

**PLANNING BOARD  
15 Central Street  
HILLSBOROUGH, NH  
August 6, 2025**

**TIME:** 6:05 p.m. –7:32 p.m.

**DATE APPROVED:** 8/20/25

**CHAIRPERSON:** Susanne White

**VICE CHAIRPERSON:** Dana Clow,

**MEMBERS:** Andrew Morris, Steve Livingston, Bryant Wheeler, Kim Opperman

**EX-OFFICIO:** James Bailey III

**PLANNING DIRECTOR:** Robyn Payson

**ALTERNATES:** Cathy Houle,

**Excused:** Susanne White, Cathy Houle

**Public:** Don and Marilyn Jost, Hunter Payeur, Pete Martin, Glenn Mathison, Tom Hallus, Harry G. Andersen, Stephan Morrissey, James Gardiner, Pamela Powers, Terry Leedham, Nick Cashoral, Nancy Schwartz, Jed Schwartz, John Eagleton

**Pledge of Allegiance**

**Call to Order:**

Vice Chairperson Dana Clow called the meeting to order at 6:05 PM and called the roll. Susanne White and Cathy Houle were absent.

**Minutes**

**7/16/25-** Steve Livingston made a motion to approve the minutes. Bryant Wheeler seconded the motion. The motion carried unanimously.

**Public Hearings**

**Lot Line Adjustment**

18 Church Street (Map 23 Lots 33 and 34)  
J&C Estates LLC

Robyn Payson introduced the application for a lot line adjustment between lots 33 and 34.

Steve Livingston made a motion to accept the application. Andrew Morris seconded the motion. The motion carried unanimously.

Steve Morrissey received a setback variance for Lot 33 February 10, 2025.

Dana Clow asked where the parking was on the plan.

Mr. Morrissey said the parking had not been laid out yet. He pointed out the existing parking.

Mr. Morrissey said there were two things that the engineer wanted him to put on record. First is that they have a setback variance on the side and rear of the property. That variance “carries” over with the lot line change. The second is that this is a non-conforming lot on both sides but the lines are changing. He asked if he needed to go back to the ZBA.

There was discussion about whether or not the applicant needed to go back to the ZBA for further relief.

Robyn Payson said that as long as the approved setbacks did not change, she thought they would not need to go back to the ZBA.

There was discussion among the Board members and the consensus was that he did not need to go back to the ZBA for further relief.

Mr. Morrissey was told to put a note on the plan stating that they are conforming with the setback variance.

Dana Clow opened the public hearing.

A member of the public asked about the changes to the lot lines.

There being no other questions, Dana Clow closed the public hearing.

Steve Livingston made a motion to approve the application for a Lot Line Adjustment application submitted by Cody Fait of J&C Estates LLC at 18 Church Street (Map 23 Lot 33&34) to allow a property line adjustment to allow the utility of both properties in accordance with the findings of fact.

**Findings of Fact**

1. The property is located at 18 Church Street
2. The property is located in the Village Residential District.
3. The application was presented by Stephan Morrissey of East Key Realty.
4. The owner of record is J&C Estates LLC.
5. The application is to adjust the lot lines between lots 33 and 34 to allow the utility of both properties.
6. No waivers were requested as a part of this application.
7. The applicant received a Variance for setbacks February 10, 2025
8. The applicant demonstrated that the application conforms with Chapter 201 Subdivision Regulations.

Jim Bailey seconded the motion. The motion carried unanimously.

**Change of Use**

39 School Street (Map 24 Lot 41)  
William McDonald

Robyn Payson said that Mr. McDonald was not able to attend the hearing and asked to be continued to August 20<sup>th</sup>.

Andrew Morris made a motion to continue the application to August 20<sup>th</sup>. Steve Livingston seconded the motion. The motion carried unanimously.

