



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

## **MERRIMACK PLANNING BOARD**

### **APPROVED MINUTES**

**TUESDAY, NOVEMBER 12, 2013**

Planning Board members present: Robert Best, Alastair Millns, Tom Koenig (arrived 7: 35 p.m.), Michael Redding and Desirea Falt.

Planning Board members absent: Lynn Christensen, Stanley Bonislowski, and Alternates Nelson Disco and Matthew Passalacqua.

Community Development staff: Planning and Zoning Administrator Nancy Larson, Assistant Planner Donna Pohli and Recording Secretary Zina Jordan.

#### **1. Call to Order**

Robert Best called the meeting to order at 7:30 p.m.

#### **2. Planning & Zoning Administrator's Report**

Nancy Larson announced the Nashua Regional Planning Commission (NRPC) Regional Transportation Workshop scheduled for November 18, 2013, from 6:30-8:30 p.m., in Nashua City Hall, which is open to the public. Topics are long-range plans for rail, pedestrian, bicycle and mass transit as well as single-passenger vehicle transportation.

Chairman Best announced that copies of Town and City magazine published by NH Municipal Association are available.

#### **3. Interview/Recommendation for appointment of Margaret Morris as an alternaterepresentative to the Nashua Regional Planning Commission.**

Tom Koenig arrived at 7:30 p.m.

Margaret Morris stated that she is passionate about being involved in her community, to which she moved in July 2013. The position fits her background, education and career path and her technical knowledge and expertise. She worked in New England on a site assessment program that investigated potential negative impacts on the environment. She and her husband purchased a business in Merrimack and she will work for the Environmental Protection Agency (EPA). Chairman Best said that the Planning Board wants to hear what goes on at NRPC. Michael Redding asked whether her experience in the West is relevant here (e.g., mass transit). Margaret Morris said mixed-use development and transit are big issues in Denver. These and getting the most use of a dollar are the same here. She has experience dealing with state and transportation officials. Chairman Best asked her what needs fixing and what is right. Margaret Morris loves that the town values its amazing green space and keeps it clean and well cared for. She likes Merrimack's small town feel. Chairman Best asked how she would deal with a situation when someone either strongly opposes or supports. Margaret Morris said she would stick to the message that NRPC wants to tell rather than her own opinions. Everyone should say the same

thing. Her phone number is public for those wishing to talk about difficult subjects. Tom Koenig disagreed, saying that she should help drive the decision-making and work with people on both sides rather than be an NRPC spokesperson. Margaret Morris said she would listen and respond to what people say while still keeping true to the NRPC's main goal. She likes puzzles and problem solving and incorporating those elements into her work. Michael Redding recommended reviewing the ideas in the Master Plan. Chairman Best noted that one NRPC issue is that Merrimack is grouped with the larger city of Nashua and other towns with their own interests. It is important to know Merrimack's message and how it differs. He explained that the Planning Board recommends the four-year appointment to Town Council, which makes the appointment.

**The Board voted 5-0-0 to recommend to Town Council the appointment of Margaret Morris as an alternate representative to the Nashua Regional Planning Commission, on a motion made by Alastair Millns and seconded by Tom Koenig.**

#### **4. Discussion of Capital Improvement Program for the Town of Merrimack**

Alastair Millns requested that the Board be given the explanation of need attachments.

**At Town Manager's request, the Board voted 5-0-0 to continue this item to December 3, 2013, in the Matthew Thornton Meeting Room, at 7:30 p.m., on a motion made by Alastair Millns and seconded by Tom Koenig.**

**5. Nayla Aoude (applicant) and Global Companies, LLC. (owner) - Pre-Submission Hearing** for a proposed site plan for a drive-thru car wash as an accessory use to the existing Mobil on the Run gasoline station and convenience store located at 468 Daniel Webster Highway in the C-2 (General Commercial), Town Center Overlay, Elderly Overlay & Aquifer Conservation Districts. Tax Map 5D-3, Lot 125.

Robert Best recused himself from discussing and voting on this item.

**At the applicant's request, the Board voted 4-0-1 to continue this item to January 7, 2014, in the Matthew Thornton Meeting Room, at 7:30 p.m., on a motion made by Alastair Millns and seconded by Desirea Falt. Robert Best abstained.**

**6. Gate City Collision Center (applicant) and T.C.P.I. Ventures, LLC. (owner) – Review for** Acceptance and consideration of Final Approval of an application proposing a change of use site plan to convert the former Saab dealership to an auto body repair center and to re-establish the previous use of a paved parking area for vehicle storage on a separate parcel. The parcels are located at 293 Daniel Webster Highway in the C-2 (General Commercial) & Caron Street in the I-1 (Industrial), respectively, and Aquifer Conservation Districts. Tax Map 4D-4, Lot 066 and Tax Map 3D-2, Lot 046.

Nancy Larson said that Michael O'Donnell, Senior Engineer/Project Manager, DuBois & King, Inc., approached NH Department of Transportation (DOT) about whether an amended driveway permit is necessary. A DOT e-mail confirmed that this is not a different use from the Saab dealership that received a permit years ago. Therefore staff Condition #5 is no longer necessary. On November 4, 2013, the Merrimack Conservation Commission (MCC) made three recommendations for the Planning Board to consider: 1) that Note #12 be clear that no de-icing compounds on paved and unpaved surfaces includes no salt as well as other chlorides or compounds; 2) that Note 25 state that the fertilizer program requires the use of low phosphate slow release nitrogen fertilizer; and 3) that the Planning Board and town staff review the plan for snow storage to be sure it meets current standards. Nancy Larson said these recommendations were incorporated into staff Condition #7. She said the property is very neat. Chairman Best

said that Nelson Disco wants the Planning Board to be sure that environmental issues are addressed.

Michael O'Donnell said that this area includes a mix of commercial, industrial and residential uses. In 2002, the applicant appeared before the Planning Board to construct a dealership building addition and expand the storage facility in back. The former was completed but the latter was not. The fence was never moved to create a secure storage facility. Because over one year has elapsed, re-approval is necessary. There will be no change; the site plan is the same. The applicant will relocate from 422 D.W. Highway and reoccupy the building that already exists. There will be no junk cars or salvage vehicles. There have been no issues since the business was established in 1997. The building appearance will change slightly: There will be two new overhead doors; three doors will be relocated from the front to the rear of the building to provide for more efficient layout and use. The use is similar to the service and repair components of the dealership. This business focuses on a car's appearance. It will use no other fluids than paint and paint thinner. The excess will be dried into a solid mass the size of a hockey puck, containerized and removed by a licensed hazardous waste contractor. The spill procedures have had to be used only a few times. There will be a mixing room and two new spray paint booths. The applicant is working closely with the Fire Department about ventilation, air handling and paint mixing and will meet the same requirements as at the current facility.

Robert Best asked about by-products. Mark Piekarski, Owner, Gate City Collision Center, said there is some dust from sanding, but it is disposed of and not considered a hazard. Spot welding rather than conventional welding is done. Gas is contained in cylinders. Hazardous waste consists primarily of paints and thinners. Other fluids are disposed of according to EPA rules. Robert Best asked if the paint is water-based. Mark Piekarski said the problem is that because it does not give a perfectly clear finish, a solvent base is used for a clear finish/shine on vehicles. Water-based paint is not cost-effective for the industry as a whole.

Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow it to make an informed decision.

**The Board voted 5-0-0, to accept the application for review, on a motion made by Alastair Millns and seconded by Desirea Falt.**

Nancy Larson asked how fumes would be prevented. Mark Piekarski said he uses an EPA-compliant filtration system.

Alastair Millns asked whether the storage area is for lease for another dealer to store cars rather than for his own company's immediate use. Michael O'Donnell said the intent is to have a separate tenant, but Gate City wants to use part for overflow or vehicles awaiting an insurance adjuster as well as for storing another dealer's cars. Mark Piekarski said he does a lot of work for Nashua dealers who need excess storage. A body shop would never need that much storage space. He has no interest in wrecks. Nancy Larson said the use is allowed in the commercial zone, but because the back lot is entirely in the industrial zone, it needs a variance. Michael O'Donnell said he would ask the Zoning Board of Adjustment (ZBA) for four variances on November 20, 2013: to permit an auto-body repair business in the C-2 General Commercial Zone, to permit an auto-body repair business in the Aquifer Conservation District, to permit vehicle storage in the I-1 Industrial Zone, and to permit vehicle storage in the Aquifer Conservation District.

Alastair Millns asked if there would be separate access for the back portion. Michael O'Donnell said there is access off Caron Street and on a short access road between the two lots. He is asking for a waiver to provide a 12'-wide driveway for two-way vehicular circulation for the connection driveway between the two properties. The road is too narrow for two-way traffic and

will be used only by employees to move cars or to park there. The applicant wants to continue using it as a two-way driveway. It is 60'. The back portion is not a customer area.

