deliberating the Conditions. She displayed a .pdf of the second draft of the Conditions. (Attached)

Susanne White asked Robyn Payson if she had anything to say about the Conditions. She said this version came out of the first draft that was discussed at the previous meeting. This version reflected the changes discussed at that meeting. She said the goal for this meeting was to determine that the Conditions were ready to be sent to Town Counsel for review.

Robyn scrolled through the Conditions so the public and the Board could all see what was written in the 26 Conditions.

Riche Colcombe asked if the Conditions were available on the Town website. Robyn said they were not but she could e-mail them to her.

Marilyn Jost asked if it was possible to get a copy of the Conditions.

Susanne suggested that anyone who wanted a copy of the Conditions could send Robyn an e-mail and she could forward them.

The previous hearing was over early, and Erik McCauley was not at the meeting yet. Robyn asked if it would be ok to begin reviewing the Conditions.

Kevin McCauley said that was fine.

Jim Bailey asked Mr. McCauley if he had read through the Conditions and if there was anything he disagreed with.

Mr. McCauley said he read them and that they were similar to what was discussed at the last hearing.

Mr. McCauley asked about the prohibition against bonfires being off the list. Jim Bailey said he had checked and all permits for fire are handled by the local fire department, so it didn't need to be in the Conditions.

Kevin McCauley asked about the Conditions that applied to the roads being removed. Jim said that he had checked with the highway department and that the town was responsible for making any improvements on town roads. Mr. McCauley was only required to make improvements on Carr Road.

Mr. McCauley asked if they were required to supply the stop sign at the end of Carr Road. Jim said that he would have to supply what was needed on the private road.

The Planning Board reviewed the Conditions with Mr. McCauley who agreed with them.

Mr. McCauley asked if the \$60,000.00 surety could be paid in cash and held by the town.

There was a question about Condition 26 which read:

26. These Conditions of Approval shall be posted on the owner's website, included in all leasing agreements, and shall be strictly enforced as a condition of this site plan per 676:4-a "Revocation of Recorded Approval"

Robyn said it meant that the Conditions of Approval would need to be included on the business web site and included in the lease agreement on the sites.

Kevin asked if all of the conditions had to be included.

Robyn said she would have to get clarification on that Condition from Town Counsel.

Susanne White asked if the Board had any comments on the Conditions and asked if there was a motion to send them on to Town Counsel.

Melinda Gehris moved that with the typographic changes that Robyn is going to make these be sent to Town Counsel for review.

Jim Bailey seconded the motion.

**Roll Call Vote**-Jim Bailey-Y, Susanne White-Y, Melinda Gehris-Y, Adam Charrette- Y, Nancy Egner-Y, the Conditions were approved to send to Town Counsel for review.

Susanne White asked Robyn Payson if she had anything further for the night. She said she didn't.

Kevin McCauley asked if the Conditions would be going to the Town Attorney to make any legal changes and that the Board would be voting at the next meeting. Robyn Payson said yes and that any changes to the conditions would be forwarded to the Board and the McCauleys. Any changes that are made, she would send the McCauleys you copies of them.

Donna Andersen asked if after the Conditions go to Town Counsel and they come back to the Planning Board would the public get any say.

Robyn Payson said that the Public Hearing was completed two meetings ago.

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Abutters Marilyn Jost, Harry Andersen and Donna Andersen who is not an abutter but has interest in the application said that they had not been notified and had never had the opportunity to give input on the application.

Susanne White said that she had seen them at a couple of meetings.

Donna Andersen said that she, Harry Andersen and the Josts were never informed and that letters were sent to the Board that the board didn't read. She said her understanding was after the Conditions are reviewed by Town Counsel the Board will vote and make their decision. This was being done without any input except for the letters they wrote. She said she was going to ask for a "Freedom of Information Act" and ask for all communication between the Town and the McCauleys.

Jim Bailey said that he appreciated their concern but he remembered the Josts and Andersens being at meetings. He said Robyn can verify that through the meeting minutes. He said he knew the letters had been submitted and they had been forwarded to the Planning Board.

