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**Town of Grantham – Planning Board
Meeting Minutes
May 1, 2014**

Chair Carl Hanson called the meeting to order at 7:00p.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; Vice Chair Charles McCarthy; Karen Ryan; Mary Hutchins; Selectmen Warren Kimball

Absent: None

Public Attendance: Aleene Hastings; George H. Evarts; Gene Barton; Dennis & Glenda Johnson; Linda & Gary Bohrer; Donald Hoh; Susan & Don Goodwin; Erin Norris and Sara Carr.

APPROVAL OF MINUTES:

Chair Hanson asked if there were any corrections to the April 3, 2014 meeting minutes. There being none a motion was made by Chair Hanson and seconded by Karen Ryan to approve the minutes as written.

Unanimously Approved

NEW BUSINESS:

Site Plan Review Application:

Stocker Brook Realty LLC; Tax Map 236 Lot 010; 631 Route 114 Grantham, NH

Chair Hanson asked if there was anyone to represent this application. George Evarts stood and stated that he was the owner and realistically what they were trying to do is to extend the hours of the business not the actual operating hours of the saw mill. Evarts said that what they are looking at is some of the neighbors concerns with operating hours. Evarts went on to say that during inclement weather there are times when the logs start to roll again. They have had days where the business can take in over 200,000 feet of logs and between cleaning

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up snow and getting the lumber shipped out there are times the employees will have to stay late to clean up/plow.

Evarts said that you just can't leave the logs lying all over the place and when there is another snow, they have to clean off the logs all over again. Basically the business has to have someone there to clean off and stack the logs out back to store them. Evarts said the problems they are running into now and the reason he is here to address the issue is that they also supply "chips" up north to the Glenclyff Home for the Elderly, for their heating system and sometimes they get calls on Fridays for a Sunday delivery. Evarts stated that the saw mill is shut down, but there are people in there doing maintenance and that when you get bad weather there are still deliveries that need to be made. Evart also said that right now they are only operating 40 hours per week which is four (4) ten (10) hour days, but during the winter months they sometimes opened up on Fridays for a 10 hour day. Evarts further explained to the Board members that he had been asked to come to the Planning Board meeting and explain his situation.

Chair Hanson asked Evarts if he could be a little more specific about what kind of hours he was looking for. Evarts stated that for the saw mill they would like to have the hours extended on Saturdays from the current hours of 6:00a.m.- 12noon to 6:00a.m. - 6:00p.m. primarily to get the logs put away at the end of the week when they get dumped in the back, next a crane goes out there and stacks them. Evarts mentioned that anyone is welcomed to come out to the mill and that he would be happy to show them what they do and listen to it. Evarts said that when he went into this project he made a point of not using a lot of blowers in the saw mill because of noise, and they also fully insulated the building so that you cannot even hear the mill run when you are standing next to the building.

Evarts mentioned that people have talked about their trucks and noise and that his trucks "do not" have airbrakes. Evarts said that he cannot control the trucks that come off/on the interstate and Route 114 that have airbrakes and that most towns have ordinances against them. Evarts continued to say that you would not hear one of his trucks running an air brake. Evarts continued that looking at the hours he just needed to say that he felt he has made a pretty big capital commitment to the community and that he planned on being a good neighbor and part of the community, but right now he felt that he was being measured by a different stick.

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Evarts continued that people are driving backhoes around town and cutting grass on the weekends and there is a huge community in the form of Eastman and if something needs to be done in there he didn't think anyone would be saying no backhoe on a Sunday and that it really irks him a little to think that his business came to town and they didn't build a shoddy operation. Evarts said that they have reached out to the community to help the little league and if there are other things people are interested in them being involved in to let him know. Evarts said that it seemed to him that there are only a few individuals, but he felt it was the Board of the town and that somehow or another he would like to come to some sort of agreement with the Planning Board so everything is all on the table as to how his business is going to operate. Evarts continued to say that if his company does something wrong they will stand up and be responsible for it but he felt that they cannot be sort of dragged around, receiving a letter regarding fines and that he did not want to go down that road that in order to stay in business you need to be proper with the community but you can't be constantly pulled around on a string.

Evarts went on to mention that the other side of the road had been purchased by someone else and that he purposely did not purchase the property across the road and consolidate it because he was extremely concerned about what he is here for tonight, because he wasn't from the community and didn't live here but had been around it and that he had no idea how people were going to react to certain things.

Evarts ended by saying that if anyone had any more questions he was happy to answer them.

McCarthy told Evarts why don't they get everything on the table and the reason the hours were set in the first place was because that is what he had presented to the Planning Board. Evarts said exactly. McCarthy then tried to ask Evarts if he could tell the Board again. Evarts stated yes, that originally they (Planning Board) had asked what the operating hours will be and that he told them that is when the saw mill is running and they are actually making lumber. Evarts said that they have never had a problem in either facility on Saturdays and on Sundays he might have two (2) to three (3) people doing maintenance.

