

**SOMERSWORTH PLANNING BOARD  
MINUTES OF MEETING  
September 15, 2021**

**MEMBERS PRESENT:** Bob Belmore-City Manager, Keith Perkins, Alternate, Chris Horton, Jeremy Rhodes, Jason Barry, Ron LeHoullier, Chair, David Witham, City Council Representative, Paul Robidas, Harold Guptill- Vice Chair

**Excused Members:** Paul Goodwin-Alternate, Mark Richardson

**STAFF PRESENT:** Michelle Mears, Director Development Services, Dana Crossley Planning Secretary

The Meeting was called to order at 6:30 PM.

LeHoullier appointed Perkins as a full voting member for the meeting.

**1. Approval of the minutes of the meeting of August 12 & 18**

**Motion:** Guptill MOVED to accept the minutes of 8/12/2021.

The MOTION is SECONDED by Barry.

he MOTION CARRIED by an 8-0-1 vote, Robidas abstained.

**Motion:** Robidas MOVED to accept the minutes of 8/18/2021.

The MOTION is SECONDED by Rhodes.

The MOTION CARRIED by an 8-0-1 vote, Guptill abstained.

**2. COMMITTEE REPORTS**

**Land Use Board Reports (ZBA, HDC, Conservation Commission, SRTC, Minor Field Reports):** No comments.

**City Council Report:** Witham stated the Council took action on appointing members to various Boards and Commissions. Mark Richardson was re-appointed to the SRPC for a term to expire in 2026. He stated they continue to work on Ordinance 2-22, Streets and Sidewalks focusing on the downtown sidewalk displays and dining. This has been through multiple reviews and expect it to move forward before Council for Public Hearing and action. He stated they moved forward with a resolution to authorize the City Manager to address easements in relation to two City projects. Those projects are for the TAP Grant sidewalk improvements along the easterly side of High Street and the CMAQ project to update the traffic signals from Blackwater Road to Dover. Council took action to discontinue Seamore and Caiman Drive (off Gator Rock Road) in preparation for an application that will be before the Planning Board for a large industrial warehouse project where a realignment of the roadway was needed. Unitil has been working with City Board's to relocate the high-pressure natural gas switching station located at the corner of Bartlett and Maple Street to be moved to an area of City owned property known as the "boneyard" where Public Works stores materials such as gravel, granite and is near the Forest Glade Cemetery. City has been working on easements and payment structures for the relocation project and may be able to extend the Unitil Gas lines. He stated the Fire Station had the formal ground breaking last night and work has been underway for the past couple of weeks such as the asbestos abatement.

**Strafford Regional Planning Commission (SRPC) Update:**

Mears noted the GACIT hearing is on October 4 at 7 pm.

Belmore added that City Council will be discussing Exit 10 at their next meeting.

**3. OLD BUSINESS**

**A.CONTINUED: Carlton Spencer Jr & Sherri Bolin are seeking a 5-lot conventional subdivision by special use permit for a property located at 279 Green Street, in the Residential Single Family (R1) District, Assessor's Map 18 Lot 45, SUB#05-2020 PUBLIC HEARING**

Mears stated this application was continued at the August 18, 2021 meeting to address the following items:

1. Address the concerns discussed at the meeting;
2. Provide the Board alternate plans (Conservation Subdivision plan layout) to be able to compare the traditional and conservation subdivision layouts;
3. Provide potential deed restriction language; and
4. Provide a copy of the NHDES letter from 2005

Mears stated staff provided copies of communication between the applicant and the State regarding AOT permits, the NHDES 2005 historic information, two plans have been received one with an open space layout with deed restrictions and a 6-lot conservation subdivision design. She noted the Board should consider the reduced setbacks that go with a conservation subdivision.

**MOTION:** Robidas stated I move to remove the application of Carlton Spencer Jr. and Sherri Bolin from the table to continue the public hearing and review.

The MOTION is SECONDED by Rhodes.

