

**PLANNING BOARD**  
**27 School Street**  
**HILLSBOROUGH, NH**  
**September 7, 2022**

**DATE APPROVED:** 09/21/22

**TIME:** 7:00 p.m. – 8:40 p.m.

**MEMBERS:** Susanne White- Chairperson, Melinda Gehris -Vice Chair, Adam Charrette, Ed Sauer, Steve Livingston, Nancy Egner

**EX-OFFICIO:** James Bailey III

**PLANNING DIRECTOR:** Robyn Payson

**ALTERNATES:** Kim Opperman, Dana Clow

**Excused:** Jim Bailey, Nancy Egner

**Public:** Mike Kirouac, Danny Kirouac, Kyle Tyvey, Matt Taylor-CNHRPC

**Call to Order:**

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

Susanne White called the roll, she said that they are not allowed to appoint an alternate to fill Jim Bailey's seat because he is a selectman.

**Minutes:** 08/29/22 Steve Livingston made a motion to approve the minutes. Melinda Gehris seconded the motion. The motion carried unanimously.

**Change of Use Waiver of Site Plan Review**

126 West Main Street Map 11P Lot 345

HK Hillsboro LLC.

Robyn Payson handed out the checklist for Change of Use/Waiver of Site Plan review and a draft Approval/Denial motion to the Board.

Robyn Payson said there is no formal site plan currently on file. She showed the Board the only site plan she found is from 1988 which is a tax map with the buildings and parking spaces drawn on it.

Steve Livingston said that the golf course has been there since the 1960's.

Mr. Kirouac said the drawn site plan was incorrect based on information from one of the abutters.

Mr. Kirouac said they have painted over the existing tennis courts and laid gravel to create an event space. He said they are currently having golf tournaments there and parties with up to 100-200 people already.

Ed Sauer asked if they had permission for parties with 200 people.

Mr. Kirouac said they can have as many people as they want for a golf course, and golf tournaments are the same as parties. He said they can have large parties with food in a seating area on the property.

Susanne White said there is nothing official on record that shows the property and the area for events are located.

Mr. Kirouac said there were the tax maps and google maps. He said the event space is included in their property.

Dana Clow asked what use is currently authorized.

One of the applicants said the use was "Outdoor Recreation".

Dana Clow said there is a restaurant and a golf course they have golf tournaments and large numbers of people at the restaurant. He said at this time, there is no definition for an entertainment venue. He said they are looking to change something that is unknown to something that is undefined.

Ed Sauer said what they are trying to do is excellent. However, there never seems to have been a site plan. He asked if in 2022 it should be able to continue that this property has no site plan, or should we correct, what might be inefficiencies in town government or whoever in the past.

Steve Livingston said there are a lot of old businesses in town and there is no point in reinventing the wheel. If something is new going forward the process is in place. But these businesses that are old and doing the same thing, we should grandfather them and let them go on their way.

Melinda Gehris said what she is understanding that Steve Livingston said was that the Board doesn't need a site plan.

Steve Livingston said that was what he was saying?

Melinda Gehris asked Ed Sauer what he was saying.

Ed Sauer said he thought they should start one going forward.

Mr. Kirouac asked what a site plan was for. He said there was nothing really changing.

Robyn Payson said what a site plan does is show the layout of the site, shows where the buildings are the location of the parking. She said she was assuming that there would be 100 people attending these events which would require about 50 cars. She asked if the parking area was sufficient for 50 cars.

Mr. Kirouac said of the applicants said they have permission for staff to park in the armory parking lot. The site is the same with the same layout for 30 years.

Susanne White said they don't have a record of the site plan.

One of the applicants asked if they were going to have weddings in the restaurant would they need to be here at all.

Ed Sauer said it would still be a change of use. Because they are not just having golf.

Mr. Kirouac said there was no change of use because they didn't change anything.

Mr. Kirouac said they can call them all golf tournaments if they want to.

Ed Sauer said that they also wanted to have outdoor music.

Mr. Kirouac said they do want music, but if the Board doesn't want them to have it, they won't. He said they are concerned about noise levels and know that the Board will have input on that.

Ed Sauer said that the Change of Use comes in because they want an unlimited venue, and what does that mean?

Kim Opperman said it won't mean very much. He said if they have a larger wedding, they will have a lot of acreage to park on.

Ed Sauer asked the applicant how the parking would work for a wedding on a golfing day.

Mr. Kirouac said they would cut off tee times for the day and close the golf course down for an event.

Melinda Gehris said she would like to address the Waiver of Site Plan review first before dealing with conditions associated with the outdoor music.

Steve Livingston said as far as the site plan, the buildings have been there a long time. He said the site plan cost him a lot of money. He said he couldn't see them spending a lot of money on something that is already there.

Dana Clow said that the cost to have a site plan for what is already there to be put on paper seems to be over stepping. He said this is a unique case and he was not sure there was a regulatory basis for them to be before the Board.

Susanne White said she would like to see something on paper that is a little more specific than the 1988 map. She said what she would like to see is where they are looking to have their outdoor events, where they are planning to put the porta-potties, how you are planning to manage the parking, where the band is going to be. She said those things are important because they are going to impact the neighbors. She said she knew that the armory is on one side, but they do have neighbors on the other side and across the road.

Mr. Kirouac said he had one neighbor come over who said they didn't care about the outdoor events. He also said the application shows the location for the events. There are no direct neighbors to the event area. He said they are from here, and they don't have millions of dollars for this. He said they are putting over a million dollars into this renovation and they have to do things to make money. He said they don't understand the Change of Use part of it. He said this place has been the same for 50 years.

