

Walpole Planning Board Minutes
August 11, 2020
Town Hall
7 pm

Present: Chair Jeff Miller, Vice-Chair Dennis Marcom, Jeff Harrison, Select Board Representative Steve Dalessio. Alternates: Joanna Andros, Jeff Colley. Absent: Clerk Jason Perron.

Recording: Marilou Blaine. **These minutes are unapproved and will be reviewed at the regular September 2020 meeting for corrections, additions or omissions.**

Roll Call: Mr. Miller called the meeting to order 7:04 pm. Mr. Colley and Ms. Andros were asked to fill in for the one absent Board member and one of the vacant Board positions respectively. Board member Jeff White resigned his position because he is moving to the Lebanon area after being furloughed from Whelan Engineering Co. in Charlestown.

Minutes: Mr. Marcom made one correction. Remove the word "chair" before Jeff White's name on page 1. Mr. Marcom made a motion to approve the amended minutes. Mr. Harrison seconded the motion and the motion carried unanimously.

There was an addition via email noted on the agenda that Raynie Laware, representing the Walpole Foundation, wanted added to the July minutes - the tree that was removed between the fountain and pumps at the gas station on the corner Main and Westminster Streets wouldn't be an issue for the Foundation in the future.

Old Business:

Public Hearing No. 1:

Ruggiero Processing Facility LLC: Site Plan: Tom Hanna represented Ruggiero. The proposal includes a change in location of driveway, new scale, new modular office to monitor the scale, a well and septic system. Tax Map 1, Lot 10-1, Industrial Park, Industrial District. Architect Rob Hitchcock of SVE was also at the meeting.

Mr. Hanna introduced himself as a Keene lawyer with BCM Environmental Law. He stated this is a Public Hearing for a site plan for Ruggiero. It is a site plan with minor changes being made to the plan approved by this Planning Board in 2011, he said. The driveway is being relocated from the easement or right-of-way and moved to its original position that was previously approved. Other changes include a 20-foot-by-40-foot modular office that will oversee a new scale in the entrance. At the same time there will be a state-approved septic system installed and a well. All these changes will be on the original 6.23-acre lot that was approved in 2011.

Mr. Dalessio said that when the Zoning Board met about the special exception there were questions about fire protection. Mr. Hanna said he was told by the Zoning Board that he did not need a special exception. Mr. Dalessio said that there were some questions in the letter about fire at the facility. Walpole Fire Chief Mark Houghton met with Mr. Ruggiero and there was a gentleman's agreement between Mr. Joseph Ruggiero and the fire chief that if the Ruggiero Facility expanded beyond 6.23 acres, a pond would be installed.

Mr. Hanna said in the letter there was a reference made to a section of the administrative rules that talked about waste stock piles. There are no waste stockpiles at the site. The DES permit doesn't allow for waste stockpiles.

The other thing Mr. Hanna touched on regarded a letter from abutter France-Menk concerned about the noise at the Ruggiero. Mr. Hanna said that's one of the issues with the operation, design and construction of this kind of facility. Noise is under the purview of the Department of Environmental Services and is not

regulated by this Planning Board. Also, the letter concerns 5½ days. Currently, and for a year and a half, Ruggiero has been operating five days a week.

Mr. Hanna asked about a building permit. Mr. Dalessio said he would need a permit for all the items on the site plan.

Mr. Marcom had some questions. He wanted to make it clear that the permit for the site plan was on the original piece of property. Mr. Hanna agreed. Regarding the miscellaneous items on the PDF plat, Mr. Marcom said he could not read them. He was given a larger copy. Some of the items were:

“There are no physical features or land uses within 200 feet of the site boundary.
There are no fire hydrants or fire ponds on or adjacent to the site.
No building permit for the office shall be issued prior to NHDES approving the septic system.”

Mr. Colley asked if under the current hours that Ruggiero is operating, how many tons of trash does he transport per week. Mr. Joseph Ruggiero calculated about 120 tons per week.

Ms. Myra Mansouri, Vice-Chair of the Zoning Board of Adjustment, said that the Zoning Board met in June and determined that it could not ask Ruggiero Processing Facility to come back for a Special Exception but the Zoning Board did make recommendations to the Planning Board. Ms. Mansouri said that Zoning Board member Mr. Anderson made a motion that the Zoning Board inform the Planning Board that no new Special Exception is required provided that all construction and activities are confined to the original 6.23 acres for which a Special Exception was previously given. Further, the Zoning Board asked the Planning Board to require that, per NH Administrative Code 404.05, any waste stockpile be located, sized, and configured as required by our fire chief for the purpose of fire safety; that the fire chief also inspect all construction for any potential safety hazards, and that Ruggiero be required not to exceed the hours of operation stipulated in the original Special Exception.

They ZBA also asked that the hours of operation remain at 7 am to 5 pm weekdays and 7am to 1 pm on Saturday. The vote was unanimously approved by the Zoning Board.

