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**Town of Grantham-Planning Board
Meeting Minutes
April 1, 2010**

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

Present: Carl Hanson, Chairman; Charles McCarthy, Vice Chair; Alden H. Pillsbury; Karen Ryan; Bob Barnes, Alt.; Jessica Smith, Clerk; Jan Stoker; Hubert Reynolds; Shane Moeykens; Bob MacNeil; Pat MacNeil; Erin Darrow; Jeff Wiggins; Keith Philip

Absent: Warren Kimball, Selectmen's Rep.; Larry Fuller, Alt

APPROVAL OF MINUTES

Chair Hanson asks the Board if there are any corrections from the February 4, 2010 minutes. C. McCarthy stated C. Hanson was the only member that is currently present, that actually attended the February 4th meeting. C. Hanson suggested that the minutes be looked at next month when the other members are present.

C. Hanson appointed B. Barnes Alt. as a voting member at tonight's meeting.

CORRESPONDENCE

N/A

NEW BUSINESS

**Shane & Carolyn Moeykens / Eastman Bright Slopes; Tax Map 213 Lots 145, & 146
(Merger/Annexation Application)**

C. Hanson asked if everyone had an opportunity to look this application over, and if there were any questions regarding the application. K. Ryan explains that it looks like a pretty straightforward merger.

C. McCarthy asks if this was brought from the Eastman Association. S. Moeykens explains that it was a retired lot he had purchased and annexation was an obligatory requirement.

With no further questions, C. Hanson entertained a motion to approve the Merger/Annexation Application as submitted. Motioned by A. Pillsbury and seconded by K. Ryan.

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**Curtis & Jan Ward / Eastman Anderson Pond Road; Tax Map 212 Lots 121, & 122
(Merger/Annexation Application)**

C. Hanson verified that the parties were not in attendance. Hanson suggested that if they did not show before the meeting ends that it would be added to the May 2010 agenda.

*C. Hanson entertained a motion to add the Merger/Annexation Application to the May 2010 agenda. Motioned by C. McCarthy and seconded by K. Ryan.
UNANIMOUSLY APPROVED*

**Hubert Reynolds / Eastman Deer Yard; Tax Map 214 Lots 43 & 44
(Merger/Annexation Application)**

Hanson asked if there were any abutters in attendance and if there were any questions from the Board. McCarthy asked if his house was on the existing lot. H. Reynolds confirmed that his house is on the existing lot.

*With no further questions, C. Hanson entertained a motion to approve the Merger/Annexation Application as submitted. Motioned by K. Ryan and seconded by A. Pillsbury.
UNANIMOUSLY APPROVED*

**Bob MacNeil / Yankee Barn Realty Trust – Application for Amendment of Excavation
Permit pursuant to R.S.A. 155-E: 6**

E. Darrow (Bright Angel Engineering) explained that MacNeil is seeking a proposed amendment to an approved site plan and excavation permit on the property located at Map 226 Lot 18 on Yankee Barn Road.

Darrow explained that MacNeil is looking to expand the area of excavation by approximately 4.5 acres with the same idea for final reclamation to have an enlarged pond; the total pond area is just under 8.5 acres and the sediment removal area will be expanded due to the need for more over flow. Darrow confirmed that a Shore Land Permit for this project is needed; that they are not proposing anything within 50 feet of the buffer zone and are well in compliance with the shore land act. Also proposed is a minimal increase to additional and pervious area; Mac Neil stated that in fact he is reducing the impervious area just a bit.

Darrow explained the access road that winds through the field now will have to be relocated; that it will hug the tree line as close as possible without touching any of the wetland boundaries. MacNeil is working through the review process with Department of Environmental Services (DES), and a Shore Land permit application will be completed.

A. Pillsbury asked Darrow if an Excavation permit would be submitted. Darrow said that the request is for an amendment to their already existing permit. Pillsbury asked if their intent is to excavate the property for profit; not to build a pond. Darrow agreed but said the final product will be a pond.

MacNeil explained that he received notice from DES stating that they are applying pond standards to them, and that when they went through the process the first time for the initial excavation permit they were in conformance and now all of the sudden they are saying it is really a pond and because it will be a pond they are looking for additional wetland permits.

APPROVED

Darrow explained there are two purposes for the project, one to excavate material and one to create extra water storage capacity to accommodate any and help alleviate some of the water pressure around the road.

