

**Brentwood Planning Board
Minutes
June 4th, 2020**

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu’s Emergency Order #12 and #23 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. The Zoom meeting login information was posted on the agenda for this meeting.

Members Present:

**Members Present Remotely
Via Zoom:**
Steve Hamilton - home
Doug Finan - home
Lorraine Wells, Alternate - home
Brian West, Alternate - home

**Members Present in Person
Town Office Meeting Room:**

Bruce Stevens, Chairman
Ken Christiansen, BOS rep
Mark Kennedy

Town Planner Glenn Greenwood
Andrew Artimovich - Resident

**Open
Public Hearing**

Chairman Stevens opened the meeting at 7:00 pm, stated the electronic meeting criteria, and took roll call attendance.

Stevens read: “As Chair of the Brentwood Planning Board, I find that due to the state of emergency declared by the Governor as a result of the Covid-19 pandemic and in accordance with the Governor’s emergency order #12, executive order 2020-04, this public body is authorized to meet electronically. We are providing public access to the meeting by telephone and utilizing Zoom for this electronic meeting. The meeting login and phone number are posted on tonight’s agenda, located on the Town of Brentwood Website under the Planning Board page and located on the two bulletin boards.”

Roll call attendance:

Bruce Stevens-Yea, Ken Christiansen-Yea, Mark Kennedy-Yea, Steve Hamilton-Yea, Doug Finan-Yea, Lorraine Wells-Yea, Brian West-Yea.

Board voted to give Wells and West voting rights. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Hamilton-Yea, Finan-Yea. Wells and West abstained. All were in favor. Motion carried.

7:00 pm: Continued Site Plan Review Application: Applicant Gary Densen; Owner Dana H Clay Living Trust; Tax Map 217.009, Crawley Falls Rd, Brentwood, NH 03833; Intent: To build 7 dwellings clustered on approximately 20.7 acres. The LLA was approved on 11/21/19 enabling a 20+ acre lot, the minimum required to develop 217.009 into a cluster subdivision. This hearing was continued by an Email vote taken 3/19/2020 from a quorum of the PB members. Due to COVID-19, the April 2, 2020 PB meeting was cancelled and email vote taken on 4/2/2020 continued this hearing to May 7, 2020.

Present electronically: Dennis Quintal of Civil Construction Management, Inc.; Applicant Gary Densen; and Owner Dana Clay. Abutter Lois DeYoung was present in person.

Stevens opened the public hearing.

Quintal summarized that since the meeting in March, they’ve addressed all the concerns from the Town Engineer and review comments have been addressed. The Fire Department had comments and are all set. They have state AOT permit approval and are waiting on state subdivision approval. Changes that were asked for like the signs at the entrance to the driveways and turning radius for emergency vehicles were completed. Stevens said Greenwood’s comments had outstanding state permits and I’m sure

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you've applied for them; state septic and water well approval as it's a community well. Quintal responded those are also pending.

Abutter DeYoung asked if condo documents were submitted and if they've been approved, could she obtain a copy? Densen replied they were submitted to the Town for review. Greenwood confirmed they have been reviewed by Town Counsel. Bickum will email a copy to DeYoung. DeYoung asked about an AOT permit. Stevens replied it's a state permit that's required when more than 100,000 square feet of land is disturbed. Greenwood said they have the state AOT permit. Quintal agreed. DeYoung asked about driveway permits. Greenwood replied those are issued by the Town and it happens after site plan approval. Stevens added but before building permits; the driveway permit has to be in before the building permits are issued. Stevens said DeYoung could get the plans emailed to her as well.

Stevens went through the conditions for a 120-day conditional approval.

1. All comments from Greenwood (Town Planner), Cummings (Town Engineer) & SFC are satisfied.
2. All state permits need to be obtained (NHDES: Septic, AOT, Subdivision, Water-Wells).
3. Construction Bond approved and put in place prior to the mylar being signed and any construction being done.
4. Impact fee assessment amount of \$9,386 per unit put on plan in the impact fee block.
5. Receipt of \$2000 as needed, to put into escrow for future inspections & engineering fees.

Stevens added once the applicant completes the conditions the Board can sign the mylar and have it recorded. Roll call vote on the conditional approval.

Motion by Hamilton (Yea), 2nd by West (Yea), to grant a 120-day conditional approval of the cluster development site plan proposal, with the conditions stated above, to **October 2, 2020**. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Finan-Yea, Wells-Yea. All were in favor. Motion carried. Closed hearing.

