

DRAFT, SUBJECT TO REVIEW, CORRECTION AND APPROVAL

**DUNBARTON PLANNING BOARD
WEDNESDAY, NOVEMBER 20, 2013
DUNBARTON COMMUNITY CENTER – 7:00 P.M.**

The regular monthly meeting of the Dunbarton Planning Board was held at the above time, date and place with Chairman Ken Swayze presiding. The following members were present:

**Kenneth Swayze, Chairman
George Holt, Co-Chairman
Alison Vallieres, Secretary
Michael Guiney
Charles Frost
Les Hammond, Selectmen's Representative
Kelly Dearborn- Luce, Planning and Zoning Department**

Town Board/Staff Members:

**Jon Wiggin, Fire Chief
Dan Sklut, Police Chief
Travis James, Selectman
Fred Mullen, Town Moderator**

Applicants:

**Peter Holden
Catherine Farley
James Reimers, Attorney for Mrs. Farley
Michael Donovan, Attorney for Peter Holden
Jennifer McCourt, Engineer for Giovagnoli
John Cronin, Attorney for Giovagnoli
Tom Giovagnoli**

Ken Swayze, Chairman, called the meeting to order at 7:00 p.m. with a 6 member Planning Board present. He noted for the record that all members present would be voting members.

Ken Swayze, Chairman, confirmed with the Secretary that the meeting had been posted in two public places, published in the Concord Monitor for one day and also placed on the Dunbarton Web Site in conjunction with the law regarding posting of meetings, etc.

A. General Board Administration:

1. Approval of previous meeting minutes: Wednesday, October 16, 2013

MOTION:

George Holt made a motion to accept the minutes of the previous meeting of Wednesday, October 16, 2013 as written. Charles Frost seconded the motion. The motion passed unanimously.

2. Correspondence:

Alison Vallieres, Secretary, reported that she had received no correspondence to report.

3. Selectmen's Report:

Les Hammond, Selectmen's Representative, reported that he had nothing to report for the Board of Selectmen.

Kelly Dearborn-Luce stated that in order to update the CIP (Capital Improvement Program), the Planning Board should make a motion to reconvene the Committee. The following motion was made:

MOTION:

George Holt made a motion that a committee be formed by the Dunbarton Planning Board to hold hearings on the CIP (Capital Improvement Program); and noting that the following people have voiced interest in being on the Committee: Les Hammond, Ken Swayze, Dan Sklut, Jon Wiggin, John Trottier and Patrick "Woody" Bowne; and to be appointed thereon and further moved to affirm the criteria for the application should remain as the previous year, i.e. minimum gross cost of \$15,000, which has a useful life of two (2) years or more, and that any application criteria is not normally included in the operating budget. Mike Guiney seconded the motion. The motion passed unanimously.

At this point in the meeting, Ken Swayze, Chairman, stepped down from the Board and turned the meeting over to George Holt, Co-Chairman who acted as Chairman.

RECEIPT AND ACCEPTANCE OF NEW APPLICATIONS BY THE DUNBARTON PLANNING BOARD; FOR COMPLETION AND ACCEPTANCE, (NOTE: If accepted, at Planning Board's discretion, deliberations/public hearings may be allowed at this session.)

George Holt, Acting Chairman, stated that the RSA states that the Planning Board is not required to hold a Public Hearing for a Lot Line Adjustment but the Planning Board will take public comment this evening on the Proposed Holden/Farley Lot Line Adjustment.

PETER AND DONNA HOLDEN/(12-4-122-A Bow) AND CATHERINE FARLEY (G4-4-3) PROPOSED LOT LINE ADJUSTMENT LOCATED AT 125 GRAPEVINE ROAD IN DUNBARTON, NH IN THE LOW DENSITY DISTRICT

George Holt, Acting Chairman, read the Public Notice for the Holden/Farley Proposed Lot Line Adjustment and it was noted that Kelly Dearborn-Luce had presented a Status Report for the application. (Attachment #1)

George Holt noted that the applicants were requesting two Waivers as follows:

- (1) Contours: minimum five-foot interval; source of contours, field verifications of accuracy, bench mark (USGS) reference, and
- (2) Soils: types and boundaries; reference source, wetlands mapping (if any) (if required) and wetland type.

