

**TOWN OF EPSOM
PLANNING BOARD MEETING
August 11, 2021, 6:30PM**

PRESENT

Kathy DesRoches, Chair
Cheryl Gilpatrick, Board of Selectmen Representative
Betsy Bosiak, member
Sharon Burnston, member- via Zoom
Miriam Cahill-Yeaton, alternate member
David Goulet, member
Bob McKechnie, member

ALSO PRESENT

Jennifer Riel, Recording Secretary
Sharon Fruzzetti, applicant
Steve Pernaw, traffic consultant– via Zoom
Jeff Green, surveyor
Michael Keeler, applicant
Nicole Duquette, Greenman-Pederson, Inc.
Brad Pernaw, Granite State Convenience
Alex Ray, Granite State Convenience
Rusty Mclear, Granite State Convenience

CALL TO ORDER

Chair DesRoches called the meeting to order at 6:30PM.

Chair DesRoches appointed Ms. Cahill-Yeaton to sit on the Board in Mr. Hoisington's absence.

AGENDA REVIEW

No changes were made to the agenda.

Ms. Gilpatrick made a motion to accept the agenda as presented. Ms. Bosiak seconded the motion. Motion passed, 7-0-0.

Chair DesRoches distributed an outline of the rules of conduct for Planning Board meetings; this was reviewed and discussed by the Board.

APPROVAL OF MINUTES

Meeting of June 14, 2021 – Minutes were reviewed and edits were made.

Ms. Gilpatrick made a motion to approve the minutes as amended. Ms. Cahill-Yeaton seconded the motion. Motion passed, 7-0-0.

Meeting of June 28, 2021 – Minutes were reviewed and edits were made.

Mr. Goulet made a motion to approve the minutes as amended. Ms. Bosiak seconded the motion. Motion passed, 7-0-0.

Inquiry – Sharon Fruzzetti, 1913 Dover Road, Map U05, Lot 28-2

Ms. Fruzzetti stated she is the owner and sole proprietor of a healing and vibes energy center; she is a reiki master and certified in craniosacral therapy. She stated she has a massage therapist who would also utilize the space; she will offer retail items including essential oils, crystals, natural soaps and CBD salves. Ms. Fruzzetti confirmed the location is handicap accessible and adequate parking. The hours of operation are currently 9:00am to 5:00pm on Saturday and Sunday. Ms. Fruzzetti plans to change that at a later time to offer evening hours and eventually go full time, seven days a week, 9:00am to 8:00pm. Ms. Fruzzetti stated snow removal is taken care of by the property owners.

Ms. Gilpatrick noted that while it is an established business, it would be good to have the Fire and Police Department review.

Chair DesRoches confirmed the business has already been approved by the Health Inspector. She asked if the Board believes a hearing is necessary. The Board concurred no hearing is necessary.

Lot Line Adjustment – Michael and Karen Keeler, 22 Spring Street, Map R1, Lot 30-09 & Connie and Nicole Burros, 149 N. Pembroke Road, Map R1, Lot 30-05

Ms. Gilpatrick read the public notice into the record.

The Board reviewed the application for completeness. It was confirmed all abutters were notified; only one certified mail receipt was not returned.

Mr. McKechnie noted the signature for an authorize designee is missing; Chair DesRoches stated there is an attached letter which has the appropriate signature from Mr. Keeler to designate Jeff Green as a representative.

Mr. Goulet made a motion to accept the application as complete. Ms. Cahill-Yeaton seconded the motion. Discussion: Mr. McKechnie stated the designation signature is missing so the application is incomplete. Ms. Gilpatrick requested Mr. Keeler sign the appropriate application.

Mr. Goulet made a motion to accept the amended application with Mr. Keeler's signature as complete. Ms. Cahill-Yeaton seconded the motion. Motion passed, 7-0-0.

Jeff Green, surveyor, stated this application is for two existing lots, R1, 30-09, which is 2.554 acres located on Spring Street. The second lot, R130-05 is currently 2.016 acres off from North Pembroke Road. Mr. Green explained there are two sheds on the Keeler property which are over the line onto the Burros property; the lot line adjustment will move the property line so the sheds are an equal acreage swap. Mr. Green stated one of the sheds would be removed once the adjustment is approved but the other shed will remain as it is in good condition and being

utilized. He stated the adjustment won't affect the size of the areas, noting neither can be made to go below the minimum lot size of 2 acres. Mr. Green stated Mr. Keeler has been using the land for twenty years; he explained there is not any other areas to move the shed on Mr. Keeler's property. It was confirmed the shed will comply with the setbacks.