MacNeil also informed he in contact with the folks that are doing the Exit 20 rebuild in West Lebanon "Audley Construction"; that someone from the State told him there is a 155 E: 4 exemption that if your local permits that have been obtained, the material can be sold if used for highway use only. MacNeil stated that if the wetlands permit becomes a problem he can bypass it with this exemption by selling the material to Audley Construction for highway use.

MacNeil informed he provided the Town Administrator with a copy of the exemption. McCarthy stated that MacNeil already has a permit for excavation of material, with the end result of a pond that was to be half the size. Mac Neil explained the original request for excavation went through with no issues; that now DES has informed him [Mac Neil] they are looking at the project as building a pond; not as excavation.

Darrow confirmed the final conditions will be a pond, but that is not their main intent. Darrow stated there are no impacts to the wetlands. MacNeil stated that originally they were requesting between 9 to 10 acres but after meeting with the DES and hearing their concerns they cut out any place that would have been wetlands.

McCarthy asked what the depth of the pond would be. MacNeil stated that it depended on how much material was taken out. McCarthy asked how deep they dug when the material was tested. MacNeil answered 20 feet.

McCarthy asked roads would be used to haul the material. MacNeil stated Yankee Barn Road. Darrow explained they are planning to modify part of the road by the turn around, but felt that it is important to keep both parts open while hauling material.

MacNeil said the traffic on Yankee Barn Road should not be an issue; that the project is going to take two years with Oddly Construction. MacNeil explained there is a place to stock pile the material; that Oddly Construction will be picking up material as needed.

Ryan stated that she noticed the plans have silt fencing and hay bales around the pond, and asked how long (the fencing and hay bales) will actually stay there and when would it start looking like a natural pond. MacNeil explained that on the side that is approaching Sawyer Brook they put a gabbing wall in which are two layers of silt fence that they fold and fill with gravel so that it is almost like a barrier; that the Conservation Commission wants him to keep it there. MacNeil felt that taking it out would be a bad idea. DES will decide when the rest of the silt fencing around the rest of the pond can come out.

Hanson asked for clarification about the permits that have been approved and the permits that need to be obtained. MacNeil stated that he needs a Shore Land Protection Act permit an, amendment to the Alteration and Terrain permit and a Wetlands permit.

McCarthy announced an email was received from Donald Wenz in support of the project. MacNeil said Wenz is an abutter.

Hanson stated the Board needs to determine whether they can grant the amendment to the existing permit; that the existing permit was conditional upon the Shore Land and Alteration of

APPROVED

Terrain permits. Hanson restated that any amendment they approve would also be conditional to those permits.

MacNeil informed that the intent of the original application was to sell the material to the general public; that in the event they sell to Oddly Construction he would be exempt from the Wetland and Shore Land permits. MacNeil asked if Hanson could reword the conditional approval by stating, "If they are required". Hanson agreed. McCarthy added that this would preclude MacNeil from selling the material to anyone else.

With no further questions, C. Hanson entertained a motion to approve the Amendment of Excavation Permit on the same conditions as the original permit, with the understanding that if there is an exemption for the state permits that they are not required that would constitute a satisfaction of that condition. Motioned by C. McCarthy and seconded by K. Ryan.
UNANIMOUSLY APPROVED

**Jan Stoker / Spencer's Closet; Tax Map 226 Lot 021 – Rum Brook Place.
(Site Plan Review Application)**

J. Stoker informed McCarthy that this business is at Rum Brook Market; that she no longer operates it at Grantham Greenway.

Hanson clarified that the use is retail to retail and that the parking situation is the same from one business to the next. Ryan asked if any major changes would be done to the interior. J. Stoker stated that she was painting the walls and carpeting the floor.

J. Stoker confirmed that she would not be using the space upstairs; that she is only renting the lower space.

With no further questions, C. Hanson entertained a motion to approve the Site Plan Review Application as submitted. Motioned by K. Ryan and seconded by C. McCarthy.
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**Jan Stoker / Spencer's Closet; Tax Map 226 Lot 021 – Rum Brook Place.
(Sign Permit Application)**

J. Stoker explained that her sign is 18 x 24; white with black lettering that would be visible when you first pull into Rum Brook Place. Stoker stated a small hanging sign that would be hung over the door.

With no further questions, C. Hanson entertained a motion to approve the Site Plan Review Application as submitted. Motioned by C. McCarthy and seconded by A. Pillsbury.
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**Bob MacNeil / Yankee Barn Realty Trust
(Conceptual)**

B. MacNeil explained that he has a conceptual plan to change the use of Grantham Indoor to warehousing, with taking into consideration the traffic and noise that would or could affect the neighborhood. MacNeil felt the only change would be the need to unload product. MacNeil stated his final site plan application would show the loading docks.

