



Town of Grantham
Planning Board Meeting Minutes
August 13, 2019
FINAL

I. CALL TO ORDER

Chair Carl Hanson called the meeting to order at 7:00 p.m. The meeting was held in the Jerry Whitney Memorial Conference Room of the Grantham Town Hall located at 300 Route 10 South in Grantham, NH.

Present: Chair Carl Hanson, C. Peter James, Selectmen's Representative Warren Kimball, Peter Guillette, Mary Hutchins and Board Clerk Emily Owens;

Members not present: Alternate Ralph Beasley

Applicants and Members of the Public: Kennebec Lumber Company Representatives Richard E. Wahrlich and Mark Gilbert; J.S. Quality Automotive and Repair LLC Owner Joel Stoddard; Town Administrator Melissa White; Selectman Peter Garland, Linda Bohrer, Gary Bohrer, Gene Barton, Charles Cameron, Aleene Hastings, Jerzy Mitura and Barbara Eckbreth

II. APPROVAL OF MINUTES

Chair Hanson asked the Board if there were any corrections or changes to the July 18, 2019 meeting minutes. Linda Bohrer requested the Minutes be amended to include the discussion about Light Industrial requirements, noise decibel ratings and the Board's familiarity with the requirement. Chair Hanson disagreed because language regarding Mrs. Bohrer's concerns regarding noise were included in the Minutes. C. Peter James made a motion to accepted the minutes as written and the motion was seconded by Chair Hanson. **Unanimously Approved and Accepted.**

III. NEW BUSINESS

#08-2019-01; Application for Site Plan/Application for Sign Permit; 84 Route 10 South; JS Quality Automotive; M/L 233/27

Joel Stoddard, owner of JS Quality Automotive, presented his plan to operate the previously run automotive shop to the Planning Board. The hours of operation will be Monday through Friday 8:00 am to 5:00 pm. Mr. Stoddard reviewed the Site Plan drawing, including lighting and parking. Exterior lighting will be the same as previously with one street light in front and two in the rear. Parking will be 25 spots in the front and rear of the facility. Tire storage will be enclosed with a fence like structure per the Zoning Board's request. C. Peter James had concerns about the location of the tires, as a former

fire fighter, he would like the storage location as far from the building as possible. Motor oil will be recycled and used for heating during the winter. Mr. Stoddard has received permission from Irving to paint the building a different color than white. He plans on improving the landscaping but leaving the retaining wall alone since he is not responsible for it.

A motion was made by Peter Guillette to approve the Site Plan Application with the condition of adherence to the representations made by the Applicant Joel Stoddard, seconded by C. Peter James. **Approved 5-0.** The approval is conditional on the applicant fulfilling the representations made on the Site Plan Application.

Next the Board discussed the Sign Permit Application for JS Automotive. The sign meets the Grantham Zoning Ordinance requirements of not exceeding 24 square feet. There are currently two lights that shine on the sign from above and the Board reminded the Mr. Stoddard that the lights must be turned off after business hours.

A motion was made by C. Peter James to approve the Sign Permit Application with the condition no lights stay on the sign when the business is not open, seconded by Peter Guillette. **Approved 5-0.**

#08-2019-02; Kennebec Lumber Company Preliminary Plans; Property Map 236 Lot 10

Mark Gilbert, Kennebec Lumber Company (KLC) representative, explained the Site Plan Application. A portion of the Southeast end of the property be converted from wetlands into the log storage area. The yard area will have two feet of fill removed and replaced with crushed ledge. The slope of the property will be changed to improved runoff collection into newly constructed retention ponds. The existing building will be partially enclosed in a new insulated building and new enclosed bins will collect the bark and saw dust. On the West side a berm will be built roughly 20 feet high by 1200-1300 feet long with a gap for a retention pond. There will be a 16-18 space parking area to the left for employee vehicles. KLC is proposing to adjust the operating hours of the facility to 5:00 am to 6:00 pm seven days per week. The new hours will be enforced with a gate deterring drivers from dropping off loads after hours.

Comments from the Board included questions about the permitting for the wetlands/retention ponds and overflow situations. KLC is currently in the process of meeting with DES and hopes to have the final approval by this Thursday. Mary Hutchins asked about the retention ponds overflowing into the wetlands. Mr. Gilbert responding that the retention ponds will be engineered to flow water into the wetlands. The ponds are actually sediment ponds designed to filter out fine particles. The sediment ponds will be maintained and cleaned by Stillwater Environmental Engineering, Inc. quarterly. These ponds will be tested as required by the State. With regards to the watering of logs, if it occurs KLC will comply with current EPA standards and the water will come from the newly installed well. Additionally, KLC plans on installing a new septic system.

