



FINAL

TOWN OF GRANTHAM NEW HAMPSHIRE
PLANNING BOARD PUBLIC MEETING MINUTES
SEPTEMBER 3, 2020

Teleconference/Jerry Whitney Memorial Conference Room

I. CALL TO ORDER

Chair Carl Hanson called the meeting to order at 7:00 p.m. on Thursday, September 3, 2020. He read the following statement, "As Chair of the Planning Board, due to the COVID-19/Coronavirus and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically, and these reasons shall be reflected in the minutes. Please note that there is a physical location to observe and listen comprehensively to the meeting and a method to join the meeting by electronic means. The numbers were posted on the notice for the meeting with a pin."

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

Public: Grantham Conservation Commission (GCC) Chair David Wood, Attorney Sheridan Brown, V.P. Grantham Historical Society Rae Tober, Attorney Barry Schuster, Alan Gale, Nancy King, and Lori Avery. There were many public members attending by telephone, but they did not speak during the meeting. A list of telephone numbers have been recorded and saved with the meeting sign-in sheet.

Chair Hanson appointed Alternate Board Member Beasley to a full voting board member during the Gray Ledges Condo Association Site Plan Review because Board Member Guillette recused himself since he will be the Owners Representative for Gray Ledges Condo Association.

II. APPROVAL OF MINUTES

Board Member James made a motion to accept the minutes as printed, seconded by Board Member Guillette. **Mary Hutchins voted "Aye", C. Peter James voted "Aye", Peter Guillette voted "Aye", and Selectmen's Representative Warren Kimball voted "Aye". Chair Carl Hanson abstained because he did not attend the meeting. *Approved by Roll Call (AYE 4, NAY 0, ABSTAINED 1).***

III. NEW BUSINESS

#09-2020-01; GCC Tree Cutting; Scenic Miller Pond Road

GCC Chair Dave Wood presented the request to the Planning Board to remove trees located in the right-away for Miller Pond Road, designated by the Town as a Scenic Highway. The GCC is planning a logging operation in the Town Forest. The goal is to improve the quality of the stocking and to create several large patch cuts to introduce early successional forest to the property, as well as, gain some revenue for the Town. Before the logging operation can occur, it is necessary to improve the access to Four Corners. This will be done by building a new connection between the current terminus of Miller Pond Road and road to Four Corners and by improving the quality of the southern-most road that currently runs east from Four Corners. The former work requires moving a pole and rerouting the lines running from the relocated pole to the home of Eva Duff and Bruce Hosmer at 1140 Miller Pond Rd.

Chair Hanson asked if the Board has any questions. Board Member James and Board Member Guillette visited the site to look at the trees and they both have no issues with the request. Chair Hanson asked if the trees are all in the right-away and CGG Chair Wood confirmed they are.

Chair Hanson asked if anyone from the public had any comments. V.P. Grantham Historical Society Rae Tober spoke in favor of the tree removal. Chair Hanson asked if there were any other comments from the public, there being none, he entertained a motion to approve the request of the Grantham Conservation Commission to remove the trees as indicated on their plan that are near and abutting Miller Pond Road. Board Member Guillette made the motion, seconded by Board Member James. Board Member Hutchins wondered if the GCC knew that Mr. Hosmer was deceased and if that impacted the Board's ability to decide; Chair Hanson said it did not. **Mary Hutchins voted "Aye", C. Peter James voted "Aye", Peter Guillette voted "Aye", and Selectmen's Representative Warren Kimball voted "Aye", and Chair Carl Hanson voted "Aye". Unanimously Approved by Roll Call.**

#09-2020-02; Site Plan Review; Gray Ledges Condo Association; 36 Gray Ledges Road; Tax Map 232 Lot 001

Chair Hanson introduced the agenda item as a site plan review for Gray Ledges Condo Association and Board Member Guillette recused himself from the Board. Chair Hanson asked a representative from Gray Ledges to speak regarding the application. Attorney Barry Schuster spoke that the old red brick building has had no maintenance in the last fifty years and provided an assessment conducted by the NH Preservation Alliance in 2018 to document the current state. Attorney Schuster stated that the issue is not one of finance but that the building has deteriorated beyond the point of being restored as a historic building. Gray Ledges Condo Association is proposing a similar red building be erected in its place.

