

**PLANNING BOARD  
TOWN OF PETERBOROUGH, New Hampshire**

**Minutes of May 14, 2012**

**Members Present:** Vice Chairman Rick Monahon, Rich Clark, Joel Harrington, Alan Zeller, Jerry Galus, Audrey Cass, Tom Weeks, Ivy Vann and Barbara Miller, *ex officio*.

**Staff Present:** Carol Ogilvie, Director Office of Community Development; Laura Norton, OCD Administrative Assistant

The meeting was called to order at 7:00 p.m. Vice Chairman Monahon introduced the members and staff.

**Election of Officers**

A motion was made/seconded (Miller/Zeller) to nominate Mr. Monahon as Chairman. Mr. Monahon accepted the nomination; a vote was taken with all in favor. A second motion was made/seconded (Miller/Vann) to nominate Mr. Harrington as Vice Chairman. Mr. Harrington accepted the nomination; a vote was taken with all in favor.

**Peterborough Diner Site Plan Review:** Application for a site plan review to reduce side and rear setbacks for Peterborough Diner located at 10 Depot Street, Parcel # U017-010-001 in the Downtown Commercial District.

Ms. Ogilvie noted that there is a provision in the zoning ordinance that allows the Planning Board to reduce a setback requirement in the Downtown Commercial District through Site Plan Review provided there is adequate access to interior yards for emergency vehicles and that provisions have been made for use of party or common walls with an abutting property.

There was no representative for the Diner present. Code Enforcement Officer Dario Carrara was present and gave a brief summary of application request. He went on to note that the owner of the property had constructed a 12 x 12 foot shed on the southeast corner of his lot. The shed is set back six feet from the side and two feet from the rear property lines. In addition, a 10 x 10 foot freezer has been placed in the setback of the northeast corner of the lot. He noted the applicant would like to add a walk-in cooler that would be located adjacent to the freezer. Mr. Carrara concluded by noting "he finally submitted an application to have these setback issues addressed by the Planning Board."

Ms. Vann asked for clarification of what she thought was a boundary line (which ended up being the pavement line). Once the line was clarified Ms. Vann noted "frankly I don't see why they shouldn't have a walk-in there. There is no real reason to oppose it." Ms. Miller asked about the aesthetics but admitted "I have to tell you I never noticed it." Ms. Vann replied "it is a parking lot; it is not big on aesthetics back there. You are not going to notice."

Ms. Miller asked about the height of the walk-in cooler. Mr. Carrara replied that the cooler would be very similar to the freezer that is already in place. Ms. Cass asked about the HVAC and expressed her concern about the potential for hazardous refrigeration coolant or motor oil leaks. Ms. Vann interjected that that type of equipment is regulated by commercial regulations designed for

businesses and added “frankly I don’t think it matters, they are on the service side of the building *which* abuts the parking lot *which* is already paved.” Ms. Cass noted that her concerns were more about any chemical leaks. Ms. Miller noted “in these economic times I think we should work with the downtown businesses.” Mr. Weeks asked about the distance of the shed and whether or not it was 250 feet from the river. Mr. Weeks also added he had reviewed the site plan with the Fire Chief “and he has no issues with it.”

A motion was made/seconded (Vann/Harrington) to approve the application request with all in favor.

Chair Monahon noted his concern with making a decision on an application “well after the fact” adding “it is a retrospective view we have taken on this.” Mr. Carrara was in agreement but noted “enforcement is hard.” Mr. Weeks added “it (the shed) went up in one day.” Chair Monahon noted “from a philosophical point of view it is kind of in the same category as the wood shed that was erected” adding “this is something we need to think and talk about over the this next year and make a list of how and where we can improve our process.” A very brief discussion about the importance and necessity of public education followed with Ms. Miller concluding “sometimes the people just do not know.” This discussion was a segue way into a discussion about setbacks in general. Mr. Carrara noted “there are a lot of things out there in the setbacks.” He noted examples of dumpsters, generators, swimming pools, trailers, campers and air conditioners. Chair Monahon interjected “we need to move along but we will discuss this in the future.”

**Spitzfadden Site Plan Review of Office Building in West Peterborough:** It was noted that the Spitzfadden’s application was not complete for review and would be continued to the June 2012 meeting.

Ms. Miller inquired as to what the plan was about with Ms. Ogilvie replying “it is Ed Dell’s building in West Peterborough. They would like to tear it down and build a new building with three to four offices.” She added “they were not able to meet the deadline for a complete application this month, they are tentatively rescheduled for June and their abutters will be re-noticed.”

Chair Monahon noted that the Preliminary Consultation with Craig Hicks regarding an Elderly Housing Project was also on hold as Mr. Hicks was unable to attend tonight’s meeting.

**A motion was made/seconded (Vann/Clark) to continue both aforementioned applicants to the June 11, 2012 Planning Board meeting with all in favor.**

Ms. Vann also noted this would be a good time to reinforce the fact that there is no front setback in the West Peterborough District and that the Spitzfaddens’ should be aware that in the interest of making a better streetscape it would be complimentary to move the building forward and put their parking to the side or back. She added “we want to talk to them about the streetscape before they put a lot of money into a plan and let them know our preference would be that the new building was not placed 30 feet back.” Chair Monahon agreed and asked Ms. Ogilvie to follow up with the applicant. “This is an opportunity to approach the site without telling them how to do things” he said. Chair Monahon went on to note an example of a structure in North Peterborough where the site plan was reviewed and revised to slide the building forward and put the parking on the side “it worked out perfectly” he said. Another member noted the applicant should be reminded of the enormous amount of flexibility offered by that District. Chair Monahon concluded by noting “so Carol will

communicate with them about the setbacks for buildings and parking and the belief that parking to the side or back is always preferential. "And we will let it play out" he said.