Chair DesRoches opened the public hearing to input from the public. None was indicated.

Chair DesRoches opened the hearing for the Board to deliberate. None was indicated.

Chair DesRoches closed the public hearing.

Ms. Burnston made a motion to approve the lot line adjustment. Mr. McKechnie seconded the motion. Motion passed, 7-0-0.

Site Plan Review- Granite State Convenience, 910 Suncook Valley Highway, Map U5, Lot 13

Chair DesRoches opened the public hearing at 7:30pm.

Mr. McKechnie read the public notice into the record.

The Board reviewed the application for completeness. Chair DesRoches confirmed all abutters were notified; the certified letter was returned from the liquor store. Ms. Gilpatrick questioned whether item #25 on the checklist is included. Mr. Goulet noted it is on the cover page of the site plans.

Ms. Gilpatrick made a motion to accept the application as complete. Ms. Bosiak seconded the motion. Motion passed, 7-0-0.

Nicole Duquette, GPI Engineering, representing the applicant Granite State Convenience/Common Man Roadside, presented maps and explained where the lot location on the Epsom Circle. She presented maps showing the existing conditions, noting most of the current development is within the right-of-way. Ms. Duquette stated currently there is a 3,830 square feet convenience store with three canopies, one located on a property and doesn't meet the setbacks. There are three fuel dispenser islands; the underground storage tanks (UST) are between the dispenser islands. The site is currently connected to the new water lines and is serviced by a private septic system on the site.

Ms. Duquette outlined the boundaries of wetlands located on the eastern portion of the site. She outlined the two large curb cuts off the circle on Route 4; she stated they are proposing 5,555 square foot store with sandwich shop and drive through window.

The tenant will be the Common Man Roadside; they are also proposing 6 fuel dispensers and explained there would be new tanks, dual lines on the pumps, all meeting current New Hampshire Department of Environmental Services standards. Because the lot is within the public

water system radius, they have discussed with plans with NH DES to have triple lined fuel lines to the islands as an extra precaution. The existing fuel dispensers are within the well radius of Subway and the new ones would be as well.

Ms. Duquette stated the proposed development will be more compliant with zoning ordinances than the current site; they are maintaining the front setback for the fuel pump canopy, removing all the pavement along the circle and creating a green space along Route 28. There will be 15' green space along the side property lines. The curb cuts would be shifted away from the circle. The driveway along Route 28 will be shifted 200' from the circle; a secondary driveway will be further up Route 4, closer to McDonalds. Offsite improvements with these new curb cuts include turn lanes on Route 28 and Route 4. Ms. Duquette stated they have had a scoping meeting with New Hampshire Department of Transportation and a driveway application is currently under review.

Ms. Duquette state they have submitted a permit for Alternation of Terrain (AoT), as the area of development is slightly over 100,000 square feet with the offsite improvements. They have submitted a wetlands impact permit and a preliminary meeting has been held with New Hampshire Department of Environmental Services. Ms. Duquette stated these plans address comments and concerns from that meeting. A retaining wall is proposed along the eastern side of the development; the USTs and islands have been shifted closer to Route 4 to get away from the impacted wetlands. The building and drive through aisle have been shifted and minimized as well from the original plans to reduce wetlands impact.

Ms. Duquette explained they are asking for a waiver from the 35' width limit on the curb cuts because they need to be able to get larger trucks in and out of the lot. She stated the increase in pavement width to 50' is necessary to safely bring the fuel tanker in and out of the site on Route 28. She stated these plans allow for future universal charging stations along the eastern side of the building. There are 33 parking spaces along with stacking within the gas canopy; there are 11 stacking spaces for the drive through area.

Ms. Duquette explained the drainage plans and wetlands; she stated it is a relatively flat site and there are some innovative systems for the terrain. There are three different treatment areas including a storage system around the fuel dispensaries and they are working to limit the amount of possible contamination. There will be an infiltration system, catch basin and system for groundwater recharge. There will be pretreatment of water going into the catch basin. Ms. Duquette confirmed the systems meet AoT systems for treatment. There will be a bio-retention area (rain garden) which will look like a garden area, planted with iris and shrubs. Ms. Duquette stated the treatment and filter areas will be under ground. Utilities will be reconnected to the water line; the septic system with a pretreatment system will be located in the front. There is currently a utility easement which runs behind the existing building; they have been in contact with the utility company and have received preliminary approval of the relocation of the easement.