Robyn Payson said it is a Change of Use because they are adding an event venue.

Mr. Kirouac said he disagreed because it is a golf course, they have had tournaments and there. It has been a restaurant for a number of years, and they can have events there, and have for the last 30 years. He said they aren't paying \$10,000.00 for a site plan review for no reason. He said they are trying to do good things for the town, and they are getting a hard time for that, and he doesn't understand why.

Susanne White said there are public safety issues.

Mr. Kirouac asked what they were. He said parking has already been addressed, the fire department is on board with everything there is a "down to the studs" remodel with fire systems in there.

Susanne White asked if the Fire Department would be able to get in and if there would be a fire lane.

Mr. Kirouac said they would.

The applicant said the parking is drawn on the application and has been there forever, and the fire department is on their side. He said in town there are very few parking lots.

Dana Clow said there could be a compromise solution by taking Google Earth that shows the buildings and the physical features, and on that draw the details that the Board is asking for. He said he is hearing that the neighbors think its ok and the Fire Department thinks its ok, but where is that documentation?

Mr. Kirouac said that the Sieg's are closest to the tennis courts, and they have no problem with events being held.

Dana Clow said there is nothing in writing that says that.

Mr. Kirouac said he could get letters; he just didn't know he would need that.

Dana Clow said if they got a supporting statement and a Google Earth projection of the site with indications of what may physically be changing or showing where you are going to park those 50 vehicles etc. He asked them to give the Board something to work with, then they can say that they don't need to do a site plan.

Mr. Kirouac said if the Board is asking for that they can do it.

Melinda Gehris said she agrees in principal that the Board needs to get site plans for sites in town as things are changing, at the same time she does not feel it is appropriate to burden the applicant with the cost of a site plan on a site that has not significantly changed. On the other hand, we have got to put something in the file that is better than what we have, and while the drawing they submitted is helpful, its not going to help the Board if they or someone in the future comes back.

She said she was struck with the fact that none of the neighbors came to the meeting, which tells her that they have done their “due diligence”. She said she would have expected some of them to be there which would have made the Board’s job harder. She said she liked the idea of a compromise to give the Board the information they need so they can show folks who have a question later where the parking is etc. Then the Board has something in their file for whoever comes after.

Kim Opperman said this is outdoors, so it is going to be seasonal, they are using temporary structures. They may have a bar and a barbeque set up. He said he is not saying that fire engines can’t get there but there’s no buildings to burn. People will just disperse on to the golf course if there is a problem. He said he thinks the Board is getting too deep in the details about egress because they have insurance when they add this venue.

There was discussion about what kind of site plan to ask for. Melinda Gehris said they could ask for an abbreviated site plan which can be a Google Earth photo with markings showing utilities, buildings etc.

Steve Livingston said drone shots would be better because Google Earth is probably not updated. He said he knew the applicant has a drone.

Melinda Gehris asked them to provide drone photographs of the property and then mark off buildings, any other structures, parking, where the tennis courts are, where the porta-potties are likely to go and their best estimate of the property boundaries.

Melinda Gehris said that if they can bring what the Board is asking for which is basically an abbreviated site plan that they can accept that is probably a better way to do it.

Melinda Gehris made a motion to continue the public hearing on the Change of Use/Waiver of Site Plan for 126 West Main Street Map 11P Lot 345 to September 21<sup>st</sup>, 2022. Steve Livingston seconded the motion. The motion carried unanimously.

The applicants said that was something they could do.

### **Work Session**

#### **Gateway Zone**

Matt Taylor of CNHRPC reviewed the visual examples and potential layout of a Gateway Zone ordinance. There was discussion about a Gateway Zone on Antrim Road to allow high density multifamily housing in the area.

Melinda suggested looking to the town of Goffstown for examples for the ordinance.

Matt Taylor said he would look at the Goffstown Ordinance, but he wasn't sure it would fit with the area.

There was a discussion about instituting a TIF district to pay for bringing water/sewer infrastructure to the location. The Water/Sewer Commission will be included in the discussion.

Matt Taylor also spoke about the Governor's "Invest NH" grant program.

The next step is Matt will develop a draft of a gateway ordinance.

### **Ex-officio Alternate**

Robyn Payson told the Board that the Selectman's Ex-officio needs to have a designated alternate. She suggested Dana Clow be recommended to the Board of Selectmen to be that alternate.

Following discussion, Melinda Gehris made a motion to recommend Dana Clow for the motion of Ex-officio alternate. Ed Sauer seconded the motion. The motion carried unanimously.

### **Survey Acceptance.**

Robyn Payson told the Board that Peter Mellen had submitted a survey to be accepted by the Board per RSA 674:18 IV.

Following discussion, Steve Livingston made a motion to accept the survey. Ed Sauer seconded the motion. The motion carried unanimously.

### **First Look at Zoning Amendments**

Robyn Payson distributed some potential updates to the Zoning Ordinance. They included uses that are not currently included in the zoning ordinance, a proposed reduction in the minimum dwelling size, an update to the Outdoor Sales ordinance and a Livestock Ordinance.

Following discussion it was decided to not move forward with the update to the Outdoor Sales ordinance and the Livestock Ordinance and to revisit the definition of "Manufacturing".

There being no other business Ed Sauer made a motion to adjourn. Susanne White seconded the motion.

### **Meeting Adjourned 8:40 pm**

Respectfully Submitted,

Robyn L. Payson, Planning Director