

PLANNING BOARD MINUTES

August 16, 2006

ROLL CALL:

Phil LoChiatto, Chairman – Present	Ruth-Ellen Post, Vice Chairman – Present
Nancy Prendergast, Secretary – Present	Walter Kolodziej, Regular Member – Present
Ross McLeod, Regular Member – Present	Pam Skinner, Regular Member – Excused
Neelima Gogumalla, Alternate – Excused	Rick Okerman, Alternate – Present
Margaret Crisler, Selectmen Member – Excused	Alan Carpenter, Selectmen Alternate – 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. Okerman replaced Ms. Skinner.

MINUTES:

- August 2 and August 9 minutes will be taken up at the next meeting.

BONDS:

- 90 Indian Rock Rd, Devries property (five single family condos), lot 17-J-90. New bond in the amount of \$38,677. Ms. Prendergast motioned to accept the bond. Mr. McLeod seconded. Passed 6-0.

CORRESPONDENCE:

- Letter from Planning and Development Office regarding the history of the wetlands watershed protection district as it relates to the use of roads/driveways;
- Letter from Joan Tuck regarding the current census data: 15,000 – 16,000 residents;
- RPC news and notes newsletter;
- Letter from Peter Zohdi of Herbert Associates requesting to down grade the Blanchard Subdivision from a public hearing to a public discussion;
- E-mail from Cheryl Haas, Recreation Coordinator: Town has been awarded a TBG grant of \$3,000 for preparation of a recreation master plan;
- Letter from Heritage Baptist Church requesting temporary approval for a change of use at 108 Rockingham Road as they proceed through the required site plan process. Pastor Matthew Fagan discussed the use of the property: church picnics, bible study and small events. Master planning the entire site, parking requires approximately 40 cars. Will host Wednesday evening bible study, ladies bible studies, and monthly men's breakfast. 2800 sq ft house existing; 800 sq ft area for gathering area. Discussion: Where is 108 Rockingham Road? Do we have authority to regulate the hours of the church? Fire department and building inspector will need to approve the space for assembly. How long until the site plan is submitted – Sept 10- Nov for site plan. Site should be looked at for safety issues; sprinkler system, and septic load. Plan should come before the board for as a conceptual plan, and following the standard process. Concerned about safety issues, lines of site, parking. Instinct to help out but see liability and safety issues. Need clearer picture of traffic, lines of sight and parking. Heritage Baptist Church should follow the standard process for site plan approval and a site walk is scheduled for August 23 at 6:30 pm at 108 Rockingham Road.

OLD/NEW BUSINESS:

- Workout Club signage; no update;
- Ms. Prendergast is working with staff and pursuing cad viewer software;

- Ms. Post updated the board on the status of the CIP. First meeting to be held on Thursday, August 24 at 7 pm in the library multi-purpose room.

PUBLIC MATTERS

High Pointe East Open Space Subdivision – Public Discussion

Off Ironwood Road – Lot 8-C-300

Mr. Turner gave a brief overview: Second phase of the Orchard Blossom open space subdivision, three building lots proposed. The lots range in size from 5.2 to 6.5 acres, access would be via an existing 50 foot right of way off of Ironwood Road that crosses the rail road bed. Seen on several occasions. Approximately 850 feet of roadway would be needed to access the building lots. Staff has not seen the new plans. Proposing at-grade crossing; board has talked of possibility of an above-grade crossing. Mr. Turner reviewed the staff report including development issues.