Kara Dexter said she was speaking on behalf of DexPart, a business in the Industrial Park. She said the Ruggiero driveway is across the street from DexPart’s driveway and that she and her husband, Peter, feel that this is going to be a huge improvement. The trucks on the current driveway put a lot of dirt on the road, she said. She also didn’t think Ruggiero is making an exceptional amount of noise in the Industrial Park. So, she said, the Dexters are for the site plan.

With no other comments, Mr. Miller closed the Public Hearing. He asked for discussion from the Board. There being none Mr. Marcom made a motion to approve the site plan as presented. Mr. Harrington seconded the motion. The motion passed unanimously.

Public Hearing No. 2:

Laura Madden, Lot Line Adjustment: Laura Madden 74 Hayes Road. Tax Map 13, Lot 3 and 3-1, rural/ag district. Mrs. Maddens is selling to Timothy J. and Margaret C. Hayes. Joe DiBernardo represented Mrs. Madden.

Mr. DiBernardo identified himself as the land surveyor on the project. He said Hayes Road is off of Valley Road. Currently Ms. Madden has two lots, map 3 and 13-1 and lot 3 used to be just the little house lot and 13-1 was the rest – all the land in back of the house. Mrs. Madden proposes to adjust 13-1 and shrink it down, grab frontage on Hayes Road, fan out to the power line back parallel to the western boundary and back to Hayes Road. The house lot would expand and grab this land out in back. After the adjustment the house lot would be 30.22 acres and the other lot 13-1 would be 22.71 acres. The house lot would have 323.71 feet of road frontage and the other lot would have 200.05 feet of road frontage. There’s a sign on Hayes Road indicating it becomes a Class VI Road. The property is in the rural/ag district. The minimum lot size in rural/ag is 40,000 square feet and minimum road frontage of 200 feet.

Mr. Dalessio asked about land on the left of the plat. Mr. DiBernardo said it's a 100-foot wide corridor that fans out in the back.

Mr. Marcom said it seems the property is more accessible from Valley Road than Drewsville Road. Mr. DiBernardo agreed. Mr. Miller asked for questions. There being none, he closed the public hearing.

Mr. Harrison made a motion to accept the lot line adjustment as presented. Mr. Marcom seconded the motion and the motion carried unanimously.

Public Hearing No. 3

Town of Walpole Lot Line Adjustment: 1.48 acres on Main Street to be annexed to Map 22, Lot 5-1, residential B. Town of Walpole purchased the land from Fall Mountain School District. Parking for Rec. Center. Joe DiBernardo will represent the Town.

Mr. DiBernardo introduced himself as the land surveyor representing the Town of Walpole. He explained the plat. The Hubbard Farms office building is north of the parking lot where the pool, tennis court and basketball court are. To the south of the property is the Walpole Elementary School. This property used to be an easement that the town could use for the school district parking and access to rec department park. The town wants to buy that easement and annex it to the pool rec area. It has 150 feet road frontage. It is in the Residential B district. So the 1.46 acres of the easement and the 3.9-acre rec center land will become a 5.6-acre property.

Select woman Peggy Pschirrer said that the Fall Mountain School District agreed to sell the property to the Town of Walpole for \$1 if the town would bear the expenses of the survey. The agreement was on the March 2020 warrant and passed by townspeople. There being no questions, Mr. Miller closed the public hearing.

Mr. Marcom made a motion to approve the lot line adjustment as presented. Mr. Dalessio seconded the motion and the motion carried unanimously.

New Business:

Wellstone Associates Lot Line Adjustment: This property is on Maplewood Circle off of Main Street, across from the Bellows Inn. There are 3 small lots, Lot 14-1, 14-2 and 14-3. The lot lines are going to be changed so that 2 lots will have 150 feet of road frontage. Lot 14-1 will be .55 acres; lot 14-3 will be .39 acres. Lot 14-1 will have 170.20 feet of road frontage and Lot 14-3 will have 150. The zoning districts are commercial and residential B.

Mr. Marcom approved the request for a Public Hearing in September. Mr. Harrison seconded the motion and the motion carried unanimously.

Election of Officers: Mr. Marcom proposed Ms. Joanna Andros to fill out the term of James Aldrich who passed away in April and Mr. Jeff Colley was proposed to fill in for Jeff White, who resigned in July. Mr. Harrison seconded the motion and the motion carried unanimously. Both new members have to be sworn in by Town Clerk Sandra Smith. Mr. Aldrich's term expires in 2021. Mr. White term ends this year.

August Workshop: There will be a workshop on Tuesday, August 25 in the Town Hall to discuss the transportation section of the Master Plan.

Mr. Marcom made a motion to adjourn. Mr. Dalessio seconded the motion and the motion passed unanimously.

Respectfully submitted,
Marilou Blaine

cc: WPB, ZBA, Town Offices, Walpolean.

Posted: Inside Town Hall, bulletin board out side post office, www.walpole.nh.us