

Brentwood Planning Board

Minutes – May 2, 2013

Members Present: Bruce Stevens, Chairman Doug Brenner, Secretary
Kevin Johnston Steve Hamilton
Ken Christiansen, BOS rep Mark Kennedy, alternate
Glenn Greenwood, Circuit Rider Planner

7:00 Open

Motion made by Stevens, 2nd by Brenner to give Kennedy voting rights: all were in favor.

Zahid Ali was in to talk to the Board about building a 230 sf building, to be built behind Zee’s Convenience Store. He asked if the town engineer and fire consultant fees can be waived from the site plan application. This building would be used for motorcycle and snowmobile sales and repair. He has a potential tenant who would rent the store building as a residence, and use the new structure for his shop. Brenner said this is a change of use, they need to consider parking, the oils that would be on site, etc., and Stevens said that this would still need those reviews, it would be a structure that is closely surrounded on three sides by other buildings on the site. It was the consensus of the members that a site plan application for this use at this site would require reviews by both the town engineer and our fire consultant. Ali thanked the Board for their time.

Al Bailey, of Auto Town and Heavenly Donuts had asked at the PB office what is required to put up a second sign as this location (tax map 223.070). St. Hilaire asked for clarification from the Board members prior to speaking with Bailey. Stevens said this would require an amendment to the site plan, a public hearing is required, but new plans are not necessary. He said that a copy of the previously approved plan could be used, showing the proposed sign location. An affidavit would then be recorded at the registry. Brenner said a drawing showing the type of sign should also be provided. St. Hilaire will contact Bailey.

Mike Latham spoke with the Board, regarding the Apple Annie site on Rowell Road (tax map 220.026). Most of this piece was placed into a conservation easement, with a two acre section excluded, to allow for a one lot subdivision. As part of the CE agreement, this proposed lot may be subdivided if necessary for housing related to the sustained agricultural operation of the property, but ownership of this piece shall not be conveyed separately from ownership of the entire parcel. He provided plans that show the contour of the land, and asked about building outside of the building envelope, because of the grade of the land. Stevens said this is out of the jurisdiction of the PB, and is a matter to take before the Zoning Board of Adjustment. Latham thanked the Board for their time this evening.

7:00 pm – Amendment to a previously approved site plan Sig Sauer Inc. – tax maps 202.070 & 203.018, 019 & 026

Paperwork is in order, and abutters notified from the list provided by the applicant.

Motion made by Johnston, 2nd by Hamilton to accept the application: all were in favor.

Adam Painchaud, Director of the Sig Sauer Academy was present to speak with the Board. There were several abutters present. The town of Epping was notified of this hearing, and Epping resident Bob Jordon, who is a member of both the Epping Board of Selectmen and Planning Board was present.

Greenwood said the last Brentwood approved plan was done in 1994, and it shows very little activity in Brentwood. The property is about 94 acres in size, and approximately 43 are in Brentwood. That plan

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shows the hours of operation to be limited to Mondays through Fridays, between 9 am and 6 pm. The plan also allows the use of handguns only, and to be 45 caliber or smaller. The plan presented tonight is an As-Built of the current use and activity of the entire site in both Epping and Brentwood. They have received approvals from the town of Epping for the uses within that town, but have not been back to the Brentwood PB. The current plan shows, within Brentwood, a 9 bay outside area for shooting, as well as a 1000 yard target range and 300 yard range and a rifle deck. Painchaud gave an explanation of the uses, training, classes, etc provided to law enforcement, military and contract security forces. He said that 80% of what is shot in Brentwood is 9 mm, and the rest 5.56 mm (rifles mostly used by police). He has been at this location for 8 years, and this range was there. Stevens said there are uses here that have not been approved in Brentwood, and that is why they are before the Board. Painchaud said they do not shoot automatic weapons on the weekends.

Stevens said that last summer Brentwood was invited to a BOS meeting in Epping to discuss the activity at Sig Arms, and the noise, and several members viewed the site.

Painchaud provided a list of hours of operation, which have been approved by the town of Epping. He said they are open Monday through Saturday, 8 am to 6 pm, and Sunday noon to 6 pm. Weekdays they do rifle and pistol classes for law enforcement and military, and on the weekends they do competitions with pistols. Hamilton said the activity in Brentwood is not approved, and asked if they can be shut down, and Stevens said that is what they are trying to work out this evening, saying, like any site plan, there is regulation based justification to allow or not allow. Brenner said they are at the point in the process where they are coming in with an As Built plan and it is clear that it is unacceptable. He said what was done in 1994 was clear. He said the only reason for the PB to approve anything, is if it is something that is going to make a difference to the people, to the neighbors, something that will provide protection to people from Brentwood. Painchaud said he took over as director three years ago, and he will bend over backwards to work with the town. He said they need to talk and figure out what Brentwood would like to do and work towards a solution together. Hamilton asked if Sig Arms would be willing to go back to the original hours as approved in 1994, and, Painchaud said most of the shooting is in Epping. Brenner said that if they want to do anything in Brentwood, the PB may have influence on the hours. Jordan said that Painchaud has done a good job working with Epping.