McCarthy stated that we as a Planning Board are responding to input from the community about hours of operation and proceeded to tell Evarts those were the

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hours that he had originally asked for and if they are not working for him, then he needs to tell the Planning Board how they should be adjusted to.

Evarts explained that his business had received a cease and desist letter and felt that was a little harsh. McCarthy stated that letter came from the town administration not from the Planning Board and that letter was generated by complaints that were reviewed with the hours of operation that he had asked for in the first place. McCarthy said his point was if those hours are not working for Evarts then all he needs to do is ask what they need to be and how they can make them work. Evarts stated that he would like the hours to be 6:00a.m. – 6:00p.m. on Saturdays and weekdays they were 6:00a.m. – 6:00p.m. but, he would like to be open until 8:00p.m. during the summer months to be able to pick stuff up. During the winter months Evarts stated that it is darker earlier and he does not want his crew working in the dark due to safety issues.

McCarthy told Evarts basically recapping what was just said.,that he would like the hours to be Monday – Friday, 6:00a.m. – 8:00p.m. not necessarily running the mill but running the operation. Evarts said yes. Saturdays 6:00a.m. – 6:00p.m. and Sundays closed. Evarts said yes, except on Sunday's someone might be there to pick up a load of chips and there would be absolutely no running of the sawmill.

Ryan asked Evarts if the current hours during weekdays are from 6:00a.m. - 6:00p.m. and he said yes. Ryan said that would be another two (2) hours and Evarts said yes. Evarts stressed that as a business owner he was trying to be efficient with their 40 hours and a lot of the extra hours were due to maintenance and trucks coming in to get loaded.

McCarthy asked if the equipment running in the yard had backup alarms on them. Evarts said not at this time. McCarthy then asked if that is an OSHA requirement. Evarts said that the alarms were turned off and he knew that for a fact right now.

Chair Hanson asked Evarts if the hours were to be extended, there wouldn't be any activity on the site except for loading the chips. Evarts stated yes, exactly or stacking logs within those hours and went on to say that his business has already changed things to make it work and they haven't had any log deliveries for the past three (3) weeks. Chair Hanson stated that his question was if things were busy next April would they be back at the Planning Board again? Evarts said no.

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Evarts at this time continued explaining to the board the reasoning behind his request to do with the loggers and the right weather conditions.

Chair Hanson asked if there were any further questions/comments from the public or the Planning Board members.

Abutter Linda Bohrer explained that the noise is not minimal; there is a great deal of noise if you're living in that area. She had taken a recording of it the other day and it was the noise from the unloading of logs, not the sawmill, and it was not minimal, that the clank and the big machinery makes a lot of noise, louder than a backhoe and it's constant. Bohrer stated that this was not a small disturbance for a short period of time but an ongoing disturbance throughout many hours of the day.

Abutter Gene Barton said that his question to Evarts was that he had asked The Planning Board for the hours of 6:00a.m. – 6:00p.m. and that was his request. Evarts said yes. Barton said that is what was granted him and that Evarts had been abusing it ever since. Evarts said to be honest that was basically for running the mill and he didn't think that running a wheel loader around and running the crane would be a problem, and went on to tell Barton he knew he didn't like the light so he turned it off, but that if his trucks hit something he's going to turn the light back up because if a truck hits something his insurance company will ask why that light is the way it is. Barton said that the light was a high intensity light and it was still there. Evarts said he knew and that the previous owner ran it for how many years?

At this time Evarts and Barton were going back and forth and Chair Hanson intervened to explain that this hearing was going to be conducted in an orderly manner and told Evarts he had his opportunity to speak (Evarts continued interrupting) and ask at this time if there were any comments or questions from the public or abutters to please address their questions or comments to the Board and then ask the applicant to address those questions in another manner, and that he did not want further discussion back and forth with the applicant and the public.

Chair Hanson asked Barton if he had any further questions at this time. Barton said yes. Barton stated his concerns over giving Evarts more hours and who was to say they wouldn't abuse that and he would like some kind of guarantee.

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Barton went on to say that he liked to sit out on his deck in the evening without listening to jakebrakes, trucks coming and going and did not feel they needed to be doing this at 8:00p.m. at night.

Abutter Aleene Hastings said that to her understanding the hours for business were 6:00a.m. – 6:00p.m. and that was to include the sawmill and the rest of running the business and she could understand there will be times due to weather conditions things might be different, but she said that there have been mornings , early mornings around 4:00a.m. to 4:30a.m. that the trucks have been there and someone must be there to let them in. Evarts spoke and said no, they deliver on their own. Hastings asked if someone needs to be there, and Evarts answered no. Hastings continued to ask if the evening hours were to be extended is there any possibility he (Evarts) could address the people who are going to be delivering his trucks or suggesting that they stay within the time frame/business hours. Hastings mentioned that her husband logged for years and they delivered during the day, not the nighttime and she did understand the process.