Ms. Duquette stated silt socks will be used during construction; there will also be construction entrances on Route 4 and Route 28.

Ms. Duquette outlined the landscaping designs which will focus on having some trees around the site; no trees can be planted in the island area due to the bio clear system being located in that area.

Ms. Duquette outlined the lighting plan which includes 20' poles mounted on 2.5' bases; the lights are dark-sky approved and meet the ratios contained within the zoning ordinances. The canopy light will be a little brighter than the rest of the site but will be flush with the canopy.

Ms. Duquette presented renderings of the proposed building. Variances for the signs have been approved by the Zoning Board of Adjustment; the special permit for the fast food and driveway permit have also been approved by the ZBA.

Ms. Duquette noted the driveway permits are given by NH DOT and it's a grey area whether a driveway waiver from the Planning Board is even needed as it is under the State's jurisdiction. The NH DOT has not approved the driveway permits.

Chair DesRoches stated the Board needs to determine if this project will result in regional impact. The Board reviewed the definition of a project which results in regional impact and agreed this does not.

Ms. Gilpatrick made a motion that the proposed plans do not result in a regional impact. Ms. Bosiak seconded the motion for discussion. Motion passed, 7-0-0.

Mr. Goulet asked about existing conditions and whether the tanks have any issues with the double walls, or have been approved by One-Stop/NH DES.

Mr. Pernaw stated the existing tanks are double walled stainless steel; he confirmed the site is approved with NH DES and there are remaining funds in the NH DES cleanup fund for this site's previous contamination.

Chair DesRoches asked what the timeline is for this project, if it is approved.

Mr. Pernaw stated they are hoping to close the purchase and sales agreement in December, subject to permits, with construction beginning in Spring 2022.

Ms. Cahill-Yeaton asked how funds would be handled if any contamination is found. Mr. Pernaw stated the testing is handled by his fuel installer; potential disposal is handled and regulated by NH DES. He stated there are no supply concerns with the Epsom water department.

Chair DesRoches asked what the plan would be if any contamination exceeds the \$1.2 million available in the cleanup fund. Mr. Pernaw stated his fuel installers don't anticipate problems exceeding the funds available; there are no major concerns.

Ms. Bosiak asked if the snow storage area indicated on the plans, is the only area. Ms. Duquette stated there would also an area by the rain garden. However, if the charging stations are installed,

that is the area where the storage cabinets would be placed so the only option is to truck out the snow.

Mr. Goulet asked for specification on the tanks. Ms. Duquette stated the piping would be triple walled and the tanks would be double.

Ms. Gilpatrick asked about trucks entering on Route 28; if the width is 30', will it be right-turn only. It was confirmed it would be. Ms. Gilpatrick asked how trucks would exit to Route 4. Ms. Duquette explained trucks can enter the site on Route 28 and exit going east on Route 4 or come back out and exit off the Route 28 driveway. It was confirmed there is a large enough turning radius around the canopy. Ms. Gilpatrick asked about a firetruck getting around the backside of the building. Ms. Duquette explained the areas around the building allow plenty of space for emergency vehicles to maneuver around the building.

Mr. McKechnie asked the distance between the Route 4 entrance and the McDonald's entrance. Ms. Duquette stated it is about 80'. Mr. McKechnie stated he is very concerned about traffic gridlock, which already happens in that section. Ms. Duquette stated the turn lane for TD Bank would be dual turn. Ms. Gilpatrick stated she agrees it is a dangerous area of concern. Ms. Duquette stated she expects comments from NH DOT in a couple weeks. Mr. McKenchie noted the Planning Board reserves the right to impose more stringent access points.

Steve Pernaw explained the traffic study he conducted and the two options presented by NH DOT which include changes in the striping. He stated it is currently an exclusive lane for turning into the bank; the proposed plans show two distinct turning lanes. Part of the study for traffic counts showed the stacking to get into the bank was pretty short; the most common observation was no one present followed by one vehicle with a rolling queue. Chair DesRoches explained the concerns of the Board are about lanes heading west on Route 4, turning into proposed site. She stated the proposed plans are configured different from other commercial properties such as the liquor store and Cumberland Farms. Mr. Pernaw stated the process was started by a scope meeting with NH DOT and the consensus at that meeting was to do traffic counts during weekday morning and evening times, along with Saturday midday. He stated their report recommends to have two exit lanes which will maximize egress capacity, reducing queuing and reduce stacking. Mr. Pernaw stated NH DOT requires a minimum width of 30' and a maximum of 50' and left turn pockets are recommended.