Peter Holden, Owner and Surveyor, stated that the reasoning for the Waivers was that this was a very large lot. The area that is being discussed is small and incidental and not for building purposes.

Peter Holden stated that he had made suggested administrative revisions to the plan as noted. He presented the Board with an updated plan.

The following motion was made:

MOTION:

Les Hammond made a motion that the Dunbarton Planning Board approve the two requests for the waivers as follows:

(1) Contours: minimum five-foot interval; source of contours, field verifications of accuracy, bench mark (USGS) reference, and

(2) Soils: types and boundaries; reference source, wetlands mapping (if any) (if required) and wetland type.

Charles Frost seconded the motion. The motion passed unanimously.

It was noted for the record that the Town of Bow was also hearing this request tomorrow evening.

George Holt, Acting Chairman, stated the Dunbarton Planning Board now needs to accept the application for the Lot Line Adjustment.

MOTION:

Les Hammond made a motion that the Dunbarton Planning Board accept the Application for a Lot Line Adjustment from Earl and Catherine Farley and Peter and Donna Holden and start proceedings this evening. Mike Guiney seconded the motion. The motion passed unanimously.

Peter Holden, Surveyor, appeared before the Board and presented the plan noting that this was taking 10.12 acres from the Farley property in Dunbarton and annexing it to the Holden property in Bow. The reason for this is to protect the Holden property view. The property is located on Grapevine Road and Guinea Road. Both are Class V roads. The proposed adjustment will decrease the Farley lot to 238 acres and add 10.12 acres to the Holden property (RU Zoning) making it a total of 12.20 acres with access on 78 Brown Hill Road in Bow. The Town Line remains the same.

Peter Holden noted that Mrs. Farley and her Attorney Jason Reimers were also present.

It was noted that all abutters had been notified by Certified Mail.

At this point George Holt, Acting Chairman, opened the Public Hearing.

Fred Mullen - Stated he was the person who maintains the boundaries between towns for the Town of Dunbarton. He stated he understood that Mr. Holden wants to move the boundary. He stated the property boundary marker has been breached. The stone is marked 1879. He wanted to make sure the Town Boundary Line is not moved. He also wanted to make sure the lot in Dunbarton had a Dunbarton Tax Lot Number and not a Bow Lot Number. If he puts a Bow number on the lot, what is to stop the next applicant to do the same thing.

It was pointed out that the lot in Dunbarton will be assigned a Dunbarton Tax Lot Number and not a Bow number. There will be a Tax bill from the Town of Dunbarton for the lot in Dunbarton.

Peter Holden stated that there is a break in the stone wall which was done long ago when there was a sawmill there. They were hauling wood from Bow to Dunbarton and went through the stone wall, etc. Stated he would not be moving any bounds.

Ken Blevins, abutter from Bow - Stated he owns two adjacent lots and notice there is only one shown on the plan. Would like to make sure this is shown.

The Planning Board noted this is a Bow lot and this issue should be addressed at the Bow Planning Board Meeting tomorrow evening.

Grant Shipland, Bow - Stated then this is not a new lot.

There being no further public comment, the Proposed Lot Line Adjustment was brought back to the Board for action.

MOTION:

Les Hammond made a motion that the Dunbarton Planning Board approve the application for the proposed Lot Line Adjustment to annex 10.12 acres from Lot G4-04-03 owned by Catherine Farley at 125 Grapevine Road in Dunbarton to Lot #I2-04-122A on Brown Hill Road in Bow owned by Peter and Donna Holden with the following conditions:

1. *Submittal of the final correct plan.*
2. *Approval and receipt of all other required local, federal, or State permits if any,*
3. *Payment of all fees and costs associated with the application process, including the filing fees,*
4. *That all bounds and survey monumentation be set prior to filing and recording of Mylar.*
5. *That the 10.12 acre parcel is not considered a separate building lot at this time and,*
6. *Pending the final approval from the Town of Bow.*

George Holt seconded the motion.

Discussion:

Charles Frost stated he had a question with this because it is creating a lot without frontage.

It was explained that by putting the two lots together, it creates frontage from the Bow lot.

The motion passed unanimously.

