

**Lancaster Planning Board  
Minutes of Meeting**

**Meeting held upstairs in Town Hall**

**Wednesday March 7, 2018**

The meeting was called to order by Chairman Mark Frank at 6:30 P.M., followed by the Pledge of Allegiance.

**Initial Business:**

**Roll Call:**

Regular Members:

**Present:** Chairman Mark M. E. Frank, Vice Chairman Andy Nadeau, Selectmen's Representative Leo Enos, Rusty Scott, Mark M. St. Pierre and Justin Carter.

**Absent:** Penny Noyes.

Alternate Members:

**Present:** Rick McCarten and Greg Westcott.

**Absent:** Don Doolan and Ben Pellerin.

Student Representatives:

**Present:** Andy Smith and Isabella Gaetjens-Oleson.

Others attending: Planning/Zoning Coordinator Benjamin Gaetjens-Oleson., Allen Bouthillier, Bill Rutherford, Ansen Cassady, Lewis Cassady, Stan Knecht, Sally Gaynor-Knecht, Zach Colby, Jillian Colby and Don Freddette.

**Chairman Mark M. E. Frank moved alternate Rick McCarten up to full voting member to replace Penny Noyes who was absent.**

**Review and approve the minutes of the February 14, 2018 meeting.**

**A motion was made by Leo Enos and seconded by Rusty Scott to approve the minutes as written.**

**A vote was taken and the motion carried unanimously.**

**Appointments:** None.

**Submission of Applications(s)/Public Hearing(s):**

**Minor Site Plan Review**

**Case #800 – Mount Royal Academy North** – Applicant requests approval to place up to two pre-site built structures, each approximately 28' x 68', on the property of All Saints Catholic Church to be used as classroom space for a private kindergarten through eighth grade school. Additional minor improvements to the property shall be completed to support the placement of the buildings and the proposed use. Land Zoned Central Business District-Middle. (Tax Map P06-039 (1.99 acres), 163 Main Street). **Review Application for Completeness. Vote on Final Approval.**

**Andy Nadeau recused himself at 6:35 P.M.**

Chairman Mark M. E. Frank asked that those who wished to speak to the case give their names clearly for the record. Jillian Colby, Director of the school, began discussing the elements of the proposal that were similar to what was discussed the previous month during the Preliminary Conceptual Consultation. Benjamin Gaetjens-Oleson passed around copies of the site plan for the Board to review. Mrs. Colby explained that they will start with one classroom being placed. That

location will be the southerly one closest to the Gaynor-Knecht property. Mrs. Colby pointed out the existing light poles on the property with additional lighting being provided by shielded floods on the buildings. The parking lot was repaved over the 2017 summer with additional drainage added and a snow storage location is identified at the grassed island along Depot Street. Mrs. Colby stated that as the storage area gets full, it will be hauled off site. She does not expect more than 5 to 6 cars on the site during the day for the staff. To start there will only be 3 teachers until the need requires more along with the second building. Leo Enos asked that if they only planned to place the one pad for the initial building or both in anticipation of the need later. He was told the second pad would only be placed when it was needed to support the second building.

The Board asked Mr. Gaetjens-Oleson if the application was complete. He answered that it was except the specific utility connections were not shown and those should be placed on the final plan.

**A motion was made by Leo Enos and seconded by Mark M. St. Pierre to accept the application as complete. A vote was taken and the motion carried.**

Chairman Frank opened the public hearing and asked the applicant if they could read the agreement the school has with the Church. Andy Nadeau stated he did not feel the agreement was relevant to the proceedings before the Board. Mr. Frank stated the agreement was included as part of the application. Mrs. Colby began reading from it which listed the initial term is for 3 years. She added that the hope is to have their own property by the end of the initial term.

Chairman Frank asked if the land and the proposed buildings were leased. Lewis Cassady stated that both arrangements are leases and the buildings are coming from Vanguard Homes out of Maine. Mr. Cassady continued and stated the buildings are considered modular and will be placed on the slabs by a crane. Once the lease period is over they will be removed by the company.

Leo Enos asked if the site would be put back to its original state after the school buildings were removed. The answer was yes. Noting there was nothing further from the applicant the hearing was opened up to abutters.

