

Planning Board Meeting
October 21, 2010 – 7:00 PM
Library, Elementary School, 570 Calef Highway
Meeting site changed to School Art Room due to conflicting school activity.
Work Session – Review of hearing scheduled for hearings on November 4, 2010

Members present: Chairman John Huckins
Edward Lemos
Alan Kelley
George Calef
Anthony Gaudiello (Alt)
Dawn Hatch (Alt)

Town Planner: Constance Brawders-arrived 7:10

Call to Order:

Chairman Huckins opened the meeting at 7:00 PM

Announcements:

Hatch told the Board members that as of November 1, 2010 she would no longer be working for the Town. She said she would not be available to take the minutes on October 28, 2010 due to a personal appointment.

Minutes - August 19 and September 9

It was noted by [?? Ed Lemos?] that the minutes of 8/19 and 9/9 contained incorrect material and ought to be corrected. Gaudiello asked if it was necessary to reopen them in order to insert a notation of any later change to accepted minutes. E. Lemos made a motion to reopen the minutes of August 19 and September 9 seconded by Kelley, all in favor. They were reopened for further corrections. The changes were read, corrected and a motion to accept was made by Lemos, seconded by Kelley, all in favor

Routing sheets

Brawders said she had designed a new routing sheet that would be used by the various Department Heads for comments. She said that this would keep everything together. . She indicated that some of the applications had NOT been commented upon before coming to the Board. Gaudiello asked if this meant that the return of these routing sheets was to be the first necessary step in the Board's review process. Calef asked how they were given to each department head. Brawders said the sheets were put in the department head's baskets for review. She said the comments should be returned in a short period of time Kelley said each Head should have a plan to go with the sheet, even if the Head had no comments they should initial the sheet.

The Board moved to the review of plans scheduled for hearings on November 4.

File SR 10/384 - Richard and Catherine Gibb

Corner of Route 125 and Lee Oak Road – Map 263, Lot 7 – Regional Commercial Highway District – Stratified Drift Aquifer Overlay

Memo from Code Enforcement Officer / Building Inspector – Richard & Catherine Gibb

The memo stated that his concerns should be directed to the Planning Board. It stated that each reviewer should not contact the State / DOT example as it would add confusion to the reviews. Buczek said all correspondence from all Departments should be given to the Board.

Memo from Fire Chief Rick Walker – Richard & Catherine Gibb

The letter stated that Chief Walker had been asked by Richard Gibb to view the pine tree on the corner of New Town Plains Road (formerly Lee Oak Road) and Route 125 as to whether it blocked sight at the intersection. He said in his opinion it would not improve the sight distance. He said he felt that removal of the brush between the road and the cemetery along Route 125 and New Town Plains Road. This has not happened for some time and would do more to improve the sight distance than removal of the pine tree. Walker said he also favored one entrance / exit on this property and should be placed as far north as possible.

**File SR 10/385 – Restoration Church (Formerly Christian Worship Center)
8 Eastern Ave. – Map 235, Lot 83 – Village District – Stratified Drift Aquifer
Overlay**

Huckins said he had attended the church for several months and though he did not think there was a conflict if the members did he would recuse himself from the review and hearing. Calef said he did not think that Huckins had anything to benefit, so in his opinion it was not controversial.

Gaudiello asked if recusal in this matter was significant enough to matter for future processes. . Huckins noted that since the matter was raised at all He moved away from the discussion table. Perhaps it would be best if he recused himself. Lemos and Kelley said the decision was up to Huckins. Huckins said as there was discussion among the members concerning the church, he would recuse himself from any discussion. He moved away from the discussion table and ceased participation in the discussion.

The intent of the hearing was to change the free standing sign to read the change in the name of the church. The sign would be internally lit which was a stumbling block for the members. Brawdors said Article 5.5.1, Site Review Regulations stated that signs could not be internally lit unless they utilize light colored letters with a dark background.

Lemos said the name change was not a problem, the original sign was grandfathered, but because there was a change in size, a problem was created. He said the original sign had not been lit.

Gaudiello asked about any known history of the sign. Calef said the applicant had been here before and would need a waiver for the sign, as it was larger than allowed in the Village District. Calef said in his opinion, the sign was being reduced and more conforming, which was in the public interest. Lemos said the sign would be smaller and farther away from the highway so it would need size in order to be seen.

Gaudiello asked if it was the boards practice to provided detail information about the process to the applicant. That is, would the applicant be informed that the change in the sign meant (1) that the grandfathering of the existing sign would go away? (2) all existing signage requirements would apply; (3) that since the requested sign was still non-compliant a compliance waiver would be needed. . The applicant will be informed about the need for a waiver.

File 10/609 - Paul & M. Abigail Aucella

PBMinutes/dh
10/21/2010

Province and Range Roads – Map 228, Lot 16 – General Residential District

Hatch said Aucella had received his special exception from the Board of Adjustment on October 20 for continued use of the existing Class 6 road as access. Huckins explained that the parcel was located on the border between Strafford and Barrington and would need to have the plan approved and signed by both towns. He said the plan met the requirements of zoning and subdivision. Huckins said the frontage requirements had been met of at least 50 feet on a Class 5 road.

The checklist was reviewed. Gaudiello asked about the requirement of the Zoning Board. Huckins said the Planning Board could not grant any changes that were not allowed by zoning. An applicant had to go before the Zoning Board for any relief from the Zoning Ordinance.

The checklist was complete and the special exception was all we had been waiting for. Gaudiello said we should always help an applicant. Huckins said the Town's Attorney had recommended that we should assist an applicant as much as possible and point out what was needed.

File 10/611 – Brenton and Roxanna Merrill

Routes 202 and 9 – Map 242, Lot 22 – General Residential District & Highway Commercial Overlay

Members pointed out that a 50-foot natural buffer was needed along Routes 202 and 9, as it was in the Highway Commercial District. The existing house would need a waiver, as it did not meet this requirement and the lot was being reduced by creation of the second lot. The note on the plan needed to be changed to read 50 feet. The setback for the structure was measured from the boundary line, not wetlands. A variance from ZBA would be needed, as the existing house would be on a new lot.

Calef asked about the light brown trails or road on the plan. Huckins said these should be included in the legend. Calef said the building needed to be set back 50 feet. or a variance would be needed. Huckins said the driveway had been turned over to Peter Cook regarding curb cuts.

Other items needed were two test pits located within the 4K area shown on the plan, planning board block, and the easement shown on the plan to Lot 22 needed to be explained; was it existing or proposed.

Brawders asked why the Regulations required two foot contours. Huckins said they showed slopes and drops in the land. He said there was a clean plan for recording and the contours were shown on the second sheet.

Huckins said if there were future plans on the parcel it should be explained. If three more lots were created within the parcel, a cistern would be needed. If more lots were designed, a road might be needed. The applicant needed to know what would be required if additional lots were designed.

Gaudiello asked what happened if a person bought a lot with the understanding that the parcel it came from would not be further subdivided. Did he have any rights? Huckins said this would be a civil suit. He said if the new proposal met the requirements the Board would have to review it as such.

Preliminary Review Conceptual Conference – Matthew Jensen

Route 4 and Glass Lane – Map 270, Lot 71 / Regional Commercial District & Stratified Drift Aquifer Overlay

Brawders said Jensen wanted to speak to the Board concerning a proposal for a LEED certified (Leadership in Energy and Environmental Design) office building. She said it would be used for small businesses, a conference room is planned for business meetings Groups such as a chamber of commerce group, could use this facility. Brawders said Jensen wanted to construct a building that would benefit the Town.

Huckins said Jensen had come before the Board before with a similar proposal. He said the setbacks to wetlands were not met. He said the lot would be tight. Contiguous uplands needed to be shown, lot coverage, prime wetlands, setbacks; these were some of the issues that would need to be addressed by the applicant. He said he did not think Jensen had designed the plan to meet the regulations and Zoning. Huckins said Jensen had a lot of work to do. Members agreed.

Brawders said she thought that it would be worth talking with Jensen on his proposal. Huckins said to keep the plan as designed would require relief from the Zoning Board and he would have to prove hardship.

Berger Review – Richard and Catherine Gibb

The review letter from Berger Group on the Richard and Catherine Gibb traffic review was discussed. Brawders said a copy had been sent to Jason Pohopek. The issues to be addressed were pointed out.

The trip generation and distribution submitted was conservative. The traffic volumes were reasonable as they had been taken from recent information. Clarification of which is the entrance and exit was needed. Exit signs should show the direction that they would face.

The applicant should determine whether the requirements in the Site Review Regulations were met. The number of employees and required parking spaces appear to be conflicting and need to be clarified and consistent. Ten parking spaces were shown; one should be designated for disabled parking (Section 4.9.4).

Discussion of the existing site layout and the side street access should be discussed which would be helpful to The Louis Berger Group. Pending consideration and resolution of these items The Louis Berger Group recommends, the Traffic Analysis was accepted.

Members said they did not want access from Lee Oak Road. All were pleased that the entrance and exit was away from the intersection. The Department of Transportation supports the Gibb access.

Brawders said she had received an email from Terry Knowles of the NH Department of Justice concerning the cemetery across Lee Oak Road. It gave comments on how to address abandoned cemeteries. Huckins said the memo from Rick Walker stated that the pine tree was not a problem. Brawders said she had passed the information on to the Selectmen.

Adjournment: Motion to adjourn made by Kelly and seconded by Gaudiello to adjourn. All in favor. The meeting adjourned at 9:15.

Dawn Hatch, Clerk