PUBLIC HEARINGS:

**CONTINUED PUBLIC HEARING FOR SITE PLAN REVIEW - TOM GIOVAGNOLI (D6-04-02)
PROPOSED SITE PLAN REVIEW TO CONSTRUCT A 46' X 588' BUILDING TO HOUSE 20,000
LAYING HENS LOCATED AT 57 TWIST HILL ROAD IN THE LOW DENSITY DISTRICT IN
DUNBARTON, NH**

It was noted for the record that the Giovagnoli Public Hearing was being recorded.

At this point in the meeting, Ken Swayze, Chairman, resumed the Chair.

Ken Swayze, Chairman, stated he was not going to call the abutters in any order and any abutters who have not spoken yet will be allowed to speak first. Abutters will not be allowed to state the same things as previously all over again. We will be addressing more technical information as required for a Site Plan Review for an Agricultural Use. Do not want to delve into the past character and violations of Mr. Giovagnoli. If you have any concerns, you may take it up with the Selectmen, DES, EPA if it goes that far. We need to focus on the technical aspects of this building. We are mostly in the information stage. If things go well on the applicant's part and they can get together a plan that serves our needs, they may be able to secure a decision at the next meeting. We are not going to do any decision making this evening.

Kelly Dearborn-Luce presented a Status Report for the Giovagnoli Project. (Attachment #2) Stated the Board has received a newly updated plan on November 1.

Ken Swayze, Chairman, stated the applicant has offered to fund two studies, one from Central New Hampshire Regional Planning and the other from Northpoint Engineering. (Attachment #3 and #4)

Both these are available to the public. We will not be going into the content of these studies this evening.

At this point, Ken Swayze, Chairman, turned the meeting over to the applicant and his representatives, Jennifer McCourt, Engineer, and John Cronin, Attorney.

Attorney Cronin noted that he felt the Planning Board should act on their request for the Waivers as referenced on the Status Report as follows:

Waiver (1):

(1) Surveyed property lines, utilizing the NH State Plane Coordinate System, showing their bearings and distances and showing monument locations every 1,000 feet.

Discussion:

Jennifer McCourt, Engineer, stated the reasoning for this waiver is that the project is being developed within the center of the property and not anywhere near the property line. It would not add any substance to the project to complete the survey and put all the monuments in. It is economically and physically not feasible.

Ken Swayze asked that she would detail all the features proximate to the proposed building area according to contemporary standards. She agreed.

MOTION:

George Holt made a motion that the Dunbarton Planning Board grant the request for the first waiver as requested by the applicant as follows: (1) Surveyed property lines, utilizing the NH State Plane Coordinate System, showing their bearings and distances and showing monument locations every 1,000 feet. Mike Guiney seconded the motion.

Board Discussion:

Charles Frost stated he has a problem with this. If we have it in our regulations, why are we waiving it? The second reason is that the chickens are going to be outside. According to the Ordinance, they cannot be closer than 100 feet from the boundary. How can you control your livestock if you don't know where your boundaries are?

Jennifer McCourt explained that the 100 foot setback was for the building which houses the livestock, not the livestock themselves.

It was explained that if a person wanted to build just a building and owned 200 acres, we would not require him to survey the entire 200 acres.

The motion passed unanimously.

Waiver (2)

(2) Boundary survey with a maximum error of closure of 1 in 10,000. Distances shall be to the nearest 100th of a foot and bearings to the nearest 10 seconds.

Discussion:

Jennifer McCourt, Engineer, stated that they were requesting this Waiver for the same reasons as the first because it is a very large property and are developing in the center.

There is nothing different. It would be a huge burden to do a survey with an error closure of 1 in 10,000.

Ken Swayze asked her to be sure to supply all necessary details proximate to the proposed building area. She agreed.

MOTION:

George Holt made a motion that the Dunbarton Planning Board grant the request for Waiver (2) as requested by the applicant as follows:

2. Boundary survey with a maximum error of closure of 1 in 10,000. Distances shall be to the nearest 100th of a foot and bearings to the nearest 10 seconds.

Les Hammond seconded the motion. The motion passed unanimously.

Waiver (3):

(20) Features such as existing water courses, water bodies, trees, landscaping, existing foliage lines, other vegetation, rock ledges, stonewall, and any other human made or natural features, in accordance with Section VII. A. Design of the Development.

Discussion:

Jennifer McCourt, Engineer, stated this is not in the area of the development. There are no water courses. We show all the features. We have provided aerial photography.

Ken Swayze asked if they were willing to put all the details on the plan in accordance with the Site Plan Review and proximate to the proposed building area.

George Holt stated that if you had an extension of mapping up to 100'. We want to know what is the 200' corridor around the margin of the existing boundaries. Don't see much on the back side along the barn. Would like to see 100' edge around the proposed impact area mapped out.

Jennifer McCourt stated that she would question the 100' along the roadway. Would prefer 50'. There might be some on the west. 50' is the EPA standard for Wetlands.

Planning Board would like to have her show the Wetlands area from drainage.

MOTION:

George Holt made a motion that the Dunbarton Planning Board waive the amended waiver request:

(20) Features such as existing water courses, water bodies, trees, landscaping, existing foliage lines, other vegetation, rock ledges, stonewall, and any other human made or natural features, in accordance with Section VII. A. Design of the Development.

and to show 100' from the edge of the driveway around the area of the building and show 50' on each side of the roadway. Les Hammond seconded the motion. The motion passed unanimously.

Board Discussion:

Attorney Cronin noted that as the project relates to the use: Dunbarton Zoning specifically allows this use. A number of people spoke against it and some in favor

Architectural:

Ken Swayze noted the applicant has only submitted the barn's length, width and height. The Planning Board would like the setbacks on the actual drawings in addition to the following:

1. The plans that were submitted were from a barn from Pennsylvania. There is going to have to be an engineering review per New Hampshire Standards.
2. Should show life safety issues, access to get fire trucks access, etc. You don't always plow around these buildings. What about plowing for safety reasons?
3. We are more concerned about HVAC plan. We need to see what are these fans going to do.
4. What is your electrical service?
5. When you submit a building permit plan, this will be sent for an outside review. Architecturally we are looking at protecting the area and development buffers. People wanted screening and planting.

Jen McCourt stated there will be a 60' wide buffer around the project. It is an existing woods buffer. There will be a "no cut" buffer. Will conform to Agricultural Best Management practices.

It was noted that the Planning Board recommended the buffer be a 100' wood buffer due to it being a sensitive spot. Noted that there are abutters living all around this project.

Jen McCourt, Engineer, stated she had addressed the comments made in Kelly Dearborn-Luce's e-mail dated October 18 as follows:

1. Revised the list of abutters as requested.
2. Sheet 2 of 5 - Put in large block for Notice of Decision.
3. #1 "Purpose" have defined and described the barn.
4. Note 16, have included the following:

"IN ACCORDANCE WITH THE ASSOCIATED REGULATIONS FOR THE TOWN OF DUNBARTON SITE PLAN REGULATIONS, DUNBARTON FIRE DEPARTMENT, US ENVIRONMENTAL PROTECTION AGENCY, THE FOOD AND DRUG ADMINISTRATION, THE U.S. DEPARTMENT OF AGRICULTURE, FDA EGG SAFETY RULE, HOMELAND SECURITY ACT, FEDERAL POULTRY DISEASE EPIDEMIOLOGY STANDARDS, USDA NATURAL RESOURCES CONSERVATION SERVICE CONSERVATION PLAN, AND NHDES BMP'S FOR AGRICULTURE:

- a. **THE ROAD WILL BE WIDENED TO 18', EXEPT WITHIN THE WETLANDS, TO PROVIDE ACCESS FOR EMERGENCY VEHICLES. THE WETLANDS CROSSING WILL BE MAINTAINED AT THE EXISTING 12' WIDE OF 130'.**

b. STOCK PILED CHICKEN MANURE AND FATALITY COMPOST SHALL BE STORED IN THE BARN SEPARATE FROM THE CHICKENS, WITHIN A CONFINED AREA TO PREVENT SOIL CONTACT AND PEST PROLIFERATION.

c. CHICKEN MANURE AND FATALITY COMPOST SHALL BE REMOVED FROM THE CONFINED AREAS A MAXIMUM OF ONCE A MONTH AND AT LEAST ONCE EVERY SIX MONTHS.

