



TOWN OF GILMANTON  
PLANNING BOARD  
**Thursday, October 12, 2023 – 6:30PM**  
Town Offices at Gilman Academy  
503 Province Road  
Gilman, NH 03237  
[www.gilmannh.org](http://www.gilmannh.org)

**MEETING MINUTES APPROVED**

**A. CALL TO ORDER BY CHAIRMAN**

**B. ROLL CALL**

Members present included Nate Philbrook, Brett Currier, Marty Martindale, Selectmen's Rep. Evan Collins, and Chairman Roy Buttrick, along with the Community Development Director Bre Daigneault. Members Jake Dalzell and Parker Hoffacker had excused absences.

**C. SALUTE TO THE FLAG**

**D. PUBLIC HEARINGS**

- **PB CASE #SPR2023-404:** Land agent SunFlower LLC on behalf of property owners Jill & Jon Guilmain as Trustees of the Jon & Jill Guilmain 2019 Trust, are requesting a Conditional Use Permit with a Minor Site Plan Review Application to place a Ground Mounted Solar Energy System. The property is located at 42 High St in Gilman, known as map/lot 126-011, located in the Village zone.

SR Collins recused himself as a potential contractor on the project.

Mr. Sisti explained they are proposing a 28 panel ground mounted bifacial system. It will include the usual racking units with conduit underground to a 200 amp electrical panel. There would be minimal road view, if any, depending on the leaves. The units would be placed to the back of the property.

Member Currier made the motion to accept the application as complete. Member Philbrook seconded. **Motion approved 4-0**

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

There was no further discussion amongst the board.

Member Currier made the motion to approve the application. Chair Buttrick seconded. **Motion approved 4-0**

SR Collins rejoined the Board.

- **OLD-** None

Chairman requested to move to item G

**PRA-2023-5: Private Road Agreement:** Property owner Justin Chojnacki is requesting a private road agreement with the Selectmen to build on Locust Ave. The parcel is identified as tax map and lot 119-053. 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.

Mr. Chojnacki is requesting to build on a private road. He is discussing improving the dirt way

and build a proper roadway including paving. Mr. Chojnacki presented plans for the board to review. He has experience in building. Chair Buttrick inquired if he had spoken with the Commissioners. Mr. Chojnacki has discussed this with the Village District and has received a driveway permit from them. He has started removing trees from the roadway and would be removing some trees from the property but leaving many. Mr. Chojnacki is interested in creating a cul-de-sac on his property for use by emergency personnel and plow truck turn around. Member Currier felt the planning board did not have to make a determination; it should be left to the Selectmen. He felt the Planning Board should vote no comment and send it directly to the Selectmen. Member Currier did not feel this board had the education to make an educated decision. Member Philbrook felt the board should consider safety vehicles could access the property. Member Martindale stated it would come down to whether police and fire would be comfortable with what is being proposed. Chair Buttrick felt if members had not been out to look at the road, they are not doing their job. He presented pictures of the property, roadway, and surrounding area he had taken. Chair Buttrick felt they should be requested engineered plans including stormwater management plan. The road is within the shoreland protection area and would need DES approval. He felt if the width could be the same as to the existing developed area. Member Currier felt there was a paper road there and it would be up to the applicant to get State permits. He does not feel road agreements are the purview of the Planning Board and should just go to the Selectmen as they have all the say. He would not be voting on these anymore. SR Collins stated the Selectmen do rely on the Planning Board's opinions for these and take their recommendations. Community Dev. Dir. Daigneault stated the RSA explicitly states these road agreements must be reviewed by the Planning Board. Member Currier felt the board could state "no comment" to the Selectmen on road agreements. Ms. Daigneault stated the RSA allows for a private road to be built upon that has been approved by the Planning Board. The Planning Board would have reviewed the road specifications during the plat approval process. The Planning Board review of road agreements is for roads that have not previously been reviewed by this board. She stated it is the Planning Board's purview to designate what needs to be done to the road. She felt the board could recommend requiring a storm water management plan and engineered plans for the road construction as there could be significant runoff coming down Locust St towards the lake. Member Currier felt that was an opinion and what they say doesn't hold a lot of weight. Member Philbrook reiterated the need for safety for the people in Town. He couldn't speak for wetlands or runoff. Member Martindale agrees the board is required to make recommendations. He would recommend the road be brought up to Class V standards. Those standards would be up to engineers and DES. SR Collins requested for clarification of what he should be bringing back to the Selectmen. Member Currier had no comment. Other members wished to send the following recommendations:  
The Planning Board recommends the Board of Selectmen approve the road agreement with the following considerations:

- A stormwater management plan be completed. There is concern of runoff onto to the Town maintained road (Hemlock Dr) and into Sawyer Lake. Concern has been voiced by the road agent as well as Planning Board members.
- The road construction meet Class V road standards with exception to the road width. The width be no less than the existing paved section of Locust Ave. An engineered road plan could be requested.

