

**TOWN OF JAFFREY, NH  
PLANNING BOARD  
Meeting Minutes  
November 13, 2018**

**Present:** Chairman Gordon, Members, Despres, Farmer, McKenzie, Merrell, Sherman, Selectmen's Representative Weimann

**Absent:** Member Devlin

**Staff:** JoAnne Carr, Director of Planning and Economic Development

**PRELIMINARY CONCEPTUAL** - No Action

**CALL TO ORDER** - Chairman Gordon called the public hearing to order at 6:00 pm.

**MEETING MINUTES APPROVAL**

On a motion by Merrell seconded by Despres the minutes of the September 11, 2018 meeting were approved as submitted. (4-0-3) *Members Weimann, McKenzie and Sherman abstained.*

**PUBLIC HEARING – ACCEPTANCE**

1. PB18-06, Belletete's, Inc., 51 Peterborough St., Map 238 Lot 284.1, Map 238 Lot 244, Map 245 Lots 94 & 95 Zone: General Business (with town water & sewer)

Site Plan – The applicant proposes the expansion of the Belletete's facilities, to include a garage on Lot 238/244 and a retail inventory building on lot 245/94 as well as associated paved yards and drainage improvements.

*Member Weimann recused himself*

Review committee determined the application was sufficiently complete. The committee noted some issues relative to storm water and checklist items that could be discussed during the hearing.

Bob Aho noted that parcel 245/99 was recently sold to Patricia Webber, however notices were sent prior to the property transfer.

Member McKenzie questioned if the variance was for development in the wetlands and whether the new building is considered warehousing. CEO Deschenes explained the ZBA determined that the proposed buildings were accessory use of the retail operation. An administrative decision was made that no further variances were required. McKenzie further questioned did they submit a use question to the ZBA. Planner Carr responded no.

On a **motion** by Despres, seconded by Merrell to accept the application as complete. (6-0)

**PUBLIC HEARING – NEW**

1. PB18-06, Belletete's, Inc., 51 Peterborough St., Map 238 Lot 284.1, Map 238 Lot 244, Map 245 Lots 94 & 95 Zone: General Business (with town water & sewer)

Site Plan – The applicant proposes the expansion of the Belletete's facilities, to include a garage on Lot 238/244 and a retail inventory building on lot 245/94 as well as associated paved yards and drainage improvements.

Presentation: Jeff Kevan, TFMoran

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Two lots were purchased on Rte. 202, and one lot on Nutting Rd. The plan is to consolidate the four lots, remove the existing vehicle maintenance building, construct a new maintenance building on the Nutting Rd. parcel and a retail inventory building on the two Rt. 202 parcels. All access will remain the same. Two underground Stormtech drainage systems are proposed near the retail inventory building, and maintenance building. Additional treatment is provided through a detention pond.

TFMoran previously met with abutters to the east to discuss reducing the run-off on their property, however no formal arrangement was agreed upon. According to the TFMoran report, the pre-development flow in 2001 was 10cfs. Using today's standards that would equate to 17.6 cfs. They have engineered the site to decrease the runoff to 9.2 cfs. The new impervious areas will meet today's runoff standards; however, this does not apply to the rest of the site.

Member Sherman asked does water leave the property. Mr. Kevan responded yes it does into a stream. Runoff matches or is decreased from previous years.

Mr. Kevan presented images of the street view for the proposed structures. Trees will cover most of the building, only the roofline would be visible from Rt. 202. Mr. Kevan estimates the new trees would grow in roughly five or six years. Trees will be removed from the Nutting Rd. site. Member McKenzie asked do they need to hide the buildings from the street and suggested more variety in the plantings could make it more attractive.

Member Sherman asked if the current lumber storage building would remain. Mr. Kevan replied yes, some materials will be relocated to the new structure. Hours of operation will remain the same. All materials stored here, are sold here. Mike Shea clarified the Jaffrey facility is not distribution center. Member McKenzie added the ZBA determined that this is a warehouse primarily for the Jaffrey locations.

Member McKenzie asked for more information on the use of the warehouse building, is it necessary to have that much pavement around the building. Mr. Shea responded the pavement allows equipment to drive around the building. The sides have overhangs for forklift access. The measurements include overhang.

Chairman Gordon asked do you anticipate an increase in truck traffic. Mr. Shea responded no.

