

Town of Grantham
Planning Board Meeting Minutes
December 7, 2017

APPROVED

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

Present: Chair Carl Hanson, Vice Chair Peter Guillette, Thain Allan, Mary Hutchins, Selectmen's Representative Warren Kimball

Meeting minutes: Nikki Arsenault, Planning Board Clerk

Applicants and Members of the Public: Brian Hastings, Jess Hastings, C. Peter James, Barry Schuster, Arthur Mountain, Ernest Collier, Aleene Hastings, Doodle Barton, Mike Shindon, Gary Bohrer, Linda Bohrer, Allen Wilson, Robert Coppola, Town of Grantham's Attorney Courtney

Approval of Minutes

Chair Hanson asked the Board if there were any corrections or changes to the October 5, 2017 meeting minutes. No corrections or changes were suggested. Hanson asked if there was a motion to accept the minutes as written:

There was a motion to accept the minutes as written by Allan; seconded by Vice Chair Guillette. All in favor.

Unanimously Approved

I. New Business

Due to the fact that the Town Attorney was in attendance, Chair Carl Hanson moved to have the Stocker Brook matter brought to the top of the agenda.

a) Per Court Order on Remand: Town of Grantham v. Stocker Brook Realty, LLC and G.H. Evarts & Co. Inc.

Discussion: Hanson announced that the Planning Board is reviewing this case because it was remanded to the Town by the Supreme Court. He further noted that the Board will not be taking any action on this matter this evening due to the fact that the matter was not noticed as a Public Hearing. The Public Hearing will be scheduled for next month and will be noticed accordingly. He will, however, give the applicant and/or the applicant's attorney the opportunity to ask questions. In attendance for the applicant's party were Arthur Mountain and Attorney Barry Schuster. Hanson asked if the Board should reference the March 2016 application or the application with the memorandum. Schuster replied that he would like to hear from the Board and the property abutters regarding their feedback and concerns, and also to give people the opportunity to ask questions.

Thain Allan asked that Schuster please clarify his interpretation of the judge's order in terms of how it might reflect on this matter with regard to the log delivery issue and the other items originally

approved; or, does the applicant anticipate adding additional parameters into the end result of this process? Schuster answered that the log delivery is certainly one of the primary concerns. He reminded everyone that according to the court's decision anything decided on prior is essentially wiped clean. Allan asked for further clarification, i.e. is the log delivery the only matter at hand? Or will the other items require discussion? In other words, how do we amicably handle the log delivery issue? Schuster replied that if the Board still looks favorably upon the other issues addressed prior (i.e. snow plowing, office hours on the weekend, etc.) then he believes that the subject of log delivery will be the primary matter that will need to be addressed. Schuster asked Arthur Mountain how the woodchip delivery has been going over the last several months. Mountain replied that they just got the burner up about three weeks ago. (inaudible) Schuster noted that from what he was able to glean that the delivery of woodchips is not an everyday part of their business, and that if it does happen it would be a rare or extraordinary circumstance. He noted for the record that the building itself is heated by the burning of woodchips.

Chair Hanson explained to Attorney Schuster that the process the Planning Board is accustomed to begins with an applicant submitting an application stating their intention(s), the Board reviewing the application, and then the Board making a determination based upon the information submitted. Hanson noted that he does not feel comfortable setting the parameters for the business and would prefer that the applicant submit a formal application to begin this process. Schuster replied that he is unsure given the history of this matter if it is more appropriate to submit an application, or, a statement outlining the stipulations. He reminded the Board that Evarts was originally brought before the Board, not via application, but by action on behalf of the Town. Schuster continued that he would appreciate feedback regarding what other activities might need to be addressed in said statement, i.e. snow plowing, log scaling so that they are aware of what the Town is amenable to.

Chair Hanson announced that the Public Hearing for this matter will take place next month and will be noticed accordingly. Schuster added that he has spoken with Attorney Hastings who stated that there have not been any additional concerns as a result of the business operation's impact on surrounding properties; Schuster added that he realized that this may or may not reflect the sentiment of the entire neighborhood. Selectmen's Representative Warren Kimball asked if this matter goes back to the permit issued in 2012. Schuster replied in the affirmative. Hanson added that he believes that this will come down to defining that (2012) permit. Following a question from the audience, Hanson noted that the Board is not able to take public comment until the Public Hearing next month. Attorney Courtney asked if there will be an application or statement regarding how the applicant would like the Board to consider this matter. Schuster replied that he thought this was a good suggestion.

b) Sign Permit Application:

1. Application# 11-2017-001: Joshua Gilbert – For Permanent Signage for Gilly's Auto at Tax Map 235 Lot 017 at 1205 NH Route 114

Discussion: Owner Ernest Collier and co-applicant Joshua Gilbert (Gilly's Auto) were present at the meeting. Chair Hanson confirmed that the application was complete and asked the Board members if they had any questions regarding the application. Vice Chair Guillette asked if there

will be any changes to the current sign already on the building and Gilbert replied that the sign will be the exact same size with a different logo.

