

PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
July 15, 2015

DATE APPROVED: August 19, 2015

TIME: 7:01 p.m. – 8:00 p.m.

CHAIRMAN: Herman Wiegelman

FIRST VICE CHAIRMAN: Donald Solomon

SECOND VICE CHAIRMAN: Denise DeForest

MEMBERS: Gary Sparks, John Penny and Larry Baker

EX-OFFICIO: James C. Bailey, III

PLANNING DIRECTOR: Robyn Payson

ALTERNATES PRESENT: Pamela Stohrer

ALTERNATES APPOINTED: Pamela Stohrer for John Penny

EXCUSED: John Penny

MEMBERS of the PUBLIC: John Segedy, Deborah Jones, Thomas Jones, Arthur LaFave, Sr., Sharon LaFave, Wanda Robie, Robert Johnson, Jr., Audrey Johnson, Angela Scott and Ray Scott.

CALL to ORDER:

Chairman Wiegelman called the meeting to order at 7:01 p.m.

Chairman Wiegelman appointed Pamela Stohrer to sit in place of John Penny.

MINUTES:

Chairman Wiegelman entertained a motion to accept the minutes of July 1, 2015.

Mr. Solomon made a motion to approve the minutes of July 1, 2015 as presented. Mrs. DeForest seconded the motion. The Board voted all in favor.

PUBLIC HEARING:

Change of Use – Map 12, Lot 81

Retail use to Personal Services

282 Henniker Street

Submitted by Ray Scott

Chairman Wiegelman opened the public hearing.

Mrs. Payson said the application is complete. She added that a portion of the building will be going from a retail use to a personal service use, which is allowed in the district, and there will be no changes to the building.

Mr. Scott said he is a tattoo artist from the local area. He said they will also be selling jewelry and doing arts and crafts. He keeps a clean, quiet establishment.

He is working with Mrs. Payson regarding signage.

Meeting Minutes July 15, 2015

Mr. Solomon asked if he was regulated by the State.

Mr. Scott answered yes.

Chairman Wiegelman entertained a motion to accept the application.

Mrs. DeForest made a motion to accept the application. Mr. Solomon seconded the motion. The Board voted all in favor.

Mr. Segedy pointed out that due to his interested in selling jewelry and doing arts and crafts the approval should be for a mixed use.

Chairman Wiegelman entertained a motion to approve the application for mixed use.

Mrs. Deforest made the motion to approve the application for mixed use. Mr. Baker seconded the motion. The Board voted all in favor.

PUBLIC METING:

Crow's Nest – Bert Johnson:

Mrs. Payson has received complaints regarding Mr. Johnson's business and how the outside items are being displayed. She said he was approved for a retail business.

Mr. Johnson said he ran the Deering Country Store for many years which included a flea market in the back.

Mrs. Payson will contact the Code Enforcer to have him check for compliance.

Mr. Sparks suggested looking at clarifying the definition of retail sales and resale market.

Vapor Store:

Mrs. Payson said Wanda Robie has applied for approval of the retail use of a partitioned section of the existing hair salon.

Mr. Baker asked if there are any State regulations for the selling of this product.

Mr. LaFave, Sr. said he has a license from the State.

After a short discussion Mr. Solomon made a motion to approve the retail sales without the need for a change of use. Mrs. DeForest seconded the motion. The Board voted all in favor except for Mr. Baker who abstained.

Canine Comeback:

Mrs. Payson said there has been a discussion regarding the Canine Comeback relocating at Wyman's. She said Ms. McNamara has said the space is only rented three days a week and it is not setup as a permanent business.

Mrs. Payson suggested inviting the owner to come in and talk to the Board.

Family Dollar Update:

Mrs. Payson said she has been in contact with them extensively over the last few weeks regarding the landscaping, which has been completed, and the drainage, which they admit was not done correctly. She said they are going to correct it. She is insisting that our engineer, William Rollins, be involved to make sure they do it right this time.

Anderson Subdivision:

Mrs. Payson went over with the Board the approved subdivision and explained that part of the original site was mortgaged and is now being foreclosed on.

The Board discussed how this would affect the Town.

Mrs. Payson said we may need to involve an attorney.

Change of Use/Amended Site Plan/Retail Discussion:

Mrs. Payson said first the Board would determine if the use is allowed in the district however if the Change of Use changes the site or the building then the Board would refer to the checklist below:

A change of use occurs when the use of any land, building or structure is changed from one permitted land use classification to another, or when any of the following occurs:

- Addition or expansion of outside storage;
- Significant change in traffic volume or pattern;
- Change of permitted use category as illustrated in Table 4, or;
- Any significant Site Development activity.

No building permits or Certificates of Operation/Occupancy shall be issued until Site Plan approval, or waiver of approval, has been obtained from the Town of Hillsborough Planning Board.

Mr. Solomon suggested adding this to the Site Plan Regulations section.

Mrs. Payson brought up the point of some parking lots and streets having unregulated parking. She said in the Central Business District it is a problem. She researched the issue and found that the Town could have a regulation, for the Central Business District, which states that new apartment dwellings provide parking in an approved off street parking location and approved means not in a municipally owned or operated facility.

The Board discussed this issue and whether the Selectmen should review all the parking ordinances.

Mrs. Payson would like to prohibit residential use on the first floor of any building in the Central Business District and if a building has residential use on the first floor and it is replaced by a commercial venture then it can never go back to residential. She added that this would apply even if the building fronts two streets.

Mr. Baker would suggest if a change of use is granted than all previous uses are null and void.
Mrs. Payson agreed unless the use was granted by special exception because that goes with the land.

OTHER BUSINESS:

Mr. Sparks asked the Board to think kindly of Elisabeth Olsen who was a long time member of the Planning Board and who passed away recently.

ADJOURNMENT:

Chairman Wiegelman entertained a motion to adjourn.

Mrs. DeForest made a motion to adjourn at 8:17 p.m. Mr. Sparks seconded the motion. The Board voted all in favor.

Meeting adjourned at 8:17 p.m.

Respectfully Submitted:

Iris Campbell
Recording Secretary