The Board asked if KLC had researched a different back-up alarm, Mr. Gilbert responding the Federal Government does not recognize a smoke type alarm. He stated the back-up alarm must be louder than the equipment that is running. Linda Bohrer asked what the plan is to mitigate this noise issue. Mr. Gilbert responded that moving the entrance over 1000 feet, building a berm and seeding it with grass, and sending notices to drivers should help reduce the noise. The discussion continued around truck drivers using their Jake brake on Routes 114 and 10. KLC has agreed to send a letter twice a year to all the trucking companies asking they not use Jake brakes in town. A resident asked if the drivers can be fined, Mr. Gilbert responded that KLC does not have the authority to do that. It was asked if the Planning Board has the authority to fine the drivers. Chair Hanson stated the Planning Board does not have the jurisdiction to do enforcement. Mr. Gilbert did state that if a Selectmen called with a complaint against a driver KLC would investigate the complaint and issued a warning. The driver would then be banned if further incidents occurred. Barbara Eckbreth asked if there are rules and regulation in the Town regarding noise. Additionally, she was upset only the abutters were notified. Chair Hanson explained the State requirements concerning abutters and who is legally considered one. C. Peter James further clarified that the meetings are noticed in the newspaper and the agenda is posted in the Town Hall, Post Office and online. Mr. Gilbert was asked if he had any final comments and he stated that KLC is proposing to spend roughly \$2.5 million to address environmental issues.

Comment were opened to the Public. Aleene Hastings asked if she would see the berm from her garage. Mr. Gilbert showed her the berm's location in relation to her property. Mr. Gilbert stated that KLC is sensitive to the noise issue which is the reason they are installing a new fully enclosed tree debarker.

Linda Bohrer read a statement from parts of the Grantham Zoning Ordinance about the use not being detrimental to the character or enjoyment of the neighborhood by reason of undo variation or undue violation of the character and kind of the neighborhood, that the use will not be injurious, noxious, or offensive and, thus, detrimental to the neighborhood, that the use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards and the value of surrounding properties are not diminished. Mrs. Bohrer asked that the Board to represent the people in the Town. C. Peter James addressed the Public and Board regarding the proposal. Mr. James feels the proposed changes will reduce noise issues and improve site conditions. Mrs. Bohrer argued that having the lumber mill open seven days per week will change the character of the neighborhood. Chair Hanson stated the Judge/Court found KLC was not changing the nature of their activities and were in place prior to Grantham Zoning Ordinances, therefore KLC was able to continue operating. Mrs. Bohrer argued that she did not agree. Mrs. Eckbreth asked if this was an issue that should go to a referendum and the Board stated no. Mrs. Eckbreth asked if there were noise ordinances and the Board read the Grantham Zoning Ordinances page 66 Light Industrial Enterprise section. It states that noise at the property line will not exceed 80 decibels. The Board clarified

that they had a noise study done at various locations to compare noise during business hours and noise after business hours.

Linda Bohrer read the Judge's decision letter regarding the Town being unable to prohibit the lumber mill from operating outside of business hours. She argued that the Town should therefore be able to regulate the lumber mill during business hours using the Zoning Ordinances, Chair Hanson disagreed. Gene Barton spoke out in favor of the proposed plan and his belief that it will greatly reduce the noise. Mrs. Bohrer asked what happens when it doesn't and Chair Hanson responded that the Selectmen will take action.

Several Selectmen were present tonight and the Board requested that they describe their tour at the Solon, ME facility. Selectmen Warren Kimball stated that the facility was quiet and clean. Selectmen Peter Garland reiterated the same information adding the facility was located across the street from a school. Mr. Garland was impressed because the facility was so quiet you would not know it was there.

A motion was made by C. Peter James to approve the Site Plan Application with the condition of adherence to the representations made by the Applicant Kennebec Lumber Company, seconded by Peter Guillette. **Approved 5-0.** The approval is conditional on the applicant fulfilling the representations made on the Site Plan Application.

Mary Hutchins mentioned that KLC has made a considerable effort cleaning up the area, Mr. Gilbert was appreciative that she noticed.

Next the Board discussed the Sign Permit Application for Kennebec Lumber Company. The one proposed sign meets the Grantham Zoning Ordinance requirements and will be one located at the new proposed entrance.

A motion was made by C. Peter James to approve the Sign Permit Application with no conditions seconded by Peter Guillette. **Approved 5-0.**

IV. OTHER BUSINESS

Planning Board Application Fees

Melissa White, Town Administrator, asked that the Board place the topic of updating Application Fees on the next meeting Agenda. Chair Hanson agreed that it had been years since a change had been made and it should be discussed at the next meeting. Chair Hanson requests that M. White provide a Memo with her recommendations to the Board.

Planning Board Regulations, Procedures and Applications

Mary Hutchins requested that the Board review the Site Plan Regulation and Subdivision Regulation. The Board discussed forming a Committee with multiple interested people

participating to review the Site Plan Regulations, Subdivision Regulations, Planning Board Rules of Procedure, Applications, and Appeal Instructions. The Board decide to discuss this item at the next meeting.

Question Regarding Annex Property

Charles Cameron plans on buying an adjacent lot and merging the two properties. Mr. Cameron is wondering if this is a standard activity and how are the properties reassessed. Chair Hanson stated this is a routine process that happens almost immediately once the deed is recorded. Melissa White addressed the question about reassessing. She stated that Mr. Cameron can meet with the Assessor to ask questions because he comes once per month. Valuation of a property is effective April 1st through March 31st.

V. ADJOURNMENT

Chair Hanson stated there being no further business a motion was made by C. Peter James and seconded by Peter Guillette to adjourn the meeting at 8:33 p.m.

The next meeting of the Planning Board is scheduled for September 5, 2019, at 7:00 p.m. in the Jerry Whitney Memorial Conference Room of the Grantham Town Hall.

Respectfully Submitted,
Emily Owens – Planning Board Clerk