Member McKenzie asked the current hours of operation. Mr. Shea stated they will stay the same. Member McKenzie asked if delivery trucks come in during off-hours and remain idling. Mr. Shea responded that could happen, however, there is a sign on the property asking truckers to park across the street if they choose to keep the engines running.

Member McKenzie asked where the discharge points were. Mr. Kevan stated even with increased impervious surface, there will be no increase in rate of run-off from the property to the east. Systems are being added to provide detention and storage on-site. Runoff from existing buildings is figured into the calculation. Member McKenzie asked if test pits have been done and if you anticipate any problems installing the chamber systems. Mr. Kevan stated there should be no problems. Test pits have been done. There will be an underdrain system and pipes.

Mr. Kevan pointed out the impacted wetland areas. Belletetes has received a variance to fill within wetland conservation district and one to use impervious surface within the wetland conservation district.

Chairman Gordon asked if an oil collection unit will be installed in the maintenance area. Mike Shea responded there will be no floor drains in the maintenance building and no storage of hazardous materials.

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Member Farmer asked about the lighting plan. Mr. Kevan responded lights will be located on the buildings, downcast and shielded. Lights will be on for a few hours during the day after dark but not overnight. Mr. Kevan will provide a fixture type showing how high on the buildings and how far the light will cast.

Member McKenzie asked if snow will be removed from the site. Mr. Kevan responded yes, substantial snow will be removed from the site.

Janet Grant, resident, in her opinion the expanded facility may cause an increase in traffic. Mr. Kevan replied they do not anticipate any significant change in traffic. One building will be removed and replaced, and materials (sheetrock) already on site will be relocated to the new building that has cleaner storage and better access. Chairman Gordon asked if there be more employees. Mike Shea replied no.

Brenda Ellis, abutter on Harling St., has a view of the rear parking lot, with the foliage off the trees the truck headlights shine into her house. Could there be additional screening for her property.

Carolyn Garretson, Conservation Commission, questions the placement of Stormtech system that appears to be in an identified wetland area. Mr. Kevan explained the plan for this area is an underdrain system. Stone and pipe makes up the bottom layer, followed by filtration material that provides treatment with the chambers on top. Mrs. Garretson read a letter from the CC addressing two concerns. In their opinion the Belletetes' proposal does not adequately address the present drainage system and they question the use of previously filled wetland as infiltration areas. In addition, they also urge the planning board to engage a third-party review of the storm water plan.

Randy Christmas, downstream abutter on Harling St., Mr. Christmas stated that Belletetes is an important and vital business in town, however, he has several concerns with this expansion. He pointed out that NHDES has concerns regarding inadequate drainage conditions and faulty designs, which include erosion and flooding of adjacent properties. He believes a culvert was moved in 2001 during the parking lot expansions. The LUC states there should be no off-site drainage. He is concerned that the Stormtech drainage system will flow onto his property. He points out that Mr. Kevan is the senior project manager, not an engineer. Mr. Kevan responded all plans submitted are stamped by an engineer.

In 1984 there was a variance for an expansion of a non-conforming use. The LUC clearly states that building products, materials, warehousing, trucking, trucking repair and outdoor storage are not allowed in the general business zone. He notes that industrial trucks are parked near residential areas. Quoting the LUC, non-conforming use may not substantially expanded or enlarged, natural but limited expansion may be allowed.

Bob Aho, abutter on Sunset Lane, have you determined that this is not an expansion of a non-conforming use. The LUC states building materials supply is not allowed in the General Business district. Mr. Aho noted initially the review committee determined that Belletetes needed a variance based on the original application, however the wording was later changed to "retail inventory storage" which is an allowed use.

Aho further testified that Belletetes has an easement from the State of NH on parcel 245/95, at the end of which is a man-made cinderblock pipe that ties into a steel pipe. Drainage from the eight drain pipes along Rt. 202 and the runoff from the yard discharge onto the Aho and Christmas properties. This information is missing from the site plan. There is no drainage easement onto Mr. Aho's property.

