

**TOWN OF WALPOLE  
PLANNING BOARD WORKSHOP SESSION  
Walpole, NH 03608  
Tuesday, September 27, 2011**

**Presiding:** Jeff Miller (Chair); Ben Daviss, Robert Miller  
**Alternates:** Steve Dalessio, Donn Lounsbury  
**Guests:** Elaine Heleen, Mel Schupack, Jedd Pellerin, Attorney Robert Kasper, Jack Franks  
**Recording:** Regina Borden, Recording Secretary

These Minutes are unapproved and will be reviewed at the October 11, 2011, meeting for any corrections.

**Meeting Opened:** Mr. J. Miller called the Workshop to order at 7:06 PM in the Walpole Town Hall.

**Avanru Development Group:** Attorney Kasper, Jedd Pellerin and Jack Franks submitted the Alteration of Terrain Permit from the Department of Environmental Services, the Driveway Permit from the Department of Transportation and their Lighting Plan which were the conditions for their Site Plan approval for the two-story retail/office building, Town Map #012, Lot #013-000.

**Continued Review of the Draft 2011 Site Plan Review Document:**

**Comments from Southwest Region Planning Commission:** Mr. Dalessio emailed Lisa Murphy at the SWRPC to ask if she had any comments or feedback on the revised Site Plan Review.

**Board Member Input:**

Page 6: Mr. Daviss felt the check list should include that the applicant disclose any public address or other sound systems outside of the retail sales area of the building.

Mrs. Heleen mentioned that after Erin Bickford talked with Walpole Tractor Supply they did change things so the public address system has not been a problem since then. They called her and advised that they had adjusted the lighting so it should make a difference after the leaves are gone.

Mr. Dalessio suggested that the PB consider adding a Public Nuisance section: "Applicants need to be sensitive to any public nuisances that may be caused by the intended use of the site. The site plan should indicate what steps are being taken to minimize the potential of public nuisances. Public nuisances include but may not be limited to; noise, lighting, vibration, or fumes."

Page 9: Mr. Daviss pointed out that the wording states "A maximum of eight (8) contiguous parking spaces" however the drawing shows sixteen (16) contiguous parking spaces. He felt they should eliminate the drawing or change the wording to eight (8). The two should match. Should the number of shrubs be included? Mr. J. Miller suggested that they ask Lisa Murphy for clarification as they should understand the logic of it.

Page 12: Mr. Daviss questioned if the first line should be changed from "shall not glare" to "not create a visual disturbance". Change the second line from "abutting properties" to "surrounding properties".

Page 18: Section XII – fourth bullet – states "when a year has elapsed". Mr. J. Miller recommended that they wait until the letter is received from Attorney Hockensmith. Line 1 - add "Site Plan Review" after "subdivision plat". Third bullet – add "of approval" at the end.

**Update on Legal Review of Building Height and Approval Time Limit (if available):** Mr. J. Miller talked with Attorney Jeremy Hockensmith who hopes to have an official letter here prior to the next regular meeting. Mr. J. Miller mentioned the Planning and Zoning changes in the NH Town and City publication for September 2011, that states: "Periods Extended for Vested Rights for Subdivisions and Site Plans. Chapter 215 (SB 144) extends, from four years to five years, the exemption from subsequent changes in local zoning ordinances or land use regulations from subdivisions and site plans approved by a planning board and properly recorded in the registry of deeds if

“active and substantial development or building” has begun. It also extends, from 12 months to 24 months, the period that the owner or owner’s successor has to begin active and substantial development or building in order to secure the exemption from subsequent changes.” Mr. Dalessio reported that there is another RSA before that one “676”: which specifically talks about taking back a Site Plan Review time limit. They would have to specify a time limit at the time of approval; if they do not then the provision in that second RSA would apply. This PB made it one year at the time of the approval otherwise it would have been five years. He also felt that the letter of approval should include that the conditions must be met within 120 days.

Mr. J. Miller recommended that they wait to make changes until after the letter is received from Attorney Hockensmith.

Mr. Daviss pointed out that it is time to think about if they want to take anything to the voters at Town Meeting. One question might be the building height and if it should be in the Site Plan Review and the ZBA Ordinance. Mr. J. Miller felt it would be in order to get ready just in case they make a decision to put something on the Warrant.

**Other Business:** None.

**Adjournment:** Mr. J. Miller adjourned this Workshop Session at 7:52 PM.

Respectfully submitted,  
Regina Borden, Recording Secretary