

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
JUNE 8, 2011

MINUTES OF MEETING

Present: Board members Kate Hartnett, William Perron, Lisa Wolford, Peter Schibbelhute. Also present Planning Consultant Gerald Coogan and secretary Jane Boucher.

7PM Vice Chair Kate Hartnett called the meeting to order.

MEMO; GERALD COOGAN

Mr. Coogan reviewed his memo noting that

. Telecommunications Plan: SNHPC is working on this plan for the Board and I would like a representative to attend a Planning Board meeting

. Site Plan Review Regulations: In progress

. CTAP Transportation Plan; KNA is working with the Road Agent to finalize the Town Roadway Management Plan; they plan to meet with the Board of Selectmen to review the information and seek input.

Capital Improvement Plan: I plan to work on the update to the Town's CIP , which was last updated in 2005. I suggest a joint meeting with the Board of Selectmen

Northern Pass:-proposed Tower height amendment: Research indicates that the NH Site Evaluation committee has the authority to override a local zoning amendment if the amendment inhibits the project by making it not feasible, from either a design or financial standpoint. Therefore, work on such a zoning amendment would be a wasted effort.

William Perron advised that the Board of Selectmen have agreed that the Town will do more research to obtain more detail on Northern Pass.

Lisa Wolford commented that the Planning Board should also look at the issue to determine what a municipal Planning Board can do.

Kate Hartnett agreed, noting that the Board will discuss this issue further.

7:30 BMI REALTY TRUST; WAIVER OF AS BUILT PLANS
Wayne Hussey and James Franklin were present.

Mr. Hussey provided copies of an As-built Elevation Survey along the centerline of the pavement within the Brown's Mill Subdivision prepared by James Franklin. The secretary will forward a copy to Steve Chabot, KNA.

Gerald Coogan referred to an e-mail sent by Steve Chabot. "As I

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stated in the May 12 e-mail, we recommend than an as -built of the entire project be prepared. the as-built should include; centerline elevations at each station on all roads, location of all drainage with inverts (driveways, culverts, roadway, under drain, etc) include a note that all monumentation has been set, utility pole locations, guard rail, show all easements and any other changes from the approved plans. thank of an as-built plan this way, if the Town were to have a problem at any time, they could take the as-built plan and locate the above mentioned using that plan."

Wayne Hussey questioned if the original plan could be submitted as an as-built.

Peter Schibbelhute noted that he had spoken with Steve Chabot who was concerned regarding work previously completed before KNA inspections.

Gerald Coogan suggested that Mr. Hussey contact Steve Chabot.

The secretary will provide copies of KNA's inspection reports to Mr. Hussey.

Mr. Hussey and Mr. Franklin will meet with the Board on Wednesday June, 22, 2011 at 7:15PM.

7:30PM CONTINUATION; PUBLIC HEARING; MAJOR SUBDIVISION; HARRIET CADY; MEETINGHOUSE HILL ROAD
Joe Cornati, Jones and Beach, along with Aaron Cady, Laura Cady and her husband were present.

Gerald Coogan advised that the Board should proceed to vote on each of the 13 waiver requests. He provided copies of Section 674:36 of the RSA's referring to:

(n) Include provision for waiver of any portion of the regulations. the basis for any waiver granted by the Planning Board shall be recorded in the minutes of the board. The Planning Board may only grant a waiver if the Board finds, by majority vote that:

(1) Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations or

(2) Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

The Board proceeded to vote on the following waiver requests.
1. Test Pit Data to be included on the Roadway Design Plan and Profile Sheets. A waiver is requested from including the data on the plan sheets. The data will be submitted with the

application package.

1. Steve Keech's response: An examination of the proposed vertical alignment of Cady Lane reveals that essentially the entire length of this platted street is to be in a "fill" condition, which will provide adequate vertical separation between the roadway base and either bedrock or water table. As such, we are not opposed to the granting of this waiver as requested.

Joe Cornati addressed the Board noting that there are many test pits and he felt no additional test pits are needed. Additional information is shown on the plan.

