

Town of Epsom
Planning Board
7/22/09

In Attendance: Dan McGuire, Chairman; Phil Demeritt, Vice Chairman; John Dodge, Jay Hickey; John Keane; Norm Gentry; Betsy Bosiak, Alternate; Sharon Burnston, Alternate; Deirdre Davis, Alternate

Not In Attendance: Keith Cota, Selectman's Representative

Also in Attendance: Dan Weldon; Scott Kemp; Ray Brooks; Diane & Lester Gagne; Joseph Downey; Ken Archambault; Ken Rudolph; Prescott Towle

6:35 PM Administrative Session

The minutes of 7/8/09 were reviewed. Phil made a motion to accept the minutes as amended. Jay seconded the motion. John Keane abstained, as he was absent. All others voted in favor.

Dan said he received a copy of the plan to repair the bridge on Deer Meadow Road in Chichester.

Mail was reviewed.

There was a brief discussion about David Smith's subdivision and what amount of work has been completed.

7:15 PM Clarification of Notice of Decision / Dan Weldon / R-15-2 / 304 North Road

Dan said he received the revised Notice of Decision and he is contesting Conditions #4 & 5, which require conditions to be part of the deed.

Phil made a motion to change the conditions #4 & 5 on the Notice of Decision from:

4. Stones shall be placed in the existing driveway on Lot 2 when the new driveway is cut, to prevent use of the existing driveway.
5. Stones shall be placed in the bar way on Lot 2-2 to prevent access.

To be changed to read as follows:

4. No ingress or egress thru existing driveway on Lot 2 after new driveway is cut without Planning Board approval.
5. No ingress or egress thru barway on Lot 2-2 without Planning Board approval.
6. A copy of the deed shall be provided to the ZCO for review and approval (items 1 & 2 shall be on the deed).

John Keane seconded the motion. All in favor.

7:30 PM

Informational / Carparts of Epsom / Maggie Senter / U8-93-2 / 1157 Route 28 / 40' x 40' (50% expansion)

Scott Kemp from Kempro Construction & Ray Brooks, Manager of the Epsom store, are present to present their plan to moving the showroom into the new 40' x 40' addition.

The existing building would be for displays, counter space, and storage. The plan shows a Shipping / Receiving area, dumpster location, outside lighting, signage, snow storage

& parking. The entrance will remain in the same place. Scott responded to Phil's concern about the oil tank located out back and said it will be removed as they are converting to propane.

They have not yet been to the Fire Department for input. Scott also stated that he doesn't feel it will increase traffic, because it's more parts in stock – and less ordering & having the customer return to get them. No new bathrooms or modifications to the existing bathrooms will be made.

The new addition will look similar to the existing building. Betsy suggested they bring a copy of their existing driveway permit from District V.

Phil made a motion to hold a Public Hearing on August 26. Jay seconded the motion. All in favor.

7:45 PM Informational / Diane & Lester Gagne / U17-15 & 16 / 38 Fowler Road / Lot Merger

Mr. Gagne stated he has had these two lots for quite some time and would like to incorporate them into one lot. Each lot is about 2.009 acres. One has their existing home on it and the other one has a shed on it. The shed is in great disrepair and will eventually be demolished. Taxes are paid current.

Jay made a motion to grant the lot merger. John Dodge seconded the motion. All in favor. The paperwork is complete & Dan signed it tonight.

Barbara reminded the Gagnes that this will not impact their taxes until 2010 because it is after April 1.

7:50 PM Site Plan Inquiry / Cristina & Joseph Downey / U12-08 / 1004 Lane Road / Timber home display

Joseph Downey has a sign in front of his log home on Route 28. He is a sub-contractor for Crocket Homes. He would like a permit for the sign to be placed there in case someone wants to look at his home as a model. The sign would say "Crocket Homes" in front of his home. Betsy said an off-premise sign on a state highway is illegal. He also cannot advertise an out-of-town business on his property. He said he has an open house one Saturday a month for a couple hours.

Phil made a motion for Joseph Downey to obtain an annual permit for a temporary sign to be placed on U12-08 as needed during each Open House. Not to be used more than 30 days a year.

John Keane seconded the motion. All in favor.