Mr. Fredette, applicant: Continuance requested from June to continue homework for palatable crossing; since that time have met with DOT, Conservation Commission and have upgraded plans. Here to continue discussion of merits of roadway, property is other wise landlocked. Bringing to the Board updated road design and bike path design. Mr. Fredette distributed updated drawings. Existing class VI road, looking to cross within that ROW then cross DOT trail. Proposing 28-foot road, crossing bike trail, have made provisions for bicyclists, and the block length was created by others. There have been prior discussions about road length. Block length created by others and we are only upgrading the ROW. Length of cul-de-sac is within 2400 ft provided for in the regulations. Previous meetings laid the groundwork for this as access (not through B&T district). Road Grade: down hill; concern that there was no stopping, new drawings provide when a car crosses the trail, they are beginning uphill, excess of 9% grade accommodates a low point before you get to the trail crossing and helps drainage; Drainage: capturing water prior to it getting onto DOT right-of-way in both directions. At intersection, reconfigured bicycle path; was skewed, now in accordance with ASHTO recommendations, the skew has been eliminated on two counts, off centered by a few feet, S-wiggle bike path so that the biker crosses at right angle, gates set up on either side of road along bicycle path. Safety features. Site distances at intersection are as per ASHTO. There is some perception that this crossing may represent violation of bike path, want to paint in different light. Read through guidelines; access is an important feature; 183 homes would have shortest distance to travel of less than a mile to access trail from this new crossing.

Discussion: moved bike path to perpendicular, who has jurisdiction over location of bike path? Provide details of gate and its operation. Mr. Fredette: NHDOT. Crossing agreement with DOT. Gate operation, prevent car travel onto bike path, safety signal for bicycles, in winter gates open for travel of snowmobiles, standard gate-iron post. Discussion: Jurisdiction for opening and shutting, don't want snowmobiles crossing without warning, parking at new crossing.

Mr. Fredette: Proposing this crossing as new access point is a wonderful bi-product of constructing this road, parking more of an issue without this access, not proposing parking facilities here. 28 foot wide road may accommodate parking. Discussion: Parking lots exist at other entries to path. Mr. Turner identified public trails (unpaved) that connects with paved trail. Stonehedge has access in back of their property, and trail access from other neighboring properties. Discussion: Grades and speeds, bicyclists speed of 30 mph more likely with 9+% grade, logic of more cuts means more use of trail, too many start/stops with increased number of cuts, expected elevated trail, haven't really improved the intersection: Mr. Fredette: safer, no run away car; drainage improved, capturing water before hand; destination points now go nowhere, access is primarily recreation trail. Experts at DOT stated that optimum length between crossings is about a mile (not documented), 2 miles between crossings is a long

way. Can't dispute access for a younger generation. Discussion: Salem to Concord trail, part of long term plans with destinations along for stopping, why can't you take the trail over? Mr. Fredette: warranted if a subdivision of many homes, here we are only accessing 3 homes. Occasion of conflict does not warrant need for overpass. Tried to blend safety and design features while keeping an eye forward to a railroad. Railroad is out in distance, foggy. Believe that we are getting closer to the right solution. Discussion: cost benefit analysis for 3 homes, 1000 feet of road with quite the cuts and engineering work for just 3 homes. Conservation Commission site walk scheduled for September 2. Rail crossing sticky issue, understand earlier comments regarding B&T, is it a feasible option now? May want to consider different approach to this land. Town may not support crossing. Access through Business and Technology District can be designed to provide some kind of separation for the districts. Mr. Fredette: Looking for best solution. In Jan 2004, opinions were laid down that access should not be through Business and Technology district. Based on that, the open space was carved out. Rail bed crossing access now becomes only viable choice. Nothing can't be undone; long process, open space surrounds, one more hurdle to go the other way. Our effort is to make this the best access that we can. Mr. Turner: raising trail to almost 5% slope at crossing. 5% may take people off their bikes, difficult for elderly. Road slope of 8% is maximum required grade for road, they're proposing 9+%.

Mr. LoChiato referenced comments in file. Discussion: Change to railroad. 93 expansion and rail for the future, what would happen at this intersection if it became an active rail bed? Can you reconstruct the road to cross a rail bed at 90 degrees?

