

Present: Chairman Sandy Hislop, Denis Hebert, Barbara Hill, Robert Simms, Chris Cross, Cosmas Iocovozzi, Planner Tom Morgan
Absent: John Frink, Peggy Lamson.

Meeting was opened at 7:07 p.m.

Minutes of Previous Meeting

Page 3 of the minutes of meeting held June 10, 02, were amended by rewording as follows: Chris Cross questioned if the Board of Adjustment had specified the exact lot lines when granting a variance for the Mo & Esther Wong Lot Line Adjustment or had only approved the square footage.

John Frink, Planning Board Rep to the BOA, stated that to his knowledge, the BOA's intent was to grant a variance to allow a lot as shown on the plan before the Planning Board at this meeting. Chris Cross was satisfied that the variance was specific as to area and moved the following "To Approve the lot line adjustment with the condition that Lot 13-3 is established to comply with the BOA variance granted at the land owners request to reduce the lot size. Any change or intensification of use requires review of the Planning Board. The abandoned well will be filled or capped." The minutes, as amended, were accepted on a motion by Denis Hebert, seconded by Barbara Hill.

Correspondence:

Memo from Conservation Commission advising that a wetlands inventory is near completion and hoping it will be utilized in the update of the town Master Plan.

Copy of letter from Selectmen to Chairman, PDA, re Pease Transportation Master Plan and requesting a supplemental plan which addresses off-site impacts from the Tradeport.

Letter from Attorney Malcolm McNeill, Jr., suggesting how Board should handle the plan for the transfer of the federal pipeline to the PDA.

Memo from Acting Fire Chief, Roy Greenleaf re: inspection of the Allard proposed parking lot.

Letter from Edwards & Kelsey re: Review of ICR Phase 4 plan.

Letter from Atty John Ratigan re environmental indemnification agreement between Sprague and the Town in the matter of the pipeline to the Con-Ed power plant.

Master Plan:

Board discussed the need to update the Master Plan and the possibility of having part of the work contracted out. All agreed that the basic principles of the plan are sound and that some sections need more updating than others. Concluded that the Board should review each section and isolate those areas for outside consultation. Tom Morgan suggested that the Board's main focus should be on the residential zone.

Barbara Hill advised that the Rockingham Planning Commission has developed models that may help in determining what should be included. Tom Morgan suggested that this would not be necessary.

Discussed the suggestion to mail a survey to property owners and Tom Morgan agreed to draft a survey for Boards review at the next meeting.

In the meantime, a list of possible companies to work on the up-date will be compiled and will plan to appropriate the funds in the 2003 budget.

PUBLIC HEARINGS:

A) Proposal by Granite State Minerals - Received request from applicant to reschedule and Chairman Hislop announced that the hearing would be continued on August 12, at 7:00 p.m.

B) Proposal by Grace & Eliza Smith for a two lot subdivision plus lot line adjustment.

A letter from abutter Fred Smith was submitted advising that he agrees with the proposed lot line adjustment.

Copies of the test pit data made by Michael Cuomo was received from the Rockingham County Conservation District on June 10. The State permit has not been received to date.

Plans were reviewed - Denis Hebert asked if there is a pond on the property. Eliza advised that there is a low spot that fills in the winter but dries up in the summer - it is not spring fed.

Discussed the location of the building on the newly created lot. Eliza stated that the actual site is not yet determined - she was advised that the Planning Board will need to approve any new curb cuts from Little Bay Rd.

The Public Hearing was closed and the Board returned to their regular meeting.

Cosmas Iocovozzi moved to approve the proposed two lot subdivision and lot line adjustment as presented contingent upon receipt of permit from State Wetlands. Motion was seconded by Denis Hebert.

Eliza asked if Board would waive the \$100 fee for review of the lot-line adjustment portion of the proposal noting that she had paid the \$200 fee for the subdivision review and it is all part of the same plan. Iocovozzi and Hebert agreed to amend the motion to add that the \$100 would be waived and the motion, as amended, carried.

C) Proposal by John & Daniel Mazeau for a two lot subdivision

John & Daniel were represented by Michael Mazeau who described the plan to subdivide the property into two lots (1). 300' X 400' with the present dwelling.(2). 30 acres of undeveloped land to be conveyed to the Nature Conservancy. Board was advised that the land will be managed by the State Fish & Game agency and will have public access.

Board has received report of test pits from the Rockingham County Conservation District.

Michael Mazeau advised that the present septic system has failed and the house is unoccupied.

Design and rebuild of a septic system will be left to the new owners.

The Public Hearing was closed and the Board returned to their regular meeting.

On a motion by Comas Iocovozzi, seconded by Chris Cross, it was voted to approve the proposed subdivision contingent upon receipt of necessary permits from State Wetlands Board. Denis Hebert stated that he hoped the owners had left enough land on the smaller lot. Michael stated that to the best of their knowledge - there is sufficient.

A) Pease Fuel Line Plan

Denis Hebert stepped down citing possible conflict of interest.

Elaine Scott, representing the PDA, presented the plans which needs the Boards signature for recording.

Attorney Malcolm McNeill suggested that the following statement be written on the plan:

“The within plan is recorded pursuant to the Order of the US District Court for the District of New Hampshire in the matter of USA vs 14.87 Acres of Land, more or less, etc. Case #80-350-L No formal Planning Board action is required or authorized”.

