



1 **Planning Board Draft Minutes APPROVED**

2 August 16, 2023

3 7:00 pm at Community Development Meeting Room

4 3 North Lowell Road

5
6 **Attendance:**

7 Chair Tom Earley, Present

8 Vice Chair Derek Monson, Present

9 Jennean Mason, Present

10 Jacob Cross, Present

11 Matt Rounds, Present (arrived at 7:04 PM)

12 Alan Carpenter, Present

13 Pam McCarthy (alternate), Present

14 Timothy Zurowski (alternate), Present

15 Roger Hohenberger, Board of Selectmen ex Officio, Present

16 Bruce Breton, Board of Selectmen ex Officio (alternate), Excused

17 Also present was: Alexander Mello, AICP - Community Development Director

18
19 *Draft minutes provided by Alexander Mello.*

20
21 The meeting opened at 7:00pm with the pledge of allegiance and the introduction of members.

22
23 **Community Development Update**

24 Mr. Mello provided an updated on a new hire in the Community Development Department. Meaghan
25 O'Dwyer was hired as the Environmental Planner. He noted that this new position was approved by the
26 voters on the 2023 Town Meeting ballot. Ms. O'Dwyer will focus on administering the new septic pump-
27 out and inspection ordinance and the Town's MS4 stormwater permit.

28
29 **Case 2023-12 – 20 First Street – Parcel 16-Q-179; Major WPOD Permit; Zone - Residential District A and**
30 **WPOD Overlay**

31 Chair Earley noted the Applicant's request to continue.

32 Mr. Hohenberger recused himself.

33 **Ms. Mason made a motion to continue the case to September 6, 2023. Mr. Carpenter seconded the**
34 **motion.**

35 The Board had a discussion about the recent ZBA determination on August 8, 2023 regarding the
36 changes to the septic design and it's impact on the current Planning Board case. Chair Earley stated that
37 the Applicant still had a valid Variance if they modified their septic design back to what was shown on
38 the approved ZBA plan.

39 **Ms. Mason modified her motion to continue the case to September 20, 2023. Mr. Carpenter requested**
40 **an amendment to the motion to note that the Planning Board will actually hear the case that evening.**

41 **Ms. Mason amended her motion accordingly. The motion passed with the following roll-call vote:**

42 **Chair Earley, aye**

43 **Vice Chair Monson, aye**

44 **Mr. Cross, aye**



45 Ms. Mason, aye
46 Mr. Rounds, no
47 Mr. Carpenter, aye
48

49 **Case 2023-17 – 16 Rockingham Road – Parcel 13-B-40; Minor Site Plan; Zone – Commercial District A**
50 **and Rt. 28 Access Management Overlay District**

51 Chair Earley read the public hearing notice into the record. Mr. Mello provided an overview of the
52 application completeness and zoning compliance.

53 **Mr. Monson made a motion to accept the application as complete and open the public hearing.**

54 **Seconded by Mr. Carpenter. The motion passed with the following roll-call vote:**

55 Chair Earley, aye
56 Vice Chair Monson, aye
57 Mr. Cross, aye
58 Ms. Mason, aye
59 Mr. Rounds, aye
60 Mr. Carpenter, aye
61 Mr. Hohenberger, aye

62 Joe Maynard, the Applicant, provided an overview of the proposal.

63 Mr. Carpenter asked if the façade was going to be renovated, what the lighting plan was, and signage.

64 Mr. Maynard introduce the owner, Alain Sfeir. Mr. Sfeir stated that the façade will be renovated similar to
65 his other property located at 13 Rockingham Road and that lighting improvements will include LED dark-
66 sky compliant fixtures near entrances. Mr. Sfeir also stated that he will keep the sign for restaurant and
67 maybe add another sign.

68 Mr. Cross questioned the filing of this plan without a master plan, when other things are being proposed
69 on the site.

70 Mr. Hohenberger asked about the required 50-foot buffer. Questioned the notes. Parking spaces.

71 Ms. Mason asked for lighting to be tasteful.

72 Mrs. McCarthy asked the owner to consider the site's history when naming/branding the plaza.

73 Mr. Rounds questioned buffers to future possible residential uses if the lots were hypothetically merged.

74 Mr. Cross stated that the Board should be careful about what is approved today so the Board doesn't
75 paint themselves in a corner.

76 Chair Earley looks at this as a standalone project no matter what other Boards/Commission decide to do.
77

78 Chair Earley opened the meeting to the public:

79 Brandon Drebit, 36 Harris Road, noted that he is concerned about the residential project. The proposed
80 lighting plan should be considered. He asked for clarification on dumpster locations. Mr. Sfeir responded
81 that the existing pad will remain, but he may need to add more dumpster pads to the left of the building.
82

83 Mr. Carpenter reiterated his desire for the owner to be mindful of lighting. Mr. Maynard stated that he
84 will use LED fixtures that are dark sky compliant, motion sensors, and timers.