d. SANITATION FACILITIES ARE PROVIDED AT THE CHICKEN AREA PASS DOORS.

e. STORMWATER IS DIVERTED AND TREATED ON-SITE.

f. AIR QUALITY TREATMENT IS PROVIDED BY:

i. LARGE BARN SIZE TO CHICKEN RATIO

ii. REMOVAL OF MANURE TO THE MANURE STORAGE AREA BY USE OF AUTOMATIC SCRAPERS FOUR TIMES A DAY.

iii. PROPER VENTILATION

iv. MAINTAINING A 515' MINIMUM SEPARATION FROM THE BARN TO THE PROPERTY LINE AND A MINIMUM 60' TREE BUFFER.

g. THE AMOUNT OF WATER CONSUMPTION WILL AVERAGE 1,200 GALLONS PER DAY FOR THE BARN. AN AUTOMATIC DRIP WATERING SYSTEM WILL BE INSTALLED TO CONTROL MOISTURE

h. SOUND ATTENUATION SHALL BE ACCOMPLISHED WITH THE CHICKENS INSIDE EXCEPT FOR THE HOURS BETWEEN 12 PM AND DUSK AND THE BARN BEING 515' TO THE CLOSEST PROPERTY LINE.

(Jen McCourt stated we want the chickens laying eggs. We will limit the area that they will run in.)

Charles Frost asked that this be shown on the plan.

George Holt noted that the area where the chickens will be outside should be included on the plan. It will not exceed the USDA Standard. He stated he was specifically concerned about the manure the chickens might leave outside during the day, away from the barn's secure waste storage. Wanted more information about what that space would look like and how Giovagnoli would manage manure in that outdoor pen. Over the course of years, the manure is going to be a lot and the issue is where is the storm water from that going to go? That needs to be addressed".

It was noted that Nitrates is a big issue. Originally all the chickens were going to be inside, now they are going to be outside from noon to dusk. The outside area should be shown on the plan.

Jen McCourt stated the manure is "a very minimal amount you are talking about during those hours". Noted that the term "organic" requires that the chickens be outside during this period.

17. THE USE OF AGRICULTURE, LIVESTOCK, POULTRY, AND SWINE IS A PERMITTED USE WITHIN A LOW DEVELOPMENT RESIDENTIAL ZONE THEREFORE THE TOWN OF DUNBARTON ZONING ORDINANCE ARTICLE 15, (D)(3) AND NH RSA 674-33 REGARDING SPECIAL EXCEPTIONS DOES NOT APPLY.

18. LAYING HENS CYCLED FROM APPROX. 17 WEEKS OLD TO 60 WEEKS OLD.

PLANNING BOARD HEARING COMMENTS:

Jennifer McCourt addressed Planning Board previous hearing comments as follows:

1. See above notes 16, 17 and 18

a. The Building Orientation and Architectural Design Standards. The building is 515' to the nearest property line with a preserved 60' vegetated buffer adjacent to the proposed barn.

She said she would "re-visit" this.

b. Public Safety - Please see responses from Fire and Police Departments.

c. Flood Hazard Area - does not apply

d. Ground water - The proposed use is 1,200 gpd which is less than the demonstration threshold of 2,000 gpd.

e. Impervious surface is less than 15% as required by the Zoning Ordinance.

**f. Landscaping Standards -the barn is located 515' minimum from the property line and a 60 foot existing tree buffer will remain adjacent to the barn. **

She said she would "re-visit" this.

g. Noise - Sound attenuation of the chickens will be accomplished with the chickens inside the barn except for the hours of noon to dusk and with the barn being 515' from the property line. The emergency generator will be a sound attenuated unit.

h. Off Street Parking and Loading Requirements - The facility is managed by the occupants of the onsite residence and parking is provided at the homestead. Loading and Unloading areas are provided at the homestead. Loading and Unloading areas are provided at either end of the barn.

i. On-Site Waste Storage and Disposal - The enclosed manure from the barn area will be scraped 4 times a day to a manure pit and removed no more than once a month and no less than every 6 months. The enclosed fatality compost area shall be removed every 4 to 6 months.

j. Screening and buffer Strips - the barn is located 515' minimum from the property line and a 60 foot existing tree buffer will remain adjacent to the barn.

k. Sewage Disposal - a septic disposal system is designed and permitted for the utility sink in the egg collection room.

l. Stormwater Management - See the Stormwater Management plan.

m. Road Construction Standards - at the request of the Fire Chief the access drive is upgraded to 18 feet wide except for the wetland crossing area that will be maintained at 12 feet. The intersection of the driveway and Twist Hill Road meets AASHTO requirements for truck sign distance of 433' provided where 400 feet required and turning radius.