Justin Grandy, abutter on Nutting Rd, questions snow removal for the property. What is the integrity of the pipe under Nutting Rd. that dumps into the stream. Mr. Kevan responded they are maintaining or reducing the amount of runoff. Planner Carr added staff recommended a third-party review of drainage. Fran McBride, Nutting Rd. resident, will Belletetes continue to dump large amounts of snow on Nutting Rd. and will there be a gate on that parcel. Mr. Shea replied no to both.

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Member McKenzie asked about curb cuts on the Rt. 202 parcels. Mr. Kevan confirmed those will be removed and granite curb to be installed.

In closing, Mr. Kevan added an AOT was filed and agents from the wetlands bureau and AOT have walked the site.

Member McKenzie asked will the design standards be considered for proposed building. Mr. Shea responded they will consider changes in plans to comply with standards. Member Farmer asked what does the back look like. Mr. Shea responded the back is open.

Member Sherman asked are we satisfied the ZBA has addressed issues of building use. Member McKenzie is concerned that the ZBA considered the variance under section 20, wetlands, but not under the section of code that speaks to use.

Jim Callahan, Belletetes attorney, the case on usage was dismissed by the Superior Court. Mr. Christmas responded the case was dismissed due to procedural issues, no decision was made.

On a **motion** by Merrell, seconded by Farmer to request a third-party review of the proposed storm water management report. (6-0-0)

**A site visit was scheduled for Saturday, December 8 at 10:00 am.**

On a **motion** by McKenzie, seconded by Farmer to continue the public hearing to December 8.

**Chairman Gordon continued the public hearing**

**PUBLIC HEARING** – CONT. - No Action

**OTHER BUSINESS**

Proposed Zoning – Jo Anne Carr

Planner Carr presented the board with the proposed zoning changes under consideration by the subcommittee. The subcommittee includes Jo Anne Carr, Tim Gordon and Bob Sherman.

Among items under consideration: adding a definition of a duplex, clarifying the definition of uses and looking at allowed uses in the mountain zone.

Chairman Gordon noted the town has a history of tourism, the Mountain Zone and historical buildings located there would lend themselves nicely for that purpose. Member Farmer thinks the code should, by exception, allow for places of assembly, theatres, halls, etc. as there are examples of this already in the district such as the Shattuck and Monadnock Bible Conference. Member McKenzie suggested creating a specific category for public recreational use or “passive recreation.”

Janet Grant, Resident, wonders what prompted the discussion on zoning changes. Chairman Gordon responded there was no particular instance that prompted these changes. Planner Carr added she regularly reviews the Master Plan and Zoning requirements. Chairman Gordon suggested connecting the Mountain Zone to downtown could encourage eco-tourism. Member McKenzie noted that the way in which properties are being used has changed. Several homes in the Mountain District are Airbnbs.

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Jack Minter, Charlie Royce and the previous Planning Board in conjunction with surrounding towns created the "Mountain Zone." Consideration to those towns should be given when suggesting changes. Other towns were in opposition to the Van Dyke development.

Carolyn Garretson, cautions the use of OSDP. If you put land into an open-space development and require a portion of the property to be put into conservation, you should not let the residents/owners monitor the conservation area, you should use an outside agency.

Elizabeth Webster feels that the parcels on the margins of the Mountain zone should still be governed by the Mountain Zone restrictions. The zone should be expanded not reduced.

Charlie Koch, likes the idea of linking East Jaffrey with the Mountain Zone.

Ken Campbell, how does this affect the Van Dyke development. Planner Carr responded it does not affect the property. Currently there are 28 allowed units which, when built, would have a significant impact on the landscape. If you could pull in the housing and add variety the development it would have a smaller footprint and less of an impact on the land. The current layout does not allow any flexibility. There has been no discussion with anyone on an alternative plan for the Van Dyke parcel. Stephanie Minter added it was a mistake to approve the Van Dyke development.

CIP – Jo Anne Carr & Jon Frederick

Planner Carr presented the draft of the CIP. The primary focus of the committee was the cost of maintenance of the municipal facilities. The two options under consideration are:

- Option A – continue making repairs to municipal facilities
- Option B – build a combined Town Office / Police Station

**CIP Special Meeting was scheduled for Tuesday, Nov. 27 at 7:00 pm**

**ADJOURNMENT**

The meeting adjourned at 9:03 pm

Submitted:



Rebecca Newton  
Recording Secretary

Attest:



Tim Gordon  
Chairman, Jaffrey Planning Board