85 Mr. Hohenberger wants the motion to state that the existing nonconformities are noted. Mr. Monson
86 agrees.
87



88 **Mr. Monson made a motion to approve the minor site plan for Case 2023-17 pursuant to the plan**
89 **dated August 11, 2023 prepared by Benchmark LLC with the following conditions, seconded by Mr.**
90 **Hohenberger:**

91 **1. Community Development staff to request confirmation from Keach-Nordstrom Associates**
92 **confirming preexisting nonconforming compliance with the Rt. 28 Access Management**
93 **Overlay District.**

94 **Mr. Carpenter suggested the following conditions:**

95 **2. Before the plan is signed, all items identified in the Keach Nordstrom Associates memorandum**
96 **dated July 21, 2023 shall be met to the Staff's satisfaction.**

97 **3. Applicant will work with Community Development staff to ensure the following:**

98 **a. The parking area is upgraded by filling in potholes, sealing cracks, seal coating the**
99 **entire asphalt area, and striping is executed.**

100 **b. The budling is brought up to the applicable safety codes (Building, ADA, and NFPA).**

101 **c. The proposed lighting plan include LED fixtures that are dark sky compliant, motion**
102 **sensors, and timers.**

103 **Messrs. Monson and Hohenberger noted their motion and second still stand and are amended to**
104 **reflect Mr. Carpenters additional suggestions. The motion passed with the following roll-call vote:**

105 **Chair Earley, aye**

106 **Vice Chair Monson, aye**

107 **Mr. Cross, aye**

108 **Ms. Mason, aye**

109 **Mr. Rounds, aye**

110 **Mr. Carpenter, aye**

111 **Mr. Hohenberger, aye**

112
113 **Old / New Business**

114 **• Mr. Mello read correspondence form the Conservation Commission dated August 10, 2023 into**
115 **the record re: Case 2023-14, 23 Enterprise Drive.**

116 **• Mr. Cross provided an update on his first EDC meeting. He noted the Rt. 111 Corridor Study. Mr.**
117 **Cross pointed out the master plan where it says no rotaries and no widening of Rt. 111. A**
118 **discussion about the study ensued.**

119
120 **Review and Approval of the minutes for:**

121 **June 7, 2023**

122 **Mr. Carpenter made a motion to approve the minutes of June 7, 2023. Mr. Hohenberger seconded. Mrs.**
123 **McCarthy requested to replace "zoning district guidelines" on Line 166 with "Gateway Commercial**
124 **zoning district guidelines". Mr. Hohenberger noted typos on Lines 138 and 150.**

125 **Messrs. Carpenter and Hohenberger noted their motion and second still stand and are amended to**
126 **reflect the additional suggestions. The motion passed with the following roll-call vote:**

127 **Chair Earley, aye**

128 **Vice Chair Monson, aye**

129 **Mr. Cross, aye**

130 **Ms. Mason, abstain**

131 **Mr. Rounds, aye**

132 **Mr. Carpenter, aye**



133 Mr. Hohenberger, aye

134

135 **July 19, 2023 (Site walk)**

136 Mr. Carpenter made a motion to approve the minutes from the site walk of June 19, 2023. Mr. Rounds
137 seconded. Mr. Hohenberger asked for his recusal to be inserted. Chair Earley asked for the spelling of his
138 last name to be corrected.

139 Messrs. Carpenter and Rounds noted their motion and second still stand and are amended to reflect the
140 additional suggestions. The motion passed with the following roll-call vote:

141 Chair Earley, aye

142 Vice Chair Monson, aye

143 Mr. Cross, abstain

144 Ms. Mason, abstain

145 Mr. Rounds, aye

146 Mr. Carpenter, abstain

147 Mr. Hohenberger, aye

148

149

150 **August 9, 2023**

151 Mr. Monson made a motion to approve the minutes of August 9, 2023. Mr. Hohenberger seconded. Mr.
152 Hohenberger asked for Lines 60 & 61 to be corrected by adding the word "currently" before
153 "calculations" and the words "are not" before "being". Also insert "to fix" after proposal on Line 62.

154 Messrs. Monson and Hohenberger noted their motion and second still stand and are amended to reflect
155 the additional suggestions. The motion passed with the following roll-call vote:

156 The motion passed with the following roll-call vote:

157 Chair Earley, aye

158 Vice Chair Monson, aye

159 Mr. Cross, aye

160 Ms. Mason, aye

161 Mr. Rounds, aye

162 Mr. Carpenter, aye

163 Mr. Hohenberger, aye

164

165 **At 8:54 PM, Mr. Zurowski made a motion to adjourn the meeting. Seconded by Mr. Carpenter. The**
166 **motion passed with the following roll-call vote:**

167 **Chair Earley, aye**

168 **Vice Chair Monson, aye**

169 **Mr. Cross, aye**

170 **Ms. Mason, aye**

171 **Mr. Zurowski, aye**

172 **Mr. Carpenter, aye**

173 **Mr. Hohenberger, aye**

174