Painchaud said the rapid fire is from their Research and Development for testing only, and not training. He hopes to move the R & D to a building at Pease in Newington this July. He said after that, the only testing will be accuracy testing, where there is one shot, they walk down to see how accurate the shot is, etc. They are also beginning to use silencers more often. Abutters Jen and Phillip Chase said they could hear firing and see lights one night after 9, and Painchaud did not think that came from Sig Arms, and asked them to call him on his cell phone if it happens again.

Brenner said they need a professional noise study, and Painchaud said they did one a couple years ago for Epping and will provide the PB with a copy. Stevens suggested a peer review from a PB agent to review the study. Brenner said this will help to determine what to restrict and not restrict, to look at for potential noise reduction. Stevens asked Greenwood to coordinate this. Painchaud said the biggest thing they can do to stop the noise is to get rid of the engineering research and development (the testing of guns). Two years ago they planned to build an indoor range in Epping, and then they bought this big facility at Pease. Painchaud asked the PB what they wanted Sig Arms to do, and Brenner mentioned using silencers more, and Painchaud said they can't use them all of the time. Brenner said maybe there could

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be more restricted hours where they don't use silencers, and if there are certain uses that are noisier than others, can they restrict the times used for those? Hamilton asked if Painchaud could give a definitive date as to when they would be moving the R & D to Pease, and Painchaud said he could only provide a window of time. Painchaud said it is not the noise, or decibel that is bothersome, but rather the sustainment of the noise, the rapid fire. He said it is not the classes that are making the constant noise, but rather the test-firing, the rapid fire, and that will go away when they move that to Pease. Stevens said that if Sig Arms wants approval from Brentwood, they can provide a "drop dead" time of when they will relocate. Painchaud said that the activity being talked about here is going on in Epping, not Brentwood.

Area 51 is located on Brentwood land, and Stevens said that the plan cover sheet states that Area 51 has hours Monday –Saturday 7 am to 9 pm, and Sunday 12 pm to 6 pm, with unrestricted SIG manufactured weapons. He said Brentwood has never approved this, and this needs to be removed from the plans. Stevens said that Sunday shooting needs to stop completely. Painchaud said in Epping they shoot indoors and also the rifle range on Sundays. Stevens said that, at a minimum, there should be no shooting on Sundays at all. Painchaud said the weekends are used mostly by civilians; they may finish classes on the weekends. He said the weekend provides a good revenue for Sig Arms and also surrounding businesses.

Brenner asked what Sig Arms would commit to? For example, moving the R & D, more use of silencers, reduction in hours, etc. He asked that Painchaud give a list of what they can do to mitigate some of the noise, and the PB can have a peer review of this to help define what can be done. Stevens said a study might help determine what types of noise is coming from the Brentwood portion. He asked that the Board do a site walk of the property to get a better understanding of how the property is used. He asked that a professional be able to tell the PB what sounds are affecting Brentwood residents most, and where that is coming from on the site. Painchaud said it is simpler than that: it is the noise, and asked if the Board is looking for solutions, and Stevens said he wants a professional to come to a meeting and be able to ask them how to get some peace and quiet on the weekends, how is it possible, and Painchaud said he (Painchaud) is the person they need to talk to. Stevens asked to continue the meeting in a month, and allow the PB time to make some calls to perhaps have a specialist come back for advice.

Brenner asked for a copy of their sound study, and for Painchaud to come up with items that would make the most difference for mitigation, to be then given to a consultant hired by the PB (cost to be paid by the applicant).

The Board will hold a site walk on Monday, May 20th, At 5:30.

Because of Painchaud's scheduling conflicts, the first hearing in June will be changed from June 6th to June 13, at 7:00 pm.

Motion made by Stevens, 2nd by Johnston to hold the first June meeting on the 13th at 7:00 pm: all were in favor. Painchaud thanked the Board for their time this evening. He will forward a copy of the Epping sound study, and a list of items that he feels will help with the noise mitigation. Chase asked him to push for a date that they will relocate to Pease.

Board Business

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Motion made by Stevens, 2nd by Hamilton to approve the minutes of March 21st: all were in favor with Christiansen and Brenner abstaining as they were not present.

Motion made by Kennedy, 2nd by Hamilton to approve the April 18 minutes with the following correction: on page 2, third sentence, change the beginning as follows: delete *He said the state ranks* and insert *Jones & Beach used the NH Methods for evaluating wetlands, and this ranks*. The motion carried with Christiansen abstaining as he was not present.

Motion made by Brenner, 2nd by Kennedy to approve the minutes of April 29th: the motion carried with Christiansen abstaining as he was not present.

New Hearing – Site Plan Review: St.Armand - tax map 217.021.

Applicant has asked that this be continued to May 16, stating they have a few items they prefer to complete.

Motion made by Johnston, 2nd by Kennedy to continue this hearing to the 16th: all were in favor.

Motion made by Johnston, 2nd by Brenner to adjourn at 9:40: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire
Administrative Assistant,
Brentwood Planning Board