Chair Hanson then asked Hastings her concerns were the pre 6:00a.m. deliveries going on and she stated yes, that gets you out of bed early in the mornings and she felt that if the hours were extended to 8:00p.m. does that really mean 9:30pm before its quiet?

Abutter Donald Hoh mentioned that he lived across the road and that he wanted to know if there was anything to say that if the hours are extended Evarts couldn't run the mill until 8:00p.m. or is that not a part of this. Hou went on to say that it was nice sometimes to sit out in the evenings when it's quiet and relax and not hear the mill and that on Sundays he can hear the trucks in the mornings too, and went on to agree that he could understand that the trucks sometimes come long distances, but you need to draw the line somewhere. Hou's concern was that with the extended hours the mill could run that much longer if you give them the requested hours. Chair Hanson then asked Hou if his concerns were with the mill itself and he stated yes that he can hear it even though Evarts said you can't.

Chair Hanson asked again for any further comments and Barton said yes.

Barton told the Board that the mill is quiet, much quieter than the yard, and that is what is bothering everybody, not the mill so much and he mentioned that he has already lost value on his property and does not want to lose anymore.

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Chair Hanson at this time asked the Board if they had any questions. Hutchins asked Evarts if he exclusively deals with Hammond, Evarts said yes, that he hauls all of their by products. Hutchins asked why they (Hammond) leave the mill and travel the route they do, that she felt this was part of the problem and that maybe he (Evarts) could speak to them and get some sort of agreement with them. Evarts said that he does not tell the company (Hammond) which roads to run. Hutchins stated that she was concerned with public safety.

At this point Chair Hanson said that they (Planning Board) have the application and felt they had narrowed it down and proceeded to read the extended hours as requested. Chair Hanson continued to say that he felt they (Planning Board) had not defined very well what the operation of the business is and that was part of the frustration and that the neighbors are thinking that the operation of the business includes all the clanking and noise, deliveries and discharge of noise, that maybe isn't really part of the work of what he (Evarts) does there but is a necessary part of the operation of his business including the delivery of the logs and the picking up of the byproducts, etcetera.

Chair Hanson said that they need to define more clearly what they mean by business hours and what is included in that with respect to the site plan application and ultimately permit. Chair Hanson stated that he didn't feel that it was helpful to get into things that have gone on in the past and has heard what the neighbors have had to say about that and felt that everyone needs to be on the same page.

Chair Hanson asked Sara Carr if she would like to say something. Carr stated she totally agrees and understands what the Planning Board and the neighbors are saying and they just don't want it to go beyond 8:00p.m. and if everyone approves 8:00p.m. that means they want it to stop at 8:00p.m. Carr said that she doesn't know if Evarts has control over telling the drivers' this. Carr went on to say that Cote and Reney were there for many years and that Evarts employs many local people and from around other areas, and that she knew many people that are loggers and they bring their wood to Evarts. Carr said that's community

money and that Evarts wants to be a part of the community and help out. Carr continued to say that no offense to any of them but she lives right by the interstate and gets a lot of noise herself and Barton said that he does to and she said that she understands that the mill is more noise, but Evarts is trying to do the

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best he can employing people and paying his taxes and wants to be part of the community and she felt that they should let him. Carr addressed Barton and said that he was in business for himself and had done very well for himself, that he was respected in what he does and that nobody tries to tell him what he can/cannot do. Carr said that Evarts is trying to make a living also and the former Cote and Reney mill has always been there and it's not like Evarts is coming in and building a mill that wasn't there before, she said that it's "always" been there. Linda Bohrer at this time stated that Cote and Reney also closed at 3:00p.m. and that after working all day she felt they deserved some time to relax, and if you're living there it's really hard to relax with all the noise.

Barton reiterated and told Carr he understood what she was saying but that he had to go by the rules in Eastman when it comes to his work, and that the former Cote and Reney had a cut off time in the afternoons for "no more trucks" and everyone knew this.

At this time Carr asked Evarts if he could make that deal with his truckers and Evarts stated unfortunately not. Abutter Gary Bohrer at this time said that he felt that the owner of a business is ultimately responsible for what goes on at the premises and around it, so therefore, if Evarts couldn't have a rapport with his delivery people or people that are hauling things away then he (Evarts) was passing the buck and he wasn't responsible for his entire business, and if you can't change things he (Evarts) cannot conduct a business.