Next, Chair Hanson asked if the Board had any questions and Selectmen's Representative Warren Kimball read into the minutes, a letter from the Selectmen detailing the history

of the red brick building and their position on the matter. The letter in its entirety can be found with the minutes on the Town website, a copy has been provided to the Town Clerk, and the original paper copy will be kept in the Planning Board files. The conclusion to the letter stated, "We believe that the application before the Planning Board is incomplete and should be rejected, leaving in place for now the original condition of subdivision approval that Gray Ledges will preserve the building. If GLCA chooses to be insular in addressing the building's needs, rather than engaging a community that has shown an interest and willingness to help in preservation efforts, it cannot expect the Town to bear the cost of GLCA's decisions by giving up an important part of its history." At the meeting, a copy of the letter was provided to Board Members, Owner's Representative Peter Guillette, and Attorney Schuster.

Board Member James asked if the building will be replaced with a brick building and Attorney Schuster stated that it could be brick veneer. Board Member James stated that the building was missing the key feature of the first-floor chimney. He asked about the landscaping and if it would be changed, specifically removal of the patio. Board Member James mentioned that the grading of the area will have to be fixed in order to resolve the current issues. Peter Guillette stated that the Landscaping Committee would develop a plan for the area in the Spring after construction is complete.

Board Member Hutchins spoke regarding her position on the matter. She quoted the assessment conducted by the NH Preservation Alliance Observations and Conclusions on page 9, "In reviewing the brick farmhouse several things stand out. First of all, it is obvious that the building was originally a very well built and significant example of a northern New Hampshire brick and timber framed cape-style house." She asked how long GLCA had owned the building and Peter Guillette stated 2011. Board Member Hutchins continued to read, from the same document, that some areas of the building "did receive some repairs and replacements" but as noted the "work did not go far enough and was never completed or finished." She asked who completed the work and when it was completed. Peter Guillette responded that Mr. Thompson, property developer, removed parts of the building and repaired areas at the time. Board Member Hutchins continued to quote from the document that "With routine care, costs for old house maintenance and repair can be quite manageable. It is unfortunate that this house has experienced deferred maintenance over the years." In conclusion, Board Member Hutchins would not like to see the building torn down and would like to see if there is interest in the Town among residents to financially support the restoration of the building.

Chair Hanson asked if any members of the public wished to speak. Attorney Sheridan Brown spoke regarding several points that he felt were important to the discussion. The first being that the restoration of the building will cost both time and money but based on the reports provided by GLCA it is still feasible. Second, the current condition of the building and its lack of maintenance is a situation that has been exacerbated by GLCA through neglect. Attorney Brown would like to see GLCA acknowledge their part in this

situation and put some effort into finding grants. He continued to explain that the assessment conducted by the NH Preservation Alliance only occurred at the instance of the Planning Board and through the identification of grant support. Attorney Brown has no knowledge that GLCA has conducted any additional assessments or been told by anyone that there is no funding available for restoration. He continued to say that restoring the building does not in any way diminish the importance of the structure as the birthplace of NH first Attorney General and an important part of Grantham's history. Attorney Brown would like to have more transparency from GLCA and see them put forth effort to restore the building rather than demolish it because all he sees right now are a self-created financial hardship. If all options have been exhausted and demolition is the only choice, then certain conditions should be made to replace the building with something brick and similar in appearance of the existing building. Lastly, Attorney Brown volunteered his services to help write proposals to secure grants for the restoration of the building. He listed the numerous successes he has had previously and that with a little effort he felt the same could be accomplished with the red brick building.

V.P. Grantham Historical Society Rae Tober spoke regarding her position on demolishing the building. She has been in Town for roughly ten years and watched so many of the old buildings being torn down, that she finds the loss of another unacceptable. Rae Tober agrees that the building experienced neglect, specifically with a tarp being used to cover a big hole in the roof for many years.

Chair Hanson had the opportunity to review the letter from the Selectmen prior to the meeting and he noted that he was previously unaware that in 2013 the Town and GLCA entered into an agreement that "The Town of Grantham and Grey Ledges Condominium Association must jointly approve in writing any future development of the property." He reviewed the assessment conducted by the NH Preservation Alliance and does agree that the red brick building can be saved. Additionally, Chair Hanson agreed that GLCA has not been a good steward of the building based on various ongoing maintenance issues that plagued the building for years. Since it appears GLCA is making a financial hardship argument, he expected to see, based on the minutes from the April 5, 2018 Planning Board meeting, a cost to restore the building, cost to demolish the building, and cost to build the new building. Chair Hanson spoke briefly about the pool and the lack of Planning Board approval. He felt that the application is still incomplete and does not resolve the issues raised in the April meeting.