**Preliminary Consultation with Craig Hicks:** See Planning Board vote to continue above.

The members agreed there should be no discussion about this project without the applicant present. Mr. Carrara asked for clarification on preliminary consultations in general. Chair Monahon noted preliminaries can be requested and are encouraged "they just are *not* binding" he said. He went to note "we have encouraged them for a lot of years now and we feel it is a very good way to get an early view of the applicant's direction. We can give the applicant a hint of what we are thinking without (once again) being binding." He concluded by noting "we have had several cases where we assisted the applicant with setback or parking issues and the value is that is no money is spent, the cost was the time to come in and talk to us."

### **Minutes**

A motion was made/seconded (Miller/Vann) to approve the Minutes of April 9, 2012 as written with typos corrected with all in favor.

### **Report out of Planning Board Members Serving Other Boards**

Chair Monahon briefly reviewed the Minor Site Plan Review that took place April 20, 2012. He reported it involved a change in Phase II of the Southfield Village condominium project where the builder requested to go back to the original plan of carports across the street versus the Phase I first floor garages. He noted the Mr. Zeller had attended out of curiosity and was in fact appointed as an alternate by the Chairman so they would have a quorum.

Chair Monahon asked "who besides me is on another board?" It was noted that Ms. Vann had volunteered for the Economic Development Authority (EDA) and Mr. Zeller had volunteered for the Master Plan Steering Committee (MPSC). It was also noted that both those boards would be gearing up to a more regular meeting schedule.

Ms. Miller noted a New Hampshire DOT Public Notice for an information meeting May 24, 2012 for widening the red-listed bridge "that carries US Route 202 and NH Route 202 over the Contoocook River." Mr. Harrington asked "why would the state want to widen the bridge?" Ms. Ogilvie replied "they would essentially be replacing the deck." Mr. Clark interjected "I have never seen a bridge get smaller, never." The members also briefly discussed how they may weigh in (collectively) as a Board with some recommendations for additional projects that may be competed with the bridge work, a prime example being the extension of the sidewalk on Granite Street. Ms. Vann noted "even a visual narrowing of road with a sidewalk tends to slow traffic down." Mr. Harrington asked if there was a written comment deadline for the project with Ms. Ogilvie replying "there is no deadline yet; the project is not scheduled until 2016." Chair Monahon replied "oh, so we won't hold our breath" adding "the May 24<sup>th</sup> meeting will have taken place by our next meeting, we will put it on the agenda as we may want to take a position on some or all aspects of the project."

**Other Business**

Mr. Harrington spoke briefly about his reaction to the town meeting adding “we lost some of the things (petitions) we approved as a Board” and asked “what does that mean for us?” Mr. Zeller agreed adding “we got taken to the woodshed on a couple of them.” Chair Monahan replied “there is no great meaning” adding “in July I would like to schedule the workshop to talk about the many things that influence zoning changes and could be considered in the actual zoning amendment process.” Chair Monahan went on to add “we have a real clear agenda and we will take a long look at the Master Plan for zoning in this town and be proactive.” He concluded by noting “some cases come from the interest of the owner only. Others are collective interests, either way we will be taking a good look.”

Mr. Harrington asked “are we getting the input we need?” adding “based on the vote I don’t know.” A brief discussion of public notification and interaction followed. Mr. Clark commented on the article in the local paper noting “I read it and I thought *wow* I was at that meeting (and said to myself ) there is going to be a big box store there now?” Mr. Clark proceeded with “they inferred (a big box store) and boom, two-thirds of the room votes against you. They inferred something that was not discussed. We did not discuss it.”

Chair Monahan cited unintended consequences noting “there were things not put on the table and we did not have the foresight to think about them. If we had there might have been a different outcome.” The members discussed the need for a workgroup to act as a subcommittee to quickly and expeditiously research petition articles. Ms. Miller reminded the members that the Master Plan was developed “when we had a booming economy and things have changed.” The members agreed that a focus on the town’s gateways, job creation and a review of the Land Use Chapter was a relevant starting point for the review with Ms. Ogilvie noting “and then decide what to work on as we identify problems.”

The meeting concluded with a brief discussion of the two retail plazas in town. “They are not very appealing” interjected Ms. Miller. Ms. Cass noted “we have been talking about the building environment and the plazas are part of that.” Another member mentioned the plazas are owned by absentee landlords who may worry more about collecting their lease money than the appearance and condition of their plaza. Ms. Vann made mention of the Plan New Hampshire Charrette that occurred in 2005. The members also briefly discussed the Old Gulf Station at the junction of Routes 101 and 202. Mr. Weeks noted the location would be a great place for the Chamber of Commerce. Mr. Monahan concluded “this promises to be an interesting summer.”

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Laura Norton  
Administrative Assistant

**Approved June 11, 2012**