

Town of Hill
Planning Board Minutes
15 July 2021

In attendance: Bob Helmers, Shaun Bresnahan, Tom Whitman, Marshall Bennett

Public: Dave Thomson, Debbie Langelis, Chris Gronski (selectman), David and Ria Boulay, Susan Koberski, Patti Lynch, Lucy Natkiel, Mike Munson, Carol Asher, Tracie and Jim Elder, Nancy and Carl Passaro, Eric Herr, Dennis Code, Charles Estes, Frank and Peggy Razzaboni, Peter Dalti, Teresa Reed, Lexie White, Bob and Brenda Dupuis, Nancy Suove, Kathy White, Barbara and Al Huey, George and Carolyn Wilson, David Riley, Tom and Cathy Angeley, Steve Taylor, Lee Herterich, Chris and Danielle Seufert, Don Reese, Steve Thompson, Robert and Jean Reed, Jacob Sharrom, Heidi Worrall, Bob Anderson, Dan Talon, Steve Rosen, John Schilling, Gerry Desrochers, Pat McDonough.

Green Acres Woodlands: Mario Focareto, Jeremy Hiltz, Bob Berti, Kevin Lemire, Kent Brown

The original notice for the public hearing stated the board would meet in the library. When a large number of residents was expected, the meeting was moved to the school auditorium. Public notices directing residents to the school auditorium were posted on the entrances to town offices and the library twenty minutes prior to the meeting.

Meeting opened at 7:00 p.m.

The minutes of the 17 June 2021 meeting were reviewed. Mr. Bresnahan suggested a minor addition to which the board agreed. Mr. Helmers made a motion to approve the June minutes, seconded by Mr. Whitman. Passed unanimously.

Chair noted that all notices had been posted, all abutters notices had been mailed, fees had been received and that he thought there was sufficient information to proceed with the hearing. No additional discussion. Mr. Helmers made a motion to accept the application for a special exception by Green Acres Woodlands for a gravel pit on Poverty Pond Road in the rural residential zone as complete, seconded by Mr. Whitman. Passed unanimously.

Chair opened the public hearing for the special exception for the gravel pit at about 7:15 p.m. He made introductory remarks that this hearing was to determine if the site was appropriate for the proposed use under Article VIII D:2 of the Hill Zoning Ordinance. Chair read Article VIII noting which requiremnets the zoning board of adjustment (ZBA) was responsible for determining. He asked that residents keep comments limited to the appropriateness of the site.

Representatives from Green Acres Woodlands (GAW) gave a presentation of the proposed project to the attendees. Introductory comments by Mr. Berti described the history of the company. He noted that the company had large holdings in Hill and Andover. Much of the land was in conservation easements with the State of NH or the Society for the Protection of New Hampshire Forests. They had met with the selectmen and road agent three years earlier to discuss the idea of operating a gravel pit on the site. They had selected Mr. Hiltz, who operates the gravel pit on Bootjack Road to run the operation and that hey have always tried to maintain good relations with the town. Mr. Brown gave an overview of the proposed excavation. The property in Hill was 249 acres of which 49 acres would be excavated. The project would be done in roughly 5 acre segments. Completed areas would be restored and returned to forestry use. Drainage would be remain in the pit. The excavation would maintain appropriate setbacks from adjacent wetland areas. As part of the alteration of terrain permit (AOT), which GAW had already received, a

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wildlife biologist surveyed the area and found no threatened or endangered species. He added that wildlife corridors would be maintained and that there would be no impacts on threatened or endangered wildlife or habitat. He added that the AOT permit would be re-evaluated every five years by the state. Mr. Lemire added that, although not required, GAW maintains opening and wildlife habitat areas on other holdings.

Chair opened comments from abutters. Ms. Natkiel noted that the area was designated as rural residential and that it is a peaceful quiet area, the nature and character of which would be severely impacted by truck traffic and noise from site operations. She cited the master plan which places high value on maintaining the rural character and the use of class VI roads for access to remote areas and recreation. She noted that there were (?)44 houses along Currier Road and many residents would be impacted. The road was used for recreational horse and pedestrian traffic and children frequently play on or near it. The more distant section of the road was gravel with steep slopes, curves and blind spots and she thought it would become unsafe with the additional trucking, citing examples of recent events when the area was being logged, including one where she had feared for her life. The road would be unusable in mud season and the steep grades require air brakes on the downslopes and engines revving on the upslopes. She noted that Currier Road was already in poor condition and that heavy truck traffic would quickly and further degrade the road. The distant end was gravel and would create dust problems. Property values would diminish as a result of the gravel pit. The area was zoned as rural residential and the zoning ordinance does not allow gravel pits, approval would place a commercial operation in a quiet residential area. No other abutters were present. Chair called on Mr. Taylor who had also submitted a letter to the planning board. Mr. Taylor added that the board should include the impacts to the access road in its consideration of the appropriateness of the site and not consider only the site itself. Due to safety concerns, impacts to roads and disruption of the character of the neighborhood, operation of a gravel pit in this location was entirely inappropriate.

Chair opened comments from the general public. There was no support for the gravel pit. Most comments focused on safety concerns, damage to road, nuisance noise and dust from trucking and alteration of the character of the neighborhood. Many residents emphasized that they had moved to the area because of its beautiful and quiet rural nature. Mr. Munson presented a petition with over 200 signatures opposing the gravel pit. The board accepted the exhibit.

