

**WEARE PLANNING BOARD**  
**Final Minutes of the Meeting**  
**Of January 21, 2016**

**Present:** Craig Francisco (Chairman), Frank Bolton (Vice Chair), Neal Kurk (Secretary), Bruce Fillmore (Member), John Vanloendersloot (alternate), Chip Meany (Land Use Coordinator), Tina Ripley (Minute Taker)

**Guests:** Nancy Fillmore, Mike Dahlberg, Josh Dunn, Sara Dunn

**I. Call to order**

The meeting was called to order at 7:00 p.m. by Craig.

**II. Conceptual Review: Joshua Dunn at 731 Concord Stage Road**

Craig said we have a conceptual review for Joshua Dunn at 731 Concord Stage Road, fitness center. Craig asked if this was the place that was a daycare and Joshua Dunn said yes. Mr. Dunn said he heard they wanted to know about the sign, hours and said there will be additional parking in the back and it will be gravel. Craig asked if they were changing anything exterior on the building and Mr. Dunn said no. Neal said Mr. Dunn mentioned the current sign and lighting will remain the same and at some point it will say something about your business. Mr. Dunn said that is correct, they will be using the existing sign by repainting it and decaling it. Chip said since it is basically in the same type of use group that it already had been and their question is whether they need a site plan or not. Neal said his concern is parking, before it was a daycare and people just dropped off their kids and said he assumed Mr. Dunn's customers would stay for a period of time. Mr. Dunn said that is correct and it would be at least an hour. Neal asked how many customers would be there at one time and Mr. Dunn said about 8-15. Mr. Dunn said right now out front there are 9 parking spots and said there would be 32 parking spots in the back 300' x 400'. Craig said they would need a site plan. Mr. Dunn said he runs a boot camp and said he would like to run it like a gym and add cardio room upstairs and a lifting room. Craig said he would be worried about the runoff from going on to Luftkin Road and Route 77 from the parking lot. Mr. Dunn said he will remove the loam and crushed gravel would be added. Neal asked Mr. Dunn if he would be purchasing or leasing the building and Mr. Dunn said he would be purchasing it. Bruce said when you bring in the site plan, even though you are not paving it; make sure you show the pitch so the runoff doesn't go to Luftkin Road. Chip said he thinks it is called a drainage study. Craig said the size of the septic system, how many gallons per day it can handle, how many employees you are going to have and what load you are going to put into for what the system is good for now. Craig said he would need a site plan and topo study showing existing grade. John asked when he was looking to open it up and Mr. Dunn said probably after winter. Neal asked Mr. Dunn how long he had been in the business and Mr. Dunn said two years. Mr. Dunn asked about the hours. Bruce asked how the hours were working where he is now and Mr. Dunn said they are working out well, but people always want more. Mr. Dunn said they had thought about trying security key code entry and cameras and be open 24 hours like a gym. They talked briefly about the surrounding neighbors. Frank asked Mr. Dunn if he would be living there and he said no.

### **III. Expedited Site Plan Review: T & C Property, LLC, DBA East Coast Compactor Corp., 33 B & B Lane, Map 411-195 in an Industrial Zone**

Frank said it doesn't seem like there is a change from what he is doing. Chip said no it isn't except that he wants to manufacture dumpsters. Neal said the only things that seem to be changing is that you might store more things outside. Mr. Dahlberg said the roll-off dumpsters that he constructs and the compactors he repairs are 8' x 22' (standard size) which is half the size of the trailers.

Neal moved to accept the application. Frank seconded. Motion passed. 4-0-0

Craig opened the public hearing.

Mike Dahlberg said he represents East Coast Compactor Corp. and T & C Property LLC. Mr. Dahlberg said there is an existing condition plan that is also a change in use site plan. Mr. Dahlberg said the change of use is because East Coast Compactor Corp. repairs large compactors, but they want to manufacture dumpsters. Mr. Dahlberg said there may be an additional building in the future. Mr. Dahlberg said the only thing stored outside will be the roll-off compactors he builds and the compactors that come in for repair. Bruce asked about compactors that are going to be repaired and said when they come in they are not clean. Mr. Dahlberg said they are not full and are empty. Bruce said if the hydraulics is working on them, but if they come in because the hydraulics is trashed. Mr. Dahlberg said he doesn't accept them that way, they have to be cleaned out because he doesn't have anything onsite to handle it. John asked clean meaning empty or hosed down and Mr. Dahlberg said empty. Bruce said the ones at the meat and produce departments and Mr. Dahlberg said he doesn't believe he repairs one with food-type waste. Mr. Dahlberg said it will only be cardboard. Bruce asked if there was any way they could indicate that on the plan. Neal said Bruce's concern is if these have to be cleaned on site that the waste will go into the aquifer. Mr. Dahlberg said he doesn't work on the inside of the dumpsters and said he only repairs the hydraulics and the compactor mechanics on the dumpsters. Bruce said when the hydraulics are shot and the reason the hydraulics are shot is they leaked and container is full of stuff behind the ram and something has to be done with it or it is just going to sit on site and wash into the aquifer. Mr. Dahlberg said he was told that the stuff that gets back there is paper. Neal said the point is we need to be sure that is on the plan. Mr. Dahlberg said he can't guarantee that he won't have some of those dumpsters. Neal said they need to know what kind of impact that would have on the aquifer and that is one thing they need to protect. Mr. Dahlberg said he doesn't think it would have any impact on the aquifer. Craig mentioned the hydraulic fluid or anything else and Mr. Dahlberg said the hydraulic fluid is self-contained and doesn't fall on the ground. Craig said he assumes the building has a concrete floor and Mr. Dahlberg said it does and the drains have been plugged. Craig asked if he repaints the dumpsters and Mr. Dahlberg said not the inside. Mr. Dahlberg said he repairs the hydraulics for the dumpsters and it is not a cleaning facility for them. Neal said the note should contain refuse and hydraulic fluid as long as it doesn't go into the aquifer. Craig said how about a note saying any fluids including hydraulic fluid and refuse from the site shall be contained and properly disposed of offsite in a timely manner. Neal said the plan states the hours of operation are from 5 am to 10 pm week days, what are the current hours now? Mr. Dahlberg said they are closed

