

Town of Epsom  
Planning Board  
1/27/10

**In Attendance:** Dan McGuire, Chairman; Phil Demeritt, Vice Chairman; John Keane; Keith Cota, Selectman's Representative; John Dodge; Norm Gentry; Jay Hickey; Sharon Burnston, Alternate; Deirdre Davis, Alternate

**Not in Attendance:** Betsy Bosiak, Alternate

**Also in Attendance:** Russell Bartlett; Vichelle Naugle; Marilyn Key; Jeff Lewis

**6:30 PM Administrative Session**

Mail was reviewed.

The minutes of 1/13/10 were reviewed. Phil made a motion to approve the minutes as amended. John Dodge seconded the motion. All in favor.

Three members of the Planning Board will have terms up this year: Dan McGuire, Norm Gentry & John Dodge. Dan & John plan to run again.

**6:50 PM Continued Public Hearing / Excavation Regulations / RSA 155-E**

Phil made a motion to open the public hearing. Jay seconded the motion. All in favor.

The draft regulations were reviewed.

Phil made a motion to close the public hearing. Jay seconded the motion. All in favor.

Dan noted he is not in favor of adopting these regulations because he doesn't feel it's necessary to have our own regulations, since this is already adequately regulated by the State of NH.

Keith stated the RSA are minimum standards and the Town of Epsom has the ability to require higher standards.

Keith made a motion to adopt these regulations with the following change:

Page 2 – 1<sup>st</sup> sentence will read: "The Board shall not grant an approval for the issuance of a permit under the following conditions:".

Phil seconded the motion. Phil, Jay, Keith, John Keane, John Dodge, Norm Gentry voted in favor. Dan voted against.

**7:08 PM Continued Public Hearing / Towle Farm Estates / 40 Lot Subdivision / R13-36-1 / Goboro Road**

Russell Bartlett passed out a Bonding & Phasing Plan which indicates a Master Plan along with 4 phases with timelines for completion.

This plan states that a determination for off-site improvements to be decided upon prior to Phase IV. Russ said he is agreeable to do minor off-site improvements: lighting, signage, etc. at the beginning of Phase I. Keith said he has some concern about waiting until the last phase to complete off-site improvements.

The question was raised about the number of Certificates of Occupancy and whether Russ will forward a copy of this Bonding & Phasing Plan to Attorney Soltani for review.

Phil noted his concern that if this plan is accepted by the Planning Board, it is not a promise of the issuance of building permits. Russ understands that and is willing to enter language in this agreement to that effect.

A new plot plan was distributed, showing the phases of construction.

Phil asked Russ if he would request his loggers to keep more "considerable" hours. Russ said he has heard several complaints & acknowledged that Mrs. Naugle's mailbox has been taken

out several times. He said they are down to the last couple of weeks of logging. They were trying to get the job done quickly & had extra crews working. Keith feels that the logging that has taken place has created a lot of concern among neighbors. Phil said he has received over 25 emails from neighbors as well. Mrs. Naugle asked about the trucks travelling over the Depot St. Bridge, and Keith explained the limitations of trucking over an E-2 classified bridge. Phil made a motion to continue the public hearing to February 24, 2010. Jay seconded the motion. All in favor.

### **7:45 - 7:55 PM Break**

### **7:55 PM Informational / AutoSmith / expand parking lot / Ken Smith / 96 Old Turnpike Road**

Ken Smith said he is trying to stay in compliance with the number of vehicles on his lot. He was directed by the BOS to come to the Planning Board to revise his site plan. He is currently allowed to display 60 vehicles and would like to increase that number to 75. He intends to keep all vehicles on asphalt, but would like the wording to say "all 4 tires on asphalt" instead of "bumper to bumper on asphalt".

He is currently limited to 10 additional vehicles including personal vehicles & golf carts. He'd like to increase that number to 25, eliminating golf carts as a vehicle.

Ken said he's been fortunate enough to experience an increase in business, and is requesting this change which would allow him maximum usage without having to make significant changes to his site. He acknowledges he's had more cars than he's been allowed in the past, and wants to revise this site plan to avoid that from happening in the future, which could lead to fines. He feels he'll have the support of his neighbors. The Planning Board feels that a Public Hearing must be held as this is a significant change to the site plan. Ken was hoping to have this considered without having to hold a new Public Hearing.

Ken is requesting that this board consider approving his original application of 71 cars, without having a Public Hearing. Jay said the last time he inspected the lot, there were 72 vehicles on the lot, and he agreed to withhold any fines as long as Mr. Smith came forward to resolve the issue.

A Public Hearing has been scheduled for March 24, as the last item on the agenda. The Board members that wish to view the property can stop by at their convenience.

### **8:23 PM Old/New Business**

Phil briefly explained to the newer members of the board about the subdivision on North Road / Barton Road (R14-8-3) that was approved in 2008. None of the conditions of that subdivision approval have been met. A letter was received by the Planning Board this week from Mr. Richard Harris indicating that Mr. Steve Allen is authorized to proceed with completing that subdivision. However, Mr. Harris does not own the property – it is owned by Charles Dreisbach. Mr. Allen indicated to Barbara in the Town Office that a new plan was being prepared by Tom True. Phil said that none of the conditions have been met, including the wetlands delineation markers, which have not been placed.

Keith said that even though Tony was not the attorney that represented the Town when this case originally went to court, he is aware of the case and this new information should be

brought to his attention. Dan will ask Barbara to contact Tony and ask him to write a letter to Mr. Dreisbach informing him of the conditions of the development. Keith suggested that Barbara convey this information to our attorney since she is familiar with the case.

A Public Hearing was scheduled for March 10 for the Master Plan.

Keith said he has not had time to prepare changes for Subdivision Regulations. He is hopeful to have some proposed changes ready for review by the end of February. There was a brief discussion about the safety of developments with only 1 egress. Other items for discussion: one acre of buildable area & bonding. Keith also indicated that there are new DES regulations coming forth.

Keith said the town has a Hazard Mitigation Plan and the plan has to be reviewed every 3<sup>rd</sup> month, and the plan falls under the Planning Board's oversight. Phil is on the committee to review the plan. Keith suggested that Phil call Joanne Randall to discuss scheduling a meeting to review the plan.

**9:25 Keith made a motion to adjourn. Phil seconded the motion. All in favor.**