7:00 pm – Site Plan Review Application: Applicant & Owner: Brian C. Kenerson, II & Jessica C. Kenerson, Trustees of D&H Realty Trust and owners of BCK Excavation, LLC. Property is located at 388 Rte. 125, Brentwood, NH in the commercial/industrial zone referenced by tax map 208.016.000. Intent is to amend a previously approved site plan with a 4,256 sq. ft. office/retail building and existing driveway alteration along with associated improvements.

Present: Bruce Scammon of Emanuel Engineering; Applicants Brian & Jessica Kenerson of D&H Realty and BCK Excavation. No abutters present.

Stevens opened the public hearing. This is the first time the Board is looking at this application for D&H Realty Trust. The paperwork is in order and abutters were notified from the list provided by the applicant.

Motion made by Kennedy (Yea), 2nd by Christiansen (Yea) to invoke jurisdiction and accept the application. Stevens-Yea, Hamilton-Yea, Finan-Yea, Wells-Yea, West-Yea. All were in favor. Motion carried.

Scammon, representing D&H Realty, gave an overview of the project. The property is located at the corner of Rte. 125 and North Road; the former Army-Navy store. Our office was here 20 years ago and got this site plan approved for an identical building to what we're proposing today. There was a strip of

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traditional pavement that went around the lot but there wasn't much in the way of treatment of water that flowed off of that traditional pavement. With today's technology, this site plan proposes porous pavement because that water would be treated before it goes down into the wetlands. Proposed retaining wall and porous pavement to collect rainwater off the roof and anything on that traditional pavement would be treated with porous pavement. Traditional pavement out front due to the leach field, porous pavement can't be used over a leach field. Kept a drainage structure with a treatment swale along the road where it will flow into the grass area and eventually into the wetlands. One of the reviews from the Town said they wanted a new wetland delineation. In 1998 the regulations were more stringent than they are today so the wetlands line will be moving back; this data didn't make it into the packets for tonight, it will be for next time. There would be less encroachment. Stevens added so a net decrease in the square footage of the wetlands on site. Scammon agreed, yes, a net decrease in wetlands. This is what the wetlands scientist marked up for us and a survey still has to be done.

There were a series of variances granted to allow this development back in 1998. They are listed on the 1998 recorded plan, D-27208. It's our understanding from Mr. Greenwood that these variances have lapsed. It was my understanding that variances don't lapse and stay with the property forever but it's not the case now? Greenwood said it was the case up until 2013 when the state said no. Scammon continued we're working to get the variance application together. One variance was on the lot size, 120,000 sq. ft. but the lot's 112,000 sq. ft. Greenwood and Stevens said it's a lot of record so that one shouldn't apply now. Greenwood added in 2013, variances that were acted upon, became grandfathered but in 2013 the state legislature provided an ability for Towns to either grandfather all variances by posting notice in the Town Hall for a year saying that all variances that had been granted and not acted upon would still be allowed. The Town of Brentwood didn't do that; if they weren't acted on, they went away and you'd have to re-apply for them.

Scammon continued some of the variances were:

1. Structure setback from edge of pavement. Regulations say 125' but there is 92'.
2. The lot size dictates this and we've kept the building footprint in the same location. Structure setback from edge of right of way is 75' and there is 69.1'.
3. Seasonal high-water table of 12", grading on the site and working with Mike Cuomo from RCCD on septic design.
4. 4,000 sq. ft. reserve area; there's not enough room in front of the lot for that. Took a 100% reserve area footprint of what's required and show the footprint and do another test pit.
5. Building area within 50' of a wetland. The new wetlands delineation, not sure if relief will be needed.
6. Dumpsters in the rear but are they considered a structure? There's no place else to put them and those would be closer to the wetlands.
7. Buffer - site plan is closer to 20' vs. 50' but the house is over here.

Scammon would like some direction from the Board on landscaping and in particular the buffer to residential. There's currently a large woody vegetation area by the stone wall but what would the Board like as a buffer in that area? Steven's suggested evergreens such as Norway Spruce etc. vs. fencing.

Kennedy said isn't the setback between residential and commercial a 50' no disturb area. Isn't asphalt a disturbance? Greenwood said that's why they'd have to get a variance. Hamilton asked how many variances are needed? Stevens said the ZBA granted the variances at the time due to the constraints of the lot. Hamilton suggested reducing the size of the building to reduce the number of variances.