Cosmas Iocovozzi moved to put statement on the plan as recommended. Motion was seconded by Chris Cross and motion carried.

Elaine Scott went to another room to write the above statement on the required number of plans.

B) Westinghouse Subdivision Plan

Denis Hebert returned to table.

Board reviewed the plan which had been approved in October 2001. It was determined that required number of members from the October meeting were present and the plan was signed for recording.

OLD BUSINESS

A) Clarify stipulations for approval of the Wong Lot Line Adjustment.

Chris Cross questioned if the notes on the plan agreed with the Boards vote of June 10th. Board reviewed notes and determined that wording was sufficient to meet their requirements and on a motion by Denis Hebert seconded by Barbara Hill, voted to accept the plan as presented.

B) Proposal by Robert Allard to reconfigure Parking Lot.

Plan was presented by Gerry Gagne who pointed out some of the modifications from the last meeting. Noted that the number of spaces is down from 130 to 103. Also noted that the acting Fire Chief, Roy Greenleaf, has reviewed the plan and in a Memo states that he has no problem with the proposed parking but will require that the fire lane be clearly marked. Also, that a hydrant shown on the plan near the front entrance, be installed.

The issue of the use of town owned land as part of the parking area was discussed. Denis Hebert had consulted Atty Ratigan and was advised that a simple agreement to allow the use while acknowledging town ownership could be drawn up. Noted that the land has been used by the Allard;s for 35 years. Board agreed to have the agreement drawn up for their review.

Chris Cross questioned the location of the dumpster which appears to be within the setback. It was agreed to move it to another location.

The permitted use of a storage trailer will be left to the Selectmen & Code Enforcement Officer. Board was advised that the proposed signage requires a variance from the BOA - a meeting has been scheduled.

Chris Cross asked if sidewalks could be required. Majority opinion was that sidewalks would only be necessary on the retail side of Woodbury Ave.

Questioned if the Conservation Commission should review proposed landscaping. Board agreed that the area to be landscaped is small and they are confident that Mr Allard will do an adequate

job.

Denis Hebert moved to approve the parking plan with the following conditions:

1. Lighting changed to meet town ordinance requirements.
2. Fire Hydrant on plan to be installed
3. Agreement made between the Town and Allard's for use of parking area on town owned land recognizing that the town is not giving up its rights of ownership or is uses.
4. Some landscaping trees will be added to the Woodbury side of the property.
5. Signs as shown are subject to a variance by the Board of Adjustment.
6. The dumpster to be relocated.

The motion was seconded by Barbara Hill and carried.

C) ICR Phase 4

Plan was presented by Gerry Gagne, Meridian Land Services.

Board had received notice from Edwards & Kelsey that the present version of the plan is OK.

Mr Gagne stated that the plan is sufficient for soliciting bids for this phase - any changes will be brought to the Planning Boards attention.

Denis Hebert noted that a sign "No Jake Breaking" was missing from the plan. Mr Gagne will have it added.

Denis moved to accept the plans contingent upon the addition of the no jake breaking sign.

Motion was seconded by Cosmas Iocovozzi.

Tom Morgan suggested that t the Board sign a set of plans in order to keep on file the agreements to date. Denis Hebert stated that the Board should not sign off completely as the plans could be changed following site walks during construction.

The motion carried.

D) Request for Bond Release by Wal-Mart

Board read memo from Conservation Commission advising that the landscape maintenance plan received from Wal-Mart is illegible. Board agreed to defer action until the August meeting when hopefully, a legible copy will be in hand.

PRELIMINARY DISCUSSIONS

A) Proposal by Lordco to install a herring holding tank.

Dana Lynch represented Lordco and also present was Mr Keating of Shafmaster.

Board reviewed plan to add building on the water side of the property and were advised that the building would be an accessory to improve the efficiency of the off-loading operation - there would be no additional employees. The building will not be refrigerated and the herring (bait fish) would be held 24 to 36 hours. Power and water would be supplied from the main building. Discussed if a discharge permit would be required - Mr Keating stated that in his opinion, the new building cold be added to their present discharge permit. However he agreed to check with the State to make sure a separate permit is not needed.

Chris Cross asked that the plans show the planned traffic flow on the site. Board asked that the Fire Chief be asked to review the plan and comment.

On a motion by Hebert, seconded by Cross, it was voted to hold a Public Hearing on this

proposal at the August meeting.

B) Proposal by John McGovern & Joe Mitchell to establish a convenience store at the Exxon Station at the corner of Woodbury and Gosling Roads.

Board reviewed the conceptual plan showing the removal of service bays and lifts from the building and remodeled to a convenience store including a possible drive-up window.

Noted that traffic surveys show this intersection to be deficient and must plan carefully.

Any use of setback will require a variance from the Board of Adjustment.

Held lengthy discussion regarding the parking and calculations for same.

On a motion by Cosmas Iocovozzi, seconded by Robert Simms, it was voted to hold a Public Hearing on this proposal at the August meeting.

Elaine Scott returned with the notation on the plans for transfer of the oil pipeline from Federal Government to the PDA and Board signed them for recording purposes only..

Other Business:

Tom Morgan advised that the Outback Restaurant Dumpster will be relocated in August.

The meeting was adjourned at 9:50 p.m.

Pat Main
Secretary.