- n. Surface Waters and Wetland Resources - See Stormwater Management plan.
- o. Traffic - the increase in traffic is an average of 3 truck trip ends per week.
- p. Water Supply -- The proposal is for a new well to supply the required 1,200 gpd. Enclosed is a subdivision conceptual plan that indicates that easily three residential homes could be added to the front of the property that would require 1,350 gpd. The new well is over 515' to the nearest property line. No adverse effect from the water supply for this project will occur.

Additional requirements being met by complying with State and Federal regulations are Air and Odor quality. This is accomplished by Best Management Practices in the treatment of the manure and fatality compost and preserving the 50 foot wide adjacent buffer.

2. Wheeler Family Trust Access -

The Plan reference note 7 is added to the plan to address the access to Map C6-03-08 (Wheeler Family Trust Lot).

Stated this ROW has never been defined. We are not restricting crossing of our land from the Wheeler Family Trust. Could not determine where the access is located.

Basic Safety Concerns:

Noted that both the Fire Chief and Police Chief were present. Asked each if they had any further concerns.

Jon Wiggin, Fire Chief, stated he had looked at the plan and had nothing to add this evening.

Dan Sklut, Police Chief, stated he had not seen the plan yet.

John Cronin, Attorney for Giovagnoli:

Discussion on Appraisal/Devaluation of Property Values Report:

Stated that there was some suggestions at the last meeting about the project in Bethlehem whereby a party acquired a Covenant to prohibit poultry. Tom Giovagnoli wants to go forward with the project. We are making a suggestion that if the people could acquire some type of agreement/covenant, we would be open to considering it. We recognize that it is outside the Planning Board's jurisdiction but noted that as a matter of record and that someone could offer development rights.

Have agreed to funding the two consultants reviews of Engineering and Central New Hampshire Regional Planning Commission. Need a clarification as to the requested report on appraisals and/or devaluation of property values. Usually do more on Economic Impact Studies such as what type of impact will this be on the school system, etc. With this project, there will be no impact on the school system.

Ken Swayze noted that it was mostly the abutters who were talking about devaluation of property values. You need to articulate what will happen or what will not happen or hire a Consultant.

Attorney Cronin stated that it was his conclusion that where something is allowed by right, it is an Allowed Use. Could hire a consultant and he could say this is going to devalue property values, or it may enhance property values. It is my determination that this is not really relevant to this discussion. This is a matter of right. The appraisal report doesn't add anything. Some people are attracted by farm areas.

Board Discussion:

Mike Guiney stated he did not feel we need a report from an outside source/appraisal company.

Charles Frost stated he felt land values has been a concern. Felt we need a Consultant's Report.

Les Hammond - Stated we can make our own judgment.

Alison Vallieres - Stated she felt the Planning Board should have an outside Consultant do a report on Possible Devaluation of Property Values/Economic Impact Report rather than take the word of the attorney for the applicant. There has been much discussion about this from abutters and concerned residents and needs to be addressed.

There was no final determination made by the Planning Board.

Abutters (Who have not spoken in the past at previous meeting):

Lee-Anna Bruzga - Stated that her position was that this is an agricultural based town and what we see is an agricultural project. I don't feel that the Giovagnoli project will devalue the property values. We live in the country and we have to have some sort of stable agriculture, and for us not to support that is shameful. We support all kinds of other activities. Why can't we support this. My property is almost directly across the street. I want to have some organic eggs. We have to support people like Tom. My vote is to allow him to do it.

Kathy Beale - Just because we say it is an allowed use does not mean it should be allowed. Now the chickens are going to be outside. Last meeting they were indoors only but now they are outside during the day until dusk. There is a lot of variation for "dusk". They say there will be a "minimal" amount of manure from 20,000 chickens. I don't consider that minimal. What about the roadway that was increased to 18' but only 12' for the wetlands. But there is no wetlands. They don't want to expand it.