Mr. Fredette: Likelihood so foggy it is hard to focus. Easy to accommodate if it were to come. No can't make the train like the bike path, will be skewed. Working with existing right-of-way. Would remain at grade crossing, does not warrant bridge. Discussion: Private driveway versus road. Private driveway has frontage on Town road. 60-foot radius non-vegetated versus proposed 80-foot radius cul-de-sac. Ledge cut 15 feet.

Mr. Nassar, applicant: Made a lot of progress, try to come in with the least amount of waivers, can see that this would not be an easy process. Asking for waivers makes the process a little bit more subjective, reducing chance of majority votes. Site distances, safe crossing, a lot of research of bike paths, not submitting until public hearing, do not see reason to deny based on crossing. Trying to find board's demeanor regarding regulations. Have sent a letter to staff regarding administrative decision. Do not believe waivers are necessarily warranted due to the language in regulations. Mr. Turner wrote a response to Mr. Nassar's letter. Road grades, block length, length of cul-de-sac are subjects for discussion of whether waivers are required. This is an existing class VI road. We cannot move it. Avoiding a wetland forces the skew. This plan allows the train to come back. Unique circumstances. Mr. Turner: Road is how it is because of the hill. At time when Mr. Nassar asked for right-of-way, he was planning a bridge over the railroad. *Mr. Nassar disagrees.* Road purposefully aims for high ground. Mr. LoChiato: is there documentation? Mr. Turner: yes, can ask DOT for copy of letter, also. Mr. Nassar: Bridge was in different location. Cannot substantiate for this location. If we get a denial on the subdivision, we'll still have one house lot that we'll need a crossing to.

Mrs. Nassar: Nothing technical, we wouldn't want to put a bridge there. We don't want a big road either but we're going by the book. Our land is for everyone to enjoy. This area is beautiful and designed for with least impact that we can. We understand safety issue. Working with Conservation Commission and Trails. We all want it to look the same and be safe. Cape Cod has many crossings and zigzags.

Discussion: question regarding subdivision regulations – cannot give binding administrative decision at a non binding meeting; Mr. Turner gave written response. 50 foot slope easement was filled and is now

not needed. Discussion: The easement is private property thus cannot be used to move the road. Calculation of slopes. Checklist completed. Concerns: slopes, length of cul-de-sac, at grade crossing, cul-de-sac radius, gates at crossing.

Discussion: Letters from Mr. Nassar have been received and read into the record.

Motion by Ms. Post at the request of the applicant to accept the Blanchard Subdivision as public discussion rather than public hearing as originally noticed. Seconded by Mr. Kolodziej. Passed 6-0.

Blanchard Subdivision – Public Discussion
18 Longmeadow Road – Lots 8-B-5716 & 8-B-3001

Mr. Turner: Conceptual discussion for one lot subdivision at the end of Longmeadow Road. 53 acres plus this lot; looking to subdivide a lot out of here and keep the rest for open space. Can create open space lot without frontage without area requirements as long as dedicated open space never to be used for construction purposes. What is to become of the land? Original crossing of brook area needs more information is why this application has been downgraded to public discussion. Land abuts conservation land.

Mark Jennings, applicant: Like to take larger piece of land and add to lot 8-B-3001, keep 3.192 acres and subdivide. Existing wood road access from Longmeadow Road cul-de-sac with existing crossing at stone culvert. Requesting special permit in WWPD because of crossing. Large lot will be given to the Town. Discussion: acreage discrepancy – 3.192 is correct acreage. Drawing will be revised. WWPD line reviewed in detail when Longmeadow Road was approved, 200 foot because of slopes, challenging, large wetland area, nice connectivity of town owned conservation land. Checklist. This piece will be purchased by the Town, not given to the Town. If Conservation Commission does not buy, it still needs to be deeded as dedicated open space.

Motion to adjourn by Mr. Kolodziej. Seconded by Mr. McLeod. Passed 6-0. Meeting adjourned at 9:40 pm.

These minutes are in draft form and have not yet been reviewed and approved
Respectfully submitted, Nancy Prendergast