Tilton Planning Board
Meeting Minutes – March 24, 2015

Agenda
6:30 PM Call to order.

PB15-05 Site Plan Review – proposal to operate a motor vehicle and small engine repair and maintenance facility at 486 West Main Street in the General Commercial District (R26/6)

PB15-06 Site Plan Review – proposal to make necessary retrofits and operate a hair studio 267 Main Street in the Downtown District (U5/37)

PB15-07 Site Plan Review & Conditional Use Permit (Groundwater Protection District) – proposal to construct and operate a motor vehicle sales facility at 40 Tilton Road in the Regional Commercial District (R23/19)

PB15-08 Site Plan Review & Conditional Use Permit (Groundwater Protection District) – proposal to construct and operate a Taco Bell restaurant at 147 Laconia Road in the Regional Commercial District (R23/8-4)

PB15-04 Continuation of Preliminary Site Plan Conceptual Consultation – proposal to subdivide to create an additional residential parcel at 246 Calef Hill Road in the Rural Agricultural District (R2/3-5)

PB15-09 Preliminary Site Plan Conceptual Consultation – proposal to expand Tilton School's athletic facility to include six new tennis courts at 21 Pillsbury Lane in the Village Residential District (U7/39)

Other Business:

- Review the February 24, 2015 minutes
- Correspondence
- Other Business

Members Present:
Judy Tilton (Vice chair), Juliette Harvey, Elaine Grace, Katherine Dawson (Ex-Officio Selectman), Christine Dembitzky and Eric Pyra

Others Present:
Leonard Pickering (Weatherbee Auto), Debra Spriggs, Cherie Royal, Bill Carlson, James Tilton, June Tilton, Dennis Gaudet (AutoServ), Roland Gamelin (AutoServ), Timothy Bernier (T.F. Bernier), Peter Saliba (Tilton School), Elizabeth Sheehan, (Tilton School), Shelby Allard-Curley (Hello Gorgeous Hair Studio), Darrell Curley (Hello Gorgeous Hair Studio), Huseyyin Sevincgil (MHF Design for Taco Bell), Heather Monticup (Greenman-Pedersen, Inc. for Taco Bell), Stephen Dembitzky and Dari Sassan (Planning Board Staff)
Call to Order
Chairman Tilton called the meeting to order at 6:30 PM.

PB Case 15-05

MOVED by Ms. Harvey to accept PB Case 15-05 for deliberation. SECONDED by Mr. Pyra.

All in favor, none opposed: MOTION APPROVED.

Mr. Pickering explained that his proposal is to operate an automotive and small engine repair business. He indicated that he would like to purchase additional, abutting property at some point to be used for the business. Mr. Pickering said that he would have two repair bays, an office and a room dedicated to small engine repair. Ms. Dawson asked what measures would be taken to contain any dripping fluids. Mr. Pickering said that he would take all measures possible. Dawson asked if there would be lifts and floor drains. Mr. Pickering said that a lift would be installed in each bay and that there would not be any floor drains. He said that if floor drains presently exist, he will cap them.

Ms. Dawson asked about parking. Mr. Pickering said that the snow cover has prevented him from establishing the final layout of parking, adding that providing an accessible space would not be a problem. He said that the plan that he had submitted with this application would need to be modified, because he has discovered that a leach field lies beneath some of the proposed parking spaces.

Ms. Dawson asked about the presence of a cesspool pictured on a map distributed by Mr. Pickering. He said that he was not certain if it was still in place. Ms. Harvey asked about signage. Mr. Pickering said that he plans to utilize the existing sign structure.

Chairman Tilton asked if the site utilizes public water and public sewer. Mr. Pickering said that the site is not on town water or sewer. Ms. Dawson asked if the site is connected to public water. Mr. Pickering said that he did not know. Board members said that a plan submitted by Mr. Pickering showed a water line, at which point, Mr. Pickering said that the site is on public water. Ms. Dawson asked about lighting. Mr. Pickering said that he intended to use the lighting that currently exists.

Chairman Tilton asked if anyone from the public wished to comment. No comments were offered.

Chairman Tilton said that she would want a written plan for dealing with any dripping fluids. Ms. Dawson asked about the proximity to surface waters or wetlands. Mr. Pickering estimated that the distance was over 400 feet. Ms. Harvey asked if documentation exists confirming that the property has been cleared of any past contamination. Mr. Pickering says that he possesses a letter from EPA indicating that the property has been deemed safe two years in a row. Mr. Pyra expressed concern about wetlands in the area, saying that the Board needs to have information about the location of nearby wetlands.

