

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
SEPTEMBER 11, 2013

MINUTES OF MEETING

Present: Board members Fred McGarry, Lisa Wolford, Alan O'Neal, Peter Schibbelhute. Also present Planning Consultant Gerald Coogan and secretary Jane Boucher.

Chair Fred McGarry called the meeting to order at 7:10PM.

APPROVAL OF MINUTES

Lisa Wolford moved and Fred McGarry seconded to approve the minutes of August 28, 2013.

The following corrections were made to the minutes:

Page 1 Last Paragraph: Correct to read "...the adoption of Site Plan Regulations, building permits and electrical permits....."

Page 2 Paragraph 3: Add sentence: "Mr. Bourque stated that there was a state statute addressing complaints."

Page 2: Paragraph 4: correct to read "..and replaced with a new 500 gallon tank."

Page 2 Paragraph 7: Correct to read "...Mr. Bourque needed to provide a list..."

Page 2: Paragraph 8: Correct to read "...was acting on an improper anonymous complaint. He said the operation was not a dangerous situation."

Page 2 Paragraph 10: Correct to read "...selling propane to the public is a change of use and considered an expansion."

Page 3: Paragraph 2: Add "It was noted that the current Site Plan Review Regulations are not on the web-site."

Page 3: Paragraph 6: Add " There appears to be conflicts with this issue."

Chair McGarry called for a vote on the motion. Voted in favor with Alan O'Neal abstaining.

APPROVAL OF MANIFEST

Lisa Wolford moved to approve the manifest in the amount of \$500.00 and a time sheet for Jane Boucher. Alan O'Neal seconded. (SNHPC, Village District, \$500.00, time sheet 16 1/2 hours. Voted in favor.

7:20PM DESIGN REVIEW FOR PROPOSED SUBDIVISION; HARLEY STEVENS, PERRY ROAD

Harley Stevens, Pete Johnson, Roscoe Blaisdell were present. Also present Donald and Debra Wyman, Al Jaeger and Barbara Mathews.

Chair McGarry read the Notice of Public Hearing stating the in

accordance with Section III 3 D of the Deerfield Subdivision Regulations, the Planning Board will conduct a Public Hearing for Design Review for a proposed subdivision for property owned by Harley and Brenda Stevens, 2 Northwood Lake, Deerfield, NH and located on Perry Road, Deerfield, NH (identified as Tax Map 415 Lot 47-1) consisting of 22 acres. The intent is to create three new lots each consisting of 3.10 acres.

Gerald Coogan said that this application was first presented in 2008 and a great deal of work had been done. It was withdrawn by the applicant in September 2008, who has decided to present it to the Planning Board for further discussion. Mr. Coogan referred to a letter from Steve Keach, KNA, dated May 14, 2008, commenting on road improvements to Perry Road from the intersection of Nottingham Road up to the proposed subdivision and proposed common driveway. (A copy of the letter is attached to these minutes.)

Roscoe Blaisdell provided copies of the most recent plan. He questioned how much of Perry Road would have to be upgraded.

Gerald Coogan commented that back in 2008 the Board requested that the applicant provide an engineered plan showing the proposed improvement.

Lisa Wolford referred to Steve Keach's letter "Taken together, we recommend your Board, as a condition of subdivision approval, stipulate that the current applicant be required to increase the width of traveled way of Perry Road to not less than 18 feet; and subsequently overlay the widened "roadway box" with a compacted thickness of not less than 6 inches of crushed gravel commencing at Nottingham Road and continuing through the frontage of Lot 47-4".

Fred McGarry referred to the minutes of September 10, 2008 noting "Gerald Coogan provided comments and recommended that, if the Planning Board feels comfortable with the revisions, they can grant conditional approval with the following conditions:

1. The applicant shall have an engineering plan prepared showing the proposed improvements to Perry Road consistent with the KNA review letter.
2. Applicant to provided security in the amount of \$53,000 for off site improvements to Perry; as an option , the Planning Board could consider allowing Mr. Stevens to contract with a qualified road contractor to make the required improvements under the supervision of KNA.
3. The Planning Board with appropriate information from the applicants's agent, shall conduct the scenic road public hearing
4. Receipt of NHDES subsurface approval.

