

WEARE PLANNING BOARD
Final Minutes of the Meeting
Of May 12, 2016

Present: Craig Francisco (Chairman), Bruce Fillmore (Vice Chair), Frank Bolton (Member), Tom Clow (Exofficio), John Vanloendersloot (Alternate), Chip Meany (Land Use Coordinator), Tina Ripley (Minute Taker)

Guests: Gary Shreve, Lisa Harper, Marsha Boulia, Chris Boulia, Phil Romano, Bill Clark, Don Booth

I. Call to order

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

Chairman Francisco pointed Mr. Vanloendersloot as a voting member.

II. Conceptual Reviews

Christopher Boulia, 220 River Road, home business, machine shop, in an R/A Zone, Tax Map 412, Lot 98

Chris Boulia said the building won't fit between the driveway and the road and said they are going to have to put the building behind the house. Mr. Boulia said it will be a 30 x 60 building. Mr. Boulia said he will have a small sign at the mailbox that will say "Straight Line Machining". Mr. Boulia said the sign would be 1" x 3" and Chairman Francisco said the plan states 1" x 2". Mr. Boulia said it would be the 1" x 2". Mr. Boulia asked when measuring and you have a rock wall, do you measure from the center of the rock wall and Chairman Francisco said yes. Mr. Boulia asked what time frame would be to complete the project, like if it would take a year or two to complete, would it be a problem. Chairman Francisco said five years for vesting and Mr. Meany said he doesn't need anything except a building permit. Vice Chair Fillmore said he needs a site plan since it is a new building. Mr. Meany said the Board told Mr. Boulia that he didn't need a site plan because it was a home business. Chairman Francisco said Mr. Boulia needs a site plan. Mr. Vanloendersloot asked if that part of River Road was hilly on the backside (east side) and Mr. Boulia said where they are proposing the building is a pretty flat area and there is a slight upgrade, but it is not considered a hill to him.

Mr. Vanloendersloot asked Mr. Boulia if he was going to extend his driveway up to and Mr. Boulia said yes and he would like to make the driveway come around the house and hook back onto the driveway. Vice Chair Fillmore asked Mr. Boulia if he would be crossing the stream again and Mr. Boulia said no it will be the same stream crossing that is already there. Chairman Francisco said he doesn't think Mr. Boulia will need a topo and Mr. Meany said he would do up a waiver for it. The Board decided they will be doing a formal site walk, which will be on Monday, May 16, 2016 at 5:00 pm. Mr. Boulia shared with the Board some of the parts he made and said they are parts for 3D

printers, machine centers. Mr. Boulia said he has been in business for 10 years in Merrimack. Mr. Boulia said with being close to the house, he would like to hitch up to the sewer and the water from the house. Chairman Francisco asked about having employees and Mr. Boulia said no employees. Vice Chair Fillmore said the Board would have Mr. Boulia put a note on the plan for future owners, stating "that if employees were hired, that the septic may need to be upgraded".

Phil Romano, 1702 River Road, Scrap metal business in an Industrial Zone, Tax Map 202, Lot 103

Philip Romano said he bought the property at 1702 River Road and said he would like to buy non-ferrous metal (copper, brass, aluminum). Mr. Vanloendersloot asked what is currently there and Mr. Romano said a trucking company. Vice Chair Fillmore said there is a building there already and Mr. Romano said there are two buildings. Mr. Romano said he wouldn't be accepting batteries, chemicals, oils, and it will all be inside. Mr. Vanloendersloot asked if all the metal was going to be cleaned before Mr. Romano received it and Mr. Romano said the copper pipe, they would take it, shear it and then box it. Mr. Vanloendersloot and Mr. Romano if there would be any cleaning of the metal and Mr. Romano said no. Mr. Vanloendersloot asked if there would be any chemicals stored on site and Mr. Romano said just oil for their trucks. Mr. Romano said there would be no air conditioners, batteries, cars, trucks. Vice Chair Fillmore said when the metal comes in, what kind of form is it in? Mr. Romano said if you took gutters off your house, brought them in a pickup truck, put it on the scale, they would weigh it and pay the person then shear it and put it in a box. Vice Chair Fillmore asked Mr. Romano if he was cutting up any kind of equipment and Mr. Romano said no. Mr. Romano said it is all dry metal, there is nothing environmental. Chairman Francisco asked if it would all be done inside and Mr. Romano said yes and there would be some dumpsters outside for some light iron.

Mr. Vanloendersloot asked what the hours would be and Mr. Romano said what he could get away with so he could help the community, 8:00 am - 5:00 pm, 8:00 am - 4:00 pm or 7:00 am -3:00 pm. Mr. Vanloendersloot asked where the nearest house is and Mr. Meany said Lockland's. Mr. Bolton asked Mr. Romano if he would be having items coming from the other facilities and Mr. Romano said no. Mr. Romano said he likes to deal with electricians and plumbers. Mr. Romano said what they do is weigh what is brought in, pay the person in cash, take a copy of the person's license to make sure the metal is not stolen, put it in boxes and when they have enough they sell the metal. Mr. Vanloendersloot asked about the truck traffic Mr. Romano is anticipating once he is open and Mr. Romano said about 25-30 customers a day and 2-3 outbound. Mr. Vanloendersloot asked Mr. Romano when a customer drops off material, will they be dropping it off inside the building or outside? Mr. Romano said it would be inside the building and said there would be a separate scale outside the building and then sort it. Mr. Vanloendersloot asked how many employees and Mr. Romano said probably three.