Donna Andersen said she never had the chance to speak and that Robyn will find that to be true.

Jim Bailey said Robyn will be happy to provide all the documents you request.

Harry Andersen said they were only allowed to speak for five minutes and that most people who are interested in this project would like to say something at the meeting because, you know, most people are interested in this project.

Kevin McCauley said he has been at every meeting and he said they were told at the end it was being continued to the next meeting each time.

Erik McCauley said he has been at three meetings where he answered direct questions from everybody there. He said this is an approved use. They are not asking to change zoning laws. It is approved as a Special Exception.

Donna Andersen said that the Special Exception says "the requested use will not create hazards to the health, safety or general welfare of the public, nor be detrimental to or out of character with the adjacent neighborhood." She continued "you tell me how a 32 pad RV goes along with a quiet, rural residential area. It has been that way as long as I have known it. They are all single houses with some with acreage. How is that in character with the neighborhood?"

Susanne White called for order.

Jim Bailey said this was not for discussion. It is not the purpose of the meeting. He said they had stated their cases and we will check in to them. He suggested we find out exactly what happened, then he assured them that we will explain everything we found. He said this was the second draft of the Conditions and they will be sent to Town Counsel. Once they are approved, we will move on.

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Susanne White said that the Board did receive all the letters that the public wrote, and the Planning Board took into consideration all of the concerns. She stated that the Board tried to incorporate those concerns into the Conditions they have done. She said the issue of notice needed to be clarified, but tonight is not the night.

Erik McCauley said he did not know if this would help but when he was curious about a meeting that was happening, he would check the agenda on the Town website.

Marilyn Jost said she didn't have time to check the town website every five minutes. She said she works 50 hours' week, and if they have not been sent letters or even an e-mail, something is happening is offensive. She said they have sent letters and have done what they can.

Susanne White said their comments were noted and it would be discussed at the next meeting and get this resolved before we go any further.

Jim Bailey made a motion to adjourn. Nancy Egner seconded the motion.

**Roll Call** Jim Bailey-Y, Susanne White-Y, Melinda Gehris-Y, Adam Charrette- Y, Nancy Egner-Y.

Meeting Adjourned at 8:03 pm

Respectfully Submitted,

Robyn Payson, Planning Director

### **New England Diesel Site Maintenance**

Robyn,

The board had expressed some concerns at the last meeting and I wanted to address them in writing. I did have a conversation with Richard Head, and I believe he is in agreement with what I have outlined below as to how we planned to operate.

1. Drains in Floor - we have NO drains in the floors anywhere in the building solid concrete floor throughout the whole building.
2. All work on vehicles will be done indoors on the concrete surfaces.
3. We have 275/gallon totes in metal cages
  - a. 1 tote that will hold clean waste oil that will be used to heat a portion of the building with a waste oil heater.
  - b. Clean coolant will be stored in another tote.
  - c. Dirty fluids will be stored in 3rd tote which will be picked up by clean harbors monthly.
  - d. Cases of new fluids that will be purchased for oil changes transmission flushes etc... will be stored on shelves that have been installed.
4. There was a concern about vehicles outside leaking fluids, so as most car dealerships have someone who will take care of the lot we will as well. Which means that no one wants to buy a vehicle that is leaking fluids so as the dealer why would I want a vehicle on a lot that is leaking fluids.

There will be an employee in charge of keeping the lot in order, making sure vehicles are lined up and look neat. Which also includes moving vehicles around on a monthly basis and keeping the lot looking fresh and clean. If a vehicle has sat on the lot for 60 days, it will most likely be sent to auction at that point as having vehicles sitting around stagnant does not help.

The lot attendant will be in charge of cleaning off vehicles in winter and making sure that there are no leaks under the cars and if there is it will be brought to my attention and will come inside to get necessary repairs at that point. These lot checks will be done on a monthly basis. There will always be barrels of speedy dry on the property to contain any leaks that may happen, and the dirty speedy dry will be disposed of as per regulations.

Please let me know if you need anything else.  
thanks Anthony.