**The MOTION CARRIES 9-0.**

**Attorney Joshua Lanzetta** of Bruton and Berube, **Doug LaRosa** of Civilworks NE and **Carlton Spencer** were in attendance.

Lanzetta stated he wanted to thank City Staff for all the assistance for this application. He reviewed the property layout and location. He stated the application as proposed fits in with the intensity and layout of the surrounding neighborhood. The area is a high density of residential use and the lots are not uniform, he stated they have a fully compliant subdivision application before the Board tonight. He stated there may be some details to be adjusted per the Board wish but the application is compliant with the regulations and fits the neighborhood. He reviewed the applicant's driveway, which is the location where the proposed roadway will be and showed that the line of sight is unobstructed looking north and south. The applicant has applied for a DOT permit for the updated curb cut and expect it should be issued, the all-season safe sight distance has been reviewed and this is an existing driveway/curb cut. He provided a one-minute site walk video that provides a visual of the lots current state.

Lanzetta stated updated plans have been provided to the Board. He stated there had been discussion regarding open space and conservation land. He stated they have provided an updated plan (open space exhibit) of the current subdivision layout that includes open space area proposed to be conservation area in the form of a note on the plan and add a deed restriction for each lot. He stated this makes the application comply with the Subdivision Regulations and would withdraw the special use permit at the end of the meeting. He stated they understand the plans were submitted late and have another plan page that was worked on today to share as well, not asking for a vote tonight and would request a continuance of this application to the next meeting for a vote. He stated LaRosa is going to review a

concept plan that was drawn to meet the conservation subdivision ordinance. He stated the conservation subdivision exhibit plan has an additional lot and the conservation land is deeper, smaller lots and complies with the subdivision conservation ordinance.

LaRosa stated the conservation subdivision exhibit plan shows that a conservation subdivision can be done on this lot, reduce the lot sizes to 8,000 SF +/-, the setbacks are reduced, put the same size houses on the lots as previously proposed, same drainage easement, use the area around the wet as a large piece of open space and a large piece to the northwest next to the existing house and continue it around as proposed on the traditional subdivision with open space restrictions. He stated this plan brings the houses closer towards Green Street.

Lanzetta noted that this design of the conservation subdivision plan shortens the road.

LaRosa stated the roadway on the traditional sub division with open space is 650' long and the conservation subdivision roadway is 450' long.

Lanzetta stated plans both comply with the ordinance and would like feedback from the Board. He stated the plan is to come back with one of the plan sets to receive a vote from the Board.

**LeHoullier opened the public hearing.**

Belmore asked how many lots are being proposed.

Lanzetta stated on the traditional plan it is 5 lots and the conservation subdivision is 6 lots.

**Lorraine Beaudoin, 275 Green Street:** asked the Board to consider there is a very real possibility the engineered plan might not be enough to prevent additional water pooling and saturation on her property. She noted there is a 30' drop in elevation from the subject property to hers. The soils on her property is clay. The abutting properties to the South and West are at higher elevations and the ones North and East are lower but her basement acts as a stopper of flow from East and North because it is in the middle. She stated her property is always moist and concerned if the proposal is approved there will be an off flow of water into her property. Cannot see where anyone but herself would be financially responsible for remediation to water impacts of her property. Also feels that there will be a property value loss to her property.

**Spencer Kilgour, 277 Green Street:** explained he is a tool and die maker specializing in extreme tolerance electronic component assembly machines, meaning he has a tendency to avoid feelings and assumptions at all costs, but felt it deems necessary to talk more openly about the development being debated. He stated he spoke with the applicant, who came to him with the desire to make a deal but knows that his facade is one put in place to get his way. He stated he has come to an agreement with the applicant if plans are regrettably to move forward. He stated they have agreed to the following:

1. The trees alongside my property line will be removed and replaced with a live fence which will connect to the current string of American arborvitae trees in my backyard
2. The live fence will be American arborvitae trees planted in close enough proximity to be considered private within 4 years
3. The current live fence, on the rear of the property, will not be damaged and if damaged be replaced.
4. There be no street light on the intersection with Green Street
5. The board requested house lights, must be motion sensitive
6. The pine in the front of the yard will be removed and replanted (At Carlton's request to replant), and
7. The option to an underground culvert next to the road be investigated

