*Cases heard:*

***CASE: 21-17,*** *David Pelletier Construction Inc.*

***Case 21-19*** *Patriot Holdings LLC*

***CASE 21-21:*** *Harding Metals*

*Chair Jandebeur called the meeting to order at 6:30 PM*

**Present:** Chair Tim Jandebeur, Lee Baldwin, Betty Smith, Selectmen’s Rep Hal Kreider, and Jeff Tenley

**Voting Designation:** Chair Tim Jandebeur, Lee Baldwin, Betty Smith, Selectmen’s Rep Hal Kreider, and Jeff Tenley

**Minutes**

**Ms. B. Smith made a motion, seconded by Mr. Tenley, to approve the minutes of February 24 as amended. Motion carried 4/0/1 Mt. Tenley abstained.**

**CASE: 21-17,** David Pelletier Construction Inc. Old Turnpike and Ye Olde Canterbury Road Map 215 Lot 21-1. The applicant proposes to subdivide 10.4 acres with 679’ of frontage on Old Turnpike Road and 28’ of Frontage on Ye Olde Canterbury Road into 4 single family lots. All lots will access Old Turnpike Road.

David Pelletier Construction

Scott Frankiewicz was present to speak for the application. He stated that the application went to the ZBA, but the wetland impact had changed, so it was sent back to the Conservation Commission. They did receive review comments from the Public Works Foreman. He stated that he would like a conditional approval tonight if possible. He stated that they also have two waiver that the Board still need to act on.

Mr. Burdin stated that since all of this is supposed to go through the wetlands, he does not support a conditional approval before the ZBA gets a chance to meet with him again. However, he is okay with the Board acting on the waivers tonight.

Chair Jandebeur stated that he didn’t feel comfortable going forward with this until the application goes back to the Zoning Board and Conservation Commission. He would like to continue this until that can happen.

**Ms. B. Smith made a motion, seconded by Mr. Tenley, to continue Case 21-17 until April 28, 2022, at the applicant’s request. Motion carried 5/0**

**Motion to continue until 4/28 BS/JT vote 5/0**

**CASE 21-19:** Patriot Holdings, LLC 1060 First NH Turnpike. Map 217 Lot 45. The applicant is requesting a Major Site Plan Review. The applicant is proposing an expansion of an existing self-storage site.

Chair Jandebeur stated that they have received a memo from the attorney, and they will need to vote to make it a public document

**Ms. B. Smith made a motion, seconded by Ms. Baldwin, to make the memo from the attorney a public document. Motion carried 5/0**

Nathan Chamberlain from Fieldstone Land Consultants was present to speak for the application. He stated that they had submitted a waiver for a traffic study, but he has also submitted a traffic analysis, he asked if that would be sufficient for a traffic study. He stated that District 6 is reviewing the document, and he is aware that they would be required to get a driveway permit from DOT.

**Ms. B. Smith made a motion to accept the trip generation in lieu of a full-blown traffic study. Ms. B. Smith withdrew her motion.**

Selectman Kreider stated that he had serious concerns about the UPS center that was located on the property. How much traffic does that generate? Discussion ensued about what exactly was on this property. Mr. Burdin stated that the Board should have a confirmation of the existing and the proposed uses on the lot. Selectman Kreider stated he was reluctant to approve a waiver based on what was partly going on there. He stated that in the past there have been situations where an applicant has been approved for one use, and over time they end up adding uses or changing uses without coming back to the Board. Chair Jandebeur stated that the Board needs to know exactly what is on the site.

Ms. L. Smith stated that she would like to add her displeasure of receiving information at the very last minute. All new information should be received by the Board 10 days prior to the meeting if the applicants want it to be taken into consideration.

Chair Jandebeur stated that he would feel more comfortable continuing this case until they had all the information.

