



TOWN OF GILMANTON
PLANNING BOARD
Thursday, May 12, 2022 – 6:30PM
Academy Building - 503 Province Road
Gilmanton, NH 03237
www.gilmantonnh.org

MEETING MINUTES

APPROVED

A. CALL TO ORDER BY CHAIRMAN

B. ROLL CALL

Chair Roy Buttrick, VC Vincenzo Sisti, Members Brett Currier, Jake Dalzell, Marty Martindale, Parker Hoffacker, and Selectmen Rep. Mark Warren along with staff Bre Daigneault and Lauraine Paquin.

C. SALUTE TO THE FLAG

D. PUBLIC HEARINGS- REVIEW FOR REGIONAL IMPACT

a. NEW-

Private Road Agreement: Property owners Wayne D. and Marjorie L. Lovering as Trustees of the Lovering Family Trust are requesting a private road agreement with the Selectmen to build on Weeks Rd. The parcel is identified as tax map and lot 405-084. Pursuant RSA 674:41, the Selectmen shall request the Planning Board review and comment on the application to determine whether the private road meets minimum standards for year-round access by emergency vehicles.

Mrs. Lovering stated they purchased the land in Gilmanton and are looking to gain access via the class VI road to build a cabin. It was discussed approximately 540' would need to be improved to access the lot. Chair Buttrick inquired where the house lot would be. Mrs. Lovering showed the areas on a map. Chair discussed the need for a turn around on the property for emergency vehicles. Mrs. Lovering stated they would be willing to place a turn around. Chair inquired who would monitor the road improvements. Currier felt the road agent could not be utilized. The BOS would decide who would monitor the road improvements. VC Sisti read from the road ordinance for specifications. Could also suggest an adequate turn around. Member Hoffacker inquired what the incline was. Mrs. Lovering stated there was some incline. Members reviewed contours of the property on the tax maps. Member Dalzell stated the property would need to be kept open for emergency access year-round.

Chair Buttrick noted there were abutters present. He asked if any had any comments for the board. Abutter Lorette Pilkington read a letter into the record. They own property at 67 Weeks Rd. They have concern with the runoff coming off the subject property. They have had issues with the waterflow coming off the property in the past and have spent a lot of money to mitigate the situation. They have additional concerns with the power lines, the current condition of Weeks Rd, and whether there would be more than just one cabin built on the property.

Abutter Tom Davis owns 54 Weeks Rd, shown as lot 85. He currently accesses the back portion of his lot from the class VI portion of the road. There is a dip in the road and it is wet on both sides. He inquired if the road would become a private road. It was

APPROVED

stated the Town would continue to own the road. Mr. Davis also has concern with runoff. The rest of the road is not up to the minimum road standards as described. He had further concern with the applications ZBA had been approving recently. Member Currier agreed. Mr. Davis has spent a lot of research. He quoted a portion of RSA 674:41. Member Currier stated that is the process taking place with the Planning Board. Where building on a Class VI road is not allowed in Town, the applicants would need to go to ZBA for approval. Appeals could be brought to Superior Court. SR Warren reiterated the Planning Board would be making the recommendation to the BOS. The next step would be for the ZBA to approve. Mr. Davis had an issue with the approval that had been given on Sawtooth Rd. recently. Chair Buttrick feels this is an opportunity to improve the drainage on the road. Member Currier stated without permission to build, the owners could still utilize the road to access the property. The road would still be affected. Member Currier understands their (the abutters) frustration. With no further comments, Chair Buttrick asked for member discussions. Member Hoffacker felt they should recommend the BOS do not accept the road agreement on the Class VI portion of the road until the Class V portion ditching has been upgraded. Member Dalzell felt they could use this as an opportunity to help the neighbors with ditching while they are upgrading the Class VI portion. Member Currier felt the road agent would not upgrade Weeks Rd. There are not any provisions in the deed or easements to prevent building. It is unfortunate prior loggers ruined the road. The abutters could have approached the BOS who could have made the loggers improve the areas of ruin. VC Sisti reiterated the abutters concerns: the current condition of the road, environmental issues that may arise from the development of the property, and in keeping the rural setting of the area. Member Martindale felt the Class VI portion needed to be upgraded to Class V. Chair Buttrick stated they needed to come up with a recommendation. Member Currier recommends the BOS approve the road agreement. The road does need to be upgraded but he does not feel it needs to be paved. He does not believe it would cause additional water. VC Sisti stated the removal of trees and removing the roots is what caused the additional runoff. Chair Buttrick recommended ditching and gravel be done with a 21' road surface. VC Sisti asked the abutters if their properties had been positively or negatively affected. Don Pilkington stated they had spent thousands repairing what the loggers had created. Member Hoffacker felt if the town cannot take care of the current residents, they should not be taking on more. SR Warren feels the board should be making their recommendations on the existing regulations they have in place. Chair Buttrick feels the road should be a minimum of 20'. Mr. Davis feels 16' would be better, otherwise trees would need to be removed. Member Currier inquired of the Pilkington's if it was the loggers who made the water issue on their property. Mr. Pilkington stated they had previously had water, but had added drainage which took care of the issue. The loggers made the water worse and the drainage did not work properly, they had to dig everything up and redo the drainage. Member Currier felt if the work was done properly and the ditching and graveling was done right, they would not have problems with additional water. There was a brief discussion with the power lines. VC Sisti felt the placement of poles was outside the purview of the Planning Board. Members agreed to the following recommendations to the Selectmen:

- 16' wide roadway
- crown ditching being 2' on each side of the road

- emergency turn around on the subject property with size specifications from the fire chief
- 18" bank run gravel or 6" minus with 6" bank run on top of it

b. **OLD-**

CASE# SPR2022-401: Applicant Couto Companies LLC on behalf of property owner Bear Investments, LLC is requesting a site plan approval to operate a contractor's yard. The land agent is Lance Alonardo of Buffalo Leasing LLC. The property located at 136 NH Route 106 known as Map/Lot 421-018 located in the Business zone.