William Perron moved to grant the waiver request for Section III-6-E.3.c18 Test Pit Data. Peter Schibbelhute seconded. Voted in favor.

2. Roadway Cross Sections for all applications involving the design of new or improved streets. A waiver is requested from providing roadway cross-sections due to the proposed roadway not being Town owned and maintained.

2. Steve Keach's response. In our opinion this information is needed in order to properly communicate the design engineer's expectations to the applicant's contractor. Therefore, we cannot recommend the request be granted.

Joe Cornati commented that this is a private road and there is no need for road cross sections at 50 foot intervals. A typical cross section is shown on the plan. He added that very few towns require cross sections.

Peter Schibbelhute felt the waiver should be granted. He noted that he does not feel that cross sections are necessary for this property and the cost related to this requirement should be considered as an aspect.

Peter Schibbelhute moved to grant the waiver request for Section III-6.E(3)(d) requiring roadway cross-sections at 50 foot intervals. William Perron seconded. Voted in favor.

3. Stormwater Management Report. Three copies of a Stormwater Management Report to be included with the application. A waiver is requested from preparing a Stormwater Management Report

3. Steve Keach's response: The applicants consultant has provided a full and complete drainage report suitable for analysis and design of drainage conditions at this location. As such, it is our opinion these waiver request may be withdrawn by the applicant.

At this time Joe Cornati, on behalf of the applicant, withdrew the request.

7. Typical Roadway Cross Section. Per Figure IV-A, an underdrain is required in a cut section. A waiver is requested from providing underdrains due to the proposed roadway not being Town owned and maintained.

7. Steve Keach's response: Approximately 80 to 85 percent of the planned roadway is to be situation in a "fill" section, leaving only three very short roadway segments in a cut environment. In our opinion this waiver request may be withdrawn by the applicant since it is unlikely under drain installation would be required in this instance.

Joe Cornati, on behalf of the applicant, withdrew the request for waiver.

12. Analysis of Design Improvements. All analysis and corresponding calculations prepared and submitted for the purposes of demonstrating fulfillment of specific requirements of these regulations shall be prepaid and sealed by the Licensed Professional Engineer. Design calculations corresponding to the 10, 25 and 50 year return frequency design storm events shall be prepared and incorporated into a Stormwater Management Report submitted as part of any major subdivision application. A waiver is requested from conducting drainage design analysis and calculations.

12, Steve Keach's response: In the current instance the applicant's consultant has provided a full and complete drainage report suitable for analysis and design of drainage conditions at this location. As such, it is our opinion these waiver requests may be withdrawn by the applicant.

Joe Cornati, on behalf of the applicant, withdrew the request for waiver.

5. Table of Geometric Roadway Design Standards (Minimum Pavement Width)

Per Table IV-1, the minimum pavement width of a Local Street -1A is 18". A waiver is request to reduce the roadway width to 16 feet due to the proposed roadway not being Town owned and maintained.

5. Steve Keach's response: As such, we are not opposed to these waivers which seek to permit the construction of a 16 foot wide (20 feet including shoulders) unpaved private way provided the applicant agrees to pave the initial 40 feet of Cady Lane at its approach to Meetinghouse Hill Road. The intent of this limited distance of pavement being the

prevention of "tracking" of earth onto Meetinghouse Hill Road and avoidance of the need for the Highway Department to maintain a gravel pavement transition at the intersection of a public and private street situated within an existing public right of way.

Peter Schibbelhute moved and William Perron seconded to grant a waiver for Section IV-4-B.2.3 Minimum Pavement Width.

During discussion Aaron Cady voiced concern regarding the cost of the requirement to pave the initial 40 feet of Cady Lane. He noted that he will work with Alex Cote, Road Agent, and if, in the future Alex feels it is necessary, 40 feet will be paved.

William Perron questioned if Mr. Cady would be agreeable to paving 20 feet. Mr. Cady said that was reasonable.

Peter Schibbelhute revised his motion to grant a waiver for Section IV-4-B.2.3 Minimum Pavement Width to require a 20 foot section of Cady Lane be paved at its approach to Meetinghouse Hill Road. Voted in favor.