He stated he also would like to have written into my deed a grandfather clause for repair and replacement exception of his leach field. He stated a leach field cannot be installed within 75' of open water without an exemption from the City, but hasn't gotten a response for that. If a bioretention area is going to be within 10' from his leach field would like a grandfathered clause put in. He stated there are items he did not bring up with

the applicant due to the sensitive nature. He stated if the project goes forward, he does not believe the applicant should be allowed to president the HOA or maintain the bio-retention pond. He stated he feels this because it is a conflict of interest and does not believe the best interests of all the new and old neighbors/abutters would be considered by him. He explained his reasoning to why he felt that way and his distrust and disgust with his neighbor. He stated according to Zillow the applicant's house is valued at 462k and the applicant has expressed desire to sell the lots for 120k, he stated the amount he purchased his home for that has a very busy front street but a private back yard with a view that cannot be developed. He does not understand a profit of one third his purchase is worth manipulating the system to outright bypass the concerns and wants of the applicant's 8 abutters. Noted the applicant new the limits of the property when it was purchased and only interested in developing due to the housing boom. Understand the City's Attorney made a decision to the 1985 ZBA verdict and knows it is the PB that created the verdict and has the power to make a new verdict. He stated he does not believe the project should go through and requested the contingencies stated be included if the plan is approved.

**Taryn Chasse-Decken, 162 Old Dover Rd. Rochester, representing Mother Monique Chasse homeowner of 281 Green Street:** stated she wanted to thank the Planning staff for sharing information she requested on a timely basis. Stated the notice of decision from 1985 and the administrative decision, the applicant purchased the property when the variance was in place, noted the applicant paid 18k for the property. Explained the project became an issue in July because that was when the abutters were made aware of the plan. The applicant's attorney requested an administrative decision, believe it is most likely because he knew the abutters would not need to be notified. She stated she brought a letter put together by the abutters regarding the administrative decision: *This letter is in response to the Administrative Decision dated June 7, 2021, concerning Lot 45 (279 Green Street), read at the July 21, 2021, Planning Board Meeting. Abutters have several questions we would like addressed regarding this "decision" as it is the primary reason this subdivision is currently being considered. We ask members of the Board to once again look at the document submitted by the Zoning Board Clerk dated April 15, 1985, while paying particular attention to the wording of the stipulation which states: "The Zoning Board voted to grant the variance with the stipulation that no more than one single family house be placed on the lot and that the driveway from Green Street be centered in the 51.80 ROW. Also noted is the stipulation that this lot not be further subdivided." I would like to stress that the second stipulation says, "this lot not be further subdivided" Period! It does not specify the lack of frontage implying other problematic issues were reason for the stipulation. The Administrative Decision appears to have been made solely on the prospect of a road to create needed frontage for houses however, frontage is not specified as the reason for the second stipulation. The abutters deserve to know how this decision was made as it is being used to attempt to reverse the 1985 ZBA restriction, a restriction set in place by the Zoning Board for the singular purpose to protect abutters. Following are several questions from both an ethical and procedural standpoint regarding the actions or lack thereof pertaining to the Administrative Decision that we are asking the Board to address:*

1. *Who is the decision maker? The letter is signed by the Director of Development Services, Michelle Mears, and it states, "it is my position...", is it standard procedure to have a Zoning Board's decision reversed by stating one's position? The letter also states the City Manager and Attorney Spector-Morgan of Mitchell Municipal Group were consulted. Is there any record of this consult? Are there guidelines in place for the making of an Administrative Decision? Is it possible for an "Administrative Decision" to be made after a brief, unofficial, undocumented conversation? Did the three people consult together or was there one conversation between two people and then one person's interpretation relayed to a third? If guidelines are not in place, it seems counterintuitive to the public hearings, discussions and minutes that result from Zoning Board Meetings.*

