



TOWN OF GILMANTON
PLANNING BOARD
Thursday, December 8, 2022 – 6:30PM
Academy Building - 503 Province Road
Gilmanton, NH 03237
www.gilmantonnh.org

MEETING MINUTES

APPROVED

A. CALL TO ORDER BY CHAIRMAN

Chair Roy Buttrick, Members

B. ROLL CALL

C. SALUTE TO THE FLAG

D. PUBLIC HEARINGS- REVIEW FOR REGIONAL IMPACT

a. **NEW-**

PB CASE #SUBMIN2022-504: Property owners Ronnie and Patricia Cates, represented by land agent Richard D. Bartlett & Associates, LLC, are applying for a Minor Subdivision to their property located at 9 Crystal Lake Rd in Gilmanton, NH, known as map and lot 114-001. The proposal would subdivide two lots being 3 acres and 11.09 acres, leaving 3.43 acres with existing dwelling. The property is located in the Village Zone.

Representative Dan Mullin stated it is a pretty straight forward application. All three lots more than exceed the minimum requirements for the Village Zone. One outstanding item would be to receive State subdivision approval. Test pits are to be done next week and will be forwarding to the Town upon completion.

Member Currier made the motion to accept the application as complete. Member Hoffacker seconded. 5-0

Chair opened to public hearing. Ms. Gooby inquired of the plans for the lots. Mr. Mullin explained it is designed for one house on each lot. Mr. Welford inquired of the plans for the existing building which used to be an inn and if it would be owner occupied. Ms. Cates stated the house is planned to be sold. There is someone interested in restoring the building. Mr. Welford inquired about access to the lots. Mr. Mullin stated one lot would be accessed from Crystal Lake Rd, the other from Route 140. Member Currier explained the purpose of the Planning Board is to ensure the plan meets the regulations. They cannot restrict the use of the lots and what can be built. It was confirmed, the Board would not be placing restrictions on the lots.

With no further comments, Chair Buttrick closed the public hearing.

Member Currier clarified, that portion of Crystal Lake Rd is State maintained until the damn.

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

1. Locations of perk tests and 4,000 square foot septic area
2. Location of existing and proposed wells and radiuses
3. Wetlands scientist stamp and signature
4. Slope/easement deed to the State referenced in book and page 444-238
5. Bounds be set prior to recording

6. State driveway permits be noted on the plan
Chair Buttrick seconded. **Motion passed 5-0**

Chair seconded 5-0

b. **OLD-** Continued from Nov. 10, 2022

PB CASE #SPR2022-402: Property owner R&N Abbott Properties, LLC is requesting a Site Plan Review Application to expand the use and size of an existing retail use. The property is located at 110 NH Rte 106, known as map/lot 421-002, consisting of 3.58 acres located in the Business zone.

Jeff Green, representing the property owner, reiterated this proposal was for an online auction house on the property. A site walk was completed after the last meeting. The addition was approved and has been started. There was concern with the wetlands and safety on 106. He had spoken with Mike Kimball at DOT. They (DOT) would not put in a turning lane nor would they approve "no parking" signs. DOT did recommend a new driveway permit. Mr. Green would propose to widen the driveway to 18', which does not affect the existing culvert or the wetlands. Mr. Green relooked at the parking (on the original proposed site plan), and turned the existing gravel area into parking having ten angled spaces. In front of the garage, they would make this area for pickups, instead of utilizing the area for display. He added four parking spots along the office/residence. They intend to return to the board to be able to utilize the building as a residence. Chair Buttrick noted the fire chief had attended the site walk and did not have any problems with utilizing the space as residential. Mr. Green felt another concern of the Board was the driveway on Allens Mill Rd. The water is not going into the ditch, but across the driveway and washing out. He proposes a small paved apron on that area with some stone to reroute the water. They would work with the road agent to alleviate some of the problem. Starting with display area 1, he pulled the display area away from the wetlands a little and squared up the shape. He added a 1' berm to prevent water from running directly into the wetlands and keep people from driving into the wetlands. There would be a swale at the bottom of the hill to absorb the water. On display areas 2 and 3, he added berms. The left corner of 3, he squared the parking off, pulled it back from the wetlands, and added an area to turn. A wetlands crossing would still be needed to access area 3. He is meeting with the conservation commission next week. Members compared the original map with the new plan. It was confirmed, the area where the sign is would not be used as display area, it would be utilized for customer pickups and to access the display areas to the south. Chair Buttrick requested mediation or silt fencing be added to the plan. There was also the recommendation for a stormwater management plan. Mr. Green felt he could place what type of silt fencing they would be utilizing added to the plan. Mr. Green went through a list of items recommended by the Town's contracted planner, Mark Fougere.

1. Two-foot contours are shown on the plan (which they are)
2. They are not doing a lot of grading, but could show a detail line with the amount and types of gravel
3. He does have the wetlands scientist stamp
4. He was not proposing a lot of changes to landscaping to involve a landscaping plan. There are already trees across the front of the lot.