Additionally, Mr. Anderson asked several questions regarding amount of excavation, time to complete and plan to control dust and other impacts and Mr. Seufert had some followup concerns estimating an extremely long time to complete the excavation. Mr. Munson and Ms. Boulay questioned the condition of the bridge (a culverted causeway) crossing a brook and bordering a pond and feared trucks would end up in the pond or the wetland be contaminated. Ms. Boulay questioned the accuracy of the wildlife survey noting a blue heron rookery and stated the operation was not justified in terms of impacts to wildlife which she thought would be displaced and potentially result in encounters with human habitation. Ms. Asher stated she could not separate the impacts to Currier Road from the appropriateness of the site. Mr. Schilling asked if access to Poverty Pond would be restricted. Ms. Elder asked if taxpayers would be asked to shoulder the burden of repairs to Poverty Pond and Currier roads. Ms. Lynch noted that people in quiet places want them to remain quiet and also raised concerns that the excavation could adversely affect nearby private rural wells. Mr. Munson asked what type of equipment would be used on site; the

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response was trucks, graders, shovels and rock crushing units. Ms. Natkiel stated she had recently signed a purchase agreement for sale of her property and the buyers were re-considering. She also noted that logging operations were conducted as early as 5:30 a.m. Ms. Gagne ran down the list of requirements in RSA 155 E4 IIIa,b,c,d stating her objections to each one and stating that the gravel pit was against town zoning. Mr. Razzaboni, Mr. Elder, Mr. Bessaro, Mr. Boulay, Ms. Worrall, Mr. McDonough also spoke, primarily addressing concerns about safety, road impacts, nuisance and diminution of property value.

Board member Mr. Bresnahan asked GAW a number of questions related to operation of the site. The site would be closed in winter and during mud season, although rock crushing could be done in winter and stockpiled. Trucks would primarily be triaxles and GAW anticipated 10-15 loads per day. Materials would be screened and sorted on site. A question regarding readability of a map in the AOT was resolved. Because water will be directed into the pit, there should be no impact to adjacent wetlands or nearby wells as any rainwater will seep back to the water table. Mr. Brown also noted that there are no nearby private wells. Operations are anticipated to last at least 20 to 25 years.

Selectmen Mr. Gronski asked who had oversight of the operation and chair responded that oversight is by the planning board and selectmen.

Public Hearing for the GAW special exception was closed at about 9:00 p.m. and the board took a brief recess.

Board deliberated. Mr. Whitman noted that the master plan suggests that the area should remain a quiet rural area and does not mention or intend gravel pits. Mr. Bennett agreed with Mr. Whitman also adding concerns about truck traffic on Currier Road. Mr. Helmers noted that the area is not really residential. Many attendees simultaneously began voicing objections and Mr. Helmers quieted the crowd, noting that the public hearing was over. Mr. Helmers noted that the location was on the edge of an uninhabited portion of the town and that Currier Road was a rural road, the houses rather scattered, contrasting that to a subdivision or town street. He added that concerns about health, safety, character of the neighborhood and impacts to the road were delegated to the ZBA by the zoning ordinance. Mr. Bresnahan, although sympathetic to residents of Currier Road, believed that the planning board role in this matter is specific to evaluation of the site. Discussion then shifted to inclusion of the impacts to Currier Road in the appropriateness of the site with Mr. Bennett and Mr. Helmers discussing the matter somewhat separate from Mr. Bresnahan and Mr. Whitman who were doing the same. After a short discussion with all four members, it became clear that no additional comments were to be made.

Chair drafted a motion to approve Article VIII D:2 of the Hill Zoning ordinance for the special exception that the site is appropriate for the operation of a gravel pit by Green Acres Woodlands, Inc. Motion seconded by Mr. Whitman. Motion passed three to one with Mr. Bennett opposed. Chair informed assembly that the special exception would now proceed to ZBA. Mr. Estes from ZBA stated dates he thought the ZBA would meet. Most of attendees departed after a few minutes.

Board members took a few minutes to state reasons for their decisions. Voting against the site as appropriate was based on RSA 155 E:4 III a,b,c,d, that property values would be decreased, the

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roads cannot handle the added abuse and that noise, dust and truck traffic will impact homes of residents on Currier Road. Additionally, there was no proof that operations will have no effects on private wells. Those in favor took a narrower view and excluded impacts to Currier and Poverty Pond Roads. RSA 155 E:4 and the town zoning ordinance require the ZBA to decide health and safety concerns, alteration of character of neighborhood and diminution of property values. There were no health or safety concerns emanating from the site itself. The site is rural, not residential. Chair also noted that there would likely be no place in town where access to a gravel pit would not pass by some residential properties.

Chair presented a draft of the Home Business Permit application. After some discussion, a suggestion by Mr. Bresnahan was added. Chair made a motion to approve the Home Business Permit application with the addition. Seconded by Mr. Whitman and approved unanimously. As the zoning ordinance provides little guidance on the permit process, board discussed procedural aspects of the application. It was decided that abutters would receive mailed notices that a discussion of the application would be made at a public meeting of the planning board and notices would be posted in town. No fee would be required other than covering cost of mailings. Chair made a motion to approve that abutters would receive mailed notices that a discussion of the application would be made at a public meeting, notices would be posted in town and that no fee would be required other than covering cost of mailings. Seconded by Mr. Whitman and approved unanimously. Chair will draft cover sheet for application as discussed.

No other business.

Meeting adjourned at about 10:10 p.m.

Robert Helmers
Planning Board Chair
Draft

Addendum 1

Chair acquired a letter from Denise and James Brown after the meeting stating that they have a retirement home on Currier Road that they have spent considerable time and money to build and oppose the gravel pit because of disruption of the character of the neighborhood, road repairs, safety and environmental concerns.

Addendum 2

In an email dated 7/16/2021 12:44 p.m. planning board chair forwarded location of the citizen's petition to the ZBA to be included for consideration in the proceedings for the GAW matter.