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Scammon replied that there is no way to develop this site without variances. Previously there were 6 variances to get it approved last time. Almost the entire building is in the front setback and this little triangle would be the only buildable area and if you take 50' off the rear, you lose half of that triangle. It's a commercial lot on Rte. 125. Our clients came to the Board two years ago when they bought it with the intent to develop it but temporarily use it for on-site storage. They were under the impression that they could build this. We're trying to mimic what was previously approved but upgrade the drainage with better treatment before it goes into the wetlands. Adding the retaining wall will prevent creep. For example, snowplowing or more gravel gets put behind the building but with a retaining wall it prevents creep to the stone wall. We are working with our clients to improve the site while matching the exact footprint of what was previously approved (including variances for that previous approval). Kennedy asked if the asphalt was pivotable. Scammon replied the pavement is accessible all the way around for fire protection. Garage doors were added behind it to make these more rentable or saleable spaces; delivery in the back etc. Stevens said the ZBA was in favor of the variances at the time as the old site had no erosion control and the septic system ran over constantly. This would be an improvement.

Scammon explained the building elevation that will be included next time. The elevation showed a single pitch roof to get water to rear of building. State of NH requires all commercial sites to treat roof water. West asked about previous poor septic. Scammon replied for the leach fields, we've done new test pits since our submission with Mike Cuomo of RCCD. Two (2) in the front and three (3) around the exterior of the building. For the porous pavement, it's better practice to have test pits in those areas. Also, raising the site for the treatment plan; a modern system. There will be an equal footprint in front of the proposed to have a backup in case of a failure of the first system. Stevens added a chambered system under the hot top with parking over the top of it; it needs state approval.

Scammon added that a truck turning template was also submitted showing fire trucks able to get all the way around the building. The old building didn't have that ability and only showed 12'. That is also an improvement. The ZBA has a 45-day advance submission date so it will be August 10th. Also, the Town Engineer had also asked for a drainage study so we're preparing that.

Stevens said generally when variances are required, the Planning Board moves to continue this hearing and give the ZBA a chance to act on those variances and then come back for more discussion.

Motion made by Hamilton (Yea), 2nd by West (Yea), to continue this public hearing for D&H Realty Trust, 388 Rte. 125, to **August 20th, 2020 at 7:00 pm** to give them time to go to the Zoning Board of Adjustment. Stevens-Yea, Kennedy-Yea, Christiansen-Yea, Finan-Yea, Wells-Yea. All were in favor. Motion carried. Closed hearing.

7:00 pm – Site Plan Review Application: Applicant & Owner: 21 Boylston Street, LLC. Property is located at 102 Route 125, Brentwood, NH in the commercial/industrial zone, referenced by tax map 217.025.000. Intent is to change the current use of the site from residential to commercial and to obtain approval for the construction required to park commercial vehicles on site.

Present: Barry Gier of Jones & Beach Engineers representing the applicant, 21 Boylston Street, LLC. No abutters were present.

Stevens opened the public hearing stating the paperwork is in order and abutters were notified from the list provided by the applicant.

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Motion by Wells (Yea), 2nd by Hamilton (Yea), to invoke jurisdiction to accept the application. Stevens-Yea, Kennedy-Yea, Christiansen-Yea, Finan-Yea, West-Yea. All were in favor. Motion carried.

Gier gave an overview; seeking site plan approval for the project on 102 Rte. 125 in Brentwood, Tax Map and lot 217.025, 2.42 acres in the commercial industrial zone. The site was previously a residential home lot with outbuildings and a small addition to the house that is currently remaining. It still has the pad site the mobile home was on. The intent is to utilize the lot to park construction vehicles associated with the applicant's home building business. The applicant seeks to install a gravel parking area adjacent to the existing concrete pad and enlarge the existing driveway to accommodate the anticipated vehicles. In addition, the applicant wishes to install a temporary storage container on the site. Applicant has received approval from NHDOT for the driveway upgrades and the NHDOT permit limits the vehicles to 4 large dump trucks with trailers and 6 (six) personal vehicles. He doesn't have that currently but wanted that option. Seeking approval for the site plan shown and the change of use from residential to commercial. These plans were updated based on the review comments from the Town Planner and the Town Engineer.

