

WEARE PLANNING BOARD
Draft Minutes of the Meeting
Of October 27, 2016

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

Guests: Tim Savania, Dan Higginson, Bill Anderson, Vicky Rice, C. Tirrell, Mike Dahlberg

I. Call to order

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

II. Stonewall Removal

Chairman Francisco said they have a stonewall removal on Windsor Road which is on Lot 124. Chairman Francisco asked if it was a 15-16ø opening that he wanted to widen to about 30ø and was told yes. Chairman Francisco asked what he was going to do with the rocks when he removes them and was told they were going to use them on the low spot on the wall.

Chairman Francisco appointed Mr. Vanloendersloot a voting member.

Mr. Kurk moved to recommend the removal to the Selectmen. Mr. Clow seconded. Motion passed. 5-0-0.

III. Site Plan Review

Continued: Gary D. Remilard Living Trust, New building located at 8 North Riverdale Road, Map 412, Lot 202 in a Commercial Zone

Chairman Francisco said we have not accepted this application as complete yet, there are no waiver requests and said they did a site walk.

Mr. Kurk moved to accept application as complete. Mr. Clow seconded. Motion passed. 5-0-0.

Mark Dahlberg said they did a site walk about a month ago and what was standing about where the building is going to go. Mr. Dahlberg said he has heard rumors it was going to be a gravel pit or something similar and said that is not the case since all the excavating was done several years ago. Mr. Dahlberg said all they want to do is construct a second commercial building. Mr. Dahlberg said as a result of the site walk there is a heavily treed buffer south of the proposed building and said they added a note to the plan saying all trees would remain. Mr. Dahlberg said per the site walk they will be using the

existing sign and they addressed that in note 9. Mr. Dahlberg said they don't need any waivers, don't need any special exceptions and said they have their septic approval from DES, don't need shoreland permit since they are not within the 25' shoreland protection area. Mr. Dahlberg said it is 5088 sq. ft. building with potential for 5 bays and said there is a possibility of one tenant taking 3 bays. Mr. Dahlberg said there is a potential for three new businesses.

Mr. Dahlberg said to increase the pervious area and said they added two new catch basins. Chairman Francisco said note 11 mentions lighting it to be downcast area lights at entrance, parking and building as shown and said he is not seeing that. Chairman Francisco said note 11 needs to be adjusted to state they will all be on the building. Chairman Francisco read a comment from the Conservation Commission (they noticed some wetlands delineation but there was no wetlands stamp). Chairman Francisco said he thinks Mr. Dahlberg said on the site walk that it was taken from the adjacent site plan and Gode Environment did the site plan. Mr. Dahlberg said that is correct and said there are not wetlands on this site. Chairman Francisco asked for a note to be added saying where they got the information from. Chairman Francisco read a comment from PRLAC (reviewed the site plan, there was no comment, project does not involve wetlands or storm water issues). Chairman Francisco asked Mr. Dahlberg if the sign was going to be on the existing identification sign and Mr. Dahlberg said they are not proposing any new sign. Mr. Kurk suggested a change to note 9 to say "the exiting free standing sign and location show will be used".

Chairman Francisco opened the public hearing.

Vicky Rice said she lives behind the pit at 387 which is down by the water. Ms. Rice asked what type of businesses will be going in. Chairman Francisco said to his knowledge it is unknown at this point and said it will be rental. Chairman Francisco said it is a commercial zoned property so it will have to be allowed in a commercial zoned use. Ms. Rice asked what the timeframe is on noise in a commercial zone. Chairman Francisco said the hours of operation they are proposing are Monday thru Friday 6 am to 10 pm and Saturday 8 am to 5 pm. Ms. Rice said right now the plumbing place is out there at 4:30 am throwing supplies into their trucks and said she knows they are not part of Remilard anymore. Ms. Rice said at night she can hear the trucks rev their engines, do burn outs in the pit. Mr. Kurk asked what time the plumbing company was usually out of there and Ms. Rice said usually 5:30-6:00 pm.

Chairman Francisco closed the public hearing.

Chairman Francisco read a letter from Michael Haas.

Here is the letter as follows:

"It is my understanding that your department has been asked to consider a proposal to rezone a parcel of land at 11 River Road, Weare, NH for industrial use. My partner and I strongly urge you and your department to reject this proposal and any other that would seek to rezone the land for anything other than residential use.

