

**Brentwood Planning Board**  
**Minutes –June 18, 2015**

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|------------------|---------------------|--|
| Members Present: | Bruce Stevens       | Kevin Johnston, Vice-Chair             |
|                  | Mark Kennedy        | Steve Hamilton                         |
|                  | Jane Byrne, BOS rep | Glenn Greenwood, Circuit Rider Planner |

Motion made by Stevens, 2<sup>nd</sup> by Byrne to give St. Hilaire voting rights: all were in favor.

Eric Lambert was in to see the Board, regarding the PB request that he get a letter of acknowledgement from DES regarding his change of use. Greenwood said that during Lambert’s hearing it was shown that his approved plan for the site has room for his proposed use. Lambert said he contacted DES and they do not provide acknowledgement letters, and they told Lambert that he could supply a new septic design and they could approve or disapprove the design. They told him they do not have waivers or other forms to provide that would meet the condition the PB had asked for. He spoke with Greenwood earlier and said this condition is not achievable, and he has proof on the plan that there is room for expansion.

Motion made by Byrne, 2<sup>nd</sup> by Hamilton to amend the May 21 minutes by removing condition number 2, regarding a letter from DES, and approve the minutes as amended: all were in favor. Lambert thanked the Board for their time this evening. Kennedy arrived at this time.

Danna Truslow of Truslow Resource Consulting was back along with Jamie Houle of the UNH Stormwater Center who spoke about the future benefit of enhanced stormwater regulations, talked about the the effects of local storm water and spoke about the Southeast Watershed Alliance model for storm water management ordinances. Johnston arrived at this time. Houle explained the importance of updated regulations and NHDES MS4 permitting. Greenwood spoke about monitoring the water from the Exeter River from various points that would include both the Fremont and Exeter ends.

Houle will provide the information presented tonight for the Brentwood portion of the Truslow website. Stevens thanked Truslow and Houle for this presentation.

Rob Wofchuck of the CC was in to speak with the Board, regarding the Fralic property. He said they are working with the federal wetlands preserve program but because the estate has not been settled, the process has been delayed at least another year. He understands that the PB has sent a letter to the people handling the estate about reclaiming the gravel pit, and said they are concerned about the PB pushing the issue. The CC is working with the Southeast Land Trust and they suggested that the town show its support for this conservation outcome by being patient about the reclaiming. Wofchuck said the CC is preparing to send a letter to the PB and BOS, assuming that they actively continue to pursue the conservation option, which will include funding for reclaiming, he is asking that the town be patient. Greenwood said that if they are not doing any excavating there is no issue, and as long as the town knows they are working to conserve it, there is not a necessity to force that they reclaim. Stevens asked Greenwood to draft a letter for the Board to review at their next meeting. Wofchuck thanked the Board.

George Orlych, Sarah Maliszewski and John McRobbie were in representing M & T Holdings. McRobbie said M & T has designated Orlych and Maliszewski to represent M & T Holdings and provide a supportive role in knocking off the items on the action plan. He said they have had some issues with the Trommel equipment, trying to understand exactly what equipment they need out there and said there has been some pushback from some contractors that they have reached out to. McRobbie said there has also been some pushback regarding the scheduling. Orlych said he and Maliszewski came on board two weeks ago, but had not worked on the Ras-Tech section prior to this. He said they work for MTI Poly Tech, one of the businesses on the site that Zickell’s own. He said CPRC Group from Maine recycles shingles and have given him a quote to come do the work. They would set up equipment and go through the piles of ground shingles and sort them out. He said they will be out next Wednesday to see the scope of the project. He said this to process all the ground up stuff that is in several piles around the property, and not for the raw, big pieces, but is for the smaller pieces, to screen out to 3/8 or less, and they will get rid of that immediately. Orlych said the greater stuff will go back into their

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processing, saying he does not know what that process is. He said the soonest they can start would be the week of July 6<sup>th</sup>. He said the first day will be setting up, and when the process is in motion they would like the PB to come see the process. McRobbie said this material to be processed is about 25% of what is at the site.

Johnston asked about the 75% remaining, and Orlych said that will have to go through the processing. Stevens said that one of the agreements was that any new material brought in would be put under cover, and he visited the site two days ago, and said there are 3 times the material brought in and not under cover, and said Zickell had agreed to not bring in any more than be put under cover. Stevens said the use of the Trommel is a minuscule amount of the problem on the site and said the site is getting worse. Orlych said he is trying to chip away at this. Greenwood said it seems like what they are getting done is minuscule as to what they continue to do, and this will force the town's hand with limited options. Orlych asked what would the Board like them to do to make them feel comfortable and Stevens responded to close the gates and work on what they've got. Orlych said he needs to investigate this, saying his understanding was that there is less there now than they used to have. Stevens said they will be getting legal advice.

Brentwood Fire Inspector Jon True was present and said the work is progressing with the fire protection, but they still have an issue with dust collection, as the equipment installed was inadequate so it had to be disconnected and the new one has not been installed yet. He said they are currently shut down because there is no sprinkler system, which is being installed now. True said they can't operate at full capacity because of the dust collection system. He said there are still some fire protection things that have to be addressed before they move forward too much further, but said Orlych and Maliszewski will get it going. He said they were processing at reduced capacity, but right now they are shut down while the sprinkler system is being installed. At this moment True is comfortable with how they are progressing.

Orlych told the Board that if he says it's going to happen, it will. He said the Trommel is a priority. Stevens asked for a letter from the Zickell's stating that they will not bring in any new product. The Board also asked for something in writing that there is an agreement in place with the Trommel company. Orlych will do this. He said they will inform the PB with every stage of the process, and offered a weekly report to be sent to the PB office. Members thanked Orlych and Maliszewski for coming in this evening.

Motion made by Byrne, 2<sup>nd</sup> by Hamilton to approve the June 4 minutes: the motion carried with Byrne abstaining as she was not present.

The Board has received a note from Building Inspector Kip Kaiser, who asked for advice on a request for a building permit to replace an existing deck that is attached to the house, with a new deck and screen room. This will increase the deck area by 144 sf, and the project is within the 150 foot shore land buffer. He asked if this will require a Conditional Use Permit. Greenwood said that originally he thought it would require a CUP, but because this is an expansion to an already existing dwelling on a non-conforming lot, a Special Exception will be required, and the property owner will need to go to the ZBA and not the PB.

Motion made by Johnston, 2<sup>nd</sup> by Hamilton to go into non-public session, in accordance with RSA 91-A:3,II(e) : Stevens – yes, Johnston –yes, Hamilton - yes, Kennedy – yes, Byrne – yes.

Motion made by Byrne, 2<sup>nd</sup> by Hamilton to end the non-public meeting and seal the minutes indefinitely: Stevens-yes, Hamilton-yes, Johnston-yes, Kennedy-yes, Byrne-yes.

Motion made by Hamilton, 2<sup>nd</sup> by Byrne to adjourn at 9:10: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire  
Administrative Assistant, Planning Board