

# **EPPING, NH PLANNING BOARD MEETING**

**THURSDAY July 8, 2021  
MINUTES**

**Topic: Planning board July 8, 2021 @6pm**

**Time: Jul 8, 2021 06:00 PM Eastern Time (US and Canada)**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/89765058255?pwd=MGw0dFdtbHJieDBURW51dUFXU1IDQT09>**

**Meeting ID: 897 6505 8255**

**Passcode: 766408**

**PRESENT** – Heather Clark, Susan McGeough, Michael Vose, Dave Reinhold and Selectman’s Representative Joe Trombley; Alternate Mike Sudak; Planner Kellie Walsh; Secretary Phyllis McDonough.

**CALL TO ORDER:** Chairman Clark called the meeting to order at 6:00.

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC HEARING:** Amended Site Plan (continuation)  
**Owner/developer:** Ladd’s Lane Development Group, LLC  
**Location:** 35-39 Ladd’s Lane Tax Map 030 – Lot 081

Chairman Clark read notice of an amended Site Plan by Ladd’s Lane Development Group, LLC. There were no abutters present:

Paige Libby came before the Board with the proposal on the continuation of the plan, and to inform the Board the outcome of the meeting with Water & Sewer.

Paige Libby from Jones & Beach came before the board with the proposal. She gave an overview of the plan for 25-39 Ladd’s Lane, which was approved in 2019 for two apartment buildings and six duplexes and a seven-unit existing apartment building. She explained to amend the application they are not going to build the six duplexes, instead build a 12-unit apartment building, same as the other two that have been built. She explained the seven-unit apartment building will be converted into a single family, five-bedroom home.

Vose questioned if Water & Sewer had any issues with the new plan. Libby explained they approved the increase of water the water and sewer flow, and the reason was because the bedroom count is different but the total units are the same.

Selectman Trombley explained by going to 12-unit apartment buildings it gets out of the buffer, and it matches the other two units.

Libby noted with the new plan there is a decrease of impervious pavement in the 250-foot shoreland buffer. She stated they have received their amended Shoreland and AOT permits.

Selectman Trombley stated the existing building that is a seven-unit dwelling, it's not seven apartments, it's something like an INN. Selectman Trombley stated the only suggestion is making sure if approved that there's still not seven units being built.

Walsh explained when the Building Inspector does his inspection, and she does her list she checks before final CO.

Clark opened the hearing to the public. As there were no public present, Clark closed the public hearing.

Vose moved Reinhold seconded the motion conditionally on obtaining all State permits, address any comments from Tighe & Bond, and follow any conditions from the previous approval. The motion carried.

**PUBLIC HEARING:** Two-Lot Subdivision, Site Plan, Conditional Use Permit  
**Owner/developer:** Zoeller Properties  
**Location:** Shirking Road Tax Map 036 – Lot 006

Chairman Clark read notice of a Two-Lot Subdivision, Site Plan, and Conditional Use Permit by Zoeller Properties. There were no abutters present.

Vose moved Reinhold seconded the motion to accept the plan. The motion carried.

The Board discussed whether or not this application should be considered a Regional Impact. The Board as a whole agreed this does not meet the criteria of a Regional Impact. Selectman Trombley spoke about the ongoing issues with Shirking Road and the negotiations with the Town of Fremont.

The general criteria to determine for a Regional Impact are:

- Is the proposed development directly adjacent to a municipal boundary?
- Is the proposed development located within 1,000 feet of any aquifer or surface waters that transcend municipal boundaries and there will be either a large water withdrawal (defined as 57,600 gallons by NHDES) or there will be indoor, outdoor, or underground storage of chemicals or other potential pollutants?
- Is this proposed development creating a new road or a point of access between municipalities?
- Is the project a proposed non-residential development that will generate 500 or more vehicle trips per day into an adjacent community as defined by the most recent published version of the ITE Trip General Manual?
- Is the proposed development of 100 or more residential dwelling units where any portion of the development is within 1,000 feet of a municipal boundary?
- Is the proposed development anticipated to have emissions such as light, noise, smoke, odors, or particles that may impact a neighboring community?

A very lengthy discussion ensued regarding the negotiations with the Town of Fremont and the road issues. The Board agreed to forward the application to the Selectboard of Fremont for their review, and invite them to the July 22 meeting. The board did discuss that this has no regional impact, but that there is a community impact that led to the actions the board took.

Vose moved McGeough seconded the motion that the application has no regional impact. A discussion ensued and Vose and McGeough both withdrew their motions.

Voce moved McGeough seconded the motion that this project has no regional impact. The motion carried.

McGeough moved Reinhold seconded the motion to continue this to next month in order to get input from the conservation commission. A discussion ensued around Conservation Commission and not notifying the Town of Fremont. Reinhold and McGeough both rescinded their motions.

Reinhold asked about the size of the trucks that will be used for deliveries. Fred Zoeller responded, 12,500 lbs. with the GVW on it. Reinhold stated those size trucks are allowed, according to the weight limits put on Rogers and Shirkin Roads.

Selectman Yergeau joined the meeting and continued with the discussion on the issues at hand with the Town of Fremont, and reiterated what Selectman Trombley explained and agreed the Board should continue the hearing in good faith.

During this communication, Selectman Trombley read a paragraph from the last response from the Town of Fremont to the board.

Walsh explained the criteria for determining regional impact, which is governed by RSA 36:54 through 36:58. She noted if the Board agrees there is regional impact per the criteria to Fremont, they should vote the application to be of regional impact and go through the regional impact notification process. If the Board agrees the criteria for regional impact are not met, they should vote the application is not of regional impact.

Walsh went on to say, Fremont is not a direct abutter to the parcel and therefore was not notified by certified mail. She explained the abutter notification process is governed by state statute which the planning department complied with. The regional impact determination process is an avenue which the Planning Board can utilize to notify surrounding communities about an application should they determine it to meet the criteria for regional impact per RSA 36:54-36:58.

Chairman Clark moved Vose seconded the motion to continue this application to Thursday July 22<sup>nd</sup>, pending getting notification to the Fremont Selectmen to reply or attend. Discussion ensued with recommendations as to what the applicant may hear for concerns from Fremont. A vote was called and motion was carried 3-2 with McGeough and Vose voting nay.

**MINUTES OF 6/10/2020 FOR APPROVAL** – Vose moved Reinhold seconded the motion to approve the minutes. The motion 3-2. Clark and McGeough voting nay as they were not present at the meeting.

**BILL FOR PAYMENT FROM TIGHE & BOND** – Nottingham Square Rd. SD – \$470 – Vose moved Reinhold seconded the motion to approve payment to Tighe & Bond for \$470. The motion carried.

**PLANS & MYLAR FOR SIGNATURE -- FARMSTEADS NEW ENGLAND** – site plan, Pleasant View Farm – site plan, subdivision (mylar), ERRCO – Site plan – The plans & mylar were duly signed.

**ROUTE 125 ADVISORY COMMITTEE – MEMBER APPOINTMENT** – Vose moved Reinhold seconded the motion to appoint Reinhold to sit on the Route 125 Advisory Committee. The motion carried.

Selectman Trombley moved Vose seconded the motion to appoint Clark as an alternate to the Route 125 advisory committee. The motion carried.

**ADJOURNMENT** – McGeough moved Reinhold seconded the motion to adjourn at 8:00pm. The motion carried unanimously.

**NOTE: THE NEXT MEETING DATE IS JULY 22, 2021 at 6:00 p.m. VIA ZOOM**

Respectively Submitted,

Phyllis McDonough  
Planning Board Secretary