- The road lies within the 250' Shoreland Protection area. The Planning Board recommended the property owner contact the Dept. of Environmental Services to ensure shoreland compliancy.
- There is concern with safety. Though the fire chief did not motion a concern, the property owner did state he wishes to add sufficient turn around space on the property for emergency personnel and snow removal.

#### **E. MINUTES OF- September 14, 2023- See below**

#### **F. CORRESPONDENCE**

- 110 NH Rte 106, Site Plan update  
Mr. Green and Mrs. Abbott presented an updated plan. They are catching up with the details of the conditions. The trees have been added to the plan along with additional notes. They have worked with a landscape designer and have planted additional trees. Mr. Green stated they are trying to work with the Town. He feels they have made an improvement and are hoping they have done enough to satisfy the board. Chair Buttrick showed examples of what the planted would like when fully matured. Member Currier had no comments. Member Philbrook stated his concern is and has always been with safety. Mr. Green had listened to the recording and read what was stated by Member Currier. He felt the decision was changed at the following meeting to: the trees should be all the way to the driveway up Allens Mill Rd. He hopes the Board can come to the original vote. Member Philbrook remembers the vote 10' off the driveway along 106, and up Allens Mill Rd. Mr. Green felt four members had a discussion at the meeting that no one else could hear. He felt that discussion was completed in non-public. He also felt there were side discussions at the site walk. It went from the tape to the paper (draft notice of decision). They want to work with the board but not put in more than what was originally approved. They may be willing to make a small concession but not another large amount of trees. SR Collins feels Allens Mill is not his top priority (for the plantings) as 106 is. Member Martindale stated he has driven by and is happy with the plantings. Chair Buttrick felt the trees looked good; he would like them to go around the corner a little more. Mrs. Abbott stated even just another 50' would cost thousands more dollars. Member Currier felt the motion was meant to go to the stone by the driveway up Allens Mill Rd, there was no stone at the corner of Allens Mill Rd. Member Currier stated he was good with the new design but clarified his intention of the motion. What he said may not have been exactly what was meant. Chair Buttrick inquired of the fire chief. Mrs. Abbott has spoken with Davis for the fire alarm system. They are coordinating with the fire chief. Members reviewed the terms of the original conditions and felt the applicants had met the terms set forth (in case #SPR2022-402). Mr. Green stated he would update the plan and submit to the office for final signatures.
- Stephanie Verdile, LRPC  
Ms. Verdile would like to be on the schedule to update the BOS & PB after each LRPC meeting. She works for the State and is charge of block grant. Regional Planning Commission are in charge of a regional housing needs assessments. Federal money had been made available to complete a housing study more recently than 5 years. The RSA states municipalities provides for affordable or workforce housing. There is a fair share table, that states what each municipalities "fair share" is for housing. This table is included in the LR housing plan. Each commission must adopt their LR plan. The LRPC has not adopted the plan, yet. Lakes was

concerned they are going to get sued by the housing appeals board. It was erroneously relayed to the commissioners that no other commission had adopted the housing plan with the table. It was found that 8 out of 9 commissions had adopted it with table. The table is just a projection not a law. It is her job to come to the town to see if they would be willing to adopt the plan with or without the table. Chair Buttrick inquired if it was adopted, could a developer that was turned down at the Planning Board, utilize the plan to the housing appeals board. Ms. Verdile stated not really. Member Currier inquired of how to meet the requirements. Ms. Verdile stated it is mostly based on density. Chair Buttrick inquired about cluster housing. Ms. Verdile stated that would be the request; to construct more houses than allowed per lot. Ms. Verdile recommended members reach out to the LRPC to inquire of their opinion and review the suggested projections.

#### **G. OTHER BUSINESS/PUBLIC COMMENT**

- Capital Improvement Program
- Zoning Ordinance Warrant Articles

Minutes- Member Martindale made the motion to approve the minutes as written. Member Currier seconded. **Motion approved 5-0**

Ms. Daigneault stated she would not be available for the November 9<sup>th</sup> meeting. Members decided to move meeting to Wednesday, November 8<sup>th</sup> at 6:30 pm.

#### **H. ADJOURNMENT**

Member Currier made the motion to adjourn. SR Collins seconded. **Motion approved 5-0**

**Authorized by** \_\_\_\_\_  
**Chairman C. Roy Buttrick**

**Date:** \_\_\_\_\_