

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
DECEMBER 18, 2013

MINUTES OF MEETING

PRESENT; Board members Fred McGarry, Kate Hartnett, Alan O'Neal, Lisa Wolford. Also present secretary Jane Boucher.

Chair Fred McGarry called the meeting to order at 7:30PM.

APPROVAL OF MANIFEST

An invoice was received from Bruce Mayberry, BCM Planning, for updating the Impact Fee in the amount of \$2,500.00. There was some discussion regarding holding over encumbered funds before payment to give Board members an opportunity to review the information submitted by Mr. Mayberry. Mr. Mayberry had also sent an e-mail noting that he has done what he can with the information he has received and if further information comes available on road construction projects completed and related costs, he can rewrite that section.

Alan O'Neal moved to approve the invoice for Bruce Mayberry in the amount of \$2,500.00. Kate Hartnett seconded. Voted in favor with Lisa Wolford opposed.

The Board will discuss the Impact Fee update further at their January 8, 2014 meeting and Chair McGarry will discuss this with Bruce Mayberry.

7:40 CONTINUATION; PUBLIC HEARING; SITE PLAN REVIEW; JCR CONSTRUCTION; NORTH ROAD.

Chris Dane, Land Surveyor, and abutters Jeanne Menard and Karry Linker were present.

Chris Dane noted that he was representing Tobin Farwell who had a scheduling conflict. He provided plans and said that Mr. Farwell had no problem complying with recommendations stated in Steve Keach's letter of December 10, 2013. (A copy is attached to these minutes).

Chair McGarry reviewed comments provided by Steve Keach.

Additional comments by Board were:

Page 3 #5. Sheet C-1 specifies three proposed parking spaces are to be gravel surfaced. Section IV.2D.2 of the Site Plan Review regulations requires parking spaces to be paved. Board members questioned the necessity of this requirement. Mr. Farwell will be asked to submit an waiver request.

Page 3 #4 The applicant demonstrate applicable requirements of

Section IV.3.A. through C pertaining to landscaping and buffering will be fulfilled under current proposal. Chair McGