

PLANNING BOARD MINUTES

April 2, 2008

ROLL CALL:

Phil LoChiatto, Chairman – Present	Nancy Prendergast, Vice Chairman – Present
Rick Okerman, Secretary – Present	Walter Kolodziej, Regular Member – Present
Ruth-Ellen Post, Regular Member – Excused	Pam Skinner, Regular Member – Present
Neelima Gogumalla, Alternate – Present	Bruce Breton, Selectmen Member – Excused
Dennis Senibaldi, Selectmen Alternate – Excused	

STAFF:

Al Turner, Director of Planning and Development – Present
Shaun Logue, Town Planner – Present

Mr. LoChiatto opened the meeting at 7:00 pm. The Board stood and recited the Pledge of Allegiance.
Ms. Gogumalla replaced Ms. Post.

BONDS:

Jackman Ridge Road Extension, release of \$14,400 and retain \$54,600. Mr. Kolodziej motioned to approve the release as requested. Mr. Okerman seconded. Passed 4-0-2. Ms. Gogumalla and Mr. LoChiatto abstained.

SIGN PERMIT:

A-Top Polymers, 46 Rockingham Road, requesting to move the existing sign. Board discussion that it is in the right-of-way. Ms. Prendergast motioned to approve the design as it is an existing sign that is being moved. Ms. Skinner seconded. Passed 6-0. *Mr. Breton joined the Board.*

CORRESPONDENCE:

- Letter from Kristi St. Laurent requesting to become a Planning Board alternate member. Ms. St. Laurent to be invited to next week's workshop meeting on April 9 at 7:00 pm;
- Letter from Lorraine Bain regarding objection to a variance for 120 Haverhill Road;
- Letter from Mr. Turner regarding subdivision and site plan regulations. This to be discussed at next week's workshop meeting;
- Letter from Mr. Turner regarding Workforce Housing. Mr. Turner stated that some State agencies will meet with the Board if they'd like. Mr. Turner will try to schedule a meeting for the 30th of April, and other Town Boards and Commissions to be invited;
- Potential updated Driveway Regulations. To be discussed at the April 9 meeting;
- Letters from David Sullivan regarding the Selectmen meeting regarding the sale of: 1) lot 16-P-1004 Third Street; 2) lots 21-W-6, 21-W-15A, 21-W-2; and 3) lot 8-A-52 19 Seavey Road;
- Three NH Senate Bills regarding workforce housing;
- Postcard regarding a seminar titled Tools and Techniques for Managing Residential, Commercial, and Industrial Growth;
- Flyer regarding a seminar titled Heating Whole Communities with Renewable Fuels – the Potential for District Energy in NH;
- CTAP Local Government Workshop Catalog;
- ZBA abutter notification from Derry for a billboard;
- Letter from NH DES regarding Spruce Pond I alteration of terrain permit has been approved;
- Letter to Meadowcroft Development regarding 62 Haverhill Road and Ledge Road;
- Flyer titled 2008 Local Officials Workshop;

- Letter from the NH Liquor Commission regarding an application for a beer and wine license at 4 Cobbetts Pond Road;
- Email from the NH DES regarding the revised Comprehensive Shoreland Protection Act;
- Flyer regarding a 2008 Economic Development Expo.

PUBLIC MATTERS:

20 Flat Rock Road Special Permit, 22 Flat Rock Road Special Permit, 24 Flat Rock Road Special Permit – Public Hearing

20 Flat Rock Road, Lot 3-B-262, 22 Flat Rock Road, Lot 3-B-352, 24 Flat Rock Road, Lot 3-B-350

Mr. Turner stated that there are 3 applications for Flat Rock Road to allow the disturbance of the WWPD, and the application is complete and ready for public hearing. Ms. Prendergast motioned to open for public hearing. Mr. Kolodziej seconded. Passed 7-0.

Mr. Turner reviewed the requirements for a Special Permit including 1) The Applicant will need to discuss if the property will have any adverse impacts to the WWPD; 2) Is the erosion control plan adequate to protect the adjacent wetlands? 3) Does the construction plan minimize WWPD impacts?

Mr. Turner discussed the three properties: 1) At 20 Flat Rock Road, lot 3-B-262, the proposed development includes a four-bedroom single-family dwelling within the WWPD, he showed the area on the map and described the site including the wetlands and the proposed home, and he described the grading of the land; 2) At 22 Flat Rock Road, lot 3-B-252 the proposed development includes a two-bedroom single-family dwelling within the WWPD, and he showed the area on the map and discussed the driveway easement and wetlands; 3) At 24 Flat Rock Road, lot 3-B-350, the proposed development includes a three-bedroom single-family dwelling within the WWPD, he showed the area on the map and discussed the site including the septic, wetlands, driveway, and grading. A standard release form has been signed for septic systems to be closer than 75' to the lot line.

Board discussion with Mr. Turner regarding the markings for the protected area and driveways, the ZBA has granted a variance so they can build on the properties, the properties are currently vacant, construction should not encroach on the wetlands, Superior Court upheld the ZBA decision on April 4, 2007, and the Conservation Commission has walked the property. Mr. LoChiatto read a letter from Jim Finn, Chairman of the Conservation Commission.

Attorney Bill Thoreau, representing the owner, reviewed the history of the property, a portion of the road is paved, and it is a Class V road.