**Ms. B. Smith made a motion, seconded by Ms. Baldwin, to continue Case 21-19 until March 24, 2022, at the applicant’s request. Motion carried 5/0**

**CASE 21-21:** Harding Metals, INC. 42 Harding Drive, Map 234 Lot 76. Applicant is requesting a major site plan review. The applicant is proposing to build a 12,000 square foot maintenance building with a small office and parking, relocate the weigh station, and build access roads and drainage facilities.

Scott Frankiewicz was present to speak for the application. He stated that he met with the Conservation Commission and the ZBA for the special exception, The ZBA granted the Special Exception. He stated that they received the DES wetlands permit on March 3. He stated that they still have four waivers that they need to act on as well.

*Cheryl Rawls*

*60 Mountain Ave*

*Northwood, NH 03261*

*My name is Cheryl Rawls, I am writing to you on behalf of my parents Max and Carole George. We have many concerns regarding Harding Metals building in the area proposed. The noise from that area now is quite loud and with the new building even closer to our land, it will become even worse and quite an eye sore. Another concern is the chemicals that could spread to our property, which we experienced years ago with the Shell gas station. We want a guarantee that this will not happen now with Harding’s.*

*My parents have lived here close to 50 years, and I believe this would be a big disruption to our privacy. We want to propose that a fence/sound barrier be placed between the area and our property to minimize the noise.*

*Thank you*

*Cheryl Rawls*

Chair Jandebeur opened the public comment.

Attorney Roy Tilsley for abutter Joe Gendron, 52 Mountain Ave.

The project is going to be 160 feet from the abutter’s rear property line, it is a substantial change of use, adding an industrial use, a commercial metal scrapyard to the rear of these residential properties, and there are concerns with the looks, noise, and lights. This use is not an authorized use under tables V.1 of the zoning ordinance, rather, it is a special use, must meet performance criteria of Section V.2, V.A.1, and V.B of the zoning ordinance. Those are very similar criteria to what this board does on site plan review, so he wants to make sure that this Board is considering those criteria when approving this plan. That occludes vibration, noise, odors, hours of operation, lighting, not substantially altering the change of character of the neighborhood and visual screening from the neighbors. This is a substantial change to the neighborhood, and it really doesn’t belong next to a residential property. Having said that, he appreciates what the Board must deal with in front of them. He stated that they would ask that they deny the application, because it is just too much of an industrial use next to a residential area. At the minimum, if it’s going to be approved, he would ask that the Board impose reasonable restrictions and conditions on the plan to at least minimize the effect of this operation on the neighborhood. The first would be to limit the hours of operation, standard operating hours, weekdays only. They would ask the Board to assure that any lighting on site does not spill over causing light pollution to the residential area. The neighbors are concerned, and they appreciate that this are is the garage and not the scrap metal area, but the neighbors are concerned that this is a substantial change, because there will be trucks coming in and out of the garage, there will be noise. They certainly would prefer what is there now. The biggest issue is that they would like a more substantial buffer that what is proposed. His client is not satisfied with the landscape buffer, and they have looked at it closely in terms of what they have proposed. If they are looking at only a tree buffer, they would like to see bigger trees and closer together. They do this that it is appropriate to have some type of a stockade fence or a wall, 8 to 10 feet high to provide a firm buffer or barrier between this industrial property and these residential properties. Their suggestion would be that their either be a landscape buffer behind it or in front of it to provide a little bit of a nicer visual context as well other than just a fence or a wall, but they feel that the fence or wall is important. In terms of whether the buffer goes along the property line or more towards the pavement, his client did not express a strong feeling either way. He would suggest that the applicant provide a rendering of where they plan to put the wall so the neighbors can see what it might look like.

Discussion ensued on the buffer, where it should be, how tall it should be, and what natural plantings would be appropriate.

Mr. Burdin reminded the Board that they need to act on the waivers at the next meeting.

**Selectman Kreider made a motion, seconded by Ms. B. Smith, to continue Case 21-21 until March 24, 2022, at the applicant’s request, with all input from abutter to be received by March 18. Motion carried 5/0.**

*Motion to adjourn is accepted at 8:17 PM*

***Respectfully Submitted,***

***Susan Austin, Land Use Assistant***