Mr. Blaisdell noted that the plan shows a shared driveway for the four lots.

Chair McGarry said that the Board should get an opinion from Town Counsel regarding a shared driveway.

Chair McGarry asked if anyone present had any comments:

Donald Wyman noted that he had spoken with Phil Auger who informed him that the average car trips for one home is 13. He expressed concern regarding this and maintenance of the shared driveway. He also voiced concern regarding wetlands on the property. Mr. Wyman also noted that substantial trimming will be necessary to bring in power.

Al Jaeger expressed concern regarding traffic and questioned the possibility of a connection to the Great Brook Conservation Area. Mr. Jaeger also expressed concern regarding cutting trees.

Chair McGarry noted that the Planning Board would have to conduct a public hearing for approval to cut trees on Perry Road, a scenic road.

Both Al Jaeger and Barbara Mathews questioned the parameters required for scenic roads and expressed concern regarding the number of trees to be cut.

Chair McGarry questioned if the Planning Board can direct the developer to work on the right of way making improvements to a scenic road.

Gerald Coogan will check with Town Counsel for his opinion regarding:

1. Shared Driveway
2. Right of way improvements by developer
3. Scenic Road impact

Lisa Wolford questioned the Open Space Development Regulation and asked if this application was applicable. Gerald Coogan referred to Section 325.3 C "Exceptions: The following lots created by subdivision are exempt from the requirement for OSD (but not from any restrictions from further subdivision contained in this ordinance.)" Mr. Coogan will check with Counsel regarding this section.

Lisa Wolford moved and Peter Schibbelhute seconded to continue the hearing for Design Review for Harley Stevens on Perry Road to October 9, 2013 at 7:15PM. Voted in favor.

7:45PM Richard Pelletier:

Mr. Pelletier was present at the Board's request to discuss existing home business's and commercial overlay.

The Board questioned whether existing home business's in Deerfield needed to submit information to the Board outlining their current activities.

Richard Pelletier noted that our ordinance is moot regarding expansion of existing business.

Mr. Pelletier was asked to attend the September 25, 2013 meeting at 7:15 to discuss these issues.

VILLAGE DISTRICT

Lisa Wolford asked if 2 e-mails regarding the Village District be attached to these minutes. Copies are attached.

The meeting was adjourned at 9:20PM.

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

May 14, 2008

Mr. Frederick J. McGarry, P.E.; Chairman
Deerfield Planning Board
Post Office Box 159
Deerfield, New Hampshire 03038

Subject: **Proposed Subdivision of the Land of Harley F. & Brenda J. Stevens
Perry Road (Map 415 – Lot 47-1); Deerfield, New Hampshire**
KNA Project No. 08-0502-1

Dear Mr. McGarry:

At the request of the Town Planner our office, in concert with Deerfield Road Agent Alex Cote, recently considered planned access accommodations for the subject subdivision proposal. In short, we understand access for platted Lots 47-1, 47-2 & 47-3 is planned to occur via a common driveway intersecting with Perry Road at the frontage of Lot 47-1, while access to platted Lot 47-4 via is to be provided via a driveway constructed through the frontage of that lot at Perry Road. In short, upon completion of the proposed subdivision, we understand a total of four new single-family homes will rely on Perry Road for access.

On the afternoon of May 6th, Steven R. Chabot of this office and Mr. Cote viewed the subject site and the condition of Perry Road from its intersection with Nottingham Road through the frontage of the planned subdivision. Based on observations made by Mr. Chabot and Mr. Cote we offer the following comments and recommendations at this time:

1. That segment of Perry Road situated between Nottingham Road and the proposed subdivision is gravel surfaced with a 14 to 16-foot wide traveled way. At present, the gravel roadway surface is in poor condition with many ruts and pot holes. Based on a "windshield survey", it appears that at present, the Class V portion of Perry Road serves approximately seven single-family dwellings. Data provided by the Institute of Transportation Engineers (ITE) under Land Use Code 210 in their publication entitled Trip Generation suggests each single-family residential dwelling is expected to generate an average of 9.57 weekday trip ends. Correspondingly, build-out of the planned subdivision could be expected to increase the average weekday traffic volume operating on Perry Road from approximately 67 vehicles per day to 105 vehicles per day. While this increase in volume may not be quantitatively significant, it is our opinion that the current

width and surface condition of Perry Road is marginal at best for the present volume served. Based on this opinion, we have no choice but to recommend that your

Mr. Frederick J. McGarry, P.E.