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MacNeil said that he may be using a part of the Grantham Indoor building as part of the warehousing or he could be using the whole thing.

MacNeil discussed the traffic count and stated that the biggest traffic burden on that road is after school until about 11:30p.m. McCarthy stated that the burden at this point is mostly personal vehicles. MacNeil agreed, with the exception of the UPS/Fed EX deliveries and the once a week food and beverage deliveries.

Darrow stated that the Institute for Transportation Engineers has a handbook with a set of standards for trip generation. MacNeil confirmed that he already met with the Selectmen and Zoning Board; that if he proceeds with the warehouse project he will continue with the development of the rest of the property. Mac Neil emphasized that he is in agreement with the town; anything that would jeopardize the town would jeopardize his development potential on the property too.

MacNeil felt the discussion was permitted use; that zoning was not an issue. MacNeil stated that he previously got approval from the town to do something with the road. MacNeil did not feel there would be a light or noise issue as they are next to the highway.

McCarthy asked if the operation would run 24 hours per day. MacNeil answered that nothing has been confirmed, that right now he is just looking at possible uses.

Hanson stated that he is not sure about the “permitted use” issue; that his concern is with the town ordinance, which allows light Industrial Enterprises up to 15,000 square feet; that [Mac Neil’s] building is more than 15,000 square feet. Mac Neil explained the Zoning Board gave him an exemption for more than 15,000 square feet but only in a warehouse capacity.

Mac Neil stated that if he plans to move forward with this project he would come back with the final plans.

Jeff Wigsien/Keith Phillip /Sawyer Brook (Conceptual)

J. Wigsien introduced himself and stated he is here with K. Phillip to talk about the Sawyer Brook Plaza. Wigsien stated he is looking to open a high-end antique shop in the front of Sawyer Brook Plaza next to Pizza Chef. Wigsien stated he would like to open an Auction House business in the space previously occupied by a Quilt Shop. Wigsien explained that on Sunday’s he would use some of the inside space of the auction house plus some of the outside space for a small flea market.

Hanson asked if the flea market would be outside as well as inside the building. Wigsien confirmed the flea market would be inside and outside, but only on Sundays. Hanson stated that he is not sure about the Zoning regulations regarding the outside flea market. Ryan agreed and stated she thought the outside flea market would be restricted.

K. Phillip explained that Christmas trees were sold outside as long as it did not inflict on any other businesses or take up any of their customer parking. Phillip felt that Sunday mornings would be good due to most of the businesses being closed with the exceptions of Pizza Chef and Dunkin Donuts; that both seem to be very excited about possibility of getting extra business on Sunday’s.

APPROVED

Hanson explained that if a permit were required for something outside, like a flea market, that approval would have to be obtained from the Zoning Board. Ryan recalled that last summer a request for an outdoor Farmer's Market had been discussed; that the Selectmen gave permission for it to run three times a year.

Ryan and Hanson felt that it would not be an issue to hold a flea market indoors; that approval from the Zoning Board would have to be obtained to have any of it outdoors. Pillsbury reiterated that approval from the Zoning Board would have to be obtained before bringing it to the Planning Board.

Hanson advised that parking could be another issue due to the heavy parking that could occur from scheduled auctions. The zoning regulations talk about the parking requirements and Hanson stated that the Planning Board has to follow the Zoning regulations.

Ryan felt it would be helpful if a Site Plan were provided showing exactly where the outside flea market would be located; that way "if" approval is granted from the Zoning Board Phillip could come back with the number of cars expected on a Sunday morning auction. Pillsbury reiterated that Zoning Board approval should be obtained before coming back to the Planning Board with a site plan.

Hanson and McCarthy explained that the applications for Site Plan review and the Sign Permit need to be completed for the Antique shop and the Auction House; then go to the Zoning Board regarding the Auction/Flea Market outside use before coming back to the Planning Board.

New Business:

*C. Hanson entertained a motion to put off the election of Officer's until the May meeting. Motioned by C. McCarthy and seconded by K. Ryan.
UNANIMOUSLY APPROVED*

Other Business:

With no further business before the Board, C. Hanson said he would entertain a motion to adjourn the meeting. A motion was made by K. Ryan and seconded by A. Pillsbury. The Planning Board voted unanimously to adjourn at 8:40 p.m.

The next meeting of the Planning Board will be held on May 6, 2010 at 7pm in the Jerry Whitney Memorial Conference Room.

Respectfully Submitted,

Jessica Smith
Planning Board Clerk