

WEARE PLANNING BOARD
Final Minutes of the Meeting
Of August 27, 2015

Present: Frank ðChuckö Bolton (vice chair), Neal Kurk(secretary), Bruce Fillmore(member), Frederick W. Hippler (exofficio), John Vanloendersloot(alternate), Chip Meany(Land Use Coordinator), Tina Ripley(Minute Taker), Guests: David Frazier, Howard Kaloogian, Martha Kaloogian, Robert Edmands, Krista Edmands, Art Siciliano, bob Chapman, Mary Pereira, Steven Hart, Peter Proulx, Ray Dubois

I. Call to order.

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

II. Conceptual Review.

Chip said Mr. Frazier would like to purchase property on B & B Lane and he presently has a business over in Northwood that repairs dumpsters, compactors and bailers. Chip said he wants to go into Merrillø Auto Body Shop. Chip said technically he complies with regulations as they are since there would be no change of use as far as the building goes. Chip said the reason Mr. Frazier is here is to present the concept of manufacturing dumpsters in the same facility. Mr. Frazier said they service and sell new and used compactors and bailers. Mr. Frazier said he wants to manufacture roll off open top containers for the construction industry. Frederick asked what the company name was and Mr. Frazier said East Coast Compacting. John asked if he manufactured them as well and Mr. Frazier said no that he is a distributor for a couple different manufacturers for compactors. Frederick asked if he wanted to build his own and was told just the containers. Bruce asked Mr. Frazier to explain his manufacturing process, are you going to be buying raw steel, welding it, painting it. Mr. Frazier said he would be buying steel by the truck load, bending it, welding it, and painting it. Mr. Frazier said the Merrill building already has the painting booth in it. Mr. Frazier said he would have his own trucks to ship the product out. John asked if there would be storage of finished product and was told yes. John asked if Mr. Frazier would be putting in any new buildings and was told no. John asked how many employees and was told 10-15 employees. Frank said there are lot of things that can come up like traffic (what type), hours of operation, lighting, and signage. Chip said basically what goes on there now is a body shop that repairs trucks and RVø. John asked if there was storage for hazardous material and Mr. Frazier said there is a paint locker. John asked if there was a fire suppressant system and was told no. Bruce said if they wanted to do more paving he would have to do a storm water retention system. John asked what the hours were and Mr. Frazier said 7 am to 5 pm.

Frank appointed John as a voting member.

III. Subdivision. – LLA GM Investment Partners, LLP

This was postponed.

IV. Expedited Site Plan Review – Krista Edmands – dba Weare We Grow Childcare, 425 S. Stark Highway, Unit9, Map 109-007-1 in Commercial zone..

Krista Edmands said she owns Weare We Grow Childcare and they are looking to expand into another unit in the plaza. John asked which unit they currently occupy. Ms. Edmands said unit 9 and are looking to move into units 2 and 3. Frank asked about the playground and parking. Ms. Edmands said she has that covered. John asked if unit 2 and 3 were connected and was told yes. Ms. Edmands said they will be doing no construction. Frederick asked how they will be separating the age groups between the different units. Ms. Edmands said unit 9 will have 6 weeks to age 3 and unit 2 and 3 will be ages 3-5, the preschooler and kindergarten kids. John asked if the business hours would be changed and was told no. John asked how many more employees they would be adding and was told two. Frederick asked what is the estimated child limit. Ms. Edmands said right now they are licensed for twenty and guessing they will be licensed for thirty. Frederick asked how long they have been there and Ms. Edmands said a little over a year. Neal asked about the sewer. Ms. Edmands said the septic will hold 4,275 gallons a day and the plaza averages 1,585 a day. Neal said basically you are looking to expand and keep everything else the same and Ms. Edmands said yes. Ms. Edmands said they would have to expand the playground and said it is behind unit 9. John asked how much they would have to expand it and Ms. Edmands said it would need to double it. John asked if they would be adding any more signs and Ms. Edmands said no.

Frank opened the public hearing. There was no public comment. Frank closed the public hearing. Neal moved to accept the application as complete. Frederick seconded. Motion passed. All in favor. Neal moved that the application be accepted, subject to conditions that there be no change in signage, no change in business hours, the playground be doubled in size and applicable state permits be obtained. John seconded. Motion passed. All in favor.