6. Table of Geometric Roadway Design Standards- Bituminous Concrete Paving. Per Table IV-1, the minimum pavement thickness for a local street is 3 inches. A waiver is requested from providing bituminous concrete paving due to the proposed roadway not being Town owned and maintained. The proposed roadway will be gravel.

6. Steve Keech's response: In our opinion, the requirements of this section are effectively "trumped" by the provisions of Section 207.1.B of the Zoning ordinance. As such, we are not opposed to these waivers which seek to permit the construction of a 16 foot wide (20 feet including shoulders) unpaved private way provided the initial 40 feet of Cady Lane at its approach to Meetinghouse Hill Road. The intent of this limited distance of pavement being the prevention of tracking of earth onto Meetinghouse Hill Road and avoidance of the need for the Highway Department to maintain a gravel to pavement transition at the intersection of a public and private street situated within an existing public right of way.

William Perron moved to grant a waiver request for Section IV-4-B.2.11 Table of Geometric Roadway Design Standards (Table IV-1) Bituminous Concrete (403.110 Paving with a 20 foot paved apron at the approach to Meetinghouse Hill Road tapering off to a 16 foot wide road with 2 foot shoulders. Peter Schibbelhute seconded. Voted in favor.

9. Horizontal Centerline Tangent A horizontal centerline

tangent not less than 125 feet in length shall be maintained along all streets intersecting with a second through street. A waiver is requested from adhering to the 125 foot tangent length due to the proposed roadway not being Town owned and maintained.

9. Steve Keach's response: As shown on Sheet P1, the applicant proposes a tangent length of approximately 32 feet. Given the limited number of homes to be served by Cady Lane, we are not opposed to this waiver.

William Perron moved and Peter Schibbelhute seconded to grant the waiver to Section IV-4-B.4.b.3 Horizontal Centerline Tangent.

During discussion Joe Cornati by showing Sheet P1, explained that this will fit with the land better and minimize wetland impact.

Vice Chair Hartnett called for a vote on the motion. Voted in favor.

10. Rights of Way Minimum Radius: Rights of way and pavement at all intersecting streets classified as Local -1 or Local -2 shall be joined by curves having a minimum radius of 25 feet. A waiver is requested from providing a 25 foot radius at the eastern right of way intersection with Meetinghouse Hill Road. The proposed right of way shares a common point with the abutting property and would not allow a radius at this point.

10. Steve Keach's response: As shown on Sheet P1 this waiver request appears to be the result of an existing condition. Further, the extent of right of way available is sufficient to permit the construction of a street surface flare having a radius of 25 feet. As such, we support this waiver request.

Peter Schibbelhute moved to grant a waiver request for Section IV-4.B.4.b.5 rights of Way Minimum Radius. William Perron seconded.

During discussion Joe Cornati showed that they are able to maintain a safe turning radius at the entry way.

Vice Chair Hartnett called for a vote on the motion. Voted in favor.

8. Cul De Sac Streets. All dead end streets shall terminate in a cul-de-sac designed, laid out and constructed in accordance with Figure IV-B. A waiver is requested from providing a cul-de-sac designed per Figure IV-B due to the proposed roadway

not being Town owned and maintained.

8. Steve Keach's response: As indicated in the Text of Zoning Matters Comment No. 4 above, we are recommending a hammerhead type turn around having dimensions suitable for accommodation of a fire truck be provided at the westerly end of Cady Lane. As such, we support the granting of the requested waiver only to that extent; however, we cannot support a waiver which seeks to avoid proper accommodations of emergency response vehicles.

Peter Schibbelhute moved and William Perron seconded to grant a waiver for Section IV-4-B.4.a. Cul De Sac Streets providing a hammerhead type turn around, having dimensions suitable for accommodation of a fire truck be provided at the westerly end of Cady Lane.

During discussion Peter Schibbelhute said that, to accommodate fire trucks, especially in the winter, the hammerhead needs to be level. This will insure safe turn around for emergency vehicles.

It was noted that Fire Chief Mark Tibbetts approve the final plan showing the hammerhead.

