

**TOWN OF NEW HAMPTON
PLANNING BOARD
MEETING MINUTES**
Fire Dept Training Room, 26 Intervale Drive
New Hampton, NH 03256

April 19, 2022

MEMBERS PRESENT

Regular Members: Mr. Kettenring, Mrs. Hiltz, Mr. Shea, Mr. Hays, Mr. Broadhurst, and Mr. Shaw; Alternate Member: Mr. Mertz

OTHERS PRESENT

Town Administrator Mr. Irvine, Planning Assistant Mr. Pollock and Fire Chief Lang

CALL TO ORDER

Chairman Kettenring called the meeting to order at 6:00 p.m.

Mr. Kettenring appointed Mr. Mertz as a voting member in place of Mr. Katz who was unable to connect via Zoom.

MINUTES

Mr. Hays made a motion, seconded by Mr. Shea to accept the 3/15/22 minutes as written. Vote was unanimous.

CORRESPONDENCE

- Wetlands Permit notification for Tax Map U13, Lot 31, Michael & Elizabeth Fleming.
- Copy of letter from Planning Board Chair to John Claridge advising him of the conditions on a previously approved subdivision (Tax Map R4, Lot 11, 11A, 11B, 11C, & 11D) the board advised him of at the meeting on 3/15/22.
- Notice of Decision from ZBA to NH Signs: Appeal from an Administrative Decision - ZBA upheld the decision previously made by the Selectmen on signage installed at the Mobil Station (Tax Map R4, Lot 92).
- Copy of letter from Town Administrator to Peter Cormier relative to shed placed on site being in excess of the approved Site Plan, on property belonging to Hilshar Assoc. (Tax Map R4, Lot 92A).

PUBLIC HEARING

Master Plan Update

Addition of Energy Chapter

Mr. Kettenring opened the Public Hearing. Mr. Broadhurst said this update adds a new Energy Chapter. Energy Security was added at the meeting on 3/15 but it was not included in the posted draft Master Plan on the website, so he advised this should be corrected to add the 2 paragraphs on the Energy Security.

Mr. Mertz made a motion, seconded by Mr. Broadhurst to adopt the draft Master Plan as presented on the website and to amend the new Energy Chapter to include the 2 paragraphs on Energy Security as agreed upon, on 3/15/22. Vote was unanimous.

**PRELIMINARY
HEARING/SUBMISSION OF
APPLICATION**

*Pollock Family 2012 Rev. Trust
and Cohen Trust, 41 & 31
Hillside Drive, Tax Map R4,*

Mr. Pollock represented the application. He explained the original lot had no access on Hillside Drive so he was able to obtain 20' of access from an abutter years ago which them with driveway off Hillside Drive. He advised that he wanted to add .051 acres (20 feet) from the Cohen lot to their lot, at that point where their lot is accessed from Hillside Drive. This would provide the legal 50' width of access to Hillside Drive, so that the portion of his property with

Lots 20 & 22A; Boundary Line Adjustment.

frontage on Pinnacle Hill Road, so that there would be the capability to subdivide off that portion, if desired.

Mr. Mertz made a motion, seconded by Mr. Hays to accept the plan as complete. Vote was unanimous. Mr. Broadhurst made a motion, seconded by Mrs. Hiltz to approve the boundary line adjustment. Vote was unanimous.

**PRELIMINARY HEARING/
SUBMISSION OF
APPLICATION**

1625 Summer Street Limited Partnership, NH Route 104, Tax Map U8, Lot 1B; Discussion on proposed commercial use of the site.

Mr. McDonough and Brown Engineering Mario Focareto was present.

Mr. Focareto advised the proposal is to create a depot for Blu Box storage containers. He pointed out that in Phase 1 of the Newfound Self Storage proposal in March 2021, approved Sept. 2021, there was a permit for dredge and fill and stormwater management that encompassed what is now known as Lot 1B. This new proposal is the same as what was originally proposed, but with no building. The proposed septic and well from that original plan, are now removed. They have carried over some of the original comments such as plantings within the 25' buffer to the wetlands. Mr. Focareto said the stormwater drainage remains unchanged from the previous design and the dredge & fill design still applies and will not need to be amended. He said they are submitting a revised driveway permit application as NHDOT wants this use combined with the self-storage business. He said Mr. McDonough wants to maintain screening from NH Route 104 as it doesn't need to be seen, with the front edge of the property free from storage containers. Only authorized vehicles will access the property and it will be gated. Mr. Focareto anticipates an average of 7 trips per day, less than the self-storage business. This site obtained a variance from the ZBA on 4/15/19 to allow for self-storage so this proposal is in-line with that approval. Relative to the Conditional Use Permit that had been approved, Mr. Focareto advised that the disturbed area was planned to be for both Lots 1 & 1B at 365,000 sq. ft. Mr. Kettenring said the Board has to discuss the limitation on outside display at 5,000 sq. ft. Mr. McDonough said that in his opinion, and that of Brown Engineering and his real estate attorney, this proposal doesn't constitute outside display. There is no retail operation and the public cannot come in to view or purchase anything.

Mr. Kettenring pointed out some issues for the Board to consider in determining whether this needs to go back to the ZBA:

- The Site Plan was for Lot 1 only, and may need to be looked at as a separate lot (Lot 1B).
- Whether or not this is considered outdoor display or another type of storage unit.