Mr. Couto added a 1½- 2' tall berm along the south and west portions of the lot. Shrubs would also be added along the Allens Mill Rd side. There would be sod added with 1-2% grade leading away from the berms. VC Sisti requested clarification of the location of the berm and the sod. Mr. Couto clarified. Mr. Couto stated it could hold approximately 25 dumpsters on the lot. Member Currier inquired of the size of the dumpsters. Mr. Couto stated they are 12'X8' and 14'X8'. Some of the dumpsters are taller making four different sizes.

Chair Buttrick opened to public hearing. With no public comment, Chair Buttrick closed the public hearing.

Member Currier wished to clarify the size of the area to be utilized in order to determine the number of dumpsters the lot is capable of holding. It was discussed the distance of the dumpsters from the wetlands would be 18'. Mr. Alonardo explained the center portion would stay open for vehicular travel (from the driveway on Allens Mill Rd). He updated the Board on the existing tenant, OneStop, which is in the process of being evicted. Member Currier inquired of the space marked for OneStop on the Site Plan. Mr. Alonardo stated the space is still utilized by OneStop, however they are in the process of being evicted. Going back to Member Currier's question on the size of the lot, Mr. Couto stated he couldn't fit more than 35 dumpsters. Member Currier felt a realistic number would be 20 dumpsters on the site. Mr. Couto inquired if the Board would accept 25. This would allow the Board to see how it would look and give an opportunity to adjust the approved number. If the board felt it was too much, he could go down to 20, the board could re-assess and potentially increase to 30. Members agreed this would be a good place to start. Mr. Couto stated in the summer months there would not be all 25 on the lot. Members agreed to review the approval in October. Member Dalzell recommended lowering to no less than 20 if the Board did not approve of the site after the review (in October). Member Currier felt cleanliness is key. Mr. Couto inquired if he could keep his truck on the lot. Members stated he could. VC Sisti concurred cleanliness is very important. Member Currier recommended a gate to prevent people from dumping in the dumpsters being stored on the lot. Mr. Couto wished to discuss this with the property manager. Mr. Alonardo had no problem with a gate so long as there were keys for fire and the landlord. They would discuss options. SR Warren felt the idea of gates or bars should be up to the applicant to determine. He does want to ensure the look of the lot. Chair Buttrick stated the dumpsters should be empty and clean. VC Sisti felt they could always discuss a gate when they reassess. Gates should be up to the property owner and tenant. Mr. Couto had not had a problem yet. He would address it if something like that were to happen.

Member Dalzell made the motion to approve the application with the following conditions:

1. A 1 ½-2 foot berm and sod shall be added, as indicated on the plan
2. Gravel to be placed at a 2% pitch
3. A minimum slope at the top of the lot of 3-1
4. A maximum of 25 units on the lot at any one time
5. The board would reassess the application in October to determine the quantity of dumpsters to be allowed on the lot at any one time.

Member Hoffacker seconded. **Motion passed 7-0**

CORRESPONDENCE

Resident Nate Philbrook has shown in interest in joining the Board as an alternate. SR Warren inquired why he chose the Planning Board to join. Mr. Philbrook felt this was a good point to start versus going to Zoning, for instance. VC Sisti inquired why he had chosen now to join. Mr. Philbrook stated it was timing. His children are older now. He now has the time that he can commit to a board.

Member Dalzell motion to appoint Nate Philbrook as an alternate member.

E. MINUTES OF- April 14, 2022 & April 21, 2022

Member Parker motioned to accept minutes of 4/14/22.

Member Currier would like it on record that his statement was incorrect that culverts on State roads are maintained by the State.

VC Sisti seconded. **Motion passed 7-0**

VC Sisti made the motion to accept the minutes of April 21, 2022. Member Dalzell seconded. Members Martindale, Hoffacker and SR Warren abstained as they were not present.

Motion to passed 4-0

F. UNFINISHED BUSINESS

G. OTHER BUSINESS/PUBLIC COMMENT

- Roads & Culverts Recommendations- It was clarified the RSA requires property owners to replace their own culverts whether or not the culvert is in the road ROW. Member Currier felt if there is negligence on the part of the town, the town should replace the culvert. Member Dalzell gave an example of his own culvert being filled with sand over the years. VC Sisti felt the owner should need to show negligent action on behalf of the road agent. Member Hoffacker felt the culvert filling with sand over the years was the fault of the owner not cleaning their culverts. SR Warren stated homeowners are currently seeking culverts to be replaced by the Town. The homeowner has the option to request the road agent install proper ditching. Chair Buttrick, reading the RSA, stated the PB can decree the road agent fix ditching if it is affecting a landowner's culvert. SR Warren recommends following the RSA and go back to the landowner that the PB has researched this and found the homeowner is responsible. Members agree to move forward with a statement saying the property owner is responsible for culverts and reference the RSA.

H. NON-PUBLIC

I. ADJOURNMENT

Member Dalzell made the motion to adjourn. Motion was seconded Member Hoffacker.

Motion passed 7-0

Respectfully Submitted,

Bre Daigneault, Community Development Director

Authorized by _____
Chairman C. Roy Buttrick

Date: _____