May 14, 2008

Page 2 of 4

Board rely upon the provisions of Section 28 of the Deerfield Subdivision Regulations and stipulate, as a condition of subdivision approval, that the applicant cause appropriate improvements to be made to that segment of Perry Road, commencing at Nottingham Road and continuing east through the frontage of platted Lot 47-4. In short, it is our opinion that without such improvements being made, the planned subdivision may very well be scattered and premature based upon inadequate transportation.

Under applicable New Hampshire Law, the extent of off-site roadway improvements required of an applicant of a subdivision proposal by a planning board must achieve a balance between the needs created by and the special benefits conferred upon the subdivision. In this case, it is our opinion this balance would be achieved by your Board requiring this applicant to complete a sufficient scope of improvement to Perry Road which would overcome your Board's need to reach a scattered and premature finding due to lack of adequate transportation.

As stated above, the best available data suggests that upon build-out of the planned subdivision, Perry Road will be expected to accommodate an average weekday volume of approximately 105 vehicles per day. The American Association of State Highway and Transportation Officials (AASHTO), in their publication entitled Guidelines for Geometric Design of Very Low Volume Local Roads recommends a minimum width of traveled way of not less than 18-feet for all local roads serving an average daily traffic volume of 400 vehicles per day or less. Further, in recognition of the observations made by Mr. Chabot and Mr. Cote relative to the poor surface condition of Perry Road, coupled with the reality that the proposed subdivision is predicted to result in an incremental volume of 38-vehicles per day, we have no choice but to recommend the gravel surface condition of Perry Road also be improved at this time. Taken together, we recommend your Board, as a condition of subdivision approval, stipulate that the current applicant be required to increase the width of traveled way of Perry Road to not less than 18-feet; and subsequently overlay the widened "roadway box" with a compacted thickness of not less than 6-inches of crushed gravel commencing at Nottingham Road and continuing through the frontage of platted Lot 47-4. We also recommend a plan sheet depicting a typical cross-section, together with specifications and details of these proposed improvements be prepared and submitted to your Board for review and consideration prior to or as a condition of final subdivision approval. While the extent of recommended improvements would certainly fall short of improving Perry Road to any recognized "town standard", we believe the extent of recommended

improvements would serve both to overcome the need for your Board to reach a scattered and premature finding in regard to the current application and achieve the “balance” between the needs created by and the special benefits conferred upon the subdivision discussed above.

Mr. Frederick J. McGarry, P.E.

May 14, 2008

Page 3 of 4

2. We understand the segment of Perry Road recommended for improvement under the preceding comment was designated as a Scenic Road by the Deerfield Town Meeting pursuant to the provisions of RSA 231:157 in March of 1975. Correspondingly, the scope of any and all improvements proposed by or required of the current applicant by your Board are subject to the review and approval by the Planning Board pursuant to the provisions of RSA 231:158. In order for the Planning Board to properly consider the applicant’s request under the provisions of RSA 231:158, we recommend the applicant’s consultant identify each tree (as defined under RSA 231:158, I) with the right-of-way to be cut, damaged or removed; as well as the full extent to which existing stone walls, if any, are to be impacted by the work. The full scope of stone wall and tree removal or trimming along the Perry Road corridor presented to the Planning Board for consideration should include not only those impacts necessary for completion of planned roadway improvements and residential driveway construction, but also any impacts required in order to facilitate any planned utility accommodations. Based on observations made during Mr. Chabot’s recent site visit, we anticipate significant tree removal and/or trimming may be necessary in order for the local utility provider to be able to extend overhead electrical service to the platted residential lots.
3. We recommend the applicant’s consultant demonstrate a minimum of 200-feet of unobstructed all-season safe sight distance will be available in both directions at each of the two planned driveway entrances onto Perry Road. Based on observations made by Mr. Chabot and Mr. Cote at the time of their recent site visit, it appears sight distance limitations exist at the locations of both currently planned driveway entrances. Specifically, a roadside knoll on the southerly line of Perry Road to the west of the planned driveway entrance at Lot 47-1 appears to interfere with proper line of sight, while existing vegetation to the east of the planned driveway entrance at platted Lot 47-4 appears to frustrate sight distance at that location. In the event tree removal and/or excavation is needed to overcome sight distance limitations within the right-of-way of the designated Scenic Road, those impacts should be identified and considered by the Planning Board as part of its proceedings under RSA 231:158.
4. Given the length of common driveway proposed at Lots 47-1 through 47-3, we recommend construction of the same conform to applicable NFPA Code in order