**Rocky Valley Resort Suggested Conditions 2nd DRAFT 3/31/21**

1. No ATVs will be operated on the Rocky Valley RV Resort property other than those used by the owners for maintenance.
2. No motocross, motorcycles, or UTV's may be used on the Rocky Valley RV Resort property other than to enter or exit.
3. No more than two additional vehicles shall be allowed per campsite.
4. Fireworks are prohibited on the Rocky Valley RV Resort property
5. All lighting in the RV Resort shall be "Dark Skies" compliant.
6. Occupancy shall be limited to no more than six people per site at the Rocky Valley RV Resort.
7. No additional RV or camping sites shall be added to the Rocky Valley RV Resort without Planning Board approval.
8. The pad materials will be crushed bluestone and stone dust or the equivalent.
9. Events that attract additional visitors to the Rocky Valley RV Resort are prohibited.
10. The public shall not be invited to or allowed to use the amenities at the Rocky Valley RV Resort.
11. No amenities beyond the planned Bathhouse that require construction will be added to the Rocky Valley RV Resort without Planning Board approval.
12. Accessory uses allowed without Site Plan amendment at the Rocky Valley RV Resort include a Bath House, Game Courts, Horseshoe Pits, and Picnic Areas that do not include building of a structure.
13. Annual days of operation of the Rocky Valley RV Resort shall be May 15-October 15
14. Quiet hours at the campground shall be 10:00pm-6:00am.
15. "Park Model" Recreational Vehicles or their equivalent are prohibited
16. The wetlands shall be reviewed in the spring of 2021 and the plans shall be stamped with approval from NHDES prior to the commencement of any site work.
17. Test pits in relation to the modeled infiltration rate be performed in accordance with Standardized Test Pit / Boring Protocol outlined in Chapter 2-4 of the NH Stormwater



Manual, Volume II (dated December 2008) as published by the New Hampshire Department of Environmental Services (NHDES). The results of the test pit information (infiltration rate, depth to ledge and to seasonal high groundwater table) be included within the drainage report and the location of the test pits be graphically illustrated on figures included in the drainage report; and, the updated report be submitted to the Town for review.

18. The Owner's signature, and all professional stamps/signatures (including, but not limited to Land Surveyor, Wetland Scientist, Soil Scientist, and Engineer) be included on the final plans.
19. Obtain all Federal and State approvals.
20. Should the NHDES require one, the Applicant will undertake a Wildlife study.
21. A pre-construction meeting with the Applicant, the Applicant's Contractor, the Hillsborough Town Engineer, the Highway Director, Building Inspector and Planning Director to be completed prior to the commencement of construction. Topics of discussion will include signage, construction and drainage oversight.
22. The Applicant will provide the Town a surety (cash or letter of credit, not bond) to cover construction costs related toward the drainage infrastructure and erosion control. Gale Associates Inc. has calculated a construction surety estimate of \$60,000; see enclosure.
23. Certification that all Town Engineering Review fees have been paid in full prior to the signing of the Site Plan by the Planning Board Chair.
24. An easement plat be prepared for Tax Map 001 / Lot 21-1 and Tax Map 001 / Lot 021-2 to accommodate and encroachment of the proposed development of Tax Map 001 / Lot 027.

All conditional approvals granted by the Board shall expire eighteen (18) months from the date of conditional approval per chapter 185-10, D of the Town of Hillsborough Site Plan Regulations

Town of Hillsborough  
Right-to-Know Law Meeting Checklist  
**Meeting 03/03/2021**

As Chair of the Hillsborough Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

We are utilizing the GoToMeeting platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the GoToMeeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/343400829>

You can also dial in using your phone.

Phone Number: +1 (669) 224-3412

Access Code: 343-400-829

We previously gave notice to the public of how to access the meeting using GoToMeeting and instructions are provided on the Town of Hillsborough's website at: [www.town.hillsborough.nh.us](http://www.town.hillsborough.nh.us).

If anybody has a problem, please call Planning Director, Robyn Payson at **603-464-7971** or email at: **robyn@hillsboroughnh.net**

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.