

**PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
August 16, 2023**

TIME: 7:00 p.m. –7:55 p.m.

DATE APPROVED: 09/06/23

MEMBERS: Susanne White- Chairperson, Nancy Egner -Vice Chairperson, Ed Sauer-Second Vice Chairperson, Adam Charrette, Steve Livingston, Bryant Wheeler

EX-OFFICIO: James Bailey III

PLANNING DIRECTOR: Robyn Payson

ALTERNATES: Kim Opperman, Dana Clow, Morgan Tanafon

Excused: Dana Clow, Kim Opperman

Public: Joyce Bosse, Michael Sambuceti, Franz Shattuck, Josie Shattuck, Eamon D. Muran, Lauri Jutzi, Mark Moreau, Sarah Elwood

Call to Order:

Chairperson Susanne White called the meeting to order at 7:00 PM and called the roll.

Minutes

08/02/23 Nancy Egner made a motion to approve the minutes. Ed Sauer seconded the motion. The motion carried unanimously.

Public Hearing

Subdivision Regulation Update

Robyn presented the change to the draft Subdivision Regulation made by the Planning Board at the previous hearing. The minimum road width for a road with 0-50 ADT (Average Trips per Day) changed from 18 to 20 feet. No other changes were proposed.

Susanne White opened the public hearing and then closed it due to lack of public comment.

Steve Livingston made a motion to approve the updated Subdivision Regulations in their entirety. Nancy Egner seconded the motion. The motion passed unanimously.

Work Session

Preliminary Conceptual Consultation

Henniker Street (Map 12 Lot 321)

Bohler Engineering on behalf of Aubuchon

Matt Pombaci presented the conceptual plan for a commercial development on Henniker Street. The property is currently vacant. The applicant is intending to build a 10,500 sq ft dry goods retail store with 35 parking spaces. The property is located in the Commercial Zone and will require Site Plan Review. They expect to have Town Water and Sewer. He said he didn't

anticipate requesting any waivers. He said they were there to answer questions from the Board.

Ed Sauer asked the difference in square footage between the existing Aubuchon Hardware and this new building.

Eamon Moran of the Aubuchon Realty Company said, as of right now the new building is not proposed to be a hardware store. He said the anticipation is that it will be a dry goods retailer. He said they will figure out the future user after they get their permit.

Ed Sauer asked what their timeframe for building would be.

Mr. Moran said depending on his ability to obtain a tenant, he would like to be building by the end of the year.

Adam Charrette asked if there were any plans for the rest of the acreage.

Mr. Moran said that is “to be continued” They don’t have any plans at this point.

Susanne White asked if they had any questions for the Board.

Mr. Pombasi said that the Site Plan Regulations were pretty clear.

Susanne White said she didn’t see any objection from the Board to the concept plan. The Board members welcomed the presenters and wished them luck on the project.

Public Hearing

Minor Subdivision

West Main Street (Map 11B Lot 223)

Deborah Jones represented by Peter Mellen

Robyn Payson introduced the application which is for a two-lot subdivision on property that is in the Commercial zone and bisected by the Lower Village Residential Zone.

Peter Mellen is asking for a waiver from “201-5. B20 Wetland Boundaries Identified and Delineated”

Peter Mellen said they delineated the wetlands on the property that is in the Commercial District. They did not delineate the wetlands in the southern part of the property that is in the Lower Village Residential Zone. The plans show the area of contiguous upland on each lot which exceeds the requirements in the Zoning Ordinance. It is not a waiver on the entire property, just on the back section.

Ed Sauer asked if the waiver was being requested because there would be no construction on the back part of the property.

Peter Mellen said not necessarily. He said they felt it would be sufficient to prove that the lots met the requirements of the Zoning Ordinance as far as wetlands go. They have upland that meets the requirements. They have received State Subdivision approval on the smaller lot so the limit of wetland delineation was sufficient for DES.

Nancy Egner made a motion to grant the waiver as submitted. Steve Livingston seconded the motion. The motion carried unanimously.

Nancy Egner made a motion to accept the application. Adam Charrette seconded the motion. The motion carried unanimously.

Peter Mellen presented the application for the two-lot subdivision.

Ed Sauer asked if this is a subdivision with no immediate plans for construction.

Peter Mellen said it was just a subdivision and not a site plan.

Susanne White opened the public hearing.

Franz Shattuck of 183 Sawmill Road asked if the intent was to subdivide for residential purposes or commercial purposes.

Peter Mellen said the town has restrictions on residential development in the Commercial Zone. He said he has no idea what is going to happen besides the lots being sold. He said it would be expected because it is commercially zoned there would be a commercial use. If a commercial use proposed, there would be a Site Plan Review and the abutters would be notified.

Riche' Colcombe said, if they are subdivided, could that person go to the Zoning Board of Adjustment for a variance to make it a residential use?

Robyn Payson said yes.

Peter Mellen said the abutters would be notified of a variance if it was happening on the larger lot.

Riche Colcombe asked what it would look like to develop a lot in 2 districts.

Peter Mellen said there is a provision in the Zoning Ordinance that states you can extend a non-conforming use 100ft across the boundary.

Susanne White closed the public hearing.

Nancy Egner made a motion to approve the Minor Subdivision application submitted by Peter Mellen LLC. on behalf of Deborah Jones to divide Map 11B Lot 223 into two lots. Prior to subdivision Lot 223 was 8.9 acres with 521.19 ft. of frontage. The lots resulting from this

subdivision will be Lot 223, with 6.06 acres and 271.19 ft. of frontage, and Lot 223-1, with 2.84 acres and 250 ft of frontage.

This approval is in accordance with the application filed on July 19, 2023, and the plan entitled “Plan of Lots Map 11B Lot 223, Hillsborough, NH”, dated July 17, 2023. The application was submitted by Peter Mellen LLS. of Donald R. Mellen Surveyor, LLC. and is subject to the following condition(s) and in accordance with the Findings of Fact.

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

Findings of Fact

Based on the application, testimony, and additional documentation given to the Board at the hearing the Board hereby makes the following findings of fact:

1. The property is located on West Main Street.
2. Deborah Jones is the owner of record of the lot.
3. The application is for a Minor Subdivision (less than 3 lots)
4. Peter D. Mellen presented the application for the Minor Subdivision
5. The lot is located in the Commercial District and is bisected by the Lower Village Residential Zone.
6. The applicant requested a waiver from section “201-5.B20 Wetland boundaries are identified and delineated” of the Subdivision Regulations.
7. Following the granting of the waiver the application was complete and ready for consideration by the Planning Board
8. The subdivision meets the requirements of all the provisions of the Subdivision Regulations that apply to this application.

Steve Livingston seconded the motion. The motion carried unanimously.

Work Session

Updates to Historic District Ordinance and Accessory Dwelling Unit Ordinance

Robyn Payson introduced and reviewed the updates to the Accessory Dwelling Unit Ordinance and the Historic District Ordinance. The Board decided to review these documents and take them up at the next meeting.

Dark Skies Subcommittee

Adam Charrette asked the Board if the Dark Skies Subcommittee could continue. He also asked to have three people removed from the Dark Skies Subcommittee.

Ed Sauer made a motion to continue the Dark Skies Subcommittee and remove the three names submitted from the committee. Adam Charrette seconded the motion. The motion carried unanimously.

There being no further business Adam Charrette made a motion to adjourn. Ed Sauer seconded the motion.

Meeting Adjourned 7:55 pm

Respectfully Submitted,
Robyn L. Payson, Planning Director