It was noted the road through the Wetlands is already there. It also requires a Wetland Permit.

What about the Tax Impact on other properties when all of our properties are devaluated. Who is going to pay the difference in Tax Dollars?

Catherine VanNorstrand - Read the following statement:

"Imagine it is a beautiful summer day and you decide to take a walk or a run down one of our lovely Dunbarton roads. A short way into your journey, you spot what could only be the squished remains of some poor critter that lost the battle with a car. You automatically move to the other side of the street, not only to get away from what you see, but also what you smell. The smell of death is overpowering. It seems like you still have that smell in your nose and in your hair and on your clothes for hours after you get home.

Now imagine there are ten or hundreds or even thousands of those dead little critters shoveled into a space with the only thing separating you and that smell is what was described by Mr. Giovagnoli as a

garage door. That is what is proposed for the chicken barn... a place proposed to house 20,000 birds with a shorter life span than your kid's gerbil.

Oh yes, and if you read the fine print, the live chickens will be allowed outside from noon to dusk.

So, forget about the smell for now... oh wait, we can't, we live here... Anyway, other than the smell of death, not to mention manure, what in the world will be attracted to a garage full of dead chickens... about a mile as the crow flies from the Kimball Pond preserve...

Well, let's see... we have the resident red-tail hawk who seems to realize how many mice and chipmunks reside in Dunbarton.

Don't forget the crows and turkey vultures...

And then there are the resident coyotes, which, from my house, sound like they live somewhere around the VandeBogarts....if not actually on the Giovagnoli property....and sound like a band of screaming monkeys each time they get a kill.

And, last but not least, bears...since we moved here in 2007, we have had a bear in our backyard every year except this year...and that's not to say he hasn't shown up this year, we just might have missed him.

Have you ever seen what the bears in Yosemite do to a locked vehicle when someone leaves a ham sandwich in a locked cooler. They destroy it. A multi ton vehicle, destroyed.

Not a chance a garage door is going to stop him.

So, image again it is a beautiful fall day and any number of the little kids living in the vicinity of the Giovagnoli's are playing in the leaves, playing on their swings, playing fetch with their dog.

If they can stand the smell, that is, but I digress...

Yes, beautiful fall day, kids and dogs and people minding their own business, playing on their own property...any one of those scavengers looking for a free meal is walking through your yard and mine, homing in on that smell...

What do you say to the family at the hospital when you have to explain that kid, that dog or that Dunbarton resident was just attacked by a wild animal because someone decided it was a good idea to put 20,000 chickens not in the middle of some vast farming community, as they would have you believe, but on a piece of land smack dab in the middle of hundreds of residential homes, and hundreds of families.

Mike Koss, 244 Montalona Road - Stated that every one of these neighbors' waste water goes through my property. Nobody knows any history. The property previously was the Godbout farm and they had 60,000 turkeys. This facility is going to keep all of that water away. All this water is going through my property. My water is fine. I don't see what all the concern is about. I support this farm fully and we need a lot of people like Mr. Giovagnoli and make good food to eat.

Andrew Giovagnoli - Stated that his grandfather built a barn in Manchester and he had to drive a tractor to Manchester. We lived in Goffstown for 5-7 years and were looking for a farm. We looked into the Zoning in Dunbarton and moved into an entirely Agricultural Town and now to have everybody stand here and say we're encroaching on their environment. I am sorry, we bought our house back in 2000, and Dunbarton was still as fully agricultural then as it is today.

Fred Mullen - Stated when we first came to this Town, we came to a farming community. There were two farms, one being the Stonehurst Farm. Jim rented fields all over town and spread manure all over town. Feel that we all should support what he wants to do.

Nathan Narus - I just want to say that nothing gives me more peace of mind than enjoying the animals and am happy that Tom is doing this.

Jan Rancourt - Stated she took pictures. They are stating there is a 60' tree buffer. That is not so. These trees were taken down. This picture is the line of trees there now. There are no trees. There is 60' of grass but not 60' of trees. They already cleared the land. It is just open wetland. There is a clear view of that barn with no buffer. If there is to be an impervious buffer, they will have to plant trees in that buffer.

