

TOWN OF EPSOM  
PLANNING BOARD  
940 SUNCOOK VALLEY HIGHWAY  
EPSOM TOWN OFFICES  
APRIL 22, 2020  
6:30 PM

**In Attendance:** Kathy DesRoches, Chairman; Mike Hoisington, Vice Chairman; Joe Harnois; Cheryl Gilpatrick, Selectmen's Representative; Bob McKechnie; Don Weaver; Sharon Burnston; Betsy Bosiak, Alternate

**Not in Attendance:** Jay Hickey, Alternate

**Other Attendees:** Joe Wichert; Sonny Sell; Mike Vignale; Scott Elliott; Meadow Wysocki; Alan Quimby; Mark Sargent; Jon Rokeh; Attorney Simon Leeming; Rachel Eames; Jeff Eames; Brett Rouleau

Kathy opened the meeting at 6:30 PM reading the following:

As Chair of the Epsom Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means; we are utilizing the Zoom platform for this electronic meeting.''' All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 646-876-9923 and password 625892, or by clicking on the following website address:

<https://granite.zoom.us/j/563701534>.

b) Providing public notice of the necessary information for accessing the meeting; We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the Town of Epsom's website at: [epsomnh.org](http://epsomnh.org).

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access; If anybody has a problem, please call Cheryl or email at: 603-491-5955 [cheryl.gilpatrick@epsomnh.org](mailto:cheryl.gilpatrick@epsomnh.org).

d) Adjourning the meeting if the public is unable to access the meeting in the even the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

If anyone has any questions or concerns regarding public meetings, there is a link for public meetings on the town's website under the planning board page. Look under the latest notices.

### **Discussion – Windsor and Wimbledon Roads – Mike Vignale, KV Partners, LLC**

Mike noted that he had a request from the applicant's engineer to have the roads reviewed for construction completeness before the topcoat was added. The applicant had their engineer perform testing. Mike watched completion of some of the work. He tried to piece together the artifacts from their engineer as an indication if the work is acceptable. Mike Vignale and Scott Elliott are working on details if the whole road will be reclaimed or just patch the locations identified by them. The applicant will ask to have the town accept the road once the final work is completed.

Mike noted that the oldest section had many spots requiring repairs so the developer is reclaiming rather than patching and overlaying the pavement. The overlay will be one inch with a two-inch base.

Mike noted that the developer is looking for indication from the town that the work is acceptable and they may continue to complete the work. Kathy clarified that they are not looking for the town to accept the road at this time.

Bob reiterated that they are going to reclaim Wimbledon. Bob asked if they are required to install stop signs, etc.

Kathy noted that a request was made last year to accept the road and it was not accepted at that time.

Bob asked if we had a maintenance bond in place before they begin work on phase II. Mike H. noted a maintenance bond could be requested at any time.

Joe H. noted that on the report there were remaining site visits to be completed. Mike H. noted there should be visit when the work being completed.

Scott noted that he had seen a paving contractor on site measuring the pavement. Scott noted he is not comfortable with accepting the road with two more phases to be completed.

### **Discussion - Gauthier Drive Update**

Cheryl noted that the Town has accepted the road. Kathy noted that the developer asked if the existing bond could be released. Mike noted that either Scott or he should review the bond. Cheryl noted the bond had been released. Sharon asked if a maintenance bond should be in place

for further development on the road. Cheryl noted a future developer would have to provide a bond. (This discussion is continued further in these minutes)

**Discussion – Ice Cream Stand – Big Easy Campground – 36 Windymere Drive – Tax Map U 11, Lot 27**

Mr. Sell discussed he would like to construct an ice cream stand with two drives on Route 28. He noted the size of the stand would be 16' X 20'.

Sharon asked if it was an existing building or a conceptual idea. She asked what the building would look like and she would like to see that.

Mike H. asked if the second curb cut has been approved by NHDOT. Mr. Sell noted that one drive is existing with the other one to be approved. He noted that NHDOT indicated it would be approved.

The house on the site was discussed and access between Windymere Drive and Route 28. Mr. Sell noted there would not be access between the two roads.

Sharon discussed it is a non-conforming lot with a house currently on it and adding a 2<sup>nd</sup> building would possibly be even more non-conforming than the first; Mike H. agreed. Mr. Sell noted it is a residential/commercial lot. Bob asked if he had spoken with Jay regarding going to the ZBA. Mr. Sell noted that Jay did not feel he would have to go before the ZBA.