V. Subdivison & Lot Line Adjustment – Michael Melcher, Colby Road, Map 412, Lots 12.1 and 12.3 in R/A zone.

Art Siciliano said this is a lot line adjustment and subdivision on the north side of Colby Road, and the land is rural/agricultural. Mr. Siciliano said the two lots involved are Map 412, Lot 12.1, 36.16 acres and Map 412, Lot 12.3, 2.5 acres. Mr. Siciliano said parcel A is coming off of Lot 12.1 and parcel B is coming off of Lot 12.3. Mr. Siciliano said Lot 12.1 will have frontage of 77.73ft and Lot 12.4 will have frontage of 74.30ft. Neal said when this is all done, you will have Lot 12.1 with 77.73ft frontage, Lot 12.4 with frontage of 74.3ft and Lot 12.3 with frontage of 321.48ft. Mr. Siciliano said they are proposing a shared driveway along the lot line, on the right side of parcel B. Mr. Siciliano said there is a driveway already near parcel A and parcel B and a shared driveway would eliminate a driveway there, otherwise there would be 4 driveways. Neal asked how long the shared driveway would be and Mr. Siciliano said almost 400ft. Neal asked if they had a driveway plan to show the grades and Mr. Siciliano said no. Neal read the driveway words from the zoning ordinance. Neal said the Board needs to see some kind of proposal for the driveway for 12.1 that would demonstrate there is no grade in excess of 10%. Neal read 36.3.5.3

from the Zoning Board of Adjustment Regulations. The Board went thru the application. Frank said appendix 2, final approval is checked. Chip said that is what he is applying for. John said Appendix 3, No. 15, he was concerned about getting an updated topographic section for the driveway area. Neal said on page 47, #37 they want written comments from Board of Fire Wards. Frank asked the Board if there were concerned about page 47, #46 and John said maybe once they have the new topographic. Neal said they are going to need three things: 1) topographic for the driveway section off 12.1, 2) written comments from the Board of Fire Wards, and 3) deed restrictions, etc. on how that is going to be handled and language of shared driveway.

Frank opened up the public hearing.

Bob Chapman asked where will the runoff go and what will happen if they salt the road and put a driveway in? Mr. Chapman said it is next to a marsh area on Lot 12.3 and Lot 12.2 and it slopes and goes into a brook that feeds the pond. John asked if Lot 12.2 has a higher elevation then the other two. Mr. Chapman said no, it has a lower elevation than the land out towards the back. Mr. Chapman said there are two culverts there, one on each side of Lot 12. Neal asked Mr. Chapman to explain how the driveways would affect road salt runoff differently then what is happening now. Mr. Chapman said now there is no driveway, but even now it has been affected by the Town trucks. Mr. Chapman said now with the driveway they will bring in more salt from the road, where does it go? Mr. Chapman said if a driveway goes in, 15-20 ft to the right it slopes down to the swamp or will it cross the street and go into the culverts? Mr. Chapman asked how are they going to retain the runoff for the driveways? Neal asked if his concern the road salt picked up by the vehicle will be deposited on the new driveway and that will be additional salt that will go into the marsh. Mr. Chapman said yes. Mr. Chapman said the shared driveway is a concern of his because if you look at Lot 12.3 and parcel B, 75ø 125ø 191ø and 104ø but where the shared driveway is going to be between the 74ø and the 125ø with a 25ø buffer for the water line that changes. Neal asked Mr. Chapman if they put a restriction of using just sand on the driveway if he would be okay with that and was told yes.

Howard Kaloogian said they came here tonight to hear what was proposed. Mr. Kaloogian said they bought their house cause it was beautiful in terms of privacy with the open land of trees and the lots beyond them. Mr. Kaloogian said they had hoped the driveway would be further away from their lot line and said maybe lot 12.1 driveway could have the shared driveway with lot 12.4. Mr. Kaloogian said the driveway is pretty tight on the eastside of their house and the wetlands. Mr. Kaloogian said they would prefer that it not. Neal said the frontage of lot 12.4 is 74ø and even if it was a single driveway it would have to go somewhere in there. Neal said they are proposing a shared driveway Lot 12.4 as far as possible away from your house. Neal said if you look at Lot 12.1, the frontage is 77.7ø and there is no plan now as to where in the 77.7ø the driveway will go. Neal said they have asked Mr. Siciliano for a proposal to show where the driveway will go and what the slope will be. Neal asked Mr. Kaloogian if he is preference is to have the driveway to the west on that strip as far as possible from your house. Mr. Kaloogian said yes and no, it would be preferable but the house on our lot (Lot 12) seems to be shifted towards the east, the property to west seems to be further away from us and is no concern to us at all where that driveway might be. Neal said even if they got that wish, there would still be a driveway on Lot 12.3 that because of the wetlands buffer would be 74.3ø from your house. Mr.

