



SALISBURY PLANNING BOARD

Planning Board – Public Meeting Academy Hall December 21, 2020 Meeting Minutes

Doug Greiner, Chairman	- Present	Stacia Eastman–Alternate	- Present
Ray Deary – Vice Chairman/Secretary	- Absent	Jeff Nangle– Alternate	- Present
Loretta Razin - Member	- Present	William MacDuffie Jr –Alternate	-Present
Joe Schmidl – Member	- Absent	Vacant – Alternate	- N/A
John Herbert – Selectman Ex-Officio	- Present	Kate Wilson, Secretary	- Present
		April Rollins - Assistant	- Present

Visitors: Brandin Chase, Maria Dolder, Thomas Thibeault, Jennifer Thibeault, Gayle and Joe Landry, Marcia Murphy

Chair Greiner opened the meeting at 7:00 p.m.

Review & Approve the draft minutes of December 7, 2020 and December 14, 2020 –
The Board reviewed the December 7, 2020 and December 14, 2020 draft meeting minutes. Jeff Nangle made a **motion** to approve the meeting minutes of December 7, 2020 with minor corrections. John Herbert **seconded** the motion and the **motion passed unanimously**. John Herbert made a **motion** to approve the meeting minutes of December 14, 2020 with minor corrections. Jeff Nangle **seconded** the motion and the **motion passed unanimously**.

Public Hearing Continuance @ 7:00 p.m. - Conditional Use Permit for Site Plan Review has been received in order to operate a Retail Sales Establishment for an Automotive Dealer's License, in order to auction vehicles wholesale located at 87 Quimby Road, (Map 207, Lot 4.1) the parcel is owned by Brandin & Kimberley Chase located in the Agricultural Zoning District.

Chair Greiner reviewed the application. Chair Greiner asked if everyone reviewed the additional materials that were submitted. The application was accepted as administratively complete at a previous meeting. This is a continuation to review additional documents that were submitted (septic design, deed, and subdivision plan), as well as the waiver requests.

Jeff Nangle asked about additional employees. Applicant stated there would be no other employees. Jeff Nangle asked if this could be a condition.

Jeff Nangle asked about gasoline storage and removal of tanks. Applicant stated that if this were necessary the car would be sent elsewhere. Jeff Nangle asked if this could be a condition. John Herbert asked about acreage. Applicant stated it is 12.4 acres.

Chair Greiner reviewed the checklist.

Section 1 - complete

Section 2 - complete

Section 3 - There was discussion about the hand made sketches that the applicant submitted. Chair Greiner said the drawing was not to scale and does not include the detail that is required by the checklist. Applicant said he submitted pictures from Google. Chair Greiner reviewed the Google pictures and the buildings scales/measurements and surmised they would do in combination. Jeff Nangle asked about the existing wooded buffer. Both the applicant and the abutter have buffers to protect themselves. Septic plan and previous subdivision plan were reviewed.

Section 4 - areas are complete/not applicable

Section 5 - not applicable

Section 6 - not applicable

Section 7 - not applicable

Section 8 - not applicable

Section 9 - not applicable

Zoning Ordinance - Appendix X

Applicants proposed use will not impact abutters - no response from abutter letters.

Applicant discussed 5 cars at a time being in the shop. If cars need repairs, they will be sent out. The cars will be detailed before sold or sent to auction.

Applicant is under the 50% threshold. House is 1750 sq feet. The garage is 1600 feet.

April Rollins said it is a conditional use permit and not a Major Home Occupation application therefore the 50% threshold does not apply.

Chair Greiner clarified his error in guiding the review of this application by evaluating the twelve (12) requirements associated with Appendix X of the Major Home Occupation ordinance. This proposal is a CUP for a commercial business in the Agricultural Zone and not being presented as a Major Home Occupation which would warrant evaluation of the Appendix X twelve (12) criteria.

Joe Schmidl - asked about the tree buffer between neighbor and applicant. Applicant showed Joe Schmidl the area of wetlands on the previous subdivision plan. Joe Schmidl wanted to be sure wetlands were not next to the applicant garage. Applicant stated the wetlands were further north.

Applicant wants to obtain a dealer license so he can sell to the public, not only dealer to dealer. Chair Greiner asked for clarification on application. Joe Landry asked about the checklist and qualifications for the application. April Rollins supplied Joe Landry a copy of the checklist.

Board discussed whether there was enough information to move forward to a vote. Joe Schmidl asked for clarification on the retail portion. Applicant stated it could be 10 cars wholesale a month, and about 100 cars a year. Applicant stated he does not want a car lot; he would like 5 cars at most. Chair Greiner read the applicant narrative which includes the square footage, location of the wholesale lot, and request of the dealer license to allow public sales if needed. Applicant stated he wants to have the option to sell to the public. Joe Schmidl discussed needing a condition for no more than 5 cars on the property. Chair Greiner asked about hours of operation - it will be Monday-Friday 8-5.

John Herbert made a **motion** to approve the application with conditions. Jeff Nangle **seconded** the motion and the **motion passed unanimously**.

Jeff Nangle read off the Conditions 1) The retail operation should not include the use, storage or containment of hazardous materials or oils, 2) owner and applicant should be the sole employee of the business, 3) the wooded buffers between applicant property and abutters should be maintained in current conditions and any change is to be brought to the Planning Board's attention for site plan review, 4) commencement of retail operation the application should notify building inspector and site inspection should be performed, 5) no more than 5 cars on property at a time.