Chair Hanson offered the GLCA representative the chance to speak. First, Attorney Schuster is looking for the November 5, 1987 approval or plat from the Planning Board meeting. Second, he would like all the minutes from November 5, 1987 through present included in these minutes so in the future they will be together. Lastly, they would like a continuation of the meeting until next month, so they can respond to the letter provided by the Selectmen for this meeting. Peter Guillette stated that GLCA did obtain numbers for demolishing the red brick building and constructing a replacement. For clarification, Attorney Schuster is looking for a separate set of conditions from the November 5, 1987

meeting or plat from the Planning Board meeting, not the minutes because he has those. Chair Hanson stated that the practice back then might have been to include the conditions in the minutes instead of providing a separate document, Attorney Schuster understood.

Chair Hanson clarified that if GLCA is making a hardship argument then they do need to provide documents supporting that argument. Attorney Schuster clarified that they are not making a hardship argument instead they would like the Board to grant an amendment to a previous Planning Board decision based on a reasonable argument that the building has lost so much integrity and been changed so many times that it has lost its historical significance.

Board Member Hutchins spoke about her personal experiences owning an old house and that interest rates are incredibly low so now would be the time to take on this type of project. Board Member James spoke about the tax situation with GLCA and that proper planning on their part through raising assessment fees could have avoided this situation. He would like it noted that the \$334,800 in common land owned by the Town of Grantham is not being taxed and this issue should be resolved by the Selectmen. Attorney Schuster and Peter Guillette thought this issue had been resolved by a settlement with the Town. However, Board Member James noted that the Town still owns the deed to the land.

Chair Hanson agreed that a continuation of the meeting in October, to be held in the Lower Level of the Town Offices, was appropriate given the letter from the Selectmen and the information requested of GLCA. He entertained a motion to continue the meeting in October. The motion was made by Board Member James, seconded by Board Member Hutchins. **Mary Hutchins voted "Aye", C. Peter James voted "Aye", Ralph Beasley voted "Aye", and Selectmen's Representative Warren Kimball voted "Aye", and Chair Carl Hanson voted "Aye". Unanimously Approved by Roll Call.**

IV. OLD BUSINESS

Discussion of Article IV-A:1 (Permitted Uses in the Business District)

The Board had a discussion regarding Article IV-A:1 (Permitted Uses in the Business District) of the Grantham Zoning Ordinance. Board Member James discussed the recent issues around the Zoning Board of Adjustment and hearing the application for a small animal veterinary clinic. He thought the Planning Board should give some thought around revising the permitted use by special exception section to include businesses that are beneficial to the Town. Board Member James did not precisely know the language, but he recognized that the time for a discussion is approaching to make the March Annual Town Meeting. Additionally, the Zoning Board had questions that he felt were more appropriate for the Planning Board. Chair Hanson said he would be happy to discuss with

Board Member James his ideas surrounding this issue. Chair Hanson would prefer to have an in-person discussion, after the pandemic has passed.

V. CORRESPONDENCE

The Board received two decision letters from the ZBA. The first regarding approval of a small animal veterinary clinic at 15 Yankee Barn Road in the Business District/Rural Residential District. Applicant Dr. Catherine MacLean requested a variance from Article IV-A Section a of the Grantham Zoning Ordinance to operate a small animal veterinary hospital. The variance was approved unanimously by all members. The second regarding approval for Paul and Valerie Ambrose of 89 Longwood Drive to build their garage 29 feet from the road setback. Applicants Paul and Valerie Ambrose requested a variance from Article V-A of the Grantham Zoning Ordinance. The Ordinance prohibits the building of any structures closer than 35 feet from the road. The variance was approved unanimously by all members.

VI. ADJOURNMENT

There being no further business, Board Member James made a motion to adjourn, seconded by Board Member Hutchins, ***Unanimously approved by roll call*** and the meeting adjourned at 8:29 p.m.

The next meeting of the Planning Board is scheduled for October 1, 2020, at 7:00 p.m. in the **LOWER LEVEL** of the Grantham Town Hall. Information will be provided for Board Members and the Public interested in joining the meeting by telephone.

Respectfully Submitted,
Emily Owens
Planning Board Clerk