2. *Was the Zoning Board consulted? There is no indication that any members of the Zoning Board were consulted which again seems counterintuitive.*

3. *What documentation/information was reviewed prior to making this decision?*

*At the August 18, 2021, meeting, Chairman LeHoullier asked if the attorney was given the historical minutes leading up to the 1985 decision and the following is City Manager Belmore's response as written in the minutes: Belmore stated he thinks the City did its best to do what they are supposed to do, received a legal opinion from the City Attorney who felt they had enough information to make a decision based on case law and state statues finding the variance would be moot if the applicant met certain requirements. This answer is ambiguous and does not answer the question as to what documentation was or was not provided to Attorney Laura Spector-Morgan for her review so that she could make an educated, well-informed decision.*

4. *Why were abutters not given any notification of the request for the Administrative Decision? Is this standard practice?*

*It appears Carlton Spencer was made aware of the documents leading to the 1985 decision that were submitted to the planning department by a concerned abutter thus given the opportunity to seek counsel while abutters were not given the same opportunity.*

5. *Why were abutters not notified about the Administrative Decision? The abutters first heard about this "decision" at the July 21, 2021, meeting once the 30-day appeal window had passed. How is an aggrieved party able to appeal a decision when they are not made aware of the decision? This lack of notification is unfathomable. At the August 18, 2021, meeting, Director Mears noted that a "staff administrative decision does not require abutter notices". Is it standard procedure not to notify them? Regardless, one must question the ethics behind the lack of notification whilst concern amongst abutters was evident. Finally, we would like to offer the first definition of moot taken from Merriam Webster Dictionary Definition of moot*

*1 a : open to question: debatable*

*b : subjected to discussion : disputed*

*Moot is the term used in the Administrative Decision so, according to the definition, given the decision has any legitimacy, it does not mean it reverses the ZBA's 1985 stipulation but merely says it is debatable. The time and energy the members of the Planning Board have put into the request to subdivide lot 45 and the time they took to participate in the site walk is much appreciated. We have found the questions asked to be thoughtful and relevant, but we also think the Administrative Decision, which pushed this request forward, should be questioned until satisfactory answers are received. Signed by Monique Chasse 281 Green St., Lorrie Beaudoin 275 Green St., Spencer Kilgour 277 Green St., and Sebastian Cody 273 Green St.*

Chasse-Decken stated she understand the AOT permit has been discussed and the limits to that, but thinks HW stated the drainage report is for the road and not the lots, so the neighbors and abutters are still concerned about the water impact to their lots. Noted the materials were submitted late afternoon the day prior and today, would request the Board continue it since they haven't had time to review the plans, does not have an opinion yet on the plans as she has not had a chance to review the plans fully.

Mears stated the Board received correspondence from Mark Richardson who was unable to attend the meeting tonight. Richardson stated his concerns could be summarized and Mears highlighted those concerns being the Alteration of Terrain issue, the vegetated buffer should be retained and ensures that HW reviews revised drainage before any votes.

No other comments were received.

#### **LeHoullier closed public hearing.**

Belmore stated in regards to discussing the two concepts, he would advocate a vote to deny the current application and start the process all over again, SRTC and abutter notices with the new plans.

Rhodes stated he agrees with Belmore's assessment and path. He stated he appreciates the applicant is not looking for an approval on a plan set submitted today. He stated there is an ordinance in the City that requires a Conservation Subdivision that was not submitted until today, if the plan is reviewed under the full review process and found it meets that requirement, he will have a smaller list of concerns. He stated he does not find that the first submittal plan nor the open space exhibit plan does not meet that requirement. He expressed he still has concerns for the following:

- Abutters, there has been expressed concern throughout the meetings from the abutters. Encouraged the applicant has reached out of an abutter to try to work things out, encouraged the applicant to work with the abutters to see if the conservation plan is more acceptable.
- Water concerns, this lot wet and the abutters have expressed having water in their basements, note that the conservation plan may do a significantly better job controlling that. Places more of the lot development North of the road and should help mitigate some of the water flow by diverting the flow and land into conservation to retain trees. He stated he would look to see substantial plants on the lots to help with the water issues.
- The DES restoration plan, reviewed the DES plan and after the fact CUP that was filed, part of the restoration was to restore 1,500 SF of wetland, the plan does not contain wetlands

besides where the drainage drains too, questions if the restoration took place. Would like to see evidence that it has taken place.