The proposed conversion of the aforementioned property to industrial use and the subsequent increases in vehicle traffic, noise and other activity would greatly and adversely affect the quality of life we enjoy here in our home at 2 Depot Street ó not 500 feet from the property in question. We moved to Weare in order to enjoy a more peaceful lifestyle than we previously had in the mid-Atlantic. We would hate to think that our choice to move to this area was misguided, or that Weare's officials did not value the town well enough to preserve the key assets that it offers its citizens: peace, quiet and beautiful countryside.

Due to conflict with work, we will not be able to attend the public hearing regarding this matter in the evening of Thursday, September 22. Nevertheless, I hope that you will take our joint opinion into consideration.

Chairman Francisco said we do not have a plan to rezone the land, the land is zoned commercial.

Chairman Francisco asked Mr. Dahlberg if he knew the plumbing company's hours and Mr. Dahlberg said no, but said he thinks they are on the site plan. Mr. Kurk asked if it would be possible without changing the hours of operation to put some noise limitations on the evening hours. Chairman Francisco said it would be very hard to enforce and said it could be possible. Mr. Kurk said one of the reasons they tried to limit hours of operation in other commercial zones to 9 o'clock, was because they were concerned about the impact on neighbors. Mr. Kurk said he thinks the same concept could apply here. Vice Chair Fillmore suggest all business after 9pm be conducted indoors with the doors closed. Vice Chair Fillmore said he thinks the addition of this building might reduce the evening activity due to the amount of free space on the lot. Mr. Rice said she was also concerned about the traffic. Chairman Francisco suggested changing the note so the hours are 6 am - 10 pm Monday thru Friday with 8 pm-10 pm business must be conducted indoors with doors closed. Mr. Vanloendersloot said he disagrees with that since during the summer it will get hot inside. Mr. Clow suggested any activity that produces unreasonably noise.

Chairman Francisco read zoning article 3.2 ó performance standard.

Mr. Kurk moved to approve the application with the following changes: an additional note indicating where the wetlands data came from, note 9 will be revised to say "the existing revised free-standing sign at the location shown will be used", and note 11 be changed to "lighting to be downcast area lights only on the building as shown". Mr. Vanloendersloot seconded. Motion passed. 5-0-0.

IV. Subdivision

William Anderson; 137 East Road, Map 203, Lot 83 in an R/A Zone

Mr. Kurk asked if this the former Jocky/Brown lot and Mr. Anderson said yes on one side of the street. Mr. Kurk asked if he gave one lot of land to the town for a cemetery

addition and Mr. Anderson said yes. Mr. Anderson said there were headstones in there from the 1800s but the deed went back to the 1960s. Mr. Kurk said he also thought he gave some open land that was to be used for spreading ashes. Mr. Anderson said he found nothing in the deeds while researching the property. Mr. Anderson said there is an area in the cemetery that does not have headstones and said it could possibly be in there. Mr. Clow said what Mr. Kurk is referring to is on the side with the barn.

Vice Chair Fillmore made a motion to accept the application as complete. Mr. Clow seconded. Motion passed. 5-0-0.

Chairman Francisco said they will need to get Selectman approval for the driveway stonewall, get Tom Carr's stamp and add a note that the wetland buffer will not be disturbed. Vice Chair Fillmore suggested moving the well out.

Chairman Francisco opened the public hearing. There was none.

Chairman Francisco suggested labeling the existing well.

Mr. Kurk moved to approve the application subject to the following conditions: a new note 8 be added indicating the wetlands buffer is to not be disturbed, that the well radi be adjusted, Tom Carr's stamp be added to the document, monuments to be set and placed on the plat for recording and labeling existing well as such. Mr. Vanloendersloot seconded. Motion passed. 5-0-0.

V. Meeting Minutes

Mr. Kurk moved to accept the site walk minutes of September 29, 2016. Vice Chair Fillmore seconded. Motion passed. 4-0-1(Mr. Vanloendersloot)

Mr. Clow moved to approve September 22, 2016 minutes as amend. Mr. Kurk seconded. Motion passed. 4-0-1(Mr. Vanloendersloot)

Mr. Clow moved to approve October 13, 2016 minutes as amended. Mr. Vanloendersloot seconded. Motion passed. 4-0-1(Vice Chair Fillmore)

VI. Other

Chairman Francisco said the Zoning Board hearings will be as follows: 1st hearing on November 17, 2016, 2nd hearing on December 22, 2016 and last hearing on January 26, 2017.

VII. Adjournment

Mr. Vanloendersloot motioned to adjourn at 8:36 pm. Mr. Clow seconded. Motion passed. 5-0-0.

Respectfully submitted,

Tina Ripley
Minute Taker