Chair Hanson said that he was a little troubled by the idea that Evarts cannot control what goes on; on the property and that now he (Evarts) has asked for extended hours and questioned if he (Evarts) can abide by those extended hours. Evarts stated that he would abide by the extended hours and the trucks coming and going. Evarts continued to say that we work in an industry that survived a greater downturn than the modern Cote and Reney ever saw, that they were a fatality of it and the people that are left in this industry work hard and they work long hours, and a lot of the guys who are trucking logs are running right to the limit on the hours the federal government allows them to run. Chair Hanson said he didn't doubt that. Evarts next stated that he cannot own every truck, which he

has to sub-contract for the timber that they cut to be brought in. Evarts said it's the way the industry has evolved. Evarts continued to speak of this topic and when finished he said that he had no problem actually eliminating the hours of the mill. Evarts stated obviously the times that they do get behind they are

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Infuriating some people and that he did not want to be in business of infuriating people and continued to voice his opinion.

Chair Hanson stated that Grantham has a site plan ordinance to deal with situations where there is a permitted use and that there was no question that this was not a permitted use with the sawmill that has been there for over a 100 years and even with permitted uses there are site plan procedures so they can be done in a way so they will not adversely affect the neighborhood, and it seemed to him (Hanson) that the neighborhood thinks there are some adverse impacts going on here. Chair Hanson then asked Evarts if he can run his business with how the industry has changed in the last 15 years or so, emphasizing when Evarts was issued his permit it was for restricted hours and there were reasons for that because the neighbors wanted to have some peace and quiet in the evenings and mornings. Chair Hanson stated that his concerns now are if Evarts cannot operate within those restricted hours because he (Evarts) has no control over certain parts of the operation.

There was further discussion and Chair Hanson stated that they (Planning Board) have listened to what Evarts has had to say and felt he was being truthful with the board, but at this time did not know how they could act on this application not knowing what the limits are going to be with deliveries and pickups at hours that don't correspond to the hours that they are setting. Chair Hanson continued to say that he did not feel that this was very meaningful to the people, who are listening to the deliveries and the pickups, and maybe they would continue this meeting until next month and in the meantime Evarts should get together with the contractors that he deals with and come up with something.

Again further conversation ensued with board members; Evarts and the audience.

Ryan reported that she would do some research into this of other sawmills and how they do business. Chair Hanson thought this a good idea.

Chair Hanson entertained a motion to table this application to be continued at the June meeting, and see if there is a resolution they can look at. Motion by Mary Hutchins and seconded by Karen Ryan to table the application until June 5, 2014.

Unanimously Approved

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Sign Permit Application:

Tim Beard – Beard Automotive & Small Engine Repair Map 235 Lot 017
1205 Route 114, Grantham, NH 03753

Chair Hanson asked if Tim Beard was present. He was not so the application was tabled until the next meeting in June.

Annexation Applications:

1. Don & Susan Goodwin – Map 214; Lots 018 & 019; Eastman Deeryard
Section 3

Chair Hanson asked the Goodwin's if they owned both lots and they said yes and Don Goodwin stated that part of the condition with Eastman is that if you purchase a retired lot that you must annex it with your other lot.

Chair Hanson asked the board members if they had any questions. There being none Hanson entertained a motion to approve the annexation.

Motion from Charles McCarthy and seconded by Mary Hutchins.

Unanimously Approved

2. Dennis & Glenda Johnson – Map 216; Lots 104 & 105; Eastman Burpee Hill
Section 3

Chair Hanson said the next annexation application is Dennis & Glenda Johnson and everything looked in order and noticed that the Johnson's could build on either side of the lots that share two (2) different streets. Vice Chair McCarthy asked if there were anything on the property now and Dennis Johnson said no, that they do plan to build.

Chair Hanson entertained a motion to approve the annexation.

Motion from Karen Ryan and seconded by Charles McCarthy.

Unanimously Approved

Other Business:

Chair Hanson said that it was brought to his attention at the Planning Board's last meeting there should have been the election of board members and since Vice

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Chair McCarthy was not present it had been put on hold until this evenings meeting.

Chair McCarthy at this time moved and nominated Carl Hanson to be the Chair of the Planning Board for the next term and Karen Ryan seconded.

Unanimously Approved

Chair Hanson at this time moved and nominated Charles McCarthy to be the Vice Chair for the next term and Karen Ryan seconded.

Unanimously Approved

Correspondence:

Chair Hanson read a notice sent from Shawnee Baker announcing she is running for the position of Sullivan County Register of Deeds. Board members commented what a nice person she was; a hard worker and that she had 25 years experience.

Adjournment:

Chair Hanson asked if there were any further questions. There being none motion was made by Selectmen Warren Kimball and seconded by Vice Chair Charles McCarthy to adjourn the meeting at 8:10p.m.

The deadline for the next Planning Board meeting is May 15, 2014.

The next Planning Board meeting to take place on June 5, 2014 at 7:00p.m. in the Jerry Whitney Memorial Conference Room of the Town Hall.

Respectfully Submitted,

Martha Norris
Standing in for Clerk Jessica Smith

