

**EPPING, NH PLANNING BOARD MEETING MINUTES**

**THURSDAY May 9, 2019**

**PRESENT** – Joe Foley, Susan McGeough, Heather Clark, Dave Reinhold; Selectman’s Rep. Mike Yergeau; Planner Brittany Howard.

**CALL TO ORDER:** Chairman Foley called the meeting to order at 6:00

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**DISCUSSION:** Jack Murray – site plan continuance

Jack Murray came before the Board to discuss asking for a continuance of approvals of one year on his property on Route 125.

Chairman Foley added he has no problem extending the permit, conditionally on the lot being cleaned up to make it look presentable.

Clark moved McGeough seconded the motion to approve Murray’s permit for an additional year from June 13, 2019 to June 13, 2020.

**DISCUSSION:** Kathryn Piecuch – temporary signs

Piecuch came before the Board to discuss signs on her property.

Howard explained to Piecuch the Planning Board is the Board that handles zoning for the March ballot and informed Piecuch if she wanted to address the zoning she could come back before the Board in October, submit a petition warrant or go to the Zoning Board if she wants to keep her signs for this year.

McGeough asked how much frontage on the property. Piecuch stated approximately 40 feet. McGeough pointed out all the signs already on the property and then the feather signs are a bit much.

**PUBLIC HEARING:** Site Plan – Sign Waiver  
**Owner/developer:** Bluebird Storage – Barlo Signs  
**Location:** 1 Greenlaw Drive, Tax Map 030-042-001

Chairman Foley read notice for a Sign Waiver for Bluebird Storage. There were no abutters present:

Mike Brewster came before the Board to request a free-standing sign at the Bluebird Storage, which will be set back from the roadway. Clark asked what the size of the sign is that is being requested. Brewster stated 75 square feet with a height of 18 feet, and 15 feet wide.

Howard explained this site is allowed a 15-foot-tall sign, 40 square feet.

McGeough stated she does not feel there needs to be a larger sign with the size of the building.

Clark asked how high and long the building is, Brewster stated 75,000 square feet, 35 feet tall, 180 feet long but thinner.

Yergeau said he has nothing against the company but feels if the Board were to allow this size sign it would set a precedent.

McGeough moved Clark seconded the motion to accept the plans. The motion carried unanimously.

McGeough moved Clark seconded the motion to deny the request. The motion fails.

Chairman Foley explained to the applicant they can go to the zoning board to appeal the board's decision.

**PUBLIC HEARING:** Subdivision & Lot Line Adjustment  
**Owner/developer:** Don Madore, Linda Allen, & Bruce and Darcy Allen  
**Location:** 15, 39, & 43 Oak Hill Lane Map 009 – Lot 018, 018-001 & 018-002

Chairman Foley read notice for a Subdivision & Lot Line Adjustment by Don Madore, Linda Allen, & Bruce and Darcy Allen. Abutters present:

Clark moved McGeough seconded the motion to accept the plans. The motion carried unanimously.

Coronati came before the Board to represent Don Madore and the Allen family. He explained Madore lives on a parcel of 12 acres and would like to subdivide his parcel which sits back off the road with a long-paved driveway, and would like to subdivide of another lot to build a house. Coronati explained with this subdivision there are 2 lot line adjustment. He explained where Bruce Allen lives which is partially on Madore's property that Madore would give up that parcel and an additional lot line adjustment, Madore will receive a lot from Linda Allen's property to help him with frontage.

Coronati explained there's a proposed wetland crossing that will need approval from the State and Conservation Commission.

Coronati explained Gove is handling the wetlands and informed the Board the applicant is on the Conservation Commissions meeting next week.

Coronati explained all the lots meet all the requirements for setbacks and frontages.

Howard stated an approval would be conditional on the approval from the Conservation Commission and will be recorded as a subdivision and a lot line adjustment.

McGeough moved Clark seconded the motion to approve the plans conditional on and all State permits, approval from Conservation Commission and impact fees for the new house lots. The motion carried unanimously.

**PUBLIC HEARING:** Site Plan - Asphalt Plant  
**Owner/developer:** Sam Patterson Real Estate Dev., LLC  
**Location:** Shirking Road, Tax Map 035 – Lot 026-002

Chairman Foley read notice for a Site Plan for an Asphalt Plant by Sam Patterson Real Estate Dev., LLC. The Chairman explained how the hearing will proceed and asked that it's kept in an orderly manner.

Joe Coronati came before the board with the proposal for an asphalt plant on Shirking Road.

Coronati explained at the regional impact hearing there was information on the use, the size of the property, the size of the production which is a small portable plant and small compared to others. Coronati stated New England Paving is located next door and they own the industrial lot and the land to the east which is four lots that was subdivided along Shirking Road. Coronati explained a letter from regional planning has been received.

