

# Town of Greenville, New Hampshire

## Planning Board

### Minutes

Thursday, November 12, 2020

The Greenville Planning Board met on Thursday, November 12, 2020 at 7:00 pm in the SAU 87, 16 School Street, Upper Entrance, Greenville, New Hampshire.

Board members in attendance were Chairman Ed White, Vice Chairman Michael Sadowski, Member Miles Horsley & BOS Ex-Officio Tara Sousa. Also in attendance was Meaghan A. Jepsen, Esq., Ransmeier & Spellman.

#### CALL TO ORDER:

Chairman White called the meeting to order at 7:03 pm and introduced members of the Board & Town Counsel to the audience.

#### BUSINESS:

##### Barton's Ridge:

Present: Chad Branon, P.E.; Fieldstone Land Consultants; Marcelo Borges

Chairman White stated that the Planning Board had questions at the last meeting on whether the applicant needed to redo the public hearing based on a change with the application. He stated that after a review and discussion with Town Counsel, the Board has offered three options to the applicant:

1. All of the deadlines for appeal have run on the original approval. The applicant can build it as approved.
2. If the applicant wants to change the total number of bedrooms and the phasing while continuing to use duplexes, that would be a significant modification to the plan which would warrant a new public hearing and a requirement that the applicant receive a variance to permit the duplexes.
3. The applicant could revise the plan to make it all single family and avoid the variance to permit duplexes.

Member Horsley asked Town Counsel about this letter concerning site plans and condo documents specifically sheet 4, Note 5 which states erroneously duplexes were allowed. Member Horsley stated that Town Counsel should have been present at the first public hearing.

Chairman White stated that at this point, he wasn't sure if additional variances would be needed because the Board did not have an actual plan. He stated that at this point, these were the options available to the applicant. A copy of Town Counsel's recommendations was given to Mr. Branon.

41 BOS Ex-Officio Tara Sousa wanted to ensure that Mr. Branon understood that the appeal period has  
42 expired. She said that the Board erred in granting an exception for the duplexes when that should have  
43 been a variance from the Zoning Board of Adjustment. She stated that the appeals period has elapsed,  
44 however, if the plan remains as is, the applicant may move forward.

45

46 Mr. Branon requested permission to address the concerns. He stated he has come before the Board  
47 with a two-bedroom option and as expressed at the last meeting, they will leave this as two-bedrooms  
48 and they will have a home office/study which will be a third room with no closet so it doesn't meet a  
49 bedroom criteria. He presented a copy of the plan to the Board. He stated that when his client began  
50 this project in 2018, he was directed by the then Town Administrator Kelly Collins to go to the Planning  
51 Board as they would interpret the zoning. He stated that he first came to the Board with a number of  
52 options in 2018 and they walked through the open space criteria and discussion was held on the  
53 duplex option. He said it also talks about units and lots for which they had a lengthy discussion with  
54 the board. He said the Board made the determination that duplexes were a permitted use in this  
55 district. He said that is how this project started. He said this plan allowed them to put a lot of land in  
56 open space.

57

58 Ms. Sousa corrected the statement on who was the Town Administrator at that time. She said she was  
59 the Town Administrator in 2018 and when applicants come with a conceptual, it is then that the Board  
60 instructs the applicant to meet with the Zoning Board. Member Horsley stated that the conceptual was  
61 done in February of 2019. Mr. Branon stated that the reality is that was the process that he recalls and  
62 that is how this project evolved. He said he is here tonight with a duplex option with two bedrooms  
63 and he is unsure how the interpretation erred but he remembers having an open dialogue on this plan.

64

65 Mr. Branon provided a revised plan. He stated that the only outstanding issue other than the review  
66 from Town Counsel on the condominium documents was the question whether it was two vs. three  
67 bedrooms. Vice Chairman Sadowski clarified that the number of bedrooms did not change. Mr. Branon  
68 replied "correct" – it was 20 duplexes before and it is 20 duplexes now – no change. He said there is no  
69 net change in bedrooms.

70

71 Mr. Branon stated that due to COVID, they couldn't come back before the Board. He said the Board  
72 authorized his client to move forward with construction via a letter from the Chairman and he is now  
73 at the point where he would like to pull building permits but he needs the plan signed before that can  
74 happen. Discussion followed with Mr. Branon's review of the plans. He stated that on behalf of his  
75 client, he felt this was the most expeditious way to move forward. He told the Board that there has  
76 been a tremendous time lapse with this project.

77

78 Mr. Branon stated that it was his recollection of the last meeting that he has addressed all of the  
79 Board's concerns and that this was the Board's biggest concern and then lastly having Town Counsel  
80 review the condo documents.

81

82 Chairman White stated that he is in receipt of a letter from Town Counsel concerning the  
83 condominium documents with his recommended changes that the Planning Board should require. Mr.