Chairman Tilton said that she would not be comfortable making a determination until more information is provided by the applicant. Ms. Dawson said that she would want more information about parking and traffic flow and that nearby wetlands need to delineated. Ms. Dawson said that the existing lighting needs
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to be represented. Mr. Pyra said that it should be determined whether the cesspool is still on site. Ms. Dawson said vehicles that are dripping fluids will certainly be brought to the business and that a plan for handling the fluids needs to be established. She said that snow storage should also be depicted.

Mr. Sassan suggested that the Board define what level of wetland delineation Mr. Pickering should provide. Ms. Dawson said that Mr. Pickering need not hire a wetland scientist, but that he should depict known water features and drainage systems, including culverts that convey water within the vicinity of the site.

MOVED by Ms. Harvey to continue PB Case 15-05 to the April 14, 2015 Planning Board meeting, where the applicant shall provide additional information regarding the following Site Plan elements:

1. Snow storage
2. Parking
3. Traffic flow
4. Driveway permitting
5. Site drainage and proximity of wetlands
6. Plan for compliance with applicable standards for handling automotive fluids
7. Sanitary system
8. Water system
9. Lighting

SECONDED by Mr. Pyra.

All in favor, none opposed: MOTION APPROVED.

PB Case 15-06

MOVED by Mr. Pyra to accept PB Case 15-06 for deliberation. SECONDED by Ms. Harvey.

All in favor, none opposed: MOTION APPROVED.

Mr. Curley described the proposed project. He said that he would be patching walls, painting, plumbing wash stations, and installing new trim, wiring and lighting. Ms. Grace asked if the business would include artificial nail services. Mr. Curley said that it would not. Mr. Pyra asked if the fire department had been notified. Mr. Curley said that he understood that he would have to receive clearance from both the Fire Captain and the Code Enforcement Officer prior to operation.

MOVED by Mr. Pyra to approve PB Case 15-06 with the following conditions:

1. Compliance with the signage ordinance shall be maintained.
2. Approval of the Tilton-Northfield Fire Department shall be obtained prior to operation.
3. Approval of the Tilton Sewer Commission shall be obtained prior to operation.
4. Approval of the Tilton Code Enforcement Officer shall be obtained prior to operation.

SECONDED by Ms. Harvey.
PB Case 15-07

MOVED by Mr. Pyra to accept PB Case 15-07 for deliberation. SECONDED by Ms. Dembitzky.

All in favor, none opposed: MOTION APPROVED.

Mr. Bernier described the project, explaining that the existing auto body shop would remain and an additional 5,800 ft\(^2\) sales building would be constructed. He said that a shoreland permit and an Alteration of Terrain permit would be required. Mr. Bernier said that relief had been obtained from the Zoning Board of Adjustment, including a Special Exception allowing for parking areas to be installed within the building setback and a Variance allowing for grading within the wetland buffer. He said that the Zoning Board had expressed concern that the Planning Board not be deprived of any due involvement in permitting grading within the wetland buffer. Mr. Bernier explained that he and Mr. Sassan had discussed the matter, and that it had been discussed again before the Zoning Board, with the conclusion being that, in order for the ordinance to function properly, the grading request should be addressed through a variance, and not through a conditional use permit.

Mr. Bernier said that the site is in the groundwater protection district and that a conditional use permit is being requested to allow for over 2,500 ft\(^2\) of impervious cover. He explained that, as part of the Alteration of Terrain process, four areas of impervious pavement are being proposed, which will capture and infiltrate stormwater.

Ms. Dawson asked if the project had been presented to the Conservation Commission. Mr. Bernier said that it had not. Ms. Harvey asked about the maintenance requirements of pervious pavement. Mr. Bernier said that the maintenance requirements are no greater than those of catch basins. Mr. Bernier reviewed the function of the pervious pavement system, explaining that runoff from a 50-year storm would be captured and infiltrated, but that some of the runoff from a 100-year event would be diverted out of the infiltration-chamber system.

Ms. Dawson asked about lighting. Mr. Bernier explained that lights would be turned off at 11 or 12 PM. Chairman Tilton mentioned that that two businesses would now be operating at the same site and asked whether the two businesses would be able to comply with the signage ordinance. Mr. Sassan said that the auto body shop and the sales building would be operating under the same ownership, but regardless, if they were to be treated as two separate businesses within the same complex, it appears they would still be compliant with the ordinance.