Greenwood's comments were satisfied but asked if they needed more than the 6' height limit on the stockpile. Gier explained it's only to stockpile the material that comes off the gravel areas, not to bring in more material or store it; it's to pull back the loam and topsoil. Greenwood was satisfied. This is a commercial use that only ever had a residential use on it; it's a minor change. The contractor's yard that he owns; he should have been able to park his vehicles there. Stevens said he could come back with an amendment for that site, which he noted, was a site well done; looks great.

Stevens went through the conditions for a 120-day conditional approval.

- All comments from Greenwood (Town Planner) and Cummings (Town Engineer) are satisfied.
- All state permits need to be obtained (DW permit has been issued).
- Wetland scientist name & stamp on the plans.
- Surveyors stamp on the plan.
- Construction Bond for erosion control and drainage approved and put in place prior to the mylar being signed and any construction being done.
- Receipt of \$2,000, replenished as necessary, for escrow account to be used for future inspections & engineering fees.

Motion made by Kennedy (Yea), 2nd by Finan (Yea), to grant a 120-day conditional approval on the construction vehicle parking site plan proposal, with the conditions stated above, to October 2, 2020. Stevens-Yea, Christiansen-Yea, Hamilton-Yea, Wells-Yea, West-Yea. All were in favor. Motion carried. Closed hearing.

7:00 pm: Site Plan Review Application: Applicant & Owner: Shane McKeen. Property is located at 154 Crawley Falls Road, Brentwood, NH in the in the Town center district, referenced by tax map 217.112.000. Intent is a 6,000 +/- sq. ft. commercial development.

Present: Wayne Morrill of Jones & Beach Engineering; co-applicant Rob Healey. Abutters present electronically: George Lagassa & Parthenia Lagassa (from home).

Stevens opened the public hearing stating the paperwork is in order and abutters were re-notified from the list provided by the applicant. This is the first formal application hearing.

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Motion by Wells (Yea), 2nd by Hamilton (Yea), to invoke jurisdiction to accept the application. Stevens-Yea, Kennedy-Yea, Christiansen-Yea, Finan-Yea, West-Yea. All were in favor. Motion carried.

Morrill gave an overview. Originally two (2) buildings were proposed during the design review on January 2nd. With neighbor comments and lot constraints, wetland and buffer impacts requiring zoning relief, the proposal was changed to only one (1) building located closer to the vet clinic. The development was condensed and the building expanded to allow for three (3) commercial units within a 6,000 sq. ft. building. There's no disturbance to no cut, no disturb areas and 28 parking spots where 23 are required by code. There is a drive through use and the other two uses are retail or similar. The proposal shows a drive through for the end unit closest to Rte. 125 and the pickup window is at the furthest point away from residents. The drive-through wraps around the site and turn templates were submitted to Town and Town Engineer; accommodates WB 50, Town fire trucks and box trucks for deliveries. Two units have grease traps; for restaurants, beauty salons, nail salons, etc. The only access is from Crawley Falls Road. There are no tenants yet.

Drainage: the leach field is at the top corner closest to the triangle of Crawley Falls Road and the highest point of the site with the best soils. The grease traps go into a pump chamber and into the septic system. Potable water for consumption; currently working with NHDES for public water supply for those units. No septic design's been submitted to NHDES as you can't get approval until the well is drilled and tested to ensure enough supply for a commercial building. Next week, the well will be drilled and tested by NHDES and then it will go forward with septic design. There's a closed drainage system with curbing around the site; catch basins, pipe discharged into swale and into infiltration basin and then out into wetlands. A detention basin to catch water runoff from Crawley Falls. No impact to 25' buffers and no cut areas. Silt fence around wetlands which are poorly drained soils, delineated by Gove Environmental Services.

Landscape: a licensed landscape designer was hired to create a design that meets and exceeds the intent of Brentwood's bylaws; trees, shrubs, grasses, perennials across the site. Ponds on southerly side will be grass and grading will not impact the two large trees on the south side, which will remain on the site. Plan is to have large trees to shield parking lot. Site plan shows new snow storage areas. Plantings: white firs, red maples, Colorado spruce, lilac trees, scarlet oaks, 9-10 different shrubs, 12 different perennials, 5 varieties of grasses and 2 groundcovers. Trees along the road, branches are higher so they won't interrupt site distance. Need to apply for a driveway permit with the Town.

Lighting: 22' high, dark sky compliant. All light faces down. Foot candles on site. Some near driveway spills over a bit but all else is on site. Town Center sidewalks; sidewalk from front of stores will come out to Crawley Falls and the developer of this site is responsible to maintain those; a painted crosswalk and bike rack.

