

Brentwood Planning Board

Minutes – May 7, 2009

Members Present: Bruce Stevens, Chairman John Kennedy, Vice- Chair
George Waldron, BOS rep Charlie Pratt
Bob Magnusson Kevin Johnston, Alternate
Glenn Greenwood, Circuit Rider Planner

Also present: Conservation Chairman Rob Wofchuck

Chairman Stevens opened the meeting at 7:05.

Minutes – Mail – Board Business

The Planning Board office received a concern about large fuel trucks being stored at 131 Pine Road, which is located within the Aquifer Protection District. It was also mentioned that there were large piles of wooden pallets against the building, near a wood stove pipe. Storage of trailers has been a permitted use at this site for many years, but not for the storage of tankers with fuel. The BOS will be notified of the tankers, and the FD of the pallets.

Motion made by Kennedy, 2nd by Waldron to approve the April 16 minutes: all were in favor.

Alan Prina of the FD asked the PB office if there was an ordinance that requires all commercial buildings to have a monitored fire alarm system. There is currently not one in place and the PB would like the FD to check NFPA and BOCA codes to see if there are standards for this, and have them present the PB with a sample ordinance that the Board could use as a reference. Kennedy said any ordinance should have standards for minimum building requirements, etc.

Greenwood said he met Wednesday with a potential buyer for lot 208.006 (Goody Coles and the white building next to the restaurant), who wants to open a retail fireworks store in the white building. Greenwood said he feels this is a change of use that would require some site plan review. He said the PB allowed Goody Coles to operate a dry goods store as an extension of their existing business in this building, but Goody Coles never pursued that. Greenwood said they would use the existing building footprint. He asked if a fully engineered plan would be required by the PB. Currently there is no surveyed, engineered plan on file for this site, there is only a 1981 sketch on file, for when the racquet ball court was built. Kennedy and Stevens said that in the absence of any site plan and the limitations of this small lot, a site plan would be needed.

Motion made by Waldron, 2nd by Magnusson that this would be a change of use, and a full site plan review that includes an engineered site plan would be required: all were in favor.

The Board is in receipt of two letters from the NHDMMV, asking if Good Buy Auto Sales and Service can relocate from the St. Armand site on Rte 125 to the Hayward site to hold both an inspection license and a dealer plate. Ken Zibolis of Good Buy and property owner Dennis Hayward were present. Stevens said the approved site plan did not allow for the display of vehicles. Zibolis said that his business is mostly on the internet, and he will have his cars inside the building. He said the site plan allows him 2+ parking spaces, and he asked if he could use those spaces to display up to 3 cars. Hayward said does not want a lot of cars displayed, but agreed to allow the use of those parking spaces.

Motion made by Kennedy, 2nd by Waldron that this use is consistent with the approved site plan and to approve the two license requests and a maximum of 3 cars to be displayed within the allotted parking spaces for Good Buy Auto: all were in favor. Hayward and Zibolis thanked the Board.

7:15 – Continued Public Hearing: New England Drag Way. Tax maps 203.030, 032, 033
Applicant has submitted a request for a continuance to June 4th.

Motion made by Kennedy, 2nd by Stevens to continue this hearing to June 4: all were in favor.

7:15 – Continued Public Hearing: For consideration of revocation of the approved subdivision titled Barnett

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Wood Conservation Subdivision. Tax maps 220.009.001 thru 220.009.012 & 220.009.014 thru 220.009.019.

The Board reviewed a May 7 letter from town engineer Steve Cummings that said, in part, that the site remains in the same condition as last year. On April 15 the Board received a letter from Cummings recommending that the area in question be stabilized. Stevens and Johnston viewed this site prior to tonight's meeting and said the property owner has not done any work since last year.

Motion made by Pratt, 2nd Kennedy, to authorize Cummings to have the stabilization completed, based upon his previous letters: all were in favor.

Motion made by Pratt, 2nd by Magnusson to continue this hearing to July 16th: all were in favor.

Greenwood said that he met with NEI one month ago regarding the use of a wind turbine at their site on Pine Road. He said they will be installing a temporary turbine to measure wind speed.

Magnusson asked about the status of the M & T Holdings site, regarding the drainage work that he thought needed to be done. Greenwood and St. Hilaire will look into this, and have Cummings do a site inspection, if deemed necessary.

Wofchuck said that he and representatives from the UNH Stormwater Center will be at the May 21st meeting to give their presentation on their work in reviewing the town's storm water regulations. The Board told Wofchuck that they would like, as part of the outcome of this work, a broad-based storm water management ordinance, to be presented to the Board for consideration.

John Byron of Brentwood Militaria was in with a sketch of his site that shows the outside area where he wants to have air-soft games. Stevens said that after Byron's first meeting with the Board, a site walk was held and the majority of the Board thought this would be an allowed use through an addendum by way of site plan review. He said the PB could keep the sketch on file, but this was not a posted hearing, and that needs to be done. Byron said he was asked to be "ready to roll" today, and can't be putting this off. Stevens explained that a site plan hearing requires notification, and this was discussed with Byron earlier. Byron said he was told that he could move forward after the bathroom/septic issue was taken care of. He said the health inspector has been there and said everything is fine. Waldron told Byron that the hearing needs to be legally noticed, that the Town has to comply with state laws. St. Hilaire told Byron that when he had come to see Greenwood several weeks ago, he was told that an addendum to the previously approved plan may be required, and the process was explained at that time. The process is required by state law. Byron said the Town is driving a small business out of town. Greenwood said he had told Byron earlier that nothing would go forward until the septic issue was taken care of, and as of tonight, they had not heard from the health officer. Byron said to have this much fuss over playing with a toy behind his building is unbelievable. Stevens said from the site walk it was apparent that this was one of the most benign activities that could take place, and that the Board could work with Byron, with a minimal requirement for a site plan. He said it is beyond the PB's authority to just grant the approval, and a hearing is required. Byron said he will find another place for his business. At this time he left the meeting.

Motion made by Pratt, 2nd by Waldron to adjourn at 8:05 pm: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire,
Administrative Assistant
Brentwood Planning Board