

**Brentwood Planning Board  
Minutes – January 6, 2011**

Members Present:	Bruce Stevens, Chairman	John Kennedy, Vice Chair
	Doug Brenner, Secretary	Kevin Johnston, BOS Rep
	Bob Magnusson	Glenn Greenwood, Circuit Rider Planner

**Minutes – Mail – Board Business**

Chairman Stevens opened the meeting at 7:05

Motion made by Kennedy, 2<sup>nd</sup> by Stevens to approve the December 16 minutes with the following addendums: on page 2, 6<sup>th</sup> paragraph add *the intent of the setback requirement*; on the first paragraph of page 3 add, *This will also be discussed at the work session*. The motion carried with Magnusson abstaining as he was not present.

**New Hearing: Site Plan Review – M & T Holdings Tax map 205.006**

Paperwork is in order and abutters legally notified from the list provided by the applicant.

Motion made by Kennedy, 2<sup>nd</sup> by Magnusson to accept jurisdiction: all were in favor.

Present were Mike Schlosser of MJS Engineering and Bob Zickell of M & T. There were no abutters present. Schlosser said this is an amendment to a previously approved site plan where they have added the addition of two bunkers; one that has already been constructed next to the existing one, which is 75 feet by 24 feet, and they are proposing a 70 foot by 29 foot by the silos. Additional pavement was added for the 75 foot bunker and the proposed bunker will be put on existing pavement. These will be used to store shingles and they propose to cover them with tarps. The plans also show placement of storage trailers. The bunkers are used for the storage of unprocessed and processed material. The unprocessed material includes shingles that are defective and have never been used for roofing and shingles produced through grinding and screening of the shingles. This recycled material has a variety of uses currently being developed.

Town engineer Steve Cumming's comments were reviewed at this time. It is unclear the response to items 1 and 2; they will take care of 3 and 4. The septic approval number is currently located on the plan. Schlosser said that the original bunker has a metal roof, but they are proposing putting a tarp over the next two. Stevens said a metal roof is more durable, that tarps will blow around in the wind. Magnusson asked if the material is going to be managed, that he drives by this site almost daily and nothing changes. Zickell said this is a start-up company and the manufacturing process was being developed over the past year and a half. He said they took the shingles in prematurely and they just started the lines today. He said the material there will be consumed at a rapid pace. Magnusson said they have been before the Board before and have limited credibility from his perspective; they do not do what they say they are going to do. He said they are walking the line of storing solid waste material that they are not actively managing. Zickell said there have been no additional shingles in that operation for the last year, the same shingles have been there. Stevens said that is incorrect. He said any new plan will have it written clearly that there will be absolutely no storage or dumping on the ground, outside of the bunkers. He said last summer they saw a pile of shingles on the ground, and just two weeks ago he was there again, and at least three times that volume were out on the ground, beyond the bunkers. Zickell said it is the same material being moved around, they are not in operation. Stevens said there is much more volume and can see where they were dumped, and saying anything else is a misrepresentation. Zickell said he is not here to misrepresent that. Stevens said new plans will be structured

**Brentwood Planning Board  
Minutes – January 6, 2011**

to be sure that no material will be brought in and dumped on the ground. Kennedy questioned the location of the two additional bunkers and Zickell said the goal is to solve the problems; that these bunkers might not be utilized very much later. He said they moved the material outside of the big bunker put it out back, and now are putting it back into the smaller bunkers. He said they are not in business yet and cannot take anymore material. He said they have processed maybe 5 or 10 %. Stevens said he will not sign off on this plan until 100% of the material on the ground is in the bunker, and they will do a site walk before any approvals are given.

Magnusson said they are “walking the line” on being a solid waste facility. He said if that material is not being actively managed, it is speculative accumulation; there is not a defined, delineated use of the material, it accumulates on the site, and it doesn’t have a defined home in that process, that material reverts back to being designated as solid waste, and they are accumulating solid waste on their property. Zickell said they thought their operation would be up and running a year ago, and it has become much more complicated. He said they constructed the second bunker on the last day they were doing the paving and they were in a jam and had to move the material and put up the bunker without permits because of the violation they were in of having the material outside. He said the material cannot be mixed with the finished product, the manufactures’ scrap, etc. He said they underestimated how much bunker space they would need.

Magnusson asked that the bunkers be labeled, and described how they will be used, what goes in and out, etc. Zickell asked if it mattered how the bunkers are used, and the Board said yes, it does matter, they want a record of what is being done. Schlosser said that once they are up and running, they don’t anticipate having to use the new bunkers, and Zickell said that might take 3 to 4 months and these bunkers will not be permanent storage. He said they don’t expect to have as much inventory in a normal period of time.

Stevens said that last year Zickell asked the Board if they could leave some material on the ground, and by fall they would have everything inside and under cover. He said now there is more material outside and it never did get cleaned up last year. Zickell said the problem was that the bunker was emptied to put the roof on and when they started processing, they didn’t have enough space for the material, hence the additional bunker.