8:05 PM Ken Archambault / U1-112-9 / 8 Meadow Lark Lane / Trailer Parking

Ken said he just wants to park his car trailer on his property during the night and on weekends when he is at home. He rents the property from Larry Leppard of Meadow Lark LLC. Mr. Leppard sent a letter of support.

Phil thinks it would be a good idea for Mr. Archambault to provide a sketch showing the property and the location of his home and the parking, etc. He has applied for a Transport Plate from NH DMV, but he can't get use his plate until the Planning Board approves this.

He is going to draw the sketch now while we hear the next case.

8:10 PM Ken Rudolph / Hot Dog Stand at Care Pharmacy

Mr. Rudolph wants to operate a hot dog stand in the parking lot at Care Pharmacy. He has a letter from Frank Cassidy, the owner of Care Pharmacy, stating that he has given permission for this. He has worked out a rental agreement with Mr. Cassidy.

He'll have a fry-o-later, hot dog steamer, etc. He doesn't know yet what days or times he'd like to be open yet, but assumes he would work 5 days a week.

Phil asked if the trailer will stay there permanently, or will it be moved every day. Mr. Rudolph said he'd like to leave it there overnight on the consecutive nights that it will be open, but he's flexible. Phil suggested he contact the Fire Department for their recommendation of propane tank placement.

Sharon is concerned about food prep because Care Pharmacy has well water and she believes there is arsenic in the water. Mr. Rudolph said he'd be using bottled water or water from his home, which is on town water for any food prep / coffee, etc. He plans to tap into Care Pharmacy water for hand washing, cleaning, etc.

Barbara also stated that Cec Curran, Health Officer, will have to inspect everything like he does all Food Service businesses, so these issues will all be addressed.

There was a discussion about how the placement of this trailer will affect the Fire Department when they sell Christmas Trees. Mr. Rudolph said he's not even sure he'd still be there in the winter.

Betsy pulled old minutes from 2003 when another applicant came before the Planning Board for similar request and they were sent to the ZBA for a Special Exception, which was approved. Betsy feels we need to send the applicant to the ZBA. He asked if Hague Farm (that operates a farm stand at Care Pharmacy now) had to go to the ZBA and Betsy said no, because it is an Agricultural use.

Dave Fiorentino feels he should not have to go to the ZBA. Barbara advised Mr. Rudolph of the application fees for the ZBA, and he is frustrated that the fees are exorbitant, as all he is looking for is a "Peddlers License". There was a long discussion about how this differs from vendors who want to sell things at Old Home Day, or vendors who only want to operate once for a couple of days.

Barbara inquired if a joint meeting could be held for both the ZBA and Planning Board.

Phil made a motion to hold a Planning Board meeting on the same night as the ZBA hears this case, to save this applicant the money for two applications. Jay seconded the motion. All in favor.

It was discussed that it would be appropriate for the Planning Board members to attend the ZBA meeting as well.

9:00 – 9:15 PM Break

Ken Archambault Continued

Mr. Archambault drew a site plan of his lot. Mr. Prescott Towle is an abutter to Mr. Archambault and is present at this time. He has questions about where the car trailer will be parked, as he said the land used to look beautiful & maintained and was wooded. Once Mr. Archambault moved in, he cut down a lot of trees and doesn't think it looks

good, and is discouraging prospective home buyers from purchasing his home, which is across the street. He doesn't think parking the trailer there is appropriate in a residential neighborhood.

Mr. Archambault said there is a camper owned by the owner of the property and the car trailer will be parked beside it. There were comments that we cannot require a home owner to mow his lawn, and as long as a vehicle is registered, they can park it on their property. Norm asked if our ordinances allow parking a commercial vehicle on a residential property. Jay replied there can be one commercial vehicle per residence. Dan read the regulation aloud.

After a great deal of discussion, Mr. Archambault agreed that he could purchase a piece of lattice work that could be strategically placed so it somewhat shields the trailer.

Phil made a motion to allow the parking of the trailer on site, with the condition that

1. No vehicles are brought home on the trailer.
2. As soon as an office is opened inside, it becomes an in-home business, and must return to the Planning Board for an in-home business permit.

John Keane seconded the motion. All in favor.

There was a discussion about the other items (junk) that is parked on that property. Jay said when he was up there, he didn't really see any zoning violations. Mr. Towle stated that he is just frustrated with all the "stuff" that's there.

10:00 PM Norm made a motion to adjourn. Phil seconded the motion. All in favor.