- The topic of what was known by the City Attorney when they made the decision regarding the 1985 ZBA variance. Would like to see conformation that the City Attorney did have knowledge of the encumbrance placed on it originally. Having a legal opinion to what is viable today would be helpful.

Rhodes stated he likes the conservation subdivision plan better than the traditional plan that has been shown, even though it adds an additional lot. He stated it has a straight road, puts land into conservation, places more land North of the road that will mitigate water issues and leaves more trees on the property. He stated the applicant does have property rights, which includes subdivision of the lot, but the underlying principle of all zoning laws is to not be a jerk to your neighbors.

Mears stated she went to the DES office to review the files of record for the 2005 wetland violation, there was a violation letter on file that stated it has been closed, the letter stated wetland violation had been corrected, seed mix restored, slope stabilized and silt fence removed.

Barry stated he agrees what Rhodes stated. He stated the applicant's design will improve the water situation, all of the water going to the back yards particularly on the north side is being redirected. He stated he has concern for the house that is closest to the wetland on the northern most part of the property. The numbers support that the output is less than today. Still have some doubts but expect the situation to improve.

Witham noted he is been on the Board since 2006 and has never experienced an application before them with so much consternation, debate and question. He stated the traffic aspect of the development seems like a non-issue for 5 or 6 houses, knows Green Street is not one of the safer but does not think this project will impact the safety of the roadway. He found it interesting that there are people who do not want the street light, it is a difference of opinion. He stated he does not have a problem with the waiver request from sidewalks and would grant that. He stated there has been much discussion in regards to the water and wonders if post development will be better than pre-development. He stated he believes it will not be worse than existing based on the Horsley Witten testimony. One outstanding question is in regards to the site development, driveways and roofs, how does that impact things. Noted shorter driveways are helpful for the end goal. He stated his other concern, as identified on the site walk, the location of drainage structure, there is a natural vegetated buffer that will have to be removed and is glad if the project is to move forward the applicant is willing to restore that in some meaningful way as a live fence. He stated another big hang up that he still does not fully understand is the 1985 decision and how it is now changed. He stated that ends up being one of the biggest blocks he has. Conservation subdivision or prior plan they reviewed does not have an opinion if it is better or worse, not sure one more house provides any traffic issue and there would be smaller driveways in the conservation subdivision.

LeHoullier stated he was involved with the 2004 application, it was vigorously debated and cut and dry due to the water problems that there would be no further subdivision of the property. Unclear how this slipped through with the legal decision, if they did not have enough detail, were only considering the frontage. He stated again wanted to know if the legal team could revisit it. That has been his contention and could have saved 4 months of debate by following the 1985 ZBA decision.

Belmore stated the City Attorney's had the entire packet submitted by Attorney Lanzetta that articulates the variance vote from the 1985 ZBA. He noted it had been provided in the Board's packet during this review.

Lanzetta stated he researched the file in regards to this property and provided a letter to the City that included every piece of the public record related to the property and included a rationale behind the request. Noted there is no process in this City or any other in the State, other than to make a request

for an Administrative Decision, none that allows for them to apply for an opinion that would be publicly noticed. He stated his letter was submitted in good faith and included the history of the property, letter was public and could be obtained by the public. The request for the decision was reviewed by the City Attorney and the decision was issued. Any appeal of administrative decision would start from the issuance of the decision, it was not appealed and the relevant appeal period has expired. He stated in regards to AOT, submitted the correspondence regarding the construction of the road and approach to that, letter clearly states there is no need for an AOT permit. He stated in regards to drainage more mitigation helps, there is a drainage review that has been stamped by an engineer and meets the burden and was also reviewed by the City's third-party engineer. He stated with water mitigation would have to rely on the plan provided in the drainage information.