John Herbert made a **motion** to approve the application with conditions 1-5. Jeff-Nangle **seconded** the motion and the **motion passed unanimously**.

Public Hearing @ 8:00 p.m. - Conditional Use Permit for a Major Home Occupation to be considered in order to operate an Auto Inspection Facility on 618 Kearsarge Mountain Road, (Map 208, Lot 3) the parcel is owned by Jennifer Thibeault located in the Agricultural Zoning District.

Chair Greiner reviewed the major home application. Maria Dolder, attorney, reviewed the information and the major home application. The area has a home and a 3 car detached garage. The applicant will be using 2 of the 3 bays. Establish an inspection station in the 2 garage bays. Hours of operation will include Monday-Sunday, between 8 am to 5 pm. Sunday by appointment as per the state requirement. The area includes an extensive wooded buffer around the property. The proposed use will not impact the abutters because of the buffers and the long driveway. The garage was already constructed with appropriate permits from the town. Used oil will be collected in a 55-gallon drum.

Jeff Nangle asked about the quantity of oil waste. Applicant stated it is a very small amount, and will be picked up before the drum is full. Chair Greiner asked the applicant to estimate how often it would be filled and disposed of. Applicant stated a AAA person takes the waste oil for reuse. Chair Greiner asked for a condition to ask for a second 55-gallon drum. Jeff Nangle suggested a binder with record of waste MSB sheets, a spill pallet to contain the drum if it were to leak, and water based solvents for the wash down area. Discussion about the drainage/collection spoiled waste and collected by 'Speedy' dry material. Applicant discussed the garage slab slopes to the middle of the garage to collect contaminant if something were to spill. Jeff Nangle asked for a spill containment kit to be on the property as well.

Maria Dolder discussed the driveway easement. A letter from the abutter with the shared driveway was read for the record. Abutter Rhoda Alves-Packard stated in an email that they were ok with the driveway being used for the business. If there was an issue in the future the abutter asks that the driveway be widened to accommodate two-way traffic.

Applicant is under the 50% requirement of square footage for major home occupation, (residential use is 4575 SF and garage is 1200 SF or +/- 26.5% of house). Applicant will not have any sale or wholesale of goods. Applicant will be the one who runs the business, with one other employee. Applicant will have one free standing sign which will follow town's signage zoning ordinance as well as one sign on the business as a requirement of the state. Applicant is not putting up off site directional signs. Parking will be off street parking. Applicant does not anticipate more than 2-3 cars at a time. Applicant is anticipating 5-10 vehicle trips per day. Applicant agrees to zoning board restrictions if the property is transferred.

Joe Schmidl asked if Warner was notified of the business because the applicant is on the town line. Maria Dolder said that the abutter who lives in Warner was notified and that this business does not pose a regional impact. Chair Greiner stated that the applicant should notify the Warner planning board as courtesy of the new business; the board agreed. Jeff Nangle asked about turn around/access for emergency vehicles. Jeff Nangle asked about cars of the property at a time. Applicant stated 5 customer vehicles at a time. John Herbert read that 4 parking spaces at a time for a major home guideline. John Herbert stated 5 is fine; 4 is a guideline.

Maria Dolder discussed the waivers as not applicable to this application. Requesting a blanket waiver of all items in section 3,4,6,8, 9, 10, and 11 as they are not applicable. Section 2 is covered in the tax map and other items waived. Section 7 includes the abutters deed includes the driveway easement.

Chair Greiner opened the session to planning board members for discussion.

John Herbert made a **motion** to accept the application as administratively complete. Jeff Nangle **seconded** the motion and the **motion passed unanimously**.

Jeff Nangle made a **motion** to accept the waiver request. John Herbert **seconded** the motion and the **motion passed unanimously**.

Applicant and April Rollins discussed State approval form.

Joe Schmidl asked about the width of the driveway. Jeff Nangle said it should be a condition to widen if two-way traffic does not flow. Jeff Nangle said if abutter requests it to be widened it would have to be done. Applicant said there are 3 bump outs in the driveway.

Open for public hearing at 8:32. No Public Comments. Closed public hearing at 8:32.

Jeff Nangle made a **motion** to approve the application with conditions. John Herbert **seconded** the motion and the **motion passed unanimously**.

Jeff Nangle read off the Conditions 1) Concrete ~~burns~~ raised edges will be installed at entrance of each bay used for repair operation, 2) commencement of retail operation the application should notify building inspector and site inspection should be performed, 3) Maintain waste management records/MSB sheets, 4) Maintain wooded buffer between property and abutter, 5) No more than 5 vehicles on premises at a time, 6) Provide spill pallets under 55 gallon waste drum(s), 7) Receipt of necessary state permits 8) Shared driveway to be widened at request of abutter.

Joe Schmidl made a **motion** to approve the application with conditions 1-8. Loretta Razin **seconded** the motion and the **motion passed unanimously**.

OTHER BUSINESS - April Rollins spoke for the Applicant of Brambleberry LLC who needs to extend to February 1st. Jeff Nangle made a **motion** to approve the continuation. John Herbert **seconded** the motion and the **motion passed unanimously**.

NEXT MEETING – December 28, 2020 7:00

ADJOURNMENT – John Herbert a **motion** to adjourn, Joe Schmidl made a **second** to the motion, **motion passed unanimously** 8:45 p.m.

prepared by Kate Wilson, Secretary