Vice Chair Fillmore said he is trying to figure out how this fits into a permitted use. Mr. Vanloendersloot asked if it was zoned commercial and Mr. Meany said yes. Mr. Bolton

said you are going to have a small shear, are you going to have a press. Mr. Romano said no, just something to cut the metal into smaller piece. Mr. Romano said he would eventually like to bale aluminum. Mr. Bolton asked what is going on there now and Mr. Romano said there are two garages now and a big open parking lot with two trailers parked on it. Chairman Francisco was reading from the regulations and Vice Chair Fillmore said he doesn't see how it would fit any where even under special exception. Chairman Francisco said a junkyard is excluded. Chairman Francisco read RSA 236:12 which is the junkyard definition. Mr. Meany said Mr. Romano would have to go to Zoning then come back to Planning Board with a site plan. Mr. Clow asked Chairman Francisco what they were talking about and Chairman Francisco said permitted uses in commercial zone. Chairman Francisco said he thinks per RSA 236:12 Mr. Romano will need a variance. Vice Chair Fillmore said Mr. Romano should be a description of the operation on the site plan of what he is doing.

NH Signs, 99 John Stark Highway, Map 203, Lot 35 in I/C Zone, to install new gasoline dispenser design and to change existing manual price changer to LED price changer - Aweare

Don Booth said he works for NH Signs and said he brought Bill Clark also from NH Signs with him. Mr. Booth said there are two items before you, 1) is the synergy wave above the gasoline dispensers. Mr. Booth asked if this constitutes as a sign since the ordinance says under the definition "signs do not include a "circa", plaques, nameplates, warnings, land postings and similar displays not exceeding three square feet in area." Mr. Booth said the text on that is less than three square feet. Mr. Clow asked if it was going to be a pink color and Mr. Booth said no, it was going to be bright red. Mr. Vanloendersloot asked if the sign was going to be lit and Bill Clark said there will be a chrome strip around it but there will be no lights. Mr. Booth said it is Mobil's new image, and if they don't do the image or aren't allowed to do the image, they will eventually do the image. Mr. Clow said regardless if the Town cares or doesn't care and Mr. Booth said no not at all. Mr. Clow said it is a big business twisting our arm and Mr. Booth said no it is just a business changing its image. Mr. Clow said what about the Town's country image and not a pink wave. Mr. Clow said that is the reason we have the sign ordinance. Mr. Booth said he believes he falls under the sign definition. Chairman Francisco said the 3 sq ft doesn't apply since it isn't residential. Mr. Booth said the Board is discriminating against commercial.

Mr. Booth said throughout the New England states every town is different and a majority of towns do not consider something that is three feet or less as a sign. Mr. Clow said you are just talking about the lettering and not the pole. Mr. Booth said the ordinance does not define how to calculate the size of a sign. Mr. Booth said they go by calculating the size by rectangle of the sign by the lettering of the sign. Mr. Booth said the structure that holds up those signs are not part of the calculations. Chairman Francisco said in his opinion the 3 square feet doesn't apply since it is not in a residential or agricultural zone.

Mr. Vanloendersloot asked if the word Synergy is registered and Mr. Clark said not that he is aware of. Chairman Francisco asked what the symbol is in front of Synergy and

Mr. Clark said it is just a design. Mr. Vanloendersloot said he would like to know if Synergy and the logo/symbol is a registered trademark or copyrighted. Mr. Clark said he doesn't think it is registered since he has seen Synergy elsewhere. Chairman Francisco said it has fuel technology above it. Mr. Bolton asked Mr. Vanloendersloot why he asked that question and Mr. Vanloendersloot said if it is registered, it is no longer in his mind instructional, directional or notification and it would be advertisement.

Chairman Francisco said they are in commercial zone. Mr. Bolton asked Mr. Booth if he would consider it a sign and Mr. Booth said no. Mr. Booth said he doesn't see much difference between a coke machine and the synergy sign. Mr. Booth said he doesn't think it should be based on the color of the sign. Mr. Clow said Mr. Booth is trying to lecture the Board on their community values. Mr. Booth said he is not trying to lecture, but was just trying to explain his views since he was asked. Mr. Booth said if it was a larger sign text-wise then he would call it a sign. Mr. Bolton asked Mr. Booth if the size of it would determine if it is a sign and Mr. Booth said in his profession that is pretty much how they determine a sign is comprised of. Vice Chair Fillmore said according to the definition of signs under (b) "to convey a message or point of view to the general public" which this clearly does, it would be considered a sign. Chairman Francisco said according to (a) it "promotes a business activity" as well. Mr. Booth said he agrees with the definition of the sign, but his issue is with the square foot of the sign.

Mr. Meany said Mr. Booth needs to go to the Zoning Board for everything. Mr. Booth said the state requires gas station post the price of gas. Mr. Booth said the technology today is to do it through LED signs. Mr. Vanloendersloot asked about the sign being down sized. Mr. Booth said it is a technically change and the prices would be premium and diesel but they would still sell all four kinds. The board decided Mr. Booth would have to go to the Zoning Board.

Gary Shreve, 781 S. Stark Highway, Tax Map 411, Lot 150 in Commercial Zone to setup a BBQ truck

Gary Shreve said he is looking to rent and possible buy in the future the property to setup a trailer and do BBQ catering. Mr. Shreve said it would kind of like a hotdog stand. Vice Chair asked Mr. Shreve what kind of requirements does the State Board of Health have when you are open more than 20 days a year? Mr. Shreve said that is one of the things he is looking into and said right now he has to have a commercial kitchen. Mr. Shreve said he is looking to see if this would be allowed and if he can get a permit. Mr. Vanloendersloot asked Mr. Shreve if it is a trailer and if he was going to construct a building and Mr. Shreve said that is correct. Vice Chair Fillmore said the Boards needs to know if Mr. Shreve is going to be open more than the 20 day limit or less than. Vice Chair Fillmore said when you get over the 20 day limit, you are going to need a septic and well. Mr. Shreve said he would have an offsite permit and said it depends on what you are preparing and what the town allows. Mr. Meany said there was a lady that had a hotdog stand and she was allowed to sell hotdogs, cook sausages and the state had some stipulations since she didn't have any running water in the stand. Mr. Meany said the ice cream stand had to put in a septic since they needed running water to clean up after the

ice cream. Mr. Shreve said his understanding from speaking with the State, each Town is different. Mr. Shreve said Manchester, you can't prepare any raw product, but frozen, precooked, smoked, anything that is not raw is allowed. Vice Chair Fillmore said he doesn't think the Town of Weare has anything like that and said Mr. Shreve would have to follow the State requirements. Mr. Shreve said it falls under that and said he has a peddler's license. Mr. Shreve said before he goes to the State, he wants to make sure that the piece of property that he is looking at, is something the Board will allow him to do. Mr. Clow said it is commercial zone so it is an allowed use. Mr. Shreve said in a lot of other towns, they require a vending permit. Vice Chair Fillmore said the Town doesn't even have that. Chairman Francisco said Mr. Shreve will need a site plan and said he would like to see the parking. Mr. Shreve said he spoke to DOT about it and was told he needs to show an entrance and an exit and how people are going to be parking. Vice Chair Fillmore said Mr. Shreve should be able to use the same plan for DOT and Planning Board. Mr. Clow said it seems like the location is ok, it fits the zoning and everything else goes back to the State. Mr. Clow said Mr. Shreve will have to be clear with the State is the water/sewerage. Mr. Vanloendersloot said open four days a week for nine hours and Mr. Shreve said yes. Chairman Francisco said the only issue he has a problem with is the septic/water and said as far as the Town is concerned is the driveway permit and parking. Mr. Vanloendersloot asked Mr. Shreve how long he would be open for and Mr. Shreve said it would be seasonal, Memorial Day to Columbus Day. Mr. Vanloendersloot said if Mr. Shreve closes at 8:00 pm and he decides not to shut doors because business is booming, and it is dark outside, will he have to worry about lighting? Vice Chair Fillmore said yes, as part of the site plan. Mr. Vanloendersloot asked about seating and Mr. Shreve said he would have picnic tables. Chairman Francisco said they would like to see the picnic tables shown on the site plan.

III. Subdivision Regulations

Chairman Francisco handed the Board a handout with his suggested changes. Vice Chairman Fillmore said he would like to add lot numbering being shown on plans and have them be verified with the assessor prior to plans being submitted. Chairman Francisco asked Vice Chair Fillmore if he was talking about proposed or existing and Vice Chair said proposed lot numbers. Mr. Meany said that is something that should have been caught in his office. Mr. Vanloendersloot said the only thing he brought up was page 2, section 2.5 #2 - development is in full compliance and he was wondering where. Vice Chair Fillmore said the whole section 2.0. Mr. Clow asked about the hearing procedures and said in the regulations it says the conceptual are on the fourth Thursday and now it is reversed. Chairman Francisco said yes, they did change it along time ago. Mr. Clow said he thinks the reason was to have the site plan design review be at the end of the month to allow the Conservation Commission time to look it since their meeting was before the Planning Board. Mr. Vanloendersloot said in Chairman Francisco's version, he has it crossed out and changed to any public meeting and did the same on design review. Mr. Clow said that is probably a good idea.

IV. Minutes

Mr. Vanloendersloot motioned to accept April 14, 2016 as amended. Mr. Clow seconded. Motion passed. 5-0-0.

Vice Chair Fillmore motioned to accept April 28, 2016 as amended. Mr. Vanloendersloot seconded. Motion passed. 4-0-1.

V. Adjournment.

Mr. Vanloendersloot motioned to adjourn at 9:25 pm. Chairman Francisco seconded. Motion passed. 5-0-0.

Respectfully submitted,

Tina Ripley
Minute Taker