Chair Hanson asked for a motion to approve the sign permit as submitted. Allan made a motion to approve and Hutchins seconded the motion. All in favor.

Unanimously Approved

c) Sign Permit Application:

2. Application# 11-2017-002: Application# 11-2017-002: United Construction Corporation / Michelle Boucher – For Temporary Signage at the corner of Shedd Road and Hummock Lane

Discussion: Mike Shindon was in attendance on behalf of United Construction. The Board discussed the location of the proposed signage. There being no additional comments or questions regarding the sign permit application, Chair Hanson asked for a motion to approve:

Vice Chair Guillette made a motion to approve the site permit application as submitted and Allan seconded the motion. All in favor.

Unanimously Approved

d) Application for Approval of Subdivision – Final Plat:

3. Application# 11-2017-003: Theodore and Shirley Jones – For Final Approval for a Property Annexation at Tax Map 222 Lot 259 at Hummingbird Hill

Discussion: Applicant's agent Allen Wilson was in attendance at the meeting. Allen provided the Mylar for inspection by the Board. Wilson described that this subdivision is an annexation of part of Lot 39 to Lot 43. The lot line will essentially be moved to the west by 70 ft.

Chair Hanson asked for a motion to approve the site plan final plat as submitted. Hutchins made a motion to approve the site plan final plat as submitted and Vice Chair Guillette seconded the motion. All in favor.

Unanimously Approved

e) Application for Approval of Subdivision – Final Plat:

4. Application# 11-2017-004: Brian Hastings Trust – For Final Approval for a Property Subdivision at Tax Map 212 Lot 016 at 58 Frye Lane

Discussion: Brian Hastings was in attendance at the meeting. Hastings explained the layout of the subdivision on the final plat. He added that he has copies of the plan with the indication of the lot line adjustment. Following a question from Hanson, Hastings noted that the (new) road depicted in the plan will be brought up to Town standards; they are currently working to prepare the road maintenance agreement. Following a question from Hastings, Hanson noted that it is best if the language of the road maintenance agreement is included in the deed and also registered with the

Merrimack County Registry of Deeds. It was noted that the land owner in the corner lot would always have a right of way on this road. Chair Hanson reminded Hastings to bring in the final Mylar for signature.

Chair Hanson announced that he would entertain a motion to approve this subdivision application on the condition that the road be brought to Town road standards. Allan made a motion to approve the site plan as submitted with the above-mentioned condition; seconded by Vice Chair Guillette. All in favor.

Unanimously Approved

f) Site Plan Review Application:

5. Application# 11-2017-005: Ernest Collier – For a Phase III Final Site Plan Review of the Farm Stand at Tax Map 242 Lot 021 at 160 Bouldervale Road

Discussion: Ernest Collier was in attendance at the meeting. He announced that the farm is currently open for Christmas trees and wreaths and would like to continue to be open year-round. He plans to add two more much larger greenhouses in order to extend his growing season. Water and electricity will be needed. He may move some of the greenhouses to another lot to maintain the integrity of the lot with the barn and farm. Hanson asked if there is any signage and Collier replied that there is an existing Bouldervale sign on the side of the building. He will come back to apply for another sign in the future.

Chair Hanson announced that he would entertain a motion to approve this site plan application as submitted:

Vice Chair Guillette made a motion to approve the site plan as submitted. All in favor.

Unanimously Approved

Chair Carl Hanson asked that the record reflect that the Board wishes to thank Thain Allan for his many years of service on the Grantham Planning Board. Mr. Allan will be stepping down from the Board due to the fact that he is moving out of town. The Board wishes him all the best in his future endeavors.

Adjournment

Chair Hanson announced that he would entertain a motion to adjourn the meeting. A motion to adjourn was offered by Allan and seconded by Vice Chair Guillette to adjourn the meeting at 7:45 p.m.

Unanimously Approved

The deadline for the next Planning Board meeting is Thursday, December 14, 2017.

The next Planning Board meeting will take place on Thursday, January 11, 2017 in the Jerry Whitney Memorial Conference Room at the Grantham Town Hall Building at 7:00 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Nikki Arsenault".

Nikki Arsenault
Planning Board Clerk