There was discussion on who should determine whether this proposal should go to the ZBA with several members feeling the Planning Board should determine if this needs a variance. Mr. Kettenring said that though the ZBA had approved a Variance for Lots 1 & 1B, the application for self-storage buildings was on Lot 1 only, with Lot 1B being for a future, undecided commercial use. The Planning Board at the time said that the site plan approval was only for the self-storage buildings. Mr. Irvine advised the Board to consider whether these containers constitute outdoor display and how much area is covered by these containers. Mr. Kettenring advised that when the Planning Board adopted the rules regarding outdoor display it was for anything that was outside and it was

limited in total lot coverage. Mrs. Hiltz said she interprets outside display as items being for sale, which these containers are not. Mr. Broadhurst said he doesn't think this is outside display, especially given the proposal to shield the view of these containers. Mr. Hays said it is 100' back and plantings are being proposed. Mr. McDonough said he intends to add more evergreens to shield the view year-round. Mr. Broadhurst advised that the Master Plan survey suggested that more commercial use was desired but with lower traffic impact, which this is. Mr. Kettenring read the definition of outside display which was "an arrangement of objects, items, products, or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product or service, beyond the perimeter of the primary structure as defined by the roof edge." Mr. Shaw said he didn't feel this proposed site plan fits this definition. Mr. Shaw made a motion, seconded by Mr. Broadhurst that the use as described, does not constitute outdoor display as defined in the ordinance. The vote passed.

Relative to how many storage containers would be placed on site, Mr. Mertz said it is only the impermeable area that applies for this use. Mr. McDonough advised that the impermeable area has not changed from the original plan and Mr. Focareto said it was designed to meet the 30% impermeable area limitation of lot coverage. He said with the pavement that serves Newfound Self Storage on Lot 1, and this proposed site, it is 24% of the lot (31,000 sq. ft.). Mr. Mertz asked how high they would stack the containers and Mr. McDonough said they would be no more than 2 containers high, at about 8' - each container.

Mr. Irvine confirmed by referring to the ZBA and Planning Board minutes, that the Conditional Use Permit and the variance was for both Lots 1 & 1B.

Mr. McDonough confirmed the gate would be locked when containers are not actively being transported, so there would be no access to unauthorized vehicles. Fire Chief Lang suggested installing a Knox box and asked if any filled containers would be stored on-site and Mr. McDonough said if that happens, the same restrictions for the self-storage units, would apply, and the containers would be locked.

Mr. Mertz made a motion, seconded by Mrs. Hiltz, that the intended use by the applicant is for a storage facility. For further clarification this was amended with Mrs. Hiltz making a motion, seconded by Mr. Mertz that the intended use of lot 1B is the same as what had been approved by the ZBA. Vote was unanimous.

Mr. Mertz made a motion, seconded by Mr. Hays to accept the application as complete. Vote was unanimous.

Mr. Focareto confirmed this proposal on Lot 1B was under 50,000 sq. ft of disturbed area. Mr. Broadhurst suggested something relative to 5 years for substantial development of the lot if this site plan is approved. Relative to lighting Mr. McDonough said 4 lights were proposed at the corners, similar to those going in at Newfound Self Storage. Mr. Focareto said the plan shows replanting of a 25' buffer along the wetlands, similar to what they will plant on Lot 1. He said they could add a note that states no containers would be placed along the south edge, near Route 104. Mr. Kettenring suggested a condition

that the containers be stacked no more than 2 high. Mr. Hays recommended replacing/maintaining any vegetation they plant.

Mrs. Hiltz made a motion, seconded by Mr. Broadhurst to approve the Site Plan (dated April 4, 2022) with the following conditions:

- a) All Storage boxes shall be placed on the rear and the sides of the lot and none of the portable boxes are to be located on the NH Route 104 area of the lot.
- b) The maximum height of the storage boxes stacked shall be no greater than two boxes so as not to be seen from NH Route 104.
- c) The applicant shall provide Knox -Box access for emergency access to the site.
- d) The applicant shall obtain an amended NHDOT driveway permit for this use.
- e) The Applicant shall plan and maintain a vegetative screen to block the view of the containers from NH Route 104.

Vote was unanimous.

Mr. Kettenring advised that the discussion that the Site Plan be substantially completed in 5 years wasn't added as a condition but that it should be added to the letter that will be sent to the applicant.

Open issues on Planning Board Approvals for which conditions have not been met.

There were none.

Review of Standing Committees

Zoning Ordinance and Regulations Review Sub Committee:

Mr. Kettenring advised there was emailed information from this sub-committee, but as Mr. Katz was unable to attend, Mr. Mertz made a motion, seconded by Mr. Hays to table this discussion to next month.

OTHER BUSINESS

Mr. Mertz asked the board if they were willing to begin the meetings with the Pledge of Allegiance. Mr. Hays made a motion, seconded by Mr. Mertz to add this action to meetings. The vote was unanimous.

ADJORNMENT

Mr. Mertz made a motion; seconded by Mrs. Hiltz to adjourn at 7:35 pm. Vote passed.

Respectfully submitted,
Pamela Vose