Coronati explained the proposed site is approximately 600 feet from the town of Fremont with the access to the site is on Shirking Road, which is accessed from Fremont out to Exit 6, it also leads to Martin Road which leads to Jenness Road where you can go east or west, east toward town. There is an option for the trucks to go to exit 6 via Jenness Road or the roads in Fremont to get to Exit 6.

Coronati explained at the regional hearing spoke about road condition impacts, standard DOT uses, traffic analysis which are considered low, estimating approximately 54 trips per day, accounting for materials being trucked in, and occasional purchase of asphalt by other companies.

Coronati explained the lots are all on well and septic, and the businesses in that area don't need a lot of water.

Coronati explained there was discussion of a well head protection area. He showed the location of the Epping/Fremont wells and the radius is 4,000-foot radius and looking at recent information the Fremont well is off line.

Coronati spoke about the storm water treatment. He explained this project needs to receive an AOT permit. He explained the middle area of the lot the treatment pond, no detention will be happening. He explained the whole site is graded and all the stormwater goes into the detention pond and not to the east, there will be three treatment systems that will be in place prior to any stormwater interacting with any of the wetlands according to AOT standards.

Frank Kuhn came before the board to explain noise and odors on the site. He explained odors are a very sensitive thing. There can't be one threshold that will be tolerated and there will always be a smell that someone doesn't like. He stated he has done research where there's a product that is put in the asphalt, they will be using the product that eliminates odors and will continue to do research on this. (see study with file).

Chairman Foley asked if he would consider noise when they dump the recycled material or the raw materials, when the truck tailgate swings, there is a loud noise. Kuhn explained a motorcycle makes louder noise and it depends on the speed at times that the operator of the truck leaves the site with the tailgates slamming.

Coronati explained this use is loading trucks, not emptying them. He explained the site has been designed so the aggregate piles are along the outside of the site to help with sound.

Dennis Atkin State Representative for Fremont explained a personal experience he had when he lived approximately 800 feet from an asphalt plant and could smell it all day long and would have to shut the windows and turn on the air conditioners. He stated on a hot summer afternoon the odor will affect the soccer games; it's an offensive horrid odor.

After a lengthy discussion with the many abutters and residents of Fremont and Epping who had similar concerns regarding:

**Noise when dumping materials, odor, heavy truck traffic, cost of road repairs on the roads that have not been repaired in years that cannot take the extra traffic. The Town of Fremont submitted a letter regarding road restrictions which would result in no thru trucking on the north side of Fremont, forcing the heavy truck travel through Epping to access Route 125 & Route 101, wells being contaminated, air pollution, ground water, property values going down in price, not being able to open their windows in the nice weather, wetlands that will be contaminated where there are endangered species, hours of operation, specifically weekends. The Board took these concerns under advisement.**

Leon Holmes, Fremont's road agent, explained he has been working on their roads. He stated there has been work on part time and now full time since 2012 work has been done to Shirkin Road, Rogers Road, Beede Hill Road, Levitt Road and one left is Martin Road. He explained in 2012, 2013, and 2014 just on Shirkin Road, Fremont's tax payers have paid \$73,811 to fix the road to handle the trucks that travel it, and Rogers Road \$66,177. Holmes stated from 2012 to 2014 Fremont has spent \$139,988. Holmes spoke of the posted roads for no thru truck traffic, and stated the trucks still use those roads.

Holmes explained from on North Road a base was done then an overlay from 2012 to 2017 \$770,000 has been spent improving the roads in Fremont. He stated 90% of the trucks on Fremont's roads are from Epping and Fremont receives nothing to help from Epping.

Holmes read a letter, unsigned, handed to him by a Fremont Selectman. "The road agent from Epping does not want New England Paving to use Jenness, St. Laurent or Railroad Road."

A Selectman from Fremont first asked that the letter from their town administrator to the Epping Planning Board be noted as received for the record. He spoke about the incremental increase of commercial traffic as the road agent said the residents have been paying for the upkeep of the roads and when taking into consideration of the traffic. He explained the Selectmen will be having a public meeting to address the trucking going thru Fremont from this operation and will look to post no thru traffic going through Shirkin Road and Rogers Road.

Howard informed the Board she received many letters from abutters and residents that basically address all that's been discussed. The Board agreed the letters didn't need to be read if the concerns have been talked about.

The Fremont road agent requested that the Fremont Town Administrator's two-page letter be read into the record. Howard read the letter for the record (see letter in file).

Howard explained she has Letters basically addressing issues that were brought before the board.

