

**Town of Gilmanton, New Hampshire
Planning Board**

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Phone: (603) 267-6700 – Fax: (603) 267-6701

Roy Buttrick, Chair
William Mahoney, Vice Chair
Brett Currier, Member
Vincenzo Sisti, Member
Jacob Dalzell, Member
Marty Martindale, Member
Mark Warren, Selectmen Rep
Mark Fougere, Certified Planner
Bre Daigneault, Planning Admin

PLANNING BOARD MEETING

Minutes of March 11, 2021

A. CALL TO ORDER- Chairman Buttrick opened the meeting of March 11, 2021 at 7:00pm.

B. ROLL CALL

Member Marty Martindale, Chair Roy Buttrick, Vice Chair Bill Mahoney, Member Brett Currier, Member Vincenzo Sisti, Member Jake Dalzell, and Planning Administrator Bre Daigneault were present at this meeting. There were 7 members of the public present both in person and virtually by utilizing *Zoom*.

C. SALUTE TO THE FLAG

D. Public Hearings-

a. New-

PB CASE #SPR2021-401: Applicant Sarah Baldwin-Welcome representing Gilmanton's Own Inc, on behalf of property owner Joanne Wilkens as trustee of the Wilkens Family Revocable Trust, is requesting a Conditional Use Permit with Site Plan Approval to operate a Retail Business. The property is located at 741 Province Rd and consists 28.992 acres in the rural zone known as Map and Lot 414-078.

Member Sisti recused himself from the hearing as he is also a Board Member for Gilmanton's Own.

Applicant Sarah Baldwin-Welcome described the proposed usage for retail and storage. The building had housed a business prior. There was a brief pause in the meeting to adjust technical difficulties. Ms. Baldwin-Welcome continued to describe the location of the property. The location has an existing building and parking area previously utilized for a service business. Gilmanton's Own is an existing retail business; it would be open 4 days a week. They are licensed through the State for food sales. Ms. Baldwin-Welcome introduced the abutters Nick and David Pugh (sons of the property owner) and Ed Bernstine, all of whom are abutters to the subject property. Member Currier did not see any problems with the site plan. He did let the applicant know the driveway permit would need to be reissued by DOT. The original permit states any change of use would need to go back to DOT. Ms. Baldwin-Welcome would like to ensure the visuals of the driveway are good. Chair Buttrick opened the hearing to the public. Abutter Lawrence Nieder felt there is a slight traffic concern. He does not oppose the business, but would like to recommend signs on the road in both directions. Chair Buttrick said that is State road; the Town cannot mandate signs on it. Ms. Baldwin-Welcome would like to have signs added to the roadway and would inquire with DOT. Member Currier asked if the secondary driveway was accessible. Mr. Nick Pugh responded the other driveway is less superior and has been chained off. Ms. Baldwin-Welcome also feels there will be less traffic than their previous location in the Brickhouse, as there will not be multiple businesses. With no

further comment, Chair Buttrick closed the public hearing. Members discussed the location of the driveway. Members felt the proposal was favorable.

Member Currier made the motion to accept the application. Member Dalzell seconded. **Motion passed 6-0**

Member Currier made the motion to approve the application with the condition the applicant renew the DOT driveway permit. Member Martindale seconded. **Motion passed 6-0**

b. Old-

Other-

E. Minutes-

February 11, 2021- Member Sisti made the motion to accept minutes as written. Member Currier seconded. Selectmen Rep. Warren abstained. **Motion passed 6-0**

F. UNFINISHED BUSINESS

G. CORRESPONDENCE

H. OTHER BUSINESS/PUBLIC COMMENT

- a. Map/Lot 421-018- Discussion on updated site plan progress.

Gary Anderson on behalf of Bear Investments, LLC stated he did not feel the communication was clear at the last meeting as to what the Planning Board wanted. Mr. Anderson submitted a map of the lot for members to review. He did not feel there is a clear procedure for a change in tenancy. It has been handled administratively in the past and does not seem to go to the Board. Member Martindale stated administration should be notified and given information regarding any new tenant. Member Sisti stated there is a precedent, change of use at a facility does come in front of the board. Member Currier stated there cannot be an infinite number of employees with an inadequate septic; by Town regulations or by State regulations. Chair Buttrick said there is no site plan showing the other side of the lot. There was discussion on whether a contractor's yard was ever approved on the lot. Mr. Anderson said there is a septic plan on file that had been approved for a restaurant. Chair Buttrick stated every time there is a change of use, the septic plan needs to be approved for the change by the State. The State will re-write the flow. Mr. Anderson felt he had addressed the board in prior years and had never been told there was a change of use. Chair Buttrick stated the current site plan does not show usage of the side part of land and there is no approval for a contractor's yard. Mr. Anderson stated he had been on the Board and had updated members monthly on different changes at the property. He felt the Board had been notified and was aware of Eustice Cable being at the location. Member Currier would like the Board to go to the property for a site walk. Members did not feel the applicant would need an engineered site plan. Member Currier asked Mr. Anderson if anyone was living on the property. Mr. Anderson believes there is. The living area has always been there. Chair Buttrick felt the prior owners had been living there illegally. S. Rep. Warren stated the Board has been trying to promote business. There is a book of regulations and procedures the Board needs to follow; it would be easier for the applicants and the Board to have a better understanding. Member Currier felt the applicant needs to apply for a mixed use. Having someone living at the property was a big deal. The discussion turned to other properties in the close proximity of the subject property. Member Currier did not feel there would be a problem issuing a contractor's yard on the property. Member Sisti felt it would be smart of the applicant to approach the town to resolve the issue (of the

apartment). He agreed a site walk would be beneficial. Mr. Anderson does not feel there is clear protocol for commercial business here. Chair Buttrick did not feel where the line trucks were parked was an approved area. Chair Buttrick wants Mr. Anderson to just draw up the plan. He has the South side drawn up; the North side needs to be drawn up and the residence needs to be permitted. The conversation continued on whether a site plan is needed. Chair Buttrick requested the board discuss a site walk. Select. Rep. Warren felt the applicant is requesting further clarity. The board needs to help the applicant with the regulations. Member Currier thinks maybe the board has been a little lax with commercial properties. Member Dalzell wants the board to figure out tonight the next steps and give the applicant a clear path. VC Mahoney related this case to what he is personally going through in another town. He had to hire a surveyor to show everything right down to which trees are going to be removed. Members decided to schedule a site walk at the property. It was in agreement with the applicant to hold the site walk prior to the next scheduled meeting on April 8, 2021 at 6pm.

Members discussed Mr. Anderson's suggestion to add a change of tenancy application. The rules and procedures of the Board were also discussed.

I. NON-PUBLIC.

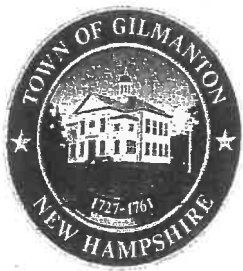
J. ADJOURNMENT

Chair Buttrick made the motion to adjourn. Vice Chair Mahoney seconded. **Motion passed 7-0**

*Respectfully Submitted,
Bre Daigneault, Planning Administrator*

Authorized by 
Chairman C. Roy Buttrick

Date: 4/20/2021



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ATTENDANCE SIGN-IN

Thursday, March 11, 2021

PRINT

ADDRESS

Sarah Baldwin-Welcome

Gilmanton

Nick Pugh

"

Ed Bernstine

"

David Pugh

"

Lawrence Nieder

"

Gary Anderson

Dan

Eustise Cable