Stevens noted that there are full size copies available for review in the office commenting that an impressive amount of work has gone into this and you've listened to the Town's comments. Morrill commented that the application was submitted before everything shut down and over the last couple of months, they've had time to address two (2) rounds of review comments from the Town Planner, Town Engineer and SFC (fire consultants). So even though this is the first time before the Board, this plan has addressed the review comments.

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Stevens said the Conservation Commission has been concerned with this intersection of Crawley Falls and 111A due to degradation of the Exeter River where untreated water comes down Crawley Falls and dumps into River. You've diverted it into the basin for treatment. Morrill agreed. The watershed analysis showed about ½ the water from the road coming onto the lot and some was bypassing. It can't all fit into the infiltration pond so we've created a detention pond with a sediment forebay that cleans the water before it goes into the culvert opening. The maintenance is on the developer, in the operations of maintenance manual, the developer will maintain that. It's a good benefit for the Conservation Commission as we pulled the development out of wetland and no cut buffer areas and are giving clean water back. Stevens added it's not a cure all but it's a substantial reduction in what present conditions are.

Morrill showed a rendering of what the building could look like; dormers, entranceways on side, glass entranceways, Hardie plank siding, asphalt shingles. Brentwood doesn't have architectural standards but we want it to fit in. Fire Department is okay with fire suppression; cistern located by vet clinic.

This plan proposes a 24-hour drive through restaurant. With the fire station across the street, the vet clinic open 24 hours and essential workers to serve them; it's a starting point. Greenwood commented this is the 2nd Town Center district construction site, the first being the vet clinic and his take on this district is not to see a fast food place open 24-hours. Board should discuss. Morrill said we don't know who the tenants are yet. Finan asked if it would be condos; owned or leased? Applicant wasn't sure yet. Greenwood commented if the Board set a standard, individual lessees or purchasers, would have to come before the Board only if the hours of operation didn't work for them. Stevens suggested 6 am to 11 pm. If they need longer hours, they come back to the Board for an amendment to site plan.

Morrill replied his applicant's amenable to the 6 am to 11 pm and individual applicants come back to the Board if the times don't work. During non-operational times, the light levels go darker; still need security lights.

Hamilton was in favor of the proposal. Kennedy agreed but the vet clinic has access off of Rte. 125; looking for a balance. Board discussed. West was concerned with noise (such as Harley's) and lights from cars exiting the driveway. Wells was concerned about the traffic impact; coming across 125 at the lights and turning onto Crawley Falls. Stevens suggested not a full impact traffic study but possibly asking RPC for an example for a traffic threshold.

Abutter George Lagassa of 163 Crawley Falls Road was concerned with the development regarding 24-hours; Wendy's, Dunkin Donuts, etc. A restaurant fine but not 24/7 drive-through. Maybe drive-through for banking. Stevens reiterated that the applicant is fine with 6 am to 11 pm hours of operation. Lagassa said I submitted a memorandum but its hard to see plans online. Stevens suggested he come view a large set or take a copy home to share with other abutters.

Lagassa was concerned with the landscaping plan. No trees larger than 6'? He suggested a 15' minimum. And adding more than 3 trees at the end of the building and adding screening landscaping on the southerly end by the drainage. He was disappointed when lot was cleared. Stevens commented that it's been commercial for 50+ years and the property owner has rights and is complying with the regulations and reiterated coming to the office to get a look at the plan. Stevens also suggested a site walk.

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Morrill will address Lagassa's memo (full memo on file) except for the first comment; Board to address that.

General Question/Issue 1: *It is my understanding that a current member of the Planning Board is the former owner of the property that is the subject of this application, having sold it to the current owner within the last few years. The possibility of a conflict of interest needs to be addressed by the board and the question raised whether or not a recusal is in order.* Stevens said the Board member Steve Hamilton used to live there and the Board has no issues. Greenwood said the concern with a conflict of interest but the requirement for the state of NH, if there is a financial benefit gained by the member of the Land use Board, they have to make it known to the Board and they can either recuse themselves or the Board can vote to have them recuse themselves. There is no mechanism in NH state law to require someone to step down. The sale of the property happened years ago and that was the end of it. There's no financial interest or relationship to the developer. Lagassa was satisfied with the explanation.