Stan Knecht, an abutter, stated that he and his wife, Sally Gaynor-Knecht, had met with Mrs. Colby and her husband Zach Colby and discussed some issues that they had. They expressed concern with the use of their land to access the Colonel Town fields for the school's recreation and also the worry that children would be attracted to their horses which could cause some issues. More specifically the horses, thinking they were being fed by students, might nip them on accident. They explained they presented some compromises that would alleviate their concerns and the Colby's seemed receptive to them. One being the Knechts be listed on the school's insurance policy and the other a fence be installed as a buffer between the school and the Knecht's horses. Mrs. Colby stated she was in agreement with those provisions and they would be included in their plans. Mr. Knecht also explained he felt 100 students was a lot for the land that is being used. Sally Gaynor-Knecht asked if the lease is extended beyond the 3 years would they have to come back to the Planning Board. Mr. Gaetjens-Oleson stated there is a condition to be proposed to address that possibility.

Noting there were no other abutters present the hearing was opened to the public. Bill Rutherford stated that he was representing the Church for Father Matt, who was away, and he would relay any questions or concerns back to him.

Noting that there were no further comments from the public the public hearing was closed and opened up only to the Planning Board.

Chairman Frank asked how the buildings would be heated. Mr. Cassady explained by propane tanks with placement of those on pads behind the buildings. Mr. Frank asked if the buildings would share a tank and the answer was no. Mr. Cassady did explain the tanks would be fenced in for safety. Mr. Nadeau stated that once the final placement of everything was determined he would update the site plan and give copies to the Town for the file. Chairman Frank asked if there would be a fence along

Depot Street to discourage the children from running out into the road. Mrs. Colby stated one was not proposed but she would bring it up to her Board for discussion at their next meeting

Mr. Gaetjens-Oleson asked if the snowmachine trail would still remain on the property which would bring it behind the classrooms. Mr. Cassady explained it would have to be relocated and Shane Beattie of the Lancaster Snowdrifters is working on that.

Mr. Gaetjens-Oleson read through a list of proposed conditions he felt the Planning Board should consider. Some were precedent conditions and the rest were subsequent.

**CONDITIONS PRECEDENT**

- Location of electric, water and sewer services to each building shall be displayed on the final mylar with paper copies provided to the Lancaster Planning Department. This should also contain the additional elements agreed to during the public hearing.
- Shall receive approval through the State of New Hampshire Fire Marshall's office prior to beginning operations.

**CONDITIONS SUBSEQUENT**

- Approved buildings and property improvements shall be removed and land brought back to predevelopment condition no later than 6 months after the applicant is no longer conducting the business they were approved for.
- Approval is only granted for the initial lease period outlined in the Commercial Lease Agreement between the Roman Catholic Bishop of Manchester and Mount Royal Academy North, effective July 1, 2018. Any extension of the proposed use or proposed improvements beyond that date shall require further review by the Lancaster Planning Board through Site Plan Review.
- Shall receive and maintain any and all other applicable local, state and federal permits for as long as applicant operates under this Site Plan approval and shall provide copies of such to the Town of Lancaster upon request.

**A motion was made by Leo Enos and seconded by Rusty Scott to accept the plan for final approval with the following conditions:**

**CONDITIONS PRECEDENT:**

1. **Copies of the final plan with all approved elements including but not limited to building placement, foundation slabs, utilities (water, sewer, electric, etc.), fencing and propane tanks shall be provided to the Lancaster Planning Department.**
2. **Shall receive approval through the State of New Hampshire Fire Marshall's office prior to beginning operations.**

**CONDITIONS SUBSEQUENT:**

1. **Approved buildings and property improvements shall be removed and land brought back to predevelopment condition no later than 6 months after the applicant is no longer conducting the business they were approved for.**
2. **Approval is only granted for the initial lease period outlined in the Commercial Lease Agreement between the Roman Catholic Bishop of Manchester and Mount Royal Academy North, effective July 1, 2018. Any extension of the proposed use or proposed improvements beyond that date shall require further review by the Lancaster Planning Board through Site Plan Review.**
3. **Shall receive and maintain any and all other applicable local, state and federal permits for as long as applicant operates under this Site Plan approval and shall provide copies of such to the Town of Lancaster upon request.**

**A vote was taken and the motion carried.**

**Minor Subdivision**

**Case #801 – Granite State Land Holdings, LLC** – Applicant/Owner requests a minor subdivision to divide 2 separate lots along Industrial Park Road and the State of NH Railroad Corridor into 4 individual lots combined. First lot to be subdivided, Tax Map R01-Lot 021, would create one lot of approximately 21.97 acres with the remaining land totaling approximately 182.69. Second lot to be subdivided, Tax Map R01-Lot 025, would create one lot of approximately 56.70 with the remaining land totaling approximately 82.65 acres. An easement across remaining lands of Tax Map R01-Lot 021 is also proposed to provide access to the lots. If approved the new subdivided lots will not be considered buildable and shall be merged and acquired by the State of NH for conservation purposes. Land Zoned Commercial/Industrial and Agricultural. (Tax Map R01 – Lot 021 (204.66 acres) and Tax Map R01 Lot 025 (138.82 acres). **Review Application for Completeness. Vote on Final Approval.**