Alastair Millns asked about Fire Department involvement. Michael O'Donnell has met them. They will pull into the main entrance and swing around the back at the southeast. The building on the north is not a concern.

Robert Best asked where cars would be washed. Mark Piekarski said one of the center bays would be used to wash cars before returning them to customers. It has floor drains and a water separator and will use the existing sewer system, just as the existing operation does. It has been discussed with the Wastewater Division. The volume is minimal compared with a commercial car wash operation.

Alastair Millns asked about the typical delivery vehicles being tow trucks rather than tractor-trailer type car carriers. Michael O'Donnell said that refers to the repair facility. The storage lot will potentially have car carriers. That was approved before. Car carriers will not park in the street; there is plenty of room on the lot.

Michael Redding asked the need for impervious cover and how runoff would be managed. Michael O'Donnell said the lots drains from west to east. Infiltration basins on the east collect and recharge storm water. The owner wants to lease as many parking spaces as possible and needs pavement for storing vehicles. Although there is not much potential for reducing the paved area, it is well buffered.

Michael Redding asked about leaching chamber capacity, which Michael O'Donnell said is part of the previous approval.

Tom Koenig asked about five car wash bays. Michael O'Donnell said they no longer exist. It will depend on the tenant's needs. It could be a shady place for waxing vehicles. Town water and sewer exist and approvals were already granted. Water can be recycled internally. Robert Best asked how car wash wastewater would be captured.

Tom Koenig asked whether current environmental requirements would be met. Michael O'Donnell said there would be no servicing of vehicles; new cars will be washed and waxed in a controlled facility. Mark Piekarski said plastic would be removed from new cars, but there will be no maintenance services. Franchises do not allow off-site prepping of new vehicles. Nancy Larson suggested adding Condition #9 to require MVD and Wastewater Division review and approval and Technical Comment k. that car washing will take place on both lots.

Robert Best suggested adding Technical Comment k.: No repair or maintenance of vehicles will take place on either parcel.

### **Public comment**

Lawrence Fortin, 4 Caron Street, asked where wrecked vehicles would be stored. Lorna Fortin, 4 Caron Street, said she could see into the area from the house. There are not enough bushes and they are not well grown. She can see through them and the fence, as can the house on Herrick Street. Lawrence Fortin stated that they do not want to see a junkyard.

Martin Doctor, 297 D.W. Highway, shares an access in back of his building with the driveway to the rear lot. He asked if it would become a cut-through from his lot for traffic get to the light. He wanted Talarico to dissolve the easement and asked if not using it could be made a condition of approval as well as not having cars on his lawn, as has happened in the past. The easement is recorded, but no one uses it. It was used by the previous Saab dealership. There is no purpose for the access, since there are separate uses now. Chairman Best said the Planning Board could

not impose that requirement; that is up to the two property owners. The owner can ask employees not to use it.

Nancy Larson asked about a fence or gate on Caron Street to the lower parking lot. Michael O'Donnell said the two accesses are gated. The fence has not been moved. Nancy Larson told him to be sure the Fire Department has access when it is locked. Michael O'Donnell said the Fire Department wants a lock box on the gate. The intent is to have a secure fenced facility to keep people out. Nancy Larson suggested adding Technical Comment m.: gates for the lower parking lot(s) along Caron Street are to be kept locked at all times (unless temporary access is necessary) and the Fire Department shall approve the type of locking mechanism(s) used to secure the gate(s).

Michael O'Donnell stated that nine lights would be installed (some already exist). He will add a note that any lighting to be installed or re-used is to comply with current Merrimack requirements. Alastair Millns wanted to see a lighting plan. Nancy Larson suggested adding Technical Comment l.: that shields will be installed, if necessary, to prevent glare and/or light trespass onto adjacent properties.

Michael O'Donnell stated that the buffer at the Fortin home was never installed because the expansion was never completed. He will do so. Wrecked cars will be stored at the northwest corner closest to the gate. Mark Piekarski said they would be stored as close to the access ramp as possible. Up to 15 vehicles can be stored from two days to two weeks while awaiting insurance adjusters, but generally no total loss vehicles are stored. Everything on the lot is in process and goes in and out as quickly as possible. It is not a junkyard. Cars can be processed faster because the building will be larger and there will be more employees. Mark Piekarski will meet with Martin Doctor to discuss the easement. The Fire Department may want to keep the access road open. He can install two posts with a chain across them. Employees do not ever have to go through the Doctor property. All traffic comes to the front of the building on Caron Street. Michael O'Donnell added that the Fire Department does not need an easement to fight a fire. No cars will be sold on the lawn; this is not a sales facility. The only rental car component will be a desk inside and 3-4 rental cars on site for people whose leave their cars for repair.

The car wash was moved 10' back from the street to meet the setback requirement. The curb break still exists and will be kept on the plan. The curb consists of a Cape Cod berm that is easy for a vehicle to mount. Nancy Larson said it was not clear on the plan how there would be access to the gravel lot. Since there is drainage and a Cape Cod berm, Technical Comment l. can be eliminated. Michael O'Donnell said a gate is not necessary and will be removed from the front driveway on D.W. Highway.

Alastair Millns suggested adding "primarily" to Technical Comment d: lower lot (parking/storage lot) will be primarily for use by a separate tenant (with limited use by Gate City Collision).

Alastair Millns cited the criterion that specific circumstances relative to the site plan or conditions of the land in such site plan indicate that the waiver will properly carry out the spirit and intent of the regulations. Tom Koenig would grant the waiver as long as it is used as described by the applicant.

**The Board voted 5-0-0 to waive the requirements of Section 7.05.D.20.k – Adequate On-Site Circulation and Storage - of the Subdivision Regulations – on a motion made by Alastair Millns and seconded by Desirea Falt.**

Staff recommends that the Board vote to grant conditional Final Approval to the application, with the following precedent conditions to be fulfilled within six months and prior to plan signing, unless otherwise specified.

**The Board voted 5-0-0 to grant final approval, with the following conditions, on a motion made by Alastair Millns and seconded by Desirea Falt.**

1. The applicant shall obtain all necessary relief (variances) from the Zoning Board of Adjustment to permit the proposed uses of the property;
2. Final plans and mylars to provide all professional endorsements and be signed by all property owners;
3. The applicant is responsible for recording the plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) and any related documents at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department;
4. The applicant shall note any waivers granted by the Board on the plan (including Section, and date granted);
5. The applicant shall obtain any necessary driveway permitting from NHDOT for the driveway on DW Highway (as applicable). If deemed not applicable, please provide verification of such from NHDOT District 5;
6. The applicant shall coordinate with the Public Works Department for the need of a right-of-way permit for work in Caron Street (as applicable) and add appropriate notes to the plan if such a permit is required;
7. The applicant shall address the comments of the Merrimack Conservation Commission indicated in their memo dated November 5, 2013;
8. The applicant shall address any forthcoming comments from the Fire Department and Public Works Department;
9. Application to be reviewed and approved by the Merrimack Village District and the Public Works Department, Wastewater Division;
10. Applicant to submit to the Community Development Department for review and approval, a landscape buffer plan for the western property boundary of Map 3D-2, Lot 046, adjacent to #4 Caron Street (Map 3D-2, Lot 015). Buffer is intended to provide adequate screening of the parking lot for #4 Caron Street as expressed during the 11/12/2013 Planning Board hearing;
11. Address the following planning staff technical comments:
  - a. Add a note to the plan indicating the proposed use of the gravel parking area for storage of vehicles (after bays are full);
  - b. Add a note to the plan indicating the water and sewer source for the site as required by the regulations;
  - c. Add a note to the plan indicating that the lower lot (parking/storage lot) will be primarily for use by a separate tenant (with limited use by Gate City Collision);
  - d. Revise note #12, indicating that sodium and chloride will not be utilized for de-icing operations, and that winter maintenance to be performed by a Green Sno-Pro certified (or functional equivalent certification) contractor;
  - e. Consider replacing the proposed White Pine in the proposed landscaping areas to White Spruce or another evergreen variety with better screening characteristics;

- f. Staff recommends that the appropriate detail sheets from the previous application (for Map 3D-2, Lot 046) be added to the plan set to ensure proper construction. Additionally, please verify that the various notes and leaders indicated for the improvements on this lot are consistent with the previously approved application;
- g. Add the appropriate Section numbers for the previously granted variances in notes #15 and #17. Also, please revise the note numbering after note #15 (there are currently two note #15's);
- h. Note #24 appears to be unnecessary given the language of note # 23. Eliminate, revise, or clarify as necessary;
- i. Revise note #20 to read as follows: "Unloading of delivered cars shall not take place in public rights-of-way.";
- j. Revise note #21 to read "...I understand..." instead of "...in understand..";
- k. Add a note to the plan stating that car washing will take place on both Map 3D-2, Lot 046 and Map 4D-4, Lot 066. No repair or maintenance of vehicles will take place on either parcel;
- l. Add a note to the plan regarding lighting – that shields will be installed, if necessary, to prevent glare and/or light trespass onto adjacent properties. Community Development Staff to inspect for compliance once all lighting is installed;
- m. Add a note to the plan stating that gates for the lower parking lot(s) along Caron Street (Map 3D-2, Lot 046) are to be kept locked at all times (unless temporary access is necessary) and the Fire Department shall approve the type of locking mechanism(s) used to secure the gate(s).

**7. Northview Homes & Development, Inc. (applicant) & David R. Cota & Dorothy E. Cota and Raymond A. Cota (owners) - Preliminary Design Review Hearing to discuss a proposed consolidation and re-subdivision of four residential lots into a 13-lot residential cluster subdivision. The parcels are located at 14 & 16 Pearson Road within the R (Residential) District and portion of the parcels are in the Aquifer Conservation and 100 Flood Hazard Districts. Tax Map 6D, Lots 046 and 047, 047-2, 047-3, & 047-4.**

Nancy Larson said the final site plan was submitted this afternoon. Last year the Planning Board approved a four-lot subdivision and discussed the concept plan on August 6, 2013.

Ken Clinton, Meridian Land Services, has submitted a plan sheet. In August 2013, two lots were subdivided into four residential lots to create five lots. Northview now wants to re-subdivide into 13 cluster lots and one open space lot. There are westerly slopes to the floodplain, a wetland to Baboosic Brook, woods and a field. The gross net acreage is 21.7 and the net acreage is 11.97, which yields 13 lots. There are three frontage lots on Pearson Road. The small non-conforming lot will be enlarged and the Cotas will retain the garage. There will be two very short cul-de-sacs (Rylee Court of 192' and Barbie Court of 260') with five lots on each, similar to Lilac Court. There is Merrimack Village District (MVD) water on the east. There will be 2" mains and a hydrant for each cul-de-sac. Stubs will be extended to the two lots that have private wells. It is proposed to extend the sewer main. This is the best design; it will impact only Pearson Road on the western lane at the edge of the shoulder. Ken Clinton pointed out the open space. Fifty per cent of the gross acreage required open space would be 10.8 acres. He would provide 11.5 acres, which is more than the required 50%. There will be a sidewalk for the two new cul-de-sacs. David Cota will extend the sidewalk to the school entrance and for the lineal footage of his frontage. The abutter to the north will also have a sidewalk, which will be 1,470' in total. David Cota will meet his sidewalk obligation by installing sidewalks greater than the length of his property.

Ken Clinton said there would be two catch basins on each cul-de-sac with a closed pipe to the infiltration basins. A pedestrian access easement is the same as the drainage easement line. People can walk into the open space, which is still over 50% without the easement. The open space will remain as a protected buffer.

Nancy Larson said CLD would review the application.

Ken Clinton said a preliminary traffic evaluation was done. Adding eight residential lots means 9½ trip-ins per day per lot, an increase of approximately 5.4% on Pearson Road and 1.2% on Bedford Road. Five per cent is the level at which volume may impact level of service on a road; less than 5% means there is no chance of impact. The evaluation will be submitted in 1-2 days. If the school is included, there is a 3.8% impact, which is well below the threshold. Ken Clinton requested submitting the evaluation to the Planning Board as proof that no more traffic analysis is necessary.

Ken Clinton agrees with and has implemented staff's preliminary recommendations. The ZBA granted a variance to permit five lots to have less than the required 250' feet of frontage and a variance to permit less than the required 100' landscape buffer but not less than 30'. David Cota is the abutter who has the easement and he agrees not to disturb; there is already a natural buffer there. Frontage area is not required in clusters.

Alastair Millns noted that the turning radius meets Fire Department requirements.

Robert Best likes the plan. He disagrees with Nelson Disco's comment that this is an opportunity to consider requiring more sidewalks. The applicant already exceeds the frontage and has more than met the requirement. Drainage will be addressed with CLD. Traffic is not an issue, so there is no need for more analysis or data. Michael Redding agreed there is more than enough sidewalk. There will be the right controls and design for this type of property. He suggested providing photos of the mature trees to document the buffer, which he agrees is established and will be maintained. Alastair Millns also agreed.

Tom Koenig asked whether the drainage easement dumps into the retention basin. Ken Clinton said the berm is level and transitions to the natural terrain. There is no need to create something more substantial nor for a road to the open space. Michael Redding asked what it would look like. Ken Clinton said the drain line is underground, so there will be no ditch at the abutting homes. It must be maintained. He can put a post on one side or at each end. Robert Best said that there should be some way that residents know they have the right to walk there. Michael Redding said that plants or a hedgerow would show them they do not own the property. Ken Clinton said the hatching on the plan shows the fill area over the pipe.

Robert Best asked whether the Barbie Court easement was moved. Ken Clinton said it was. After doing the test pits, he chose a better location for overflow discharge. It will be an access easement. It is easy to walk to the open space.

Nancy Larson asked who would be responsible for maintaining the two basins, which Ken Clinton said he would discuss with John Tenhave, Owner, Northview Homes & Development, Inc.

### **Public comment**

Chairman Best read e-mail from Anita & Daniel Memos, 93 Bedford Road. They are concerned about runoff that already goes downhill from the high point being aimed toward Baboosic Brook. They do not want to add any more water to the serious flooding area. Ken Clinton replied that an increased rate of flow or volume is not allowed. Runoff will be collected and treated or metered out and will not affect Baboosic Brook drainage patterns. He did the bridgework and knows the area.

David Batt, 2 Woodhaven Circle, hopes some mature trees will be removed because they create too much shade over his home. Chairman Best explained that it must be agreed between neighbors; it is not a Planning Board issue. Nancy Larson explained that the buffer must satisfy the intent of the buffer requirement, which must have a screening effect. Ken Clinton cited the requirement of a 100' landscape buffer for adequate transition between abutting land uses, but these lots are the same use. John Tenhave can make an agreement with David Batt if the Planning Board approves the buffer. Nancy Larson said to do so before the plan set deadline the next day, to which Ken Clinton agreed.

David Batt asked how far the sewer line to Barbie Court would be from his property line, which Ken Clinton said is 175'. Chairman Best and Nancy Larson suggested that David Batt call the Wastewater Division if he wants to connect to the sewer line at his own expense. Ken Clinton said there are problems with the depth of the sewer going downhill where there is gravel. In the future, there will be a stub for a force main that will go to Bedford by gravity to which homes to the north could connect. There is no Public Works Department (DPW) plan to connect Pearson Road to the sewer.

**The Board voted 5-0-0 that the applicant has satisfied the sidewalk requirement, based on construction from the previously-approved four-lot subdivision, on a motion made by Alastair Millns and seconded by Desirea Falt.**

#### **8. Discussion/possible action regarding other items of concern**

**Donald R. and Alyce Mae Bolduc** - Voluntary Lot Merger for Tax Map 4C, Lots 016 and 017, also known as 104 and 106 Amherst Street, respectively.

The Voluntary Lot Merger was endorsed by Chairman Robert Best and Secretary Alastair Millns.

Chairman Best announced that Michael Redding suggested workshops with speakers about the compost berm on Horseshoe Pond and the NH Action Plan and asked for more suggestions from Board members.

Michael Redding noted that the changes at Zyla's might come to the Board. Alastair Millns recalled that the Board approved storage of boats and RVs after it closed. Nancy Larson will check the records.

Donna Pohli reported that staff are reviewing the final formatted version of the Master Plan and hope to bring it to the Planning Board at its December 13, 2013, meeting.

Michael Redding wanted town enforcement when a change of tenant disrupts the character of the community (e.g., leaving a boat on frontage). Nancy Larson said it must be a zoning or site plan violation. The problem is lack of staff time. Donna Pohli is going through the list and clearing many cases. Alastair Millns said it is being done efficiently and quickly. Michael Redding noted a boat next to the gun shop near Walgreen's. Nancy Larson explained that zoning allows one unregistered motor vehicle to be placed for sale on an owner's property. Robert Best said there is a boat on D.W. Highway. Nancy Larson said the original site plan ordinance for retail that does not allow display of sale items could be reviewed if the Planning Board wants the staff to take a conservative approach. She will confer with Legal Counsel. Chairman Best said it is not a pervasive problem.

#### **9. Approval of Minutes - October 15, 2013**

**The minutes of October 15, 2013, were approved, with typing corrections, by a vote of 5-0-0, on a motion made by Alastair Millns and seconded by Desirea Falt.**

**10. Adjourn**

**The meeting adjourned at 10:03 p.m., by a vote of 5-0-0, on a motion made by Alastair Millns and seconded by Michael Redding.**