5. They are not proposing any changes to the existing lighting.

Chair Buttrick had concern with the speed and amount of traffic on 106, as well as vehicles utilizing the breakdown lane to access Allen Mill Rd. He understands it (Route 106) is not the board's purview. Mr. Green stated the hours of business are between 10 and 5, not during the busy traffic times. Mr. Green will look into the secondary driveway (on Rte 106) and would make a correction if there is no driveway permit.

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

Chair Buttrick opened to board discussion. There was continued concern with the traffic on route 106 and people pulling over. Member Currier would recommend a way to block the view on the north side of the property. SR Warren inquired how this proposal is any different than what was there prior, as a used car dealership. Alt. Member Philbrook felt the items on display are more diverse and would draw more attention. SR Warren felt the applicant's current business in Chichester is very similar, on a State road. He feels people would pull into the property to get out of their cars. SR Warren felt the previous owners had not had issues with people pulling over on the side of the road. Members continued to discuss the safety of traffic on 106 and vehicles utilizing the breakdown lane to turn onto Allens Mill Rd. Member Hoffacker felt vegetation units, as indicated in section b (Site Plan Regulations Section IX:E-1.b) should be added along the road front. Members continued to discussed adding vegetation units as buffers. Member Dalzell stated the board was discussing requiring a vegetation buffer, 6' tall, starting 10' off the end of the driveway (north of the driveway) continuing around the corner of and along Allens Mill Rd. Member Hoffacker read the vegetation requirements found in paragraphs b and c. Members discussed paragraph "b" was a row of vegetation whereas "c" was for a thicker bed of vegetation. Chair Buttrick also stated a storm water management plan should be required.

Mr. Abbott stated he did not buy this property to have it shadowed. His business runs on exposure and this would hurt his business. He stated the board members are all ambassadors of the Town and he felt unfairly treated from the last meeting. He would not place a big boundary between he and his customers, he would rather sell the property. Member Hoffacker asked if the business was online, why would they need that much exposure. Mr. Abbott stated the business used to run live. The effects of COVID made everything go online. They found going online, the reach was further, it increased his business but they still need the exposure. They still rely on people driving by and seeing the auction items to gain interest. They schedule people times to pick up their items, so they do not need a lot of parking spaces for customers. Mr. Green asked for clarification as to which parking lot they are requesting trees. He stated there are already trees in that area, with exception to the wetlands. They would not be able to plant in the wetlands and would need to pull the parking back. He didn't feel adding more trees would make a difference. Member Currier stated this was not to punish the applicant, it is for safety purposes for the general public and people of this town. SR Warren asked for members to think of busy roads in the State that have cleared business lots. Chair Buttrick feels this is a State problem not a Planning Board problem. Mr. Abbott requested the board make a motion.

Member Currier made the motion to approve with the following conditions:

1. A vegetative berm as indicated on the proposed plan be in place.
2. Planting of trees being 10' off the driveway to where it meets Allens Mill Rd, continuing along the side of Allens Mill Rd to the existing driveway, excluding the areas with existing trees in the State right of way, and being as described in Section IX:E-1.b of the Gilmanston Site Plan Regulations.
3. Show a detail for grading with the amount and types of gravel on the plan
4. Stormwater management and erosion control details added to the site plan, including placement of silt fencing and/socks
5. The wetlands scientist signature and stamp
6. NHDOT driveway application for the southerly existing access or remove from plan

Member Hoffacker seconded. SR Warren opposed. **Motion passed 4-1**

Mr. Green asked of the design details of the vegetation berm. Member Currier clarified the trees could be placed outside of the 1' berm. Mr. Green clarified the trees did not need to be placed on top of the berm. Members stated they did not. It was to adhere to paragraph b. SR Warren inquired of a time frame for the plantings. Members stated the plantings should be done by the spring. Mr. Abbott stated the board had stalled him and cost him a lot of money.

E. MINUTES OF- November 10, 2022 & November 16, 2022

Member Currier made the motion to approve the minutes of Nov. 10, 2022. Chair Buttrick seconded. **Motion passed 4-0**

Member Currier made the motion to approve the minutes of Nov. 16, 2022. Chair Buttrick seconded. **Motion passed 4-0**

F. UNFINISHED BUSINESS

G. CORRESPONDENCE

H. OTHER BUSINESS/PUBLIC COMMENT

a. Zoning Ordinance Warrant Articles

- Article VII. Non-Conforming Uses, Lots & Structures
- Article XVI. Definitions
- Article IV, Table 1. Table of Uses

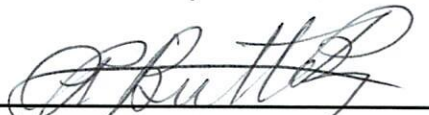
Staff Daigneault stated the warrant articles would be brought to public hearing in January. There was no further discussions.

I. NON-PUBLIC

J. ADJOURNMENT

Member Currier motion to adjourn. Member Hoffacker seconded. **Motion passed 5-0**

Authorized by


Chairman C. Roy Buttrick

Date:



*Amended to clarify condition #2 on case#2022-402 should have included the following:
"continuing along the side of Allens Mill Rd to the existing driveway,"