84 White stated that once the changes are made, his client should be all set and proceed to move  
85 forward. He presented a copy of the signed letter to Mr. Branon.

86  
87 Vice Chairman Sadowski questioned whether Mr. Branon was going to go with Option 1 and what are  
88 their plans for phasing. Mr. Branon stated that one of the conditions of approval was to adjust the  
89 phasing based on the recommendations of the Greenville Fire Department. Mr. Branon agreed to  
90 leave the phasing as is however. Member Horsley questioned whether there were any other changes,  
91 i.e. square footage to the plan from the previous approved plan. Chairman White answered and stated  
92 "no".

93  
94 Mr. Branon acknowledged that there were many typos and grammatical errors in the condominium,  
95 document. He will provide the revisions to their attorneys and forward a corrected copy.

96  
97 Mr. Branon asked whether the Board would entertain having the Chairman sign off on the revised  
98 plans and legal documents outside of a meeting so there would no need to come back for another  
99 meeting. He stated that there were no substantive revisions to the documents.

100  
101 Chairman White asked Town Counsel whether the documents needed to be submitted to them after  
102 the revisions were made. Town Counsel stated "yes". Chairman White instructed Mr. Branon to get  
103 the documents back to the town so they can be expedited through the process.

104  
105 Chairman White questioned whether the Board wants the applicant to return to a meeting or  
106 authorize the Chairman to sign the mylars. Vice Chairman Sadowski replied that Chairman White  
107 should do this.

108  
109 MOTION: Vice Chairman Sadowski motioned to allow Chairman White to sign the revised plans after  
110 Town Counsel has conducted their final review, Tara Sousa 2<sup>nd</sup>. *VOTE: All in favor. The motion passed*  
111 *unanimously.* Mr. Branon thanked the Board for their time.

112  
113 Public Hearings: The Country Mile

114 Present: Joseph Correia, Owner, David Frothingham III, P.E., Wilcox & Barton, Inc.; See sign in sheet.

115  
116 Chairman White announced that the Board had two public hearings regarding the Country Mile and  
117 read the public hearing notices into the record.

118  
119 Public Hearing for Completeness Review of a site Plan Review Application-The Country Mile

120 The Greenville Planning Board will conduct a public hearing on Thursday, November 12, 2020 at 7:00  
121 pm in the SAU87 room, 16 School Street, Greenville, NH to conduct a completeness review on the  
122 application for a Site Plan Review Application by Country Corner Mile Realty LLC & H-COR LLC, PO Box  
123 248, Amherst, NH (Owners) for the removal of the existing gasoline dispensing system and the  
124 construction of a new dispensing system in the center of the existing parking lot at 750 & 766  
125 Fitchburg Road, Greenville, NH; Tax Map 1, Lot 36D, 47 & 48. Zoned Commercial/Industrial.

127 Chairman White stated that the application appears complete but had a question concerning the  
128 zoning. Engineer David Frothingham stated that his client may need to go to the Zoning Board based on  
129 the Planning Board's recommendation.

130  
131 Discussion began with a signage clarification and the canopy. Vice Chairman Sadowski wanted to  
132 ensure that it was within the square footage of the zoning ordinance. Mr. Correia indicated that he  
133 was not going to add any more lighted signage to the site than what already exists. He said that he is  
134 completely separate from Haffner's as he bought his contract out.

135  
136 Chairman White stated that any signage would need to be permitted by the Building Inspector. This is  
137 due to alterations to the present sign.

138  
139 Chairman White called for a motion on whether the application was complete.

140  
141 MOTION: Vice Sadowski motioned that the application was complete, Tara Sousa 2<sup>nd</sup>. *VOTE: All in*  
142 *favor. The motioned passed unanimously.*

143  
144 Application for a Site Plan Application: The Country Mile:

145 Notice is hereby given that a public hearing will be held on Thursday, November 12, 2020 at 7:00 pm  
146 in the SAU 87 16 School Street, Greenville, NH for a Site Plan Review Application by Country Corner  
147 Mile Realty, LLC & H-COR LLC, PO Box 248, Amherst NH (Owners) for the removal of the existing  
148 gasoline dispensing system and the construction of a new dispensing system in the center of the  
149 existing parking lot at 750 & 766 Fitchburg Road, Greenville, NH; Map 1, Lot 46D, 47 & 48. Zoned  
150 Commercial/Industrial.