Ms. Gilpatrick asked when the invitation to the Town was presented for the driveway meeting. Ms. Gilpatrick doesn't recall seeing an invitation coming to the Planning Board or Board of Selectmen, noting she attends all NH DOT meetings which involve the town. Mr. Pernaw stated the scope meeting was held November 3, 2020, with invites come from NH DOT District 5 but it cannot be confirmed whether town was notified. Ms. Bosiak stated even if NH DOT approves the proposed driveways, the town can deny them, noting they have done so in the past.

Mr. Goulet asked if Route 28 is going to widen enough to have a lane going around traffic headed south. It was noted there are three total lanes but the left is a turn pocket into the site. Ms. Duquette stated they are proposing a widening off from Route 28 at the circle.

Mr. Goulet asked where the proposed roof drains will be. Ms. Duquette stated the drains come down the columns, into the manholes and the jellyfish. She confirmed there are Stormwater Operations and Maintenance Plan for all the systems with scheduled maintenance. She explained weekly inspections will be required.

Mr. Goulet asked about the landscaping percentage; he noted 5% is required. Ms. Duquette stated the request is an error and the plans do not need that waiver.

Mr. Goulet asked about the irrigation system, noting no details are included. Ms. Duquette confirmed there will be an irrigation system.

Chair DesRoches asked what will trigger the installation of the charging stations. Mr. Pernaw stated they currently have charging stations at their Hooksett location so want to have the sites available for future planning. Ms. Duquette stated it will also be dependent on when the State of New Hampshire makes funds available for charging stations.

Mr. Goulet asked about the detail for the oil water separator debris. Ms. Duquette explained that is the first pretreatment followed by a hydrodynamic separator.

Chair DesRoches asked what colors would be used for the building. It was confirmed the building would be red; the Board reviewed the Pantone color chart for comparison. Ms. Bosiak stated she looked at the existing buildings by the applicant and it is her opinion that the colors look similar. Ms. Burnston stated she is more bothered by the bright white trim. Chair DesRoches noted the intent was that the general colors are used but not every color has to be used. Ms. Gilpatrick noted a lot of the signage proposed is also red and white which will help it all tie together. Ms. Duquette may request a waiver from using historic colors.

Mr. Goulet noted the subsurface sewage disposal plans need to have a north direction arrow.

Ms. Gilpatrick asked about the wetlands impact and whether there was a determination for a fee. Ms. Duquette stated it would be about \$175,000; projects are not advanced at this point so it goes to the State of NH ARM fund.

Mr. Goulet asked how many test pits would be done for the building. Ms. Duquette stated because it's an active site, only two pits were done in the back area of the existing building; they do not expect ledge in the area. One of the drainage comments from AoT, was to have an additional test pit within the bio retention area.

Mr. Goulet asked what "spare parts" is in regards to the bio retention system. Ms. Duquette stated that is part of the manufacturer's standard specifications. It was confirmed sprinklers will be installed on the canopy. The canopy will also be designed to support solar panels along with conduits into the building.

Chair DesRoches shared an email from Mike Vignale noting he is still waiting for the drainage analysis but could go into the conditions.

Chair DesRoches stated she would like further discussion about the driveway on Route 4 and suggested contacting NH DOT. Ms. Gilpatrick agreed and reiterated the town would want to have an opportunity to discuss this with the State and the applicant. Mr. Goulet stated he would like a clearer description of the proposed turning lanes on Route 4 and Route 28. Ms. Duquette confirmed the traffic study was submitted. Clarification of the waivers being requested is also needed. Ms. Gilpatrick requested confirmation in writing from the water district board, that there are no concerns with the proposed changes. Chair DesRoches summarized they need further clarification on curb cuts, AOT, driveway permits, and drainage calculations.

The Board concurred with continuing the hearing to August 25, 2021.

**Ms. Bosiak made a motion to continue the public hearing to August 25, 2021 at 7:00pm.
Mr. McKechnie seconded the motion. Motion passed, 7-0-0.**

ADJOURN

Ms. Gilpatrick made a motion to adjourn. Mr. McKechnie seconded the motion. Motion passed, 7-0-0.

The meeting was adjourned at 9:43pm.

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary