

## PLANNING BOARD MINUTES

June 21, 2006

### ROLL CALL:

Phil LoChiatto, Chairman – Present  
Nancy Prendergast, Secretary – Excused  
Ross McLeod, Regular Member – Excused  
Neelima Gogumalla, Alternate – Excused  
Rick Okerman, Alternate – Present  
Alan Carpenter, Selectmen Alternate – Present

Ruth-Ellen Post, Vice Chairman – Present  
Walter Kolodziej, Regular Member – Excused  
Pam Skinner, Regular Member – Present  
Steven Griffis, Alternate – Excused  
Margaret Crisler, Selectmen Member – Excused

### STAFF:

Al Turner, Director of Planning and Development – Present  
Rebecca Hebert, Town Planner – Present

*Mr. LoChiatto opened the meeting at 7:30 pm. Mr. LoChiatto seated Mr. Okerman for Mr. Kolodziej.*

### MINUTES:

- Ms. Post motioned to approve the June 7, 2006 minutes. Ms. Skinner seconded. Vote 2-0-3, Ms. Skinner, Mr. Okerman, Mr. Carpenter abstained. Motion tabled until more members present;
- Ms. Post motioned to approve the June 14, 2006 minutes. Mr. Okerman seconded. Passed 3-0-2. Mr. LoChiattio, Mr. Carpenter abstained.

### BOND:

- Carr Landscaping, release \$2,700 and retain \$7,300. Ms. Post motioned to grant. Ms. Skinner seconded. Passed 5-0.

### CORRESPONDENCE:

- Memo from David Sullivan regarding a possible land sale of town lot 8-A-61, Seavey Road and a letter from Mr. Turner to the Board. Ms. Post motioned to recommend to selectmen that Lot 8-A-61 not be sold and instead be retained by the Town for the following reasons: possible use for parking for the trail, located in flood plain, not suitable for building, pending Conservation Commission and Trails Committee comments, and this is a nonconforming lot. Second by Mr. Okerman. Passed 3-0-2. Ms. Skinner, Mr. Carpenter abstained;
- Memo from David Sullivan regarding a request for building permit on a Class VI and Private Road for lot 21-X-10A, Horne Road. Motion by Mr. Okerman to inform the Selectmen that the Planning Board would like to have the Selectmen request the applicant to provide a plan for emergency vehicle access during construction, the ability to maintain a through travel way, a plan for material staging, and obtain comments from the police and fire departments regarding lot 21-X-10A, Horne Road, Second by Ms. Post. Passed 4-0-1. Mr. Carpenter abstained;
- Letter from Next To Nothing regarding color renderings. Mr. Ciaramaglia for Silvestri Company distributed color chart and sample of roofing material. Mr. Okerman motioned to accept Next to Nothing color renderings of heritage cream for siding, colonial white for trim and the evergreen federal roof system for the roofing. Seconded by Mr. Carpenter. Passed 5-0;
- Letter from Herbert Associates regarding Clark Farm South temporary construction access off of Route 111. Mrs. Hebert: condition of approval. Due to required fill, wetland crossings, and proximity to Faith Road, State does not recommend the logging road as a temporary construction access road. Consensus by the Board to notify abutters. Staff will notify the applicant.

### PUBLIC MATTERS:

#### **RK Associates Restaurant and Retail Shops – Public Discussion**

#### **43 Indian Rock Road, lot 11-C-950**

Mrs. Hebert: discussed use of pad site during Shaw's proposal, 16,000 sq. ft. retail space and 212 seat restaurant, accessed by the right-in / right-out off of Route, access from Shaw's, T-intersection, subdivide lot from Shaw's. Issues: parking, possible connection to Village Green, shared water system, traffic, building orientation, and wetlands. Discussion: Village Green proposal.

Mr. Dubay, MHF Design: working with Village Green to connect, site walk, interconnect options, front connection with Village Green, narrowest crossing, open bottom culvert, variance at connection for parking in WWP, looking for input by PB for ZBA, stormwater treatment, applicant will come back for architecture, design when they have a user, and looking for input.

Discussion: approximately 24,000 square feet, adjacent plaza, streetscape, buildings set back, break-up parking, loading, cold spot, % occupied parking spaces on a daily basis, overflow parking in back, 25 spaces on side and rear, 200 spaces total, deliveries, Building or parking in WWP, elevation difference between road and lot with 10 feet and drops 8 feet, view shed, improve aesthetics, access to Village Green, service road, mandate accesses, drainage, watershed to rear of property, clearing of vegetation to see retail, landscaping, shared water, DOT land – expanded ROW.

David Baker, RK Associates: Building manager, cost is main reason for shared water, stepped visual from Village Green to Shaws, commit will not build without connection to Village Green, right in right out, narrowest wetland crossing, dropping elevations, Village Green working own site, balance out Town and PB versus retailer, impact on tax base, DOT property swap, coordinate clearing with DOT, based on experience, and no one will use parking in back.

Discussion: Building location options, informed decision, L-shaped option, balance with Village Green, size and parking may change based on tenant, subdivide from Shaw's, rear view of Village Green, viable lot to be used as zoned, bring larger scale drawing, and ZBA.

Mr. Dubay: site plan and subdivision conceptual discussion, checklist, will need WWP variance, on file is conceptual subdivision plan.

Mr. Gove, Gove Environmental Services: impacts WWP, wetland crossing, wetland bureau would want us to cross here least impact, least functional value, drainage and flow, tree line, marsh type of wetland, not a vernal pool next to Route 111, not a wildlife corridor, wildlife usage still maintained with new Shaw's development, maintaining same area with this development, should see no degradation, and maintaining edge is significant. Discussion: slopes, maintaining edge as no cut/no disturb, open bottom culvert 60 feet long. Mr. Gove: in this case, open bottom culvert will not have an impact because not a vernal pool, not a lot of functional value to open box culvert. Discussion: Send the plan out for department comments. *Mr. McLeod joined the Board. Mr. LoChiatto seated Ms. Gogumalla for Ms. Prendergast.*

### **High Pointe East Subdivision – 3 lots – Public Discussion off Ironwood Road, lot 8-C-300**

Mrs. Hebert: developing 3 building lots off of Ironwood Road. Issues, length of road, railroad crossing, propose crossing at grade, safe crossing, possible active rail line, road design, road width, intersections, and length of road. Discussion: meet railroad standards, ROW approved when Ironwood subdivision approved, angle of crossing as it relates to rail bed, road intersection crossing versus road/trail bed crossing, and traffic.

George Fredette, SFC Engineering: update, 28 foot road width, 2355 feet length of cul-de-sac, subdivision regulations, road grade, working with DOT, distributed letter from DOT, reconsidered their position will consider change in grade, drainage and slopes impact by final trail location, ROW layout to provide best available access, 90 degree crossing virtually impossible, need to address site distances for safe crossing, Fire department comments, and Historic District road name. Discussion: Farm Road crossing, angle of road and safety, vehicular traffic on trail, bridge over, inaccessible land, protect bicycles from cars and then cars from trains, crosses Roulston and Depot Roads, cost benefits to at grade crossing, threshold for considering bridge, access from route 28 side, emergency access, open space that surrounds was created by same applicant in Orchard Blossom subdivision, grades, length of cul-de-sac, waivers, letter from NHDOT, take away crossing at owners expense, does Town want to take on that responsibility, private road, 65 acre lot,

Mr. Nassar, owner: legalities, state must provide a suitable crossing, study of rail, wait for study to be complete, rail installation, active rail, law 3731, permanent access, insurance and liability, ROW, site

distance, bridge, top of rail, Smith vs. Windham, prior Board stated no access to business and technology, Route 93 mitigation, length of cul-de-sac, and as much as 1 ¼ mile in Town. Mr. Turner: No mile and quarter permanent cul-de-sac's in Town. Mr. LoChiato read the Highway Safety Meeting minutes and department comments. Discussion: 2300 feet for just 3 homes, sprawl, safety issue crossing recreation trail, grade, drainage, breaking up trail renders it useless, private road, angle of crossing, impact on users of trail, smaller cul-de-sac, 50 ft ROW slopes, skewed intersection, staff developmental issues, and PB concerned.

Ms. Post motioned to continue this discussion to August 16. Seconded by Mr. Okerman. Discussion: reason, Conservation Commission comments, meet with DOT, and department comments. Passed 6-0. Mr. Carpenter absent for the vote.

**Ledge Road Business Park – Public Hearing**  
**Ledge Road and Rt 111, lot 11-A-50**

Mr. Turner: introduction, reviewed plans, complete for public hearing. Mr. McLeod motioned to accept for public hearing. Ms. Post seconded. Discussion: completeness. Passed 7-0.

Mr. Turner: industrial park. Not sure exactly what will go here; have some ideas. Industrial Park roads built before businesses to attract businesses. No proposals for development. 3 lots shown: 12 acre, 15 acres, 12.5 acre. Storm drainage, last piece of industrial land, residential uses surround the project, drainage review, zoning review, pending traffic study, department comments, waivers, wild life impact assessment, issues, impact on ledge road and rte 111, presented high school plan, width of route 111, substantial increase of traffic, supports traffic light by school, offsite impacts, substantial blasting, site walk, protect residents, right turn in/ right turn out on Ledge road, staff recommendations, detention ponds, and temporary detention pond. Discussion: Ledge cuts, profile, no vertical scale on cross sections, estimate materials removed from site, temporary hauling road, duration of construction,

Tom True, True Engineering: septic, access road at intersection, and detention ponds. Discussion: traffic study, no tenants, wetland impacts, aquifer across route 111, natural buffer to residential, building road,

Robin Booser, traffic engineer: no proposed development, best guess, access, circulation, high school plan, developing left turn lanes, reasonable use for signalized intersection, level of service D/E threshold, growth, add through lanes, long term planning issue, plan entire corridor, limit left turn movements at end of Ledge Road, Add striping, signage to Transfer Station and Ledge road intersection, and phasing. Discussion: Landscaping at Transfer Station, truck movement, offsite improvements, contribution to intersections, ITE trips based on phasing,

Bruce Marshall, attorney: waiver, master plan, blasting, regulations, staging, bidding on building road to high school, negotiating with sports complex, lot line adjustment, and parking.

Discussion: Cul-de-sac length, access to buildable area, property lines, reduce length, longer road brings safer and efficient use and egress, blasting, well monitoring, process rocks on site, tax on removal, duration of construction, noise and dust, volume of material being removed.

Public comment from resident at 4 Meetinghouse road, well, foundation cracking, water running down hill, noise, steep hill, quarry in backyard, crushing operation, dust, concerns, property value, truck loads, damage to road, and duration of blasting.

Hydrotech, Haverhill Road: foundation, and structural soundness.

Resident at 2 Meetinghouse Road: blasting, traffic, dangerous access to Meetinghouse Road,

Discussion: Scaling, cross-section, and horizontal and vertical scale are the same.

Mr. McLeod motioned to continue to July 12. Seconded by Ms. Skinner. Passed 7-0.

Mr. Carpenter motioned to adjourn. Mr. McLeod seconded. Passed 7-0. Meeting adjourned at 11:30 pm.

These minutes are in draft form and have not yet been reviewed and approved.

Respectfully submitted, Nancy Prendergast