

BETHLEHEM PLANNING BOARD
PUBLIC HEARING MINUTES
BETHLEHEM TOWN HALL MEETING ROOM

May 8, 2013

Present: Andrea Bryant, Mike Bruno, Peter Roy, Alecia Loveless, Dave Wiley, Sandy Laleme

Excused: Harold Friedman, Pat Doughty, Jeanne Robillard

Andrea called meeting to order at 6:02.

Andrea appointed Mike Bruno as full board member for Harold.

Andrea stated that Don Lavoie would be late.

The Board reviewed the minutes from 4/24/2013 and requested that the minutes reflect the Board's request to Gardner Kellogg to provide a letter from Latson O'Neal stating he had the authority to speak on his behalf. Dave motioned to approve the minutes as amended. Peter seconded. Motion carried.

Andrea questioned whether or not the Town has received a copy of the driveway permit for Balance. She was informed not yet, but that Ben Southworth was aware of the situation and would get a copy to the office as soon as he received it.

Andrea questioned the status of the conservation easement for NCES. Was told the matter would be looked in to.

The Board discussed the Rules of Procedure document. Sandy moved to review entire document and renotice and discuss with posted changes. Peter seconded. Motion carries.

Mike Norman from Horizons Engineering presented on behalf of the White Mountain School's Houghton Art Center project.

Mike Norman has met with Dan Mathews at Littleton Water and received verbal OK to move forward with the project. Dan Mathews will provide a written approval by the public hearing date. Mike will meet with the Bethlehem Village District regarding water. Building will have a sprinkler system.

Driveway permit has been sent in. Mike met with Brett, who doesn't see a problem with one way in and one way out.

The Board reviewed the plans and a discussion took place regarding an addition of a retaining wall which will make the amphitheater ADA accessible.

Grading and drainage was also discussed. Mike offered that it is complete and he is working on a drainage easement for an abutter.

The topic of lighting came up. Mike stated there would be no lighting other than that off the building, which will be down lighting to primarily light the sidewalks.

Andrea questioned if there was ample space for snow removal/storage. Mike assured there was.

6:30 Don Lavoie arrives. Andrea appoints as full member for Pat Doughty.

Thad Presby presented a plan for proposed changes to the Presby Energy building located on route 302. Thad would like to upgrade and expand the business. Plans would include tearing down the existing building, moving the pumps back a little and adding gasoline to the pumps.

Don informed Thad of the regulation change of “up to two” conceptualls. Any further meetings with the board would have to be more formal, including a notice and abutter notices.

Thad would like to increase the heating oil storage from 30,000 gallons to 55,000 – 60,000 gallons, as well as adding gasoline for retail.

Peter asked if there would be 24 hour access at the pump. Thad stated he would like to see that.

Thad would like to move the island away from the road and add a canopy. Another option would be to leave diesel where it is and build a small island for gasoline.

The Board checked aquifer map. Thad stated if tanks were to rupture it would have a place to go by way of spill protection, which the State will require.

The current use is not permitted in district 2 and so the Board informed Thad he would have to go to the ZBA for a special exception or variance.

The Board asked Thad to contact DOT to get their input.

Thad offered that he was not changing the use or the entrance/exit, and does not want the project to be visually obnoxious. Lighting and the lighting ordinance were discussed.

The Board was asked to clarify why Presby would have to go before the ZBA. A discussion took place regarding whether or not the project needed a special exemption or variance from the ZBA or proceed with a site plan review with the Planning Board. Dawn will contact LGC for clarification.

Julian Czarny came before the Board and questioned whether or not the Trudeau Rd Fire Training facility had been before the Board for a public hearing.

Andrea stated they had been in for a conceptual.

Peter stated that the State of NH was exempt from local ordinance.

Don stated the fire chief and the director of fire and EMS academy had come to see the Board, and while it is correct they are exempt, both stated they wanted to participate in a public hearing.

Don, Pat and Mike did go for a site visit. Don brought up noise, and told them there were 2 other businesses on Trudeau Rd that were unable to conduct business on Sunday due to noise. This brought up the question as to whether or not the State would be exempt from the Sunday noise ordinance as well.

Don suggested the Board follow through with a notice for public hearing, and suggests the project apply for site plan review.

Julian questioned whether or not the funding for the project has been approved at the time of the site visit. Mike offered that Gov Lynch had signed the budget with the line item, but the Fire Academy earned the money needed for the project from insurance money, and the transfer had not been approved by the Governor at the time of the site visit. Don offered that at the time of the site visit the Fire Academy did not own the property.

Julian's bigger concern is the lighting. Roof work is already being done and he is afraid lights will not be in compliance with lighting ordinance.

Andrea suggested a letter be sent to the Fire Academy inquiring if they were still interested in scheduling a public hearing.

Peter motions to send letter.

Don recommends Peter and Mike abstain from vote because they are paid by the fire department.

Dave motions to send letter to Fire Academy. Alecia seconds. Motion carries.
Peter and Mike abstain.

Dawn is to write letter.

Mary Lou Krambeer came before the Board with answers to questions from the March 13, 2013 meeting regarding the Dalton Drag Strip.

Mary Lou presented the Board with a letter in which she laid out her request that the Board request Doug Ingerson submit a proposal for Site Plan Review, and that the initiate a Regional Impact Hearing for the Dalton Drag Strip project. (attached)

Mary Lou's letter also laid out the questions asked to LGC as well as the answers given. (attached)

Mary Lou submitted two other supporting documents. A letter to Douglas Ingerson from the Planning/Zoning Board, dated 4/27/1995 which states, *"If in the event that the use of your property is proposed to be change from its present status; at that time we would need to further discuss any proposed changes."* And a copy of the Minutes from the Planning Board meeting of 8/12/2009, which state, *"Chairman Webb told Doug Ingerson he would need a site plan review."*

A discussion took place regarding material Mary Lou presented.

Dave motioned to send a letter to Douglas Ingerson stating he needed to come before the Planning Board for a Site Plan Review, and that a copy be sent to the state. Alecia seconded.

In discussion Mike stated he didn't realize Douglas Drive was offset from Route 116. Don stated Pat Doughty had said previously that the Town did not have jurisdiction over Route 116 because NH DOT permits the road which created a difference of opinion.

Sandy abstained from the vote as she wanted to collect more information.

Motion carries.

Cheryl Jensen questions what is going on with the entertainment complex on route 302, specifically regarding lighting as it relates to the Dark Sky Lighting Ordinance.

Peter stated the property owner was in compliance with the previous board, but was having issues with the State.

Don remarked that the property owner wanted to move the stone wall and the driveway and suggests the file be looked at for verification.

Questions arose as to whether or not the site plan review was prior to the light ordinance. A review of the file will have to take place.

Confirmed all Planning Board members had the same copy of Rules of Procedure. All members will review.

Don will write the letter to Chris Crowe regarding permits.

8:40 Dave motions to adjourn
Peter Seconds