General Question/Issue: *The subject proposal is located within the Town Center Zone District. The intent of this district is set forth in the Brentwood Zoning Ordinance at Section 300.002.004: The intent of this district is to provide **limited** commercial, institutional, professional and personal service use **in a way that does not create land use conflicts with established residential areas**. The district is intended to enhance the Town of Brentwood by providing an area of Town which encourages new and existing residential uses as well as enterprises providing community services and to preserve and enhance elements of the cultural and architectural history of the town. **The intent also is to encourage uses suitable to a pedestrian scale.***

Morrill commented #2 talks about uses allowed in the Town Center zone and they had met with Town Planner to make sure this proposal meets the Town Center criteria. The 24 hours was already addressed.

General Question/Issue 3: *The original proposal floated before the planning board in March proposed construction of two buildings 1,800 s.f. and 2,400 s.f. each, totaling 4,200 s.f.*

Morrill addressed #3: The size of the building is now 6,000 sq. ft. We had two small buildings between wetlands and now we have one building.

Specific Question/Issue 1: *The entire lot was cleared a few years ago in apparent anticipation of the subject proposal. The proposed landscaping plan appears to offer very sparse screening from the residences just across the street on Crawley Road.*

Morrill addressed tree plantings. They have hired a landscaper. Nurseries don't sell 15' trees, most are 7' high maximum without a special order. Stevens added and the ability to survive. Morrill continued the landscape architect is from Manchester and well versed with salt tolerant plants. There are notes on the plan for a 1-year guarantee on plants and up to 2 years, to replace any dead trees. No landscape rendering is available. On the south side, trees can't be planted near infiltration ponds so that will be grass and the 2 large trees will remain.

Specific Question/Issue 2: *Will there be a dumpster on the property? If so, where will it be located?*

Morrill responded that the dumpster will be located behind the building and the doors face away from residential area and face 125; North East corner of the building.

Specific Question/Issue 3: *Is the proposed construction single story or two story?* Morrill confirmed it's a single-story building.

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Specific Question/Issue 4: *As for architectural standards, the only effort I see to “preserve and enhance elements of the cultural and architectural history of the town” is the use of clapboards as siding.*

Morrill commented there are no architectural standards but we want it fit into the neighborhood.

Morrill suggested staking out the corners of the building and where the driveway will go and the Board can take a look. Leach field is going to be built up 3-4 feet higher and should block the back of the building. Stevens informed Morrill that a zoning change in March on the 4-foot elevation from seasonal high water is now 2-feet.

Morrill offered to put a trip memorandum together to address traffic concerns. Basically, from the uses they can estimate the number of cars. Abutter Parthenia Lagassa wanted a traffic study. Stevens reiterated a trip memorandum. The Board’s not asking for a formal traffic study but we’ll take the applicants traffic memorandum information into consideration. Morrill confirmed the trip memorandum by the ITE code book for the uses that could be there and the increase from a residential house that used to be there.

Morrill summarized that the Town Engineer’s comments have been addressed. Still needed: Well approved, septic permit and get a driveway permit from the Town. Addressed Glenn’s comments and will address hours of operation. Comments from SFC which talk about construction, fire rating and when that comes in for a building permit, those items would be discussed. The Fire Department’s letter is okay with the fire cistern next door and fire suppression would not be needed if the right type of building is built. Stevens suggested a reference on the plan using the general NFPA verbiage.

Andrew Artimovich of 20 Dalton Road, lives four houses down from this development and recommended a RIGHT TURN ONLY out of the parking lot. Trying to go left, up past vet clinic, you have Gigante park and the crest of the hill has reduced site distance onto Rte. 125. As for traffic concerns, the building design plan, abutters should hear less of Rte. 125 noise. He used to work 3rd shift and never heard the comings and goings of the library next door. Rte. 125 noise is more substantial than any traffic noise from Crawley Falls Road. Building and plantings will shield the noise. He can hear 125 from his house.

Board discussed a site walk. Board agreed to do a site walk on **Wednesday, June 10th at 5:15 pm.** An agenda will be posted on the Town’s website and the public is welcome to attend.

Conditional Use Permit: Greenwood explained the conditional use permit process. In cases where development has impacts on the wetland itself or the wetland buffer by way of access to the property a conditional use permit can be granted and, in this case, the small area in pink is the incursion of the wetland buffer, not the wetland, the buffer in the parking space. A conditional use permit has to be granted by the Planning Board.