to insure adequacy of access for emergency response vehicles.

5. Lastly, in order to fulfill the requirements of Article V – Section 24 of the Subdivision Regulations, we recommend any approval granted to this application by the Planning Board be conditional upon the applicant providing for a performance guarantee, in an amount and form acceptable to the Town of Deerfield, to serve as a surety for the successful completion of all improvements situated within the public right-of-way at Perry Road.

Mr. Frederick J. McGarry, P.E.

May 14, 2008

Page 4 of 4

We trust the foregoing comments and recommendations will prove useful to your Board in your review and consideration of the subject application. As always, please contact the writer in the event you should have specific questions or further instruction related to this matter.

Sincerely:

Steven B. Keach, P.E.

President

Keach-Nordstrom Associates, Inc.

From: Lisa Wolford <wolfordnh@gmail.com>

To: Fred McGarry <mcgarry128@myfairpoint.net>; Kate Hartnett <nhkate@ncia.net>; Alan O'Neal <aoneal@metrocast.net>; Gerald Coogan <gicoogan@tds.net>; Jack Mettee <jackmetteeaicp@comcast.net>; Peter Schibbelhute <PeteSchib@gmail.com>

Cc: Jane Boucher <f5fy@aol.com>

Subject: Village District

Date: Tue, Sep 10, 2013 7:30 am

I wanted to note, and will discuss further at the meeting tomorrow, that I have spoken to at least one person who has serious reservations about density zoning in Deerfield Center. Dan Bush, who co-owns the Oddfellows Building, remembers that when Krist Nelson sought permission for a daycare center in the Business Center, someone from DES came to a meeting and said that additional development in this area would be very precarious.

Dan did not think that the area could be further developed without a wastewater treatment facility.

Whether or not this is correct, we should have whatever information DES apparently has. Dan remembered that the name of the DES guy was Mitch Locker. Jack, I think it makes sense to discuss this at the Committee meeting.

Jane, could you print a copy of this out for the meeting? Thank you.

From: Lisa Wolford <wolfordnh@gmail.com>

To: Fred McGarry <mcgarry128@myfairpoint.net>; Kate Hartnett <nhkate@ncia.net>; Alan O'Neal <aoneal@metrocast.net>; Gerald Coogan <gicoogan@tds.net>; Jack Mettee <jackmetteeaicp@comcast.net>; Peter Schibbelhute <PeteSchib@gmail.com>

Cc: Jane Boucher <f5fy@aol.com>

Subject: Village District

Date: Tue, Sep 10, 2013 7:30 am

I wanted to note, and will discuss further at the meeting tomorrow, that I have spoken to at least one person who has serious reservations about density zoning in Deerfield Center. Dan Bush, who co-owns the Oddfellows Building, remembers that when Krist Nelson sought permission for a daycare center in the Business Center, someone from DES came to a meeting and said that additional development in this area would be very precarious.

Dan did not think that the area could be further developed without a wastewater treatment facility.

Whether or not this is correct, we should have whatever information DES apparently has. Dan remembered that the name of the DES guy was Mitch Locker. Jack, I think it makes sense to discuss this at the Committee meeting.

Jane, could you print a copy of this out for the meeting? Thank you.