Jennifer McCourt stated that the trees within the 60' buffer are not all conifers. There are deciduous trees but they still add to the buffer. They may be able to see the barn. It is an Agricultural Use. As far as being seen from the neighbors, you may see it from the neighbors but a buffer on the plan is showing the tree area.

Charles Frost stated he thought the buffer was on the plan for odor control.

Jennifer McCourt stated that deciduous trees provide for the dispersal of the odors. The canopy there is just not impermeable. Attorney Rancourt's home is not there. (Attachment #5)

Attorney Rancourt stated these pictures were taken from the Webb/West property.

Craig Webb - Stated that there should be a \$300,000 home sitting on the land and there is nothing.

Ann West - Stated that with regard to the buffer, the 60' buffer might be sitting on my land. You are supposed to provide a buffer. The manure is going to be open. After 5-8 years, manure will build up and it is not going to be contained. What about the septic system? It is only going to be for a wash sink. Where are your employees going to use the bathroom? This is an extremely large change of use for the neighborhood. You haven't had a farm in twenty years.

Barbara Anderson, 85 Twist Hill Road - Stated that she loved Twist of Fate Farm. They bought and owned their own livestock. This is a Commercial operation. The chickens are being supplied by Pete and Gerry's. He is only managing them. Pete and Gerry's are going to pick up the eggs. See it truly as a Commercial Use. Would love to have a little farm stand in the area. You are talking about 20,000 chickens owned by Pete and Gerry's and managed by Mr. Giovagnoli. I am not concerned about the building. I am concerned about the use. Have you really thought about the Commercial Use or Agricultural. Should this go before the Zoning Board? (Attachment #6)

Merle Chapman - Are we going to get an updated contour plan showing the existing contours? He has destroyed the land and the trees. Are there going to be new contours shot there? Need to show the survey and date of the survey. Are you going to show the current topography? It has changed some. Don't feel the Town has been given what is out there now. We are right on the edge of an Alteration of Terrain Permit. All I can ask is that the Town should have an updated plan of the terrain alternation. What is there now is between the existing contours and what the final plan will be. Re Alteration of Terrain, noted that they are below by a few thousand square feet. Presented letter expressing his concerns (Attachment #7)

Charles Frost - Stated that at the last meeting, you stated that the upgrading of the road was not being included. You are increasing the size of the road. Is that exempted?

Jennifer McCourt stated she included the upgraded portion of the road in the calculations.

Ridgely Mauck- Stated that the 12' width of the road is a maintenance issue and does not get into the 100,000 square feet requirement.

Frank_____ Why is there no questions about whether the chickens go outside. They also say the same barn that you say. There was an area that was fenced off. It has to be put on the plan. Please take a look at that and ask questions.

Robert Dufrense - This is a chicken barn. You have 20,000 chickens outside and there is going to be manure outside. If it rains, it is going to wash into the wetlands area. The Wetlands are 40' and 30' on the other side. What about the drinking water. People have said it will not affect the wells in the area. I have two wells on our property because we don't have enough water. He could be tapping into anyone else's well which could mean it would affect mine. It could be contaminated. They live by the wetlands. I don't have 20,000 birds.

Paul Veillieux - The plan says it is a 11' wide road.

Jennifer McCourt stated it is a 18' foot wide road and through the wetlands is 12' and goes back to 18'.

Nancy LeBlanc - Stated she was Roland Godbout's daughter and we owned the farm since 1938 and he farmed between 6,000 - 8,000 turkeys and where my house is sitting is where he had the turkeys and my water is fine. More power to him and we live right across the street from Tom.

It was noted for the record that a letter had been received from Janice and Jan VandeBogart expressing concerns. (Attachment #8)

It was noted for the record that Margaret Watkins was present. She stated she had already submitted a letter for the record. (Attachment #9)

Charles Frost asked where they would be storing the food for the chickens.

It was noted the food would be stored inside the barn.

The Public Hearing was continued to the next regularly scheduled Planning Board Meeting on Wednesday, December 18, 2013.

A motion was made, seconded and passed unanimously to adjourn at 9:00 p.m.

Respectfully submitted,

Alison R. Vallieres, Secretary