Stevens read from page 80 in the zoning ordinance: 700.002.009 - Conditional Uses:

700.002.009.001 A Conditional Use Permit may be granted by the Planning Board (RSA 674:21 II) for the construction, in areas within the Wetland Conservation District and associated setbacks and buffers, **(3/12/2002)** of roads and other access ways, and for pipelines, power lines, other transmission lines, and buildings for senior housing, but in no case closer than 25 feet of wetlands with poorly drained soils

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or vernal pools and 50 feet of wetlands with very poorly drained soils or prime wetlands, provided that all of the following conditions are found to exist: **(3/2016)**

Morrill explained there's no disturbance within the 25' no cut, no disturb area. There's a very small area within the 50' with the travel way and that's the conditional use permit request.

A. The proposed construction is essential to the productive use of land not within the Wetlands Conservation District. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Hamilton-Yea, Finan-Yea, Wells-Yea, West-Yea.

B. Design and construction and maintenance methods will be such as to minimize detrimental impact upon the wetland and will include restoration of the site as nearly as possible to its original grade and condition. Stevens said it's less than an 8' incursion into the parking area. It's not in the wetland. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Hamilton-Yea, Finan-Yea, Wells-Yea, West-Yea.

C. No alternative route which does not cross a wetland or has less detrimental impact on the wetland is feasible. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Hamilton-Yea, Finan-Yea, Wells-Yea, West-Yea.

D. Stream and wetland crossings shall be avoided whenever possible. When necessary, no wetland crossing shall exceed a length of 250 lineal feet and crossings shall comply with state recommended design standards to minimize impacts to flow and animal passage (UNH Stream Crossing Guidelines; Env-Wt 900). **(3/2016) Stevens said this is not applicable.**

E. Wetland boundary markers of a type approved by the Planning Board will be set in order to visually delineate the furthest extent of the wetland. **(3/2016)** Stevens said a stake in the ground as a boundary marker and voted that they do delineate. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Hamilton-Yea, Finan-Yea, Wells-Yea, West-Yea.

Motion by Kennedy (Yea), 2nd by West (Yea), to continue the public hearing for McKeen-154 Crawley Falls to **June 18th at 7:00 pm**. Stevens-Yea, Christiansen-Yea, Hamilton-Yea, Finan-Yea, Wells-Yea. All were in favor. Motion carried.

Hearing closed.

Board Business

- The Board members present signed the manifest for the return \$1,915.00 of escrow funds to Q, LLC, Kevin Brittingham.
- The Board members present signed the 3 mylars for the 3 Ponds, LLC/Brit Realty Trust Lot Line Adjustment to be recorded.
- ECS CA 30-day extension requested by the applicant. 209.011, 326 Rte. 125. Bond received. Waiting on mylar-need signature from Jones & Beach. (CA extension expires 6-13-2020. Extend to July 13, 2020). ECS – impact fee for mylar to be .67 cents x 5,000 sq. ft. building = \$3,350.00.

Motion made by West (Yea), 2nd by Finan (Yea), to grant another conditional approval extension for 30 days to **July 13, 2020**. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Hamilton-Yea, Wells-Yea. All were in favor. Motion carried.

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Minutes

June 4th, 2020

- Callahan CA 120-day extension requested by the applicant. 209.004, 292 Rte. 125 - 30 seat restaurant (CA expires 6-19-2020. Extend to 10-14-2020).

Motion made by Wells (Yea), 2nd by West (Yea), to grant a conditional approval extension for another 120 days to **October 14, 2020**. Stevens-Yea, Christiansen-Yea, Kennedy-Yea, Hamilton-Yea, Finan-Yea. All were in favor. Motion carried.

Approval of Minutes: May 21st, 2020 minutes.

Motion made by Kennedy (Yea), 2nd by Hamilton (Yea) to approve the minutes of May 21, 2020 as presented. Stevens-Yea, Christiansen-Yea, Wells-Yea, West-Yea. All were in favor. Motion carried.

June 1st site walk minutes for ECS (no quorum-non-meeting notes for the file).

Any other business that may legally come before the Board. The public is welcome to attend.

Motion made by Hamilton (Yea), 2nd by Christiansen (Yea), to adjourn at approximately 9:15 pm. Stevens-Yea, Kennedy-Yea, Finan-Yea, Wells-Yea, West-Yea. All were in favor. Motion carried.

Respectfully submitted,

Andrea Bickum
Administrative Assistant,
Brentwood Planning Board