and said other people in the park operate 24 hours a day. Craig said note 10, specifies a wetland buffer and asked where the wetlands are. Mr. Dahlberg said there are none. Craig asked him to change it to say there are no wetlands on the site. Craig said on note 11 specific is spelled wrong and asked Mr. Dahlberg to move the bar scale down.

Craig closed the public hearing.

Neal moved the application be approved with note 10 eliminated and replaced with a note saying "there are no wetlands on the property", with note 11 reflecting the spelling correction and with a new note "that any fluids including hydraulic fluid or refuse on the site shall be contained and properly disposed of offsite in a timely manner." Frank seconded. Craig added the driveway sealant should be removed so that it doesn't conflict with the other wording. Motion passed. 4-0-0

#### **IV. Zoning Ordinances**

Craig opened the public hearing for zoning ordinances.

Article 4.1- The Board decided to strike out the old definition.

Article 19.1.4 ó The Board decided to change the underline to italic for Bed and Breakfast.

Article 24.3.4 ó The Board decided to strike out the second boarding or rooming house, bold and italicize hotel and remove the italics on the rest of it.

Article 27.3.9 - The Board decided to change Licensed Land Surveyor to lower case letters.

Article 27.3.11 ó The Board decided to change Subdivision Regulations, Licensed Land Surveyor and Subdivision Plan to lower case letters.

Article 34.1 ó The Board decided to remove the agreed 1-7-16.

Article 34.2 ó The Board decided to remove the agreed 1-7-16. Neal asked if the delete (relocated to art. 4.1) line should be deleted. Craig said he would like to keep it so Naomi knows what is happening. Neal suggested removing delete and capitalizing the R in relocated.

Article 34.3.1 - The Board decided to remove the agreed 1-7-16.

Article 34.4.1 - The Board decided to remove the agreed 1-7-16.

Article 34.4.2 - The Board decided to remove the agreed 1-7-16.

Article 34.9.2 - The Board decided to remove the agreed 1-7-16.

Article 34.9.5 - The Board decided to remove the agreed 1-7-16.

Article 34.9.6 - The Board decided to remove the agreed 1-7-16.

Article 34.9.7 - The Board decided to remove the agreed 1-7-16.

Article 34.10.1.3 - The Board decided to remove the agreed 1-7-16.

Article 34.10.2.2 ó The Board decided to remove the hyphen in center-line and the agreed 1-7-16.

Article 34.10.2.3 - The Board decided to remove the agreed 1-7-16.

Article 34.10.3.2 - The Board decided to remove the agreed 1-7-16.

Article 34.10.3.4 - The Board decided to remove the agreed 1-7-16. The Board talked about how this could be interpreted in two different ways.

Article 34.10.4.2 - The Board decided to remove the agreed 1-7-16.

Article 34.10.5.3 ó The Board decided to change share to shape.

Neal moved that the Planning Board warrant article with respect to Article 4, 19, 24, 27, and 34 in possession of the Chairman be put forth to the warrant for the 2016 town meeting. Bruce seconded. Motion passed. 4-0-0.

The Board discussed how many Articles there would be for these changes. Craig said he thinks it would be eight. Neal said he doesn't see how you can have stuff relating to the same subject in two separate warrant articles. Neal said he would request that all the sign elements be all in one warrant article.

The Board talked about getting the ordinances updated on the website. Tina Ripley said she was slowly working on getting everything updated.

Frank said at the next work session he would like to see on the agenda vesting regulations. Chip said with the last dealing with vesting and getting it through zoning and said vesting is now regulated through state statutes and it has been removed from the zoning regulations. Frank said it should be in the site review regulations. Craig asked when it was removed from the zoning regulations and Chip said last year. Chip said it was the definition of substantial completion. Chip said it needs to be taken out of zoning and put in subdivision.

## **V. Adjournment**

Neal moved to adjourn. Frank seconded. Motion passed. 4-0-0

Respectfully submitted,

Tina Ripley  
Minute Taker