The lot is 1.7 acres. Sharon indicated the size raised questions for her. She discussed previous issues the Board had with similar issues. Sharon asked Betsy the lot size for the area, Betsy noted it was 2 acres. Mike thought that it was a ZBA issue. The zone the lot is in was discussed.

Sharon asked if there were abutters on both sides. Mr. Sell noted there were abutters on both sides. She asked how the neighbors felt about having a commercial business in the area. Mr. Sell noted that he owned the campground across Windymere Drive. Bob noted that the neighbors live on a commercial/residential road.

Mr. Sell noted that there is a portion of the property that had Old Mill Road on it. The surveyor put the property line down the middle of this road which the Town discontinued in 1974. Mr. Sell noted that the ice cream stand was not near the abutter's properties. He noted it would look like an ice cream stand.

Kathy noted that when he returns to the Planning Board, he will need a site plan and concept of the ice cream stand.

Mike H. commented that when he comes back before the Planning Board, he should show the location of the dumpster and indicate how the parking area would be treated. Mr. Sell noted that he would probably use the dumpsters at the campground; however, he would show a dumpster location for possible future placement.

Joe H. thought it was more of a ZBA decision rather than a Planning Board decision and was more of a process thing. He did not think it was an issue to have the ZBA's blessing. Kathy noted he should go before the ZBA and then return to us.

**Public Hearing – Lot Line Adjustment – Eames Family Trust and Jeffrey C. Eames and Rachel D. Eames – 35 Howard Lane – Tax Map R 02, Lot 4402 and Tax Map R 02, Lot 44-3**

Kathy opened the public hearing for the Lot Line Adjustment for Tax Map R 02, Lot 44-2 and Tax Map R 02, Lot 44-3.

Mark Sargent noted that he was representing Rachel & Jeff and the Eames Family Trust. He reviewed the plan. He noted they would be annexing a portion of Lot 44-3 to Lot 44-2. It would increase Lot 44-2 to 4.26 acres with 44-3 having a remaining area of 107.32 acres.

Mark noted they are requesting waivers for the need to include these items on the plan: plantings, proposed topography, 5-foot contours, soil types, rock foundations, wood areas and streams or natural drainage courses.

Kathy asked if anyone from the public had questions, there were none.

Kathy closed the public comment portion, and opened the Planning Board questions portion of the hearing.

Bob asked if any wetlands would be impacted. Mark indicated there would not be wetland impacts.

Kathy asked why this parcel was not included in the original subdivision. Rachel noted that nothing was changing other than they were trying to square off Lot 44-2. Joe H. noted that the Lot Line Adjustment was clean and there were no other issues.

The Board did not have any further questions.

Kathy closed the public hearing.

**Mike motioned to grant the waivers for plantings, proposed topography, 5-foot contours, soil types, rock foundations, wood areas and streams or natural drainage courses; Bob seconded the motion. Kathy called for a roll call vote with the following vote: Mike – aye, Sharon – aye, Joe – aye, Cheryl – aye, Bob – aye, Don – aye.**

**Mike motioned to approve the Lot Line Adjustment for Tax Map R 02, Lot 44-2 and Tax Map R 02, Lot 44-3, Bob seconded the motion. Kathy called for a roll call vote with the following vote: Mike – aye, Sharon – aye, Joe – aye, Cheryl – aye, Bob – aye, Don – aye.**

**Public Hearing – Non-Residential Site Plan – S & R Properties – Suncook Valley Highway - Tax Map U 08, Lot 89**

Kathy opened the public hearing.

Attorney Leeming noted this is a site plan review for S & R Properties which is a subsidiary of Davis Fuels. He discussed the business would be located at this site in Epsom as the Davis' wanted to remain local as it has been a local business for 46 years.

Joe Wichert noted he completed the survey work with Jon Rokeh the site work. He noted the property is a triangular shaped piece of land with 920 feet of frontage on Route 28. He noted the only wetlands was in the northeast corner of the property. He noted Mr. Davis wants to develop the property to use for his business and it will be constructed in phases. Joe described the building. There will be a "U" shaped driveway. There will be three propane tanks of 12,000 gallons each and four oil tanks in a concrete area. Phase III is for the 3<sup>rd</sup> propane tank in the future.

Phase one will be the construction for two propane tanks and the office space. Phase two will be the garage and oil tanks.

