

TOWN OF WEARE

PLANNING BOARD

15 Flanders Memorial Rd - PO Box 190

Weare NH 03281

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December 12, 2013 - Meeting Minutes

****DRAFT COPY****

PRESENT: Craig Francisco, Chairman; Frank Bolton, Neal Kurk, Bruce Fillmore, George Malette, Chip Meany, Land Use Coordinator; Sheila Savaria, Recording Secretary

GUESTS: David Preece, Mark Phelps

I: CALL TO ORDER:

Chairman Craig Francisco called the meeting to order at 7:00 pm at the Weare Town Office Building.

II: PUBLIC HEARINGS:

Conceptual Hearing Robert Phelps
731 Concord Stage Road

Mr. Phelps would like to put build a 40' x 70' garage on the property behind the old daycare, Country Kids Daycare, for automobile and farm equipment sales. The entrance for this business will be on Lufkin Road. This will not be an inspection station or repair shop for the public, although they may repair some of their own equipment. Mr. Phelps said he is very familiar with the process of holding oil, diesel, gas, and other hazardous chemicals that may be on site. Mr. Phelps will be taking down the chain link fence and changing the color of the building. There will be no new landscaping, and the parking spaces in the front of the current building will be removed. Chairman Francisco said there is no issue with the zoning or setbacks. He advised Mr. Phelps to come back with a full site plan and show what pavement will be taken out, add days and hours of operation, and show proof that the leach bed is adequate.

Conditional Use Permits Applications – David Preece from Southern New Hampshire Planning was present for this discussion. Currently the Planning Board has the authority to approve driveways over 10% and in aquifer zones, but there is no specific application for this process. Preece explained that this application would give the Board authority to look at specifics of the driveway, and also to charge the applicant for abutter notices instead of the town paying for them. Other communities have created these because these situations are unique. He also suggests bringing the application to the Fire Department, Police Department, and DPW for review. Frank Bolton said he'd like to see these changes applied to raw land. Neal Kurk feels this may give the Planning Board authority they may not currently have and will make a lot of applications get approved that currently would not be. He said he does not support these changes because he feels they will be making problems for themselves because there are a lot of issues not being resolved and the members of the board are all interpreting the changes differently. The Board discussed the proposal, went over many scenarios, and made a few changes in the language.

The Board discussed several articles for proposal to be added to the Town Warrant and the following changes were made:

Article 29.7.2 – The last sentence will now read: Maximum lot coverage may be increased through a conditional use permit if drainage requirements are properly engineered.

Definition of Driveway: The fourth sentence in the definition will now read: All driveways shall have a maximum 10% grade unless a conditional use permit is approved by the Planning Board.

Neal Kurk moved for the Planning Board to add warrant article the definition of Conditional use to read: Conditional Use: Shall mean a use or activity that may be allowed in a zoning district only upon showing that such use or activity can or will comply with all applicable conditions, criteria, and standards as set forth in the zoning ordinance. Frank Bolton seconded, all voted in favor.

Neal Kurk moved for the Planning Board to add a second warrant article, changing the last sentence of 29.7.2 to read: Maximum lot coverage may be increased through a conditional use permit if drainage requirements are properly engineered. Frank Bolton seconded, all voted in favor.

Chairman Francisco moved to change a sentence in the definition of Driveway to read: All driveways shall have a maximum 10% grade unless a conditional use permit is approved by the Planning Board. Neal Kurk seconded, all voted in favor.

Neal Kurk moved for the Planning board to add a warrant article to delete Article 6.1.7 in its entirety; Frank Bolton seconded, all voted in favor.

Neal Kurk moved that Attorney Drescher's language from his letter is substituted for the language currently in Article 3.2; George Malette seconded. Neal Kurk, George Malette, and Craig Francisco voted in favor; Frank Bolton was opposed.

III: OTHER BUSINESS:

Chip Meany asked the Board if they wanted to do a site walk at Fessenden Lane so he can release the bond. The Board agreed they do not need to see it and that the Town Engineer and Road Agent can give their approval.

IV: ADJOURNMENT:

As there was no further business to come before the Board, Neal Kurk moved to adjourn at 9:45 pm; Craig Francisco seconded, all voted in favor.

Respectfully submitted,

Sheila Savaria
Recording Secretary