Matt Hamor, Polaris Consultants, stated that their company did the development plans, LaVelle Associates did the septic designs, he discussed each property separately, he showed where the pavement ends, he discussed 24 Flat Rock Road, he explained the driveway profile, there may be ledge on the property, retaining walls are incorporated in the plan, he further described the site including walkways, dwellings, and foundation drains, they are proposing an infiltration trench off the driveway, and he explained the hay bales and siltation line. Board discussion regarding the use of hay bales.

Mr. Hamor continued regarding 22 Flat Rock Road, he discussed the driveway profile, sheet flow off the driveway into a shallow swale, and there is a foundation drain which has been engineered. Board discussion regarding the location of the well.

Mr. Hamor discussed 20 Flat Rock Road, he discussed the driveway and grading, there is a wetland crossing, there is a driveway easement, there will be a terrace system of retaining walls each wall being

about 4' in height, he showed the foundation drain and wells, and there will be a hay bale line and a siltation fence. Board discussion regarding the location of the hay bale line, and the area is thinly wooded and with brush.

Public comment from Nancy Piccielei, Bissell Camp Road, stated that one of the lots once looked like a pond, she asked where the water flow once everything is disturbed? and will the Town pave the road? Mr. Turner stated it would have had to have been a Zoning Board of Adjustment condition of approval, it is currently plowed and sanded by the Town, and the Planning Board does not have the authority to ask for the road to be paved. Ms. Piccielei asked about how much land is needed to build a house. Mr. Turner explained that these are existing lots of record.

Mr. Hamor discussed the road and the drainage, there's a 24" culvert at 1/2% slope, and he showed the direction of the drainage on the map. Mr. Turner stated that they are not required to show pre and post drainage as it is not a subdivision. Board discussion as to whether the 24" culvert is enough. Mr. Turner further described the slopes and drainage to the wetlands. Board discussion regarding which plans the ZBA saw.

Public comment from Mike Salvo, 137 Rockingham Road, stated his concern for the drainage, a lot of water does come from Rt 28, the driveway culvert should be increased, the current road is 12', should the driveways be designed for a 28' road? and will the area be revegetated?

Attorney Thoreau stated that the junk and debris has been removed from the lots. Mr. Turner stated that there's a few minor things left to be cleaned up.

Board discussion regarding it is an undeveloped portion of the road, would the fire department have a problem with the 12' road, and this should have been addressed during the ZBA hearing. Attorney Thoreau stated that the Board does not have jurisdiction over this issue.

Jerry Beique, owner, stated that there is another residence on the road, and it is a mobile home.

Board discussion regarding it is a Town owned road, there is pavement up to the mobile home, and should the driveway culverts be increased? Mr. Hamor stated that they feel the 24" culvert is adequate. Discussion continued regarding the native vegetation should be added to the conditions of approval. Mr. Hamor stated they will be doing the crossing during the low flow times such as July or August. Board discussion continued regarding concern with lawn areas and fertilizers, no use of fertilizers is unenforceable, and use of organic fertilizers.

Ms. Prendergast motioned to grant the Special Permits as per the plans dated March 12, 2008 for 20, 22, and 24 Flat Rock Road as the applicant has demonstrated not to have any adverse impacts to the WWPD, that they have an erosion control plan in place that is adequate, and the amount of construction has been minimized. Approve the Special Permits with the following conditions: 1) All state and federal approvals shall be received prior to the signing of the plans; 2) The applicant shall submit a "standard release form" to allow each well located to be within the required 75' set back from abutting lot lines per Section 2.5 of the Water Supply Regulations before signing of the approved plans; 3) All plans will need to be corrected to depict all WWPD buffers. Wetland and Watershed Protect District should be spelled out; 4) At 20 Flat Rock Road, the foundation drain be shortened and installed further from the wetland to an approximate elevation of 260 and that stone and rip rap be installed and hay bales readjusted accordingly; 5) Applicant provide replanting of vegetations, seeding, and restabilization to disturbed areas with native vegetation; 6) Applicant perform WWPD crossing at seasons of low flow; and, 7)

Require the applicant to use organic fertilizes. Mr. Breton seconded. Passed 6-1. Ms. Gogumalla opposed. She stated that she doesn't think the plan meets with the spirit of the ordinance.

NEW/OLD BUSINESS:

- Mr. Turner stated that the letters from David Sullivan regarding the sale of land was just to inform the Board of the public hearing date. The Board has already reviewed and given their input regarding these potential sales;
- Board discussion regarding concerns regarding the recently passed impact fees, what are our neighboring towns doing? and are we discouraging the type of business that we want to attract such as small businesses rather than the big box developments. Mr. Turner offered to get the information for the Board for next week's workshop. Board discussion continued regarding other towns should not have an impact on us, take a second look at the impact fees to ensure we're doing the right thing, this to be discussed at a workshop, and any changes would need a public hearing;
- Board discussion of topics for upcoming workshops.

LIAISON REPORT:

- Ms. Skinner, Conservation Commission, stated that the Commission will be meeting at the end of Johnson Road on April 9 at 9:00 am regarding a 90' dock.

Mr. Kolodziej motioned to adjourn. Mr. Breton seconded. Passed 7-0. Meeting adjourned at 9:20 pm.

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

Respectfully submitted,

Nancy Charland