Kaloogian said yes, but with the slopes it would be down so the traffic, noise and usage would be noticed by them. Neal said if there is a shared driveway, instead of the driveway being 74.3ø from your house, it would be 54.3ø from your house. Neal asked if the extra 20ø was important and Mr. Kaloogian said yes if you look at the land.

Frank closed the public hearing.

Neal moved to continue this matter until September 24. Bruce seconded. Motion passed. All in favor.

VI. Conditional Use Permit 6 Shared driveway at Mat 409, Lot 169 and Lot 170 on Horse Spring Hill Road, Class VI Road in a Residential Zone

Art Siciliano said he is here for Judith Chimenti who is applying for a shared driveway permit on Horse Spring Hill Road. Chip said this is on the River Road side of Barnard Hill. Mr. Siciliano said she would like to combine 168 and 169. Neal asked if it would be a 15% slope and which lot would it come down on. Mr. Siciliano said yes, it would be on lot 170 and shared by the combined lot. Neal asked if there would be guardrails and was told yes. Chip said this has been to Zoning Board of Adjustments and they wanted them to submit engineering plans and bring the road up to standards so a driveway can go on it. Chip said the Town is willing to remove the guardrails assuming the road is brought up to Class V standards. Chip said that subject has not been talked about or decided. Bruce said this application does not bring the road up to Class V standards. Neal asked if it was possible to re-grade Horse Spring Hill Road so you wouldn't have the 15% slope and Mr. Siciliano said no. Mr. Siciliano said he met with all the abutters and no one is willing to give her access. Neal asked if the road could be brought up to Class V standards and Mr. Siciliano said no, not enough room for right of way. Neal asked if all the abutters would be agreeable, could you put a driveway in the southern end of the property?

Frank opened up the public hearing.

Ray Dubois said he owns the property from Barnard Hill Road to River Road. Mr. Dubois said he is concerned with public safety. Mr. Dubois said there is a lot of traffic up and down Barnard Hill Road. Mr. Dubois said that corner has not been improved in regards to public safety. Mr. Dubois said the road has been blocked off since 1963 when the Army Corp of Engineers came in and put in River Road. Frank asked when the guardrails went up. Mr. Dubois said when Barnard Road was upgraded and they paved the road. Frank and Neal asked what year was that and Mr. Dubois said 1994. Mr. Dubois said another thing that should be noted that is not is drainage. Mr. Dubois said when they upgraded the road they put in drainage which goes under Barnard Hill Road. Mr. Dubois said the way the drainage is deflected now it goes down the middle of Horse Spring Road. Mr. Dubois said if they were to look at the proposed plan it would flood his property. Neal asked if you would be willing to sell her an easement, she could use the easement to cross Horse Spring Hill Road onto her property. Mr. Dubois said he has been offered that opportunity by Mr. Reed, but his property was sold to him by Mr. Eaton in 1982 with a deed that says it can't be subdivided. Neal said an easement is isn't a subdivision. Neal asked Mr. Dubois if he had an interest in selling and easement and was told no. Mr. Dubois said

his major concern is the water and said that he hasn't made any changes since he bought the property. Mr. Dubois talked about two foundations from 1864 that are a historical site.

Neal asked Mr. Hart, under the current configuration you have a driveway that goes onto Barnard Hill Road to the corner. Neal asked if any cars coming down Barnard Hill Road come into his driveway? Mr. Hart said yes he has off the cliff, the first year it was eight vehicles.

Peter Proulx said he lives on River Road and said you couldn't get to her property from his. Mr. Proulx said his concern is for safety up on Barnard Hill Road. Mr. Proulx said the historical sites have never even been taken into consideration, especially the Town of Weare when they did raise the road. Mr. Proulx said the spillage from Barnard Hill Road did do damage to the historical sites already and any further spillage will destroy those sites. Neal asked if there was any possibility of an easement and Mr. Proulx said no due to wetlands.

Frank closed the public hearing.

Mr. Siciliano withdrew his application.

VII. Adjournment.

Neal moved to adjourn the meeting. Bruce seconded. Motion passed. All in favor.

Respectfully submitted,

Tina Ripley
Minute Taker