Lanzetta stated if the Board is contemplating a motion to deny, he noted they are not looking for a motion tonight outside from a continuance. He stated if that is the flavor of the Board, he would add that the applicant would prefer to motion to withdraw without prejudice and come back with a new application. He stated they would also request that the City waive the re-application fee. Noted it seemed the Board was in favor more so of the conservation subdivision plan set.

LeHoullier inquired the wish of the Board.

Robidas inquired if giving the applicant the ability to withdraw brings them to the same place if they denied and allowed them to come back, if so he would allow that.

Lanzetta if they are looking to have the application re-submitted with one of the two plan sets, thinks they could do it with continuing the application and come back with one of the plan changes. They have incorporated all comments received by the Board, staff and third-party review. He acknowledged that the plan set came in late to the Board and would like the Board to have the chance to fully review the plans. He stated they are willing to make reasonable modifications to the plan, and accommodate reasonable screening for the abutters. Thinks a continuance would be the most sensible and could re-notice if the Board felt the plans were too different. But a withdrawal would get them to a new application.

Robidas stated that is what he would like to see.

Rhodes stated his preference is for the conservation subdivision exhibit to go through a review. He stated his concern of the continuance is that there is substantial plan change, road configuration, additional lots, tree removal and drainage area changed. He feels it is a new plan and feels it serves the abutters and City better. He would want it to go through full review. He stated he has no objection of the applicant withdrawing without prejudice and moving forward with a new application/plan. Also think it is reasonable for the City to waive the application fee. Encouraged the applicant to reach out to abutters to work out issues.

Witham stated withdrawal without prejudice is where he is leaning and starting over (fine with waiving fees as well) by starting over the plan is substantially different, length of road, more conservation, additional lot, removal of street light and would like the SRTC to review the new plan. He stated he would like HW to review the drainage with the new plan. Noted one of the things he had wanted to vet out the drainage at the end of the proposed road to remove the culvert have concern of the swale at the end the water in front of 281 Green ST. drains northerly, how does that go across the new road.

Guptill stated he is also in agreement with the Board, also in concern of the culvert. He stated he would also like to understand more how 281 Green St. if there will be current mitigation for the water that exists.

Mears inquired which application concept the Board finds they prefer so she can advise the applicant.

Rhodes stated he prefers the Conservation Subdivision (6 lot plan). (Robidas, Horton and Barry were also in agreeance)

Witham stated he did not know enough about the plans to state his preference.

Rhodes stated with the Board's expressed interest in seeing the 6-lot subdivision plan move forward, inquired if the applicant and representatives would like to withdraw and move forward with a resubmittal.

Lanzetta requested a 2-minute recess.

**LeHoullier granted a 2-minute recess.**

**LeHoullier called the meeting back in order.**

Lanzetta stated the applicant would like to request a motion to withdraw the application without prejudice.

**MOTION:** Witham stated, I move that the request of the applicant to withdraw the application for a 5 lot subdivision be withdrawn without prejudice be accepted with the following notes:

1. The application fee for any resubmittal of this subdivision request be waived;
  - a. With exception of third party review and abutter notices;

The MOTION is SECONDED by Rhodes.

The MOTION CARRIES 9-0.

**LeHoullier called for a 5 minute recess to switch between applicants.**

**LeHoullier called the meeting back in order.**

**B. Any old business that may come before the Board.**

No other old business.

#### **4. NEW BUSINESS**

**A. A3H Holdings LLC, is seeking conceptual site plan review for a proposed car wash on a property located at 436 High Street, in the Residential/Commercial (R/C) District, Assessor's Map 38 Lot 1A, SITE#12-2021**

Mears stated this is a conceptual review for a proposal to construct a new car wash at 436 High Street, this use would require a special exception to allow a motor vehicle service use in the Residential/Commercial District. There are a few items that staff discussed with the applicant is a pre-development meeting, paved setback area and egress from High Street due to turning patterns that exist.