Stevens said before any sign off by the PB, 100% of the material must be inside the bunkers and covered with tarps.

Zickell said they are still working with the FD regarding the dry hydrant. Stevens said that SFC Engineering is reviewing the plans from a fire prevention perspective and will have comments for the January 20 meeting.

Greenwood’s comments were reviewed at this time. Schlosser said that the additional impervious surface, located under the newly constructed bunker is compacted gravel and the third bunker will be placed on existing pavement. Revised plans will show the number of storage trailer to be on the site. Greenwood said any requirement for a conditional use permit can be dealt with when they come back with the condominium plan.

Zickell said he understands that all the material has to be put back in bunker 1 before they start bunker 3 and Stevens said yes, there will be no approvals given until the material is all within the bunker.

Motion made by Stevens, 2<sup>nd</sup> by Johnston to continue this hearing to January 20<sup>th</sup> at 7:00 pm: all were in favor.

**Brentwood Planning Board  
Minutes – January 6, 2011**

**Work Session for discussion on the 324 South Road, LLC work force housing application**

Present were Christian Smith of Beals Assoc, Joseph Falzone, Frank Catapano and several abutters.

Stevens said this is a work session that is open to the public, but the PB will not be taking any public input, or making any votes. Any decisions will be done at the next public hearing for this application, which is scheduled for January 20<sup>th</sup>.

The discussion included the following topics:

- Any requirement for the size of proposed homes on each lot, perhaps a 40 x 40 or 40 x 50
- Discussion on the size of the septic or septic reserve areas
- Consideration of reduction in the size of the pavement for the roadway

Stevens read a letter from abutter Sukduang that will be placed in the file. The Board was also made aware of a request from same abutter, asking the developer for \$350,000, as a “small payment to pay considering what you have to gain in value over the years of putting a new development into our neighborhood”. Falzone said that this abutter has since reconsidered and asked if he could still have trees. Falzone offered to meet with him Sunday.

Motion made by Kennedy, 2<sup>nd</sup> by Johnston to close the work session: all were in favor. Brenner left at this time.

Motion made by Stevens, 2<sup>nd</sup> by Johnston to give St. Hilaire voting rights: all were in favor.

Motion made by Kennedy, 2<sup>nd</sup> by Magnusson, to release \$68,400 from the Three G’s bond for Barnett Woods, based upon the town engineer’s recommendation: all were in favor.

**Public Hearing for consideration of the following proposed zoning ordinances:**

1. Replace Article 700.001, and Article 900.003: Floodplain ordinance changes as required by OEM. (copy attached)
2. Pine Road amendment to read as follows:

Section 003.002.001.005, A. Add new last line in paragraph as follows: Commercial properties located on Pine Road shall maintain a seventy-five foot front yard setback from edge of right-of-way.

Regarding the Pine Road amendment proposal, Bob Sanborn was present and said originally the building setback from roads was 75 feet from the centerline of the road, and this amendment (#2) should say 50 feet from edge of pavement and not 75.

Motion made by Kennedy, 2<sup>nd</sup> by Magnusson hold a public hearing January 20<sup>th</sup> at 7:00 pm, for consideration of the Pine Road setback in the commercial zone being 50 feet from edge of pavement: all were in favor.

**Brentwood Planning Board  
Minutes – January 6, 2011**

Motion made by Kennedy, 2<sup>nd</sup> by Stevens to add to the March 2011 ballot the new Floodplain ordinance, as presented tonight (on file): all were in favor.

**Public Hearing to discuss the following amendments to the Town’s subdivision regulations:**

Motion made by Kennedy, 2<sup>nd</sup> by Stevens to add the following to the Town’s Subdivision regulations:

1. Driveways shall be placed no closer than 10 feet from a property line for newly created lots. The location of driveways as they exist in 2010 on existing lots are not required to be changed to meet this standard, nor does improvement to driveways existing in 2010 result in the need to meet this standard.
2. Monuments for lot corners on newly created lots or on lots with boundary lines adjusted by the Planning Board shall be four (4) inches by four (4) inches and shall have a magnetic cap to facilitate the location of the boundary monument in the future.

The motion carried by unanimous vote.

Motion made by Kennedy, 2<sup>nd</sup> by Magnusson to add the following to the Town’s Subdivisions regulations:

3. Change the minimum capacity of fire cisterns from 35,000 to 30,000 gallons.

The motion carried by unanimous vote.

Magnusson provided language for the requirement of As-Builts for fire cisterns for members to review for discussion at the next meeting.

With regret the Board accepted the resignation of Charlie Pratt, effective March 1<sup>st</sup>. Kennedy reminded members that Pratt served as an RPC commissioner and that seat will need to be filled.

There will be three positions open on the PB for the March election, and Stevens asked Magnusson if he would please consider signing up for another term. He said with his knowledge of engineering it lends a lot of credibility to the Board and he offers a lot of valuable information. Magnusson will take this into consideration.

Motion made by Johnston, 2<sup>nd</sup> by Magnusson to adjourn at 9:10: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire  
Administrative Assistant  
Brentwood Planning Board