Coronati explained the smell from the Newington plant is a 24/7 operation, a much larger plant. He explained this is not a plant that will not run 24-7, it's so small it can be turned on, takes about half hour make a batch of asphalt, load the trucks and turn it all. Coronati spoke about the well on Fremont Road that was brought up by a resident. He stated the well can't be turned back on; it's deteriorated. Coronati explained liquid asphalt when it cools it hardens and if it stays warm its soft and won't leach into the ground water. He stated lights from the back of the plant will be on; this operation won't be running during the winter.

Coronati addressed the concerns of air emissions, cancer causing. This is a heavy regulated use by the state of NH, if it was a cancer-causing facility it would not be allowed. He also addressed the question on

what the max rate of capacity is. Coronati explained this plant is allowed 300 tons an hour, which is the maximum, is what the plant is permitted through the state. The state air pollution permit is for 400,000 tons of asphalt production per year. This plant shows seven tractor trailers, an average of daily trips is 27 coming and going. He stated the hours of operation would have to be followed by the town requirements.

Clark moved Reinhold seconded the motion to continue the hearing to June 13 at 6:00pm. The motion carried unanimously.

**PUBLIC HEARING:** Site Plan – multi-family, Lot line Adjustment, & Merger  
**Owner/developer:** Lewis Builders  
**Location:** 140 Pleasant Street, Tax Map 028 – Lots 038, 038-001, 039 & 040

Chairman Foley read notice for a Site Plan for a multi-family, Lot line Adjustment, & Merger.

Clark moved Reinhold seconded the motion to accept the plans. The motion carried unanimously.

Joe Coronati came before the Board with the proposal. He explained this plan has been before the Board for a conceptual hearing and since then Lewis Builders obtained purchase and sales agreement on two neighboring parcels; a 37-acre parcel and 5-acre parcel that will be merged into the overall development. He explained this received approval from the Zoning Board for a special exception for multifamily use in the zone.

Coronati explained the development has been changed since last before the Board, gaining quite a bit of frontage has been picked up on Route 27 from the extra land which also allows the entrances to be further apart, and allows the site to be spread out onto the site which is now 206 acres. There is still the proposed front lot the homestead that will be a lot line adjustment and not part of this development and sold as a single-family lot.

Coronati referred to the plan showing Route 27 with the majority of frontage, the roadway locations that are being proposed are based on the existing driveways. He showed an existing road, and trails and a curb cut to the property to the Ametides house. He showed an entrance that is more wooded and not lined up with abutting properties.

Coronati explained the proposal now is 166 units, 83- 2-family dwellings, and designed the site so the roadways would have a lot of curve to them, try to create a number of cul-de-sacs, couple loop roads so when you drive down, you're not looking at straight roadways. He explained they are looking for feedback on the layout and waivers so they can finalize the design, and if those aren't granted it would have to be modified to move forward.

Coronati explained the site layout provides for a clubhouse at the entrance near Route 27. Clark asked how much parking is for the clubhouse. Coronati responded, approximately 25 spaces. There are dumpsters located at different areas around the property, with private trash pickup. Coronati also showed mailbox placements around the property.

Coronati showed on the plan a fenced in area, he explained the client in this type of development look for an area to park their RV's and boats. He also showed an area across from the clubhouse for a community gardening area.

McGeough asked if driving by this development if all that will be seen are RV's and dumpsters. Coronati explained the area for RV's is approximately 150 feet in and all wooded with pine trees and hemlocks and shielded from the road and the clubhouse.

Coronati explained the proposal is to build as few homes on the main road, and have eliminated the cul-de-sac in that area. He stated the builders like to build extensive trail network for walking and recreation that goes through the property. The site is large with 154 acres of open space out in the back area with existing trails that lead to the rail trails.

He showed where a community water system is located that will service the whole site, and the septic systems that will be on site are all community septics.

Coronati showed well fields that have been sized for the number of units. Test pits were witnessed by the town.

Clark asked if all the units were the same. Coronati explained there are two different styles, and vary in color and are all two-bedroom units.

Abutter Tyler Griswold stated his concern is with the location for the well head for the community is in the area that could affect his well. He stated his property has a treatment system that was put in and questioned if there are 166 units pulling from that well how much impact would his well be affected. Coronati explained the well is approximately 1,600 feet away, on the other side of the beaver swamp. Coronati explained if requested they will monitor abutters wells during the draw down tests, but doesn't think his well will be affected by that distance.