Chairman Tilton asked if anyone from the public wished to comment. One attendee asked if the pervious pavement might wind up capturing harmful fluids from debilitated cars and conveying those toxic substances into the groundwater. Mr. Bernier said that the shop performs auto body work, not mechanical work and that all required practices and procedures for handling leaking fluids would automatically come into play. Mr. Tilton asked if a particular area along his shared property line would be washed out. Mr. Bernier explained that he is reducing overall pervious cover and that there was previously no stormwater...
management system whereas now an AoT-approved system is being proposed. Another attendee expressed concern that a nearby driveway is regularly being washed out. Mr. Bernier said that, under the current layout, runoff from the site contributes to flow along that driveway, but that the proposed system would capture that runoff.

Mr. Pyra asked if accessible parking would be provided in front of each building. Mr. Bernier said that the site meets ADA requirements and that, in this case, the parking lot is virtually flat, and varying elevations at different entrances are therefore not an issue. Ms. Dawson asked about impacts to residents as a result of lighting and receipt of deliveries. Mr. Gaudet explained that he would address any issues that might arise regarding impacts to the neighbors. Ms. Dawson said that she would want exterior lighting turned off by midnight. Mr. Gaudet said that car deliveries do arrive at all hours, but that they are unloaded quietly. He said that parts would be delivered only during the day. Chairman Tilton asked if speakers would be used to page employees. Mr. Gaudet said that they would. Mr. Sassan said that concerns associated with intrusive lighting or noise from deliveries or intercoms could be addressed by ensuring the applicant follow the specifications of the existing nuisance ordinance.

Chairman Tilton asked if the Sewer Commission had been notified. Mr. Sassan said that he had spoken with the Sewer Commission Administrator and that she had requested a condition requiring that Sewer Commission approval be secured prior to operation. Mr. Sassan said that the Sewer Commission Administrator had also requested clarification as to how the water would be metered between the two buildings. Mr. Bernier said that each building would have its own meter.

Planning Board members expressed a desire to have the Conservation Commission review the proposal. Mr. Gaudet said that he would contact the Commission and provide the Commission an opportunity to review the proposal.

MOVED by Ms. Harvey to approve the Conditional Use Permit associated with PB Case 15-07, allowing for over 2,500 ft$^2$ of impervious cover. SECONDED by Ms. Dawson.

All in favor, none opposed: MOTION APPROVED.

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MOVED by Ms. Harvey to approve PB Case 15-07 with the following conditions:

1. Approval of the Tilton Sewer Commission and NH DES shall be obtained prior to operation.
2. The applicant shall meet with the Tilton Conservation Commission to review the project
3. All necessary permits shall be secured prior to operation.
4. All operations shall comply with the Tilton nuisance ordinance.

SECONDED by Ms. Dembitzky.

All in favor, none opposed: MOTION APPROVED.

PB Case 15-08
MOVED by Mr. Pyra to accept PB Case 15-08 for deliberation. SECONDED by Ms. Grace.

All in favor, none opposed: MOTION APPROVED.

Mr. Sevincgil described the project, explaining that a new driveway, opposite from the entrance to Home Depot would be constructed. Mr. Sevincgil described the stormwater system, indicating that two major treatment structures—a detention basin in the front of the development and a bioretention basin in the back—would process runoff. He said that overall runoff is reduced over existing conditions for the 2, 10 and 50-year storm event.

Board members requested that a proposed snow storage area alongside the back treatment structure be moved. Mr. Sassan asked why the Board was making that request, stating that positioning a pile of snow, which generates runoff, next to a stormwater treatment structure designed to capture and treat runoff, seemed to make sense. Mr. Dawson said that winter maintenance personnel sometimes do not pile snow in the exact right spot, and she therefor had concerns that the treatment structure might become filled with collected snow, which would render it ineffective and incapable of accepting spring runoff.

Mr. Sevincgil said that the hours of operation would be 6 AM to 2 AM. Chairman Tilton asked if people would be able to drive through Camelot Homes to enter the facility. Mr. Sevincgil said that construction would allow for a future connection, but, for now, landscaping elements would prohibit through traffic.

Chairman Tilton asked if anyone from the public wished to comment. Mr. Gaudet said that he would like to see the Board preserve some form of access to the new intersection connection for use by other parcels. Mr. Sevincgil expressed an expectation that the site owner would be amenable to providing access to other potential users of the intersection. Mr. Gaudet said that restricting access to a particular 100-acre parcel would severely limit the development potential for the site and that something concrete needs to be established protecting additional access. Mr. Sevincgil said that this condition has existing for some time, and that the opportunity to develop the access point has also existed for some time. Mr. Sassan asked why, if that access is so valuable, that it continues to sit in an undeveloped state, and why would Camelot Homes not choose to develop its site in a way that realizes the potential value of the access way. Mr. Sevincgil said that his client would not likely object to a means of accommodating through traffic, provided it would not negatively impact operations. Board members discussed that there was nothing in the present proposal that would inherently preclude future access by other parcels. Mr. Sevincgil said that future negotiations between the property owner and his client, Charter Foods, could pursue such access.

