

**TOWN OF EPSOM  
PLANNING BOARD  
SEPTEMBER 19, 2010**

**In Attendance:** Philip Demeritt, Chairman; Deirdre Davis, Vice Chairperson; John Dodge

**Not in Attendance:** John Keane; Sharon Burnston; Keith Cota, Selectman's Representative; Jay Hickey; Norm Gentry, Alternate

**Other Attendees:** Ken Smith; Lee Adams

The Board members met to do a site walk of the Autosmith Property at 96 Old Turnpike Road.

Phil opened the site walk at 9:20 AM.

Wetlands were noted at the back westerly corner of the display lot adjacent to Route 4. Ken Smith noted the drainage went under the drive to the display lot to area of the American Flag and from there under Old Dover Road and Route 4 to the Little Suncook River. The pipes were 18". Phil noted an electrical wire coming out of the Westerly end of the pipe on the drive to Route 4.

John asked the number of vehicles on the lot, Ken believed there were 59. Dee noted the area was very neat.

The road from the sales area to the house was walked. Phil noted a filled area on the southerly side of the road that could be used to park cars. The parking area westerly of the house was gravel.

The garage area used for vehicle inspection and repairs was viewed. It was noted the garage is a State inspection facility. Ken noted they only service their own vehicles with no public business. Ken noted all cars having a 20 day plate have to be inspected.

Phil noted Mr. Warren gave the impression his home was across the street, it is several hundred feet away from the Smith home.

Phil asked Mr. Smith if he would be opposed to set business hours for the garage area use. Phil suggested a chain across the business use area by the house to distinguish cars for sale being serviced from the personal vehicles and visitors. Ken noted they could have valid plates on their personal vehicles; they do not have them now, but use the dealer plates.

Old Turnpike Road from the Smith drive to Mr. Warren's drive was walked. Betsy noted it was approximately 210' from drive to drive. Phil noted it was approximately 40 feet from the Smith bar way to the first spruce tree going westerly.

An oil tank was noted in front of the house. Lee Adams noted they had removed the underground oil tank; it would be removed from the property.

Phil asked about protection for the gas tank in the gravel parking area. Ken will contact the Fire Department about it.

A 12" drainage pipe was noted under the gravel drive from the house to the business area. The water seems to drain to the wetlands area by the display lot.

It was noted the sales trailer has plumbing, water and septic. Phil and John inspected the sales trailer noting it is a fully functional mobile home with a kitchen and full bath. Lee noted they do not know if the shower works.

Dee's main concern was all parts of the vehicles are on asphalt, Ken noted they work hard to accomplish that. He would be happy to be scrutinized with set fines. Dee noted the Board is trying to set things up so Jay does not have to continue inspecting for violations. Fencing or curbing along the Route 4 side of the display lot was discussed. Ken is not in favor of fencing. If the number of cars was unlimited Ken would be willing to do something.

Ken noted this is the second time they have asked for an increase in the number of cars. He has signed affidavits from six of the seven abutters indicting they do not mind the additional vehicles. He is hurting financially and is in a survival mode. He asked to do just another informational, not a public hearing due to the cost. Phil noted the Board needs to do a public hearing as an abutter has spoken against the increase. The abutter has concerns and this is their forum to say things for or against the request.

Ken thought from the first hearing in 2004 he could return to the Board without a public hearing. Phil reiterated a public hearing is needed. Ken noted he may not be able to afford a public hearing.

Phil noted it spins back to compliance; the Board is looking at the whole scope. If additional vehicles are granted below, it may be a give and take. Phil indicated the Board may say what they can have, but there may be conditions, the Board is not going to put them out of business. Ken feels this has spiraled out of control cost wise.

Betsy suggested they keep all flags and other sales item off the State right of way of Route 4. Ken and she walked to the edge of the approximate right of way with Ken noting he would move the flag pipes to his property.

Phil adjourned the meeting at 10:05 AM.

Respectfully submitted,

Betsy Bosiak  
Recording Secretary