151  
152 Mr. Frothingham made a presentation on their proposal. He said that the Country Mile currently has 4  
153 pumps and that the proposed project is for the removal of the existing gasoline dispensing system and  
154 the construction of a new dispensing system in the center of the existing parking lot. He stated that  
155 construction activities proposed for the project is anticipated to impact three lots connected to the  
156 shared parking lots. Mr. Frothingham stated that the subject lots are in the C/1 Commercial/Industrial  
157 zoning district and have areas of 2.350, 0.975 and 2.700 acres. Mr. Frothingham stated that the  
158 Country Mile store is approximately 10,600 square feet in area and the current gasoline dispenser  
159 station with two dispensers under a 20' x 20' canopy. He reported that Mr. Correia is the current  
160 owner of all three properties. He provided a narrative for the Board's records. Waivers were being  
161 requested as outlined in his application. He felt this was a vast improvement over what currently  
162 exists. Discussion followed regarding stormwater drainage and landscaping on the right of way and it  
163 was DOT's right of way for which they have no control over it. He said there is no green space in that  
164 area.

165  
166 Mr. Correia stated that conditions present are grandfathered.

167  
168 Discussion occurred regarding entrance/exiting from the site. Member Horsley asked the owner to  
169 designate one-way curb cuts for safety reasons to reduce confusion of turning and entering traffic.  
170 Additional discussion occurred followed on traffic patterns. Mr. Frothingham stated that he could

171 designate two-way curb cuts if needed. Mr. Correia did not support Mr. Horsley's statement. He said it  
172 would cause confusion with traffic especially with tractor trailer vehicles. He said he still has people  
173 driving on non-designated areas so it won't work making it one way in and out. He thinks reducing  
174 speed would help in that area. Mr. Frothingham suggested that they include striping on both sides.  
175 Member Horsley believes accidents are caused by this confusion. Mr. Frothingham will consult with  
176 NHDOT.

177  
178 Mr. Frothingham stated that they would need to go through the State Department of Transportation  
179 for permitting. Discussion followed regarding diesel system areas.

180  
181 Mr. Frothingham spoke about erosion control areas and underground tanks and paved areas. He  
182 stated that this would all be controlled. Permits from the NHDES would be needed.

183  
184 Discussion followed regarding the need to meet with the Zoning Board of Adjustment for a Special  
185 Exception. Resident and former Building Inspector for Greenville Scott Tenney questioned the need to  
186 require ZBA approval because Article 3.4A. Paragraph A allows an expansion of a non-conforming use  
187 without the need of additional approval from the town. He stated that the applicant could file an  
188 application and if it's not needed, can withdraw it.

189  
190 Discussion occurred regarding the importance of good lighting. Members of the Board agreed that it  
191 was essential.

192  
193 Chairman White stated that they would be looking at two variances from the ZBA. The Board voted  
194 unanimously to continue the public hearing to December 10, 2020 at 7:00 pm at 16 School Street,  
195 Greenville, NH once Town Counsel advises us further. He stated that Mr. Frothingham will be  
196 contacted whether to file with the ZBA or not. Tara Sousa motioned that upon determination by town  
197 counsel, Chairman White can directly contact the applicant on the Special Exception, Vice Chairman  
198 Sadowski 2<sup>nd</sup>. *VOTE: All in favor. The motion passed unanimously.*

199  
200 Mr. Frothingham will submit an application for the Zoning Board for their next meeting prior to  
201 meeting with the Planning Board. Tara Sousa will facilitate the process for the applicant. She stated  
202 that abutter notices would need to be done to meet the timeline and application.

203  
204 Vice Chairman Sadowski questioned whether abutters were notified for this hearing. Tara Sousa  
205 stated "yes" and the certified mailing slips are in the Planning Board's mailbox at town hall.

206  
207 OTHER BUSINESS:

208 Lamarre Storage Facility – Vice Chairman Sadowski informed the Board that the facility is open without  
209 ever having a compliance hearing with the Planning Board. The Board requested that Mr. Lamarre  
210 meet with them for a compliance hearing on December 10, 2020. Deb will reach out to Mr. Lamarre  
211 and Chad Branon. No abutter notices will be required for this meeting.

212  
213  
214

215 MINUTES:

216 The minutes of August 13, 2020 and September 1, 2020 were approved as written. The minutes of  
217 October 8, 2020 were tabled to December 10, 2020.

218  
219 The meeting adjourned at 8:25pm.

220  
221 Respectfully Submitted,  
222 Debra A. Butcher

223  
224 APPROVED BY:  
225 *Greenville Planning Board*

226

227

228 Edward White, Chairman

229

230

231 Michael Sadowki, Vice Chairman

232

233

234 Miles Horsley, Member

235

236

237 Tara Sousa, BOS Ex-Officio

238

239

Date: November 12, 2020  
Project Name: Country Mile Hearing  
Address: 750 & 766 Fitchburg Road, Greenville, NH  
Map/Lot: 1-46D, 47 & 48

# Public Hearing Sign-In Sheet

Address:

Town of Greenville, New Hampshire – Chamberlin Street, Greenville, NH 03048 – [www.greenvillenh.org](http://www.greenvillenh.org)