The Board voted on the motion. Voted in favor.

13. Design and Construction Standards for Utilities> All utilities, including electric, telephone and cable television /data shall be installed underground in accordance with the specifications of each applicable licensed public utility provider. A waiver is requested from providing underground utilities due to the proposed roadway not being Town owned and maintained. Overhead utilities have been shown on the plans.

13. Steve Keach's response: As shown on Sheet C2, the building areas on two and possibly three of the four proposed lots are likely to be situated a considerable distance from Cady Lane. Providing above ground utility service from Cady Lane to each of these dwellings, as well as along Cady Lane itself would likely result in the construction of something on the order of 2, 500 to 3,000 feet of new above ground utility lines subject to damage from downed trees and limbs in times of severe weather. Given the recent history of significant delay on the part of utility service crews in attending to such situations in rural areas, it is our opinion the furtherance of above ground utility installation in rural areas represents an avoidable public safety and convenience issue. As such, we cannot support this waiver request.

William Perron moved and Peter Schibbelhute seconded to grant

the waiver for Section IV-7.A Design and Construction Standards for Utilities.

During discussion William Perron noted that he had no problem with overhead utilities.

Peter Schibbelhute commented that the applicant will have to provide an easement to the utility company and pay for the installation. After completion the power company has the responsibility for maintaining .

Aaron Cady noted that the cost of installing underground utilities is a major concern for his family.

Vice Chair Hartnett called for a vote on the motion. Voted in favor.

4. Section IV-2.B Stone Bounds Shall be installed at all turning points on or coincident with the lines of existing or platted streets. A waiver is requested from providing stone bounds due to the proposed roadway not being Town owned and maintained. Iron pins will be set at all required points.

4. Steve Keach's response: The applicant's consultant cites the fact that Cady Lane is intended to be a private rather than a public street as justification for this waiver request. In our opinion, the need to properly monument a street is the same regardless of ownership. As such, we cannot support this request.

William Perron moved to grant a waiver request for Section IV-2.B Stone Bounds. Peter Schibbelhute seconded.

During discussion William Perron indicated that he had no problem with this waiver request.

Joe Cornati commented that approximately 18 bounds would be required for the road and the cost would be double that of iron pins.

Vice Chair Hartnett called for a vote on the motion. Voted in favor by William Perron and Peter Schibbelhute with Lisa Wolford and Kate Hartnett abstaining.

11. Safe Sight Distance: A minimum of 400 feet of all season safe sight distance shall be provided at all intersections involving one or more Collector or Arterial Streets. A waiver is requested from providing safe sight distance calculations and plans.

11. Steve Keach's response: Since the requirements of

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this section pertain to public safety there is simply no way we can support this waiver request.

Joe Cornati commented that they are looking to comply with ASHTO requirements ie 250 feet at 35mph. He said they would be willing to provide calculations.

Members of the Board were not comfortable with the waiver request as written. "A waiver is requested from providing safe sight distance."

William Perron moved to deny the request for waiver from Section IV-4.B.4.b.6 Safe Sight Distance. Voted in favor.

Aaron Cady will measure the sight distance and bring that information to the next meeting. Joe Cornati will prepare a request for waiver for sight distance and submit a proposal at the next meeting.

Mr. Cornati noted that the Board needs to act on the request for a CUP and also an exemption from the Open Space Ordinance.

Kate Hartnett commented that because of Mrs. Cady opposition to raises for Town Employees, she did not feel it was appropriate for her to request their assistance in making up the abutter list for this property. Ms. Hartnett noted that this is typically done by the representative of the applicant.

Peter Schibbelhute moved and William Perron seconded to continue the public hearing for a major subdivision for Harriet Cady on Meetinghouse Hill Road to June 22, 2011 at 7:30PM. Voted in favor.

APPROVAL OF MANIFEST

William Perron moved to approve the manifest (time sheet for Jane Boucher 15 3/4 hours) . Peter Schibbelhute seconded. Voted in favor.

The meeting was adjourned at 10PM.

Recorded and transcribed by Jane Boucher
Pending Approval by the Planning Board