Coronati explained a traffic study was submitted, and discussed waivers from street construction standards:

**Minimum Pavement Width of 24' for roadways with 0-300 Average Daily Trips.** Jones & Beach is requesting this waiver for the cul-de-sacs and smaller loop roadways and we would like to take the pavement width down to 22' on those lesser traveled roads. The reduction in pavement width still provides for safe two-way travel, reduces the environmental impact of site disturbance, reduces stormwater runoff, reduces future maintenance costs and provides for a more country feel when driving rather than a large urban roadway. Many existing roadways in Epping are 22' wide.

The motion for the waiver to take the pavement width down to 22' on those lesser traveled roads Failed.

Howard asked for clarification. She stated the applicant produced a traffic report that shows average daily trips throughout the project and asked if the Board supports this traffic study. Clark and McGeough challenge the traffic study. Howard stated the Board needs to give the applicant some guidance.

**Minimum Shoulder Width 4'.** Jones & Beach is requesting this waiver to reduce the shoulder width on the roadways down to 2' for all of the roadways. This will reduce site impacts, save wooded areas, reduce wetland impacts and still provide for a safe shoulder. This is similar to many of the cluster subdivisions where the roadways are 22' wide with 2' shoulders. This is also a privately owned and maintained roadway where the Town will not have to plow, salt, sand or repair and this development.

The motion for the waiver to reduce the shoulder width on the roadways down to 2' Failed.

**Minimum Cul-de-Sac Diameter of 150’.** Jones & Beach is requesting this waiver to reduce the cul-de-sac outer pavement diameter to 100’. This will once again reduce site impacts and will be rarely traveled as these dead ends will not have school buses, mail delivery or trash trucks. The cul-de-sacs are all shorter than the max length and will still provide a safe turnaround. Requiring the full-size turnaround will spread the development out more, require more site disturbance and tree removal and result in less open space being saved in perpetuity.

The Board requested comments from Brad from Tighe & Bond before considering the waiver on reducing the cul-de-sac outer pavement diameter to 100’

**Minimum Tangent Length Separating Reverse Curvature of 150’.** Jones & Beach is requesting this waiver to allow 0’ in order to provide a curvier roadway that has a better aesthetic feel when driving, allows the roadway to meander between wetlands and utilize existing trails and gravel roadways already existing and helps to reduce travel speeds. Reducing roadway widths and creating curvy roads have been shown to reduce travel speeds making developments like this much safer. Since these are residential developments and not commuter roadways, it makes sense to keep the travel speeds lower and this waiver will accomplish this goal. It will also allow us to avoid wetlands, which is always a consideration on the planning of these larger developments. The State requires that we avoid wetlands when possible and this waiver allows us to do this.

The motion for the waiver carried 4 to 1.

**Minimum Centerline Horizontal radius of 300’.** Jones & Beach is requesting this waiver to allow a minimum of 150’ in order to provide a curvier roadway that has a better aesthetic feel when driving, allows the roadway to meander between wetlands and utilize existing trails and gravel roadways already existing and helps to reduce travel speeds. Reducing roadway widths and creating curvy roads have been shown to reduce travel speeds making developments like this much safer. Since these are residential developments and not commuter roadways, it makes sense to keep the travel speeds lower and this waiver will accomplish this goal. It will also allow us to avoid wetlands, which is always a consideration on the planning of these larger developments. The State requires that we avoid wetlands when possible and this waiver allows us to do this.

The motion to reduce the radius to allow a minimum of 150’ was approved.

#### **Number of Units on a Cul-de-sac.**

The motion on the number of units on a cu- de-sac was approved.

McGeough moved Clark seconded the motion to continue to June 13. The motion carried unanimously.

**MINUTES OF 4/11/19 FOR APPROVAL** – McGeough moved Clark seconded the motion to approve the minutes. The motion carried.

**NOD FOR APPROVAL** – Railpenny – outdoor seating, Riverside – Falzone/Subdivision, Conditional Use Permit – Gatchell and Solar – 029-283-006.

The Notices of Decision were duly signed by the Chairman.

**MICHAEL VOSE** – Reinhold moved Yergeau seconded the motion to appoint Vose to sit for one year. The motion carried.

**INVOICES FROM TIGHE & BOND FOR PAYMENT – RE:** -- NH Nexus Investments \$960; Nottingham Sq. Rd. Subdivision \$570; NH Asphalt Plant \$240; NH Solar Array-Rte 125 Invest. \$660; NH Riverside Subdivision \$1,440.

Clark moved McGeough seconded the motion to pay the invoices. The motion carried unanimously.

**ADJOURNMENT:** Reinhold moved Clark seconded the motion to adjourn the meeting at 10:10pm. The motion carried.

**NOTE: THE NEXT MEETING DATE IS June 13, 2019 at 6:00 p.m.**

Respectively Submitted,

Phyllis McDonough  
Planning Board Secretary