**Curtis Neufeld** of Sitelines Civil Engineering and **Jon Young** of A3H Holdings were in attendance to represent the application.

Neufeld stated the project is for a tunnel car wash. The parcel is just under an acre, next to Walmart and across the street is Midway Drive subdivision, neighboring lot is also commercial. To get the program they want on the parcel they are looking to fill it up. Reviewed the new Firestone project and noted they were able to utilize the majority of the parcel and wanted to get a sense from the Board to see if they would look favorably on a waiver to allow parking closer to the lot

lines. He stated the entrance is another item they would like to discuss, the proposed location allows consumers to access the vacuums, those existing the tunnel wash would be lined up between the houses across the street but puts it within the turning lane. He inquired if the two way turn lane could be extended down to this frontage. He stated they have provided a copy of the architectural design for discussion, explained how it would be laid out on this site. Discussed with staff that New England Architecture is the ideal design and wanted to ensure they are in the right direction for that aspect. He stated they will not require DES permits and would exceed 100 trips in the peak hour. He explained the intent of the drainage design.

Rhodes inquired why there is so much parking being proposed on the site. Neufeld stated the stalls are the vacuum location and parking. It is based on their experience with other sites.

Rhodes stated his other concerns is the exit point from the car wash lines up with the entrance to the lot, could imagine a driver trying to pull into the car wash. He stated the design fits well with the NE development and a lot of the surrounding architecture does not meet NE and this ties in with remainder of the City. He noted there is another car wash up the road who has installed solar on their site and is something the City is trying to encourage and this could be an ideal application for it.

Horton noted there is no deceleration lane on High Street in this location and that could cause an issue with the traffic flow. Suggested bringing the entrance closer to where the payment kiosks are. He stated he has no issue with the pavement setbacks due to the surrounding properties. He stated he likes the design presented and feels it would fit in well. Inquired what kind of car wash it is.

Neufeld explained the type of car wash it is. He stated they have provided three lanes for the car wash is to accomplish all queuing on site. He stated they understand the pay structure is considered a structure.

Robidas inquired if they could remove some of the vacuums and reduce use on the lot. Inquired for more detail of the roof over the vacuums.

Neufeld stated it is an awning type material that is supported with framework, has discussed with the applicant suitability with snow load.

Robidas stated the proposed building looks nice but feels the awning cheapens the appearance of the project. Discussed the proposed signage.

Witham stated he has no issue with the appearance, there is a lot of pavement on the site and including some additional green space would be appealing. He stated the biggest issue he has is the traffic flow, think there is some opportunity to be gained with the left-hand turn lane by gaining more of the center lane, but would require a relocation of the entrance. He stated he would like to see the exit away from the exit of the car wash and concern for the back up on site backing up for the tunnel. He suggested there be a right hand turn only exit on site.

Neufeld stated the site is attended with 2-4 employees.

Belmore stated the entrance and tunnel exit to be congested and appreciates the conversation that has been had about it. He clarified the recent statement was for two curb cuts, entrance and exit.

Rhodes stated he would support a second exit. He stated he likes the signage and mascot.

Young explained the reason to why they are proposing so many vacuums. Noted they own and operate 50 other sites and thinks that Somersworth will be great to work with.

5. **WORKSHOP BUSINESS** – None .

6. **COMMUNICATIONS AND MISCELLANEOUS**

Mears noted that applicants have started asking if they could do power point presentations.

Board express it was fine.

LeHoullier stated approved plans, the trees around Walmart are not in good condition and would like to have enforcement look into that.

Witham stated he thinks Somersworth has the worst looking Walmart in the state.

MOTION: Belmore MOTION to ADJOURN.

Robidas SECONDS the motion

The MOTION CARRIES by a 9-0 vote at 8:19pm.

Respectfully Submitted,

Dana Crossley, Planning Secretary