Mr. Jesseman asked for additional detail regarding the intersection. Ms. Monticup described the research, planning and interaction with DOT that led to the proposed driveway and traffic light. Chairman Tilton asked about provisions for pedestrians. Ms. Monticup indicated that pedestrian crossings were never discussed and that there are currently no crosswalks for any of the existing businesses. Ms. Dawson asked if fire apparatus would be able to move throughout the site. Mr. Sevincgil said that the site was designed to accommodate large delivery vehicles, and would therefor accommodate fire apparatus. Chairman Tilton closed the public hearing.

Mr. Sassan said that a portion of the proposed front parking area appeared to infringe upon the front
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setback, but that the parking was over 30 feet from the edge of traveled way. He said that, in terms of compliance with the signage ordinance, the Board should determine whether the proposed restaurant could be considered a separate “complex” from the Camelot Homes facility. Should the Board determine that the two businesses are in separate complexes, Mr. Sassan said that he believed the proposed signage to be compliant with the Zoning Ordinance. Ms. Dawson said that she saw the two as separate complexes. Mr. Sassan said that, in terms of the Planning Board upholding the intent of the Ordinance, he felt Ms. Dawson's interpretation made sense.

MOVED by Ms. Harvey to approve the Conditional Use Permit associated with PB Case 15-08, allowing for over 2,500 ft² of impervious cover. SECONDED by Mr. Pyra.

All in favor, none opposed: MOTION APPROVED.

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MOVED by Ms. Harvey to approve PB Case 15-08 with the following conditions:

1. Approval of the Tilton-Northfield Fire Department shall be obtained prior to operation.
2. Snow storage areas shall be separated from stormwater detention areas so as to avoid accumulation of stored snow within stormwater detention areas.

SECONDED by Mr. Pyra.

All in favor, none opposed: MOTION APPROVED.

PB Case 15-04
Ms. Dembitzky recused herself for Case 15-04 only.

Ms. Dembitzky described the project and pointed out that answering the question of whether a loop road would be acceptable represents a major contingency in determining the viability of the project. She said that Mr. Sassan had researched the Vista Heights project, which contains a loop road, but that Mr. Sassan said that the project had taken place over 40 years prior, certainly under different regulations, and therefore could not offer relevant guidance.

Mr. Sassan proposed that the property owner proceed to a subdivision application in which a loop road would be proposed and a waiver would be sought relieving him of the requirement that the road be paved. Mr. Sassan said that the Fire Department's approval would be a central contingency and that highway design experts could be consulted to help determine whether waiving the pavement requirement might be appropriate.

It was agreed that the property owner would submit a subdivision application at an upcoming meeting.

PB Case 15-09
Mr. Saliba explained that The Tilton School would be proposing to add six tennis courts to its athletic facility. Subjects of conceptual discussion included hours of operation, possible future lighting, parking,
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stormwater management, spectator accommodations, availability to the general public and the resulting impact at the location of the existing courts.

Ms. Dawson said that an unresolved complaint exists regarding lighting from the recently installed turf field. Mr. Saliba said that steps have been taken to resolve the matter, including testing conducted in the fall that confirmed light levels were in compliance with the approved site plan. Mr. Sassan said that he has been in contact with the general contractor, and has made arrangements to conduct additional testing.

Mr. Gaudet said that he appreciated the fact that Tilton school is moving its athletic facilities from Northfield into Tilton, which, he said, is having a positive impact on downtown businesses.

Other Business
Review the February 24, 2015 minutes

MOVED by Mr. Pyra to approve the minutes of the February 24, 2015 Planning Board meeting. SECONDED by Ms. Grace.

All in favor, none opposed: MOTION APPROVED.

Planning Board Correspondence
Chairman Tilton said there was no correspondence for review.

Other Business
Mr. Sassan said that this March meeting would normally be the appropriate time to elect officers, but that Chairman Alden was not in attendance. Chairman Tilton said that it would not be appropriate to conduct elections without Chairman Alden in attendance.

MOVED by Ms. Harvey to adjourn this meeting. SECONDED by Mr. Pyra.

All in favor, none opposed: MOTION APPROVED.

The meeting adjourned at 10:15 PM.

JA/ds