Mr. Nadeau spoke to the case while plans were passed out to the Planning Board. Mr. Nadeau stated that the purpose of this subdivision was to satisfy a wetlands permit application condition to create and protect existing wetland area. The new lots to be created will be conveyed to the State and placed in a protected from development. Owner, Allen Bouthillier is not only providing this for his own wetlands permit but also for one the White Mountains Regional High School requires for their athletic field expansions. The two new lots will be merged prior to conveyance to the State. Access to the lots will be from Route 3, through a road across State of NH land, across the existing railroad corridor and then an access easement within remaining lands of the applicant. All is shown on the plan and outlined on the deed.

Mr. Gaetjens-Oleson stated that he had reviewed the application and felt everything required was included.

**A motion was made by Leo Enos and seconded by Mark M. St. Pierre to accept the application as complete. A vote was taken and the motion carried.**

Chairman Frank opened the public hearing and asked the applicant’s agent if there was anything more to add. Noting there was no further comment from the applicant or his agent the hearing was opened to the abutters. Noting there were no abutters present who wished to speak to the case the hearing was opened to the public. Noting there was no one from the public wishing to speak to the case the public hearing was closed and opened only to the Planning Board.

Mr. Gaetjens-Oleson read through a list of proposed subsequent conditions he felt the Planning Board should consider.

**CONDITIONS SUBSEQUENT**

- Approval only granted to convey the newly created lots totaling 78.67 acres to the State of New Hampshire and for the purposes outlined in the Warranty Deed and Grant of Deed Restrictions submitted as part of the subdivision application.
- The newly created lots totaling 78.67 acres to be conveyed to the State of New Hampshire and the remaining lands of Tax Map R01 lot 025 shall be considered non-buildable lots due to their substandard access.

Mr. Bouthillier asked if the second condition meant any type of building. Mr. Gaetjens-Oleson explained that if further development was desired for the remaining lands it would have to be reviewed by the Planning Board. The Board would consider it as long as the access was compliant with Lancaster’s land use regulations.

**A motion was made by Leo Enos and seconded by Rusty Scott to accept the plan for final approval with the following conditions:**

**CONDITIONS SUBSEQUENT:**

1. Approval only granted to convey the newly created lots totaling 78.67 acres to the State of New Hampshire and for the purposes outlined in the Warranty Deed and Grant of Deed Restrictions submitted as part of the subdivision application.
2. The newly created lots totaling 78.67 acres to be conveyed to the State of New Hampshire and the remaining lands of Tax Map R01 lot 025 shall be considered non-buildable lots due to their substandard access.

A vote was taken and the motion carried.

Andy Nadeau back on the Board at 7:20 P.M.

Public Hearing(s): None.

Other Business:

Preliminary Conceptual Consultation(s): None.

Commercial Building Permit(s): None.

Voluntary Merger(s):

- Granite State Landholdings LLC-recently approved subdivided lands to total 78.67 acres once merged.

A motion was made by Leo Enos and seconded by Rusty Scott to approve the land merger for Granite State Landholdings, LLC as presented. A vote was taken and the motion carried.

Chairman Frank signed the necessary paperwork.

Recent Zoning Decision(s): None.

Announcement(s)/Correspondence(s):

- Registration Open for Planning/Zoning Conference. Mr. Gaetjens-Oleson reminded the Board that if they wish to register themselves to be sure to have the bill sent to the Town or if they come to his office he will complete the registration for them.
- Scenic Road Public Hearing for EverSource will take place in April.
- Reminder that Town Meeting is Tuesday, March 13, 2018 at 7:30PM

Other Business as may legally come before the meeting.

Nothing that there was nothing further to come before the meeting a motion was called for to adjourn.

A motion was made by Leo Enos and seconded by Rusty Scott to adjourn. A vote was taken and the meeting adjourned at 7:25 P.M.

Respectfully,

*Sandra E. Doolan*

Sandra E. Doolan – Clerk

Approved: 4-11-18

*Mark M. E. Frank*

Mark M. E. Frank - Chairman