**Change of Use**

3 Henniker Street (Map 24 Lot 84)  
James Gardiner

Robyn Payson introduced the application to change the use of the former Volvo store into a bar and grill. She shared comments from department heads. Water/Sewer said Mr. Gardiner needs to meet with the Commission as soon as possible. The Building Inspector said outside seating would impact parking and would need to be protected from auto traffic. The Fire Chief said he would be doing a review of the seating chart.

Robyn Payson passed out to the Board draft designs of the sign.

Mr. Gardiner presented the application for a small restaurant and bar. He said the menu will be very basic with burgers and fries for example.

There was discussion about the hours of operation cited in the draft decision. Robyn Payson said she took those hours (11:30-9:00 pm) from the Tooky Mills hours.

There was discussion about the hours and the Board settled on the hours being from 10:00am to closing. Closing being the time the State Liquor Commission requires bars be closed.

Mr. Gardiner has spaces for two “food trucks”. One is currently being used for “Zippers Ice Cream” and the second spot is open.

There was discussion about the number of seats in the restaurant. Following a lengthy discussion about inside and outside seating, it was agreed upon that the Fire Chief determines the number of seats.

There was a discussion about parking and access to the property.

Dana Clow opened the public hearing.

There was no comment from the public

Dana Clow closed the public hearing.

Andrew Morris made a motion to approve the application for a Change of Use/Site Plan Review application submitted by James Gardiner at 3 Henniker Street (Map 24 Lot 84) to change the use of the property from a Retail use to a Restaurant with the following condition and in accordance with the findings of fact.

**Conditions of Approval**

1. Hours of operation will be 10:00 am to closing.
2. The applicant will meet with the Water and Sewer Commission
3. Seating capacity will be approved by the Fire Chief.
4. The applicant must return to the Planning Board for a Site Plan Amendment if outdoor seating is added.

**Findings of Fact**

1. The property is located at 3 Henniker Street
2. The property is located in the Central Business District.
3. The application was presented by James Gardiner of Northeast Floors LLC.
4. The owner of record is Northeast Floors LLC.
5. No waivers were requested as a part of this application.
6. The applicant demonstrated that the application conforms with Chapter 185 Site Plan Regulations.

Bryant Wheeler seconded the motion. The motion carried unanimously.

**Subdivision**

295 Sleeper Road

Hunter Payeur for Donald Jr. and Marilyn Jost.

Robyn Payson introduced the application and recommended that the project be deemed a Development of Regional Impact per RSA 36:55, II “Proximity to the border of a neighboring community.” The applicant intends to access the property via Bear Hill Road in Washington.

There was lengthy discussion about deeming this a Development of Regional Impact.

Following discussion, Andrew Morris made a motion to deem this project as a Development of Regional Impact. Bryant Wheeler seconded the motion. The motion carried unanimously.

Now the full application and its associated documents will be sent to the Town of Washington and their regional planning commission.

Hunter Payeur said there was confusion about the order of approval in which town.

Robyn Payson said because the property is in Hillsborough it starts here and then it goes to Washington.

There was discussion about continuing the hearing to August 20<sup>th</sup>. That would be insufficient to allow input from the Town of Washington.

**Administrative Changes**

275 West Main Street (Map 11O Lot 171)

Avanru Development

Robyn Payson brought to the Board a request for Administrative Approval on some minor changes to the design of the second building in the workforce housing development. These changes include expanding the building by 15.5 feet, adjusting the length and location of the sidewalk, a slight difference in the front ramp and landing of the building, and a slight change to the rear deck. She and Building Inspector Mike Borden determined that these changes were so slight that there was no need to bring them to the Planning Board. She was asking for the Planning Board's agreement with that conclusion.

Following a brief discussion, Kim Opperman made a motion to approve the administrative changes. Andrew Morris will second the motion. The motion carried unanimously.

There being no other business, Jim Bailey made a motion to adjourn. Steve Livingston seconded the motion.

Meeting Adjourned 7:32 pm

Respectfully Submitted,  
Robyn L. Payson, Planning Director