Joe Wichert discussed parking. They are not sure how the paving would be completed. The drainage will accommodate when fully paved. The septic tank will be under the driveway with a leach field located on the north side of the property.

Joe noted that Jon submitted the drainage report with a Fire Safety Analysis completed for the property. They have spoken to the Fire Chief and the Fire Safety Analysis is acceptable.

Kathy asked if there were any public comments or questions. There were none so Kathy closed the public portion of the hearing.

Kathy opened for Board questions. She asked about the propane tanks with Joe Wichert noting the two that would be constructed first. He noted that the engineer they used for the propane is not able to design oil storage facilities.

Mike H. noted his questions were addressed when this project went before the ZBA hearing. Mike asked about a dumpster location and snow storage, with Joe noting the location they were proposing. It would be in the back by the rear parking. Jon R. reviewed the drainage.

Mike H. asked the size of the oil tanks. Rick noted there would be a Number 2 fuel oil tank at 60,000; and a Kerosene tank and two diesel tanks at 20,000 tanks.

Mike asked if the driveways would be gated, Rick noted they would be.

Bob asked if there would be plantings on the berms in the front. Rick noted it would be grass and short shrubs with a sign.

Joe discussed the various sheets included in the site plans. Kathy asked Joe to review the application. Joe noted that there was no check list on the Town's website. Joe noted that they would need a driveway permit from NHDOT and state septic approval. He noted there would be approvals for the propane and oil tanks that Rick and Jody (his Fire Safety Engineer) would take care of.

Sharon noted this is the second proposal before us tonight without elevations. She did not know if the Board should require them or ask for them.

Kathy noted that Betsy had suggested we have our engineer review the drainage report. Joe noted that they did not have an issue with having an engineer review the drainage report and also during the construction of the site. Sharon thought it was a good idea to have safety inspections. Mike H. noted that they have to be constructed with heavy inspections by the Fire Marshalls Office, Fire Department, etc.

Kathy noted that she had asked Mike Vignale, the Town's Engineer, for an escrow amount to review the Drainage Report, and the amount would be \$1,000. Joe asked if the Planning Board would be having engineer oversight during construction. Joe H. asked the size of the building, 80 X 100 feet and if the building would be constructed of wood or steel; Rick indicated he has not yet decided that. Joe asked how long between construction of the phases; Rick stated he hoped no longer than two years.

Joe Wichert asked if the Board was open to the proposed plan and Kathy indicated it was. It was discussed that the drainage review could be completed in about 10 days. Joe Wichert noted the items for next meeting included snow storage area, elevations, dumpster, lighting, sign, and plantings. The next meeting to be scheduled for them was discussed. Kathy noted they would be penciled in for May 13 with May 27 as a backup date. Joe Wichert discussed the items they would have to bring to the next meeting and what the next meeting would be for them.

**Mike H. motioned to continue to May 13, Bob seconded the motion. The motion passed with a roll call vote with the following vote: Mike – aye, Sharon – aye, Joe – aye, Cheryl – aye, Bob – aye.**

Kathy asked if the Board would want to have our engineer review the construction. It was discussed to have the engineer perform a site visit during construction of the drainage. Mike H. felt he would not be knowledgeable about the tanks, etc., only site construction.

Kathy will check with Mike Vignale on the number of visits that would be required and obtain a cost estimate.

It was noted we would be meeting next week. The items would include audit, escrow for Mr. Davis and elections.

### **Discussion of Escrow Accounts**

**Bob motioned to return the remaining escrow account for Gauthier Drive, Mike seconded the motion. The motion passed by a roll call vote with the following vote: Mike – aye, Sharon – aye, Joe – aye, Cheryl – aye, Bob – aye.**

Kathy noted the Spring Conference was cancelled and it is tentatively scheduled at the NHMA conference this fall.

It was decided to review the minutes of February and March meetings at the next meeting.

## **Elections**

Bob suggested tabling to the next meeting so everyone could be present. Kathy agreed.

Bob noted that he wanted to be sure that the fuel tank site would have good presentation in the eyes of the public. Joe discussed that typically they have the price on the sign. Kathy noted we do not have regulations on fuel tank sites asking if we want to entertain. Bob noted that the State and others regulate the fuel tank sites.

**Cheryl motioned to adjourn; Sharon seconded the motion. The motion passed.**

Kathy adjourned the meeting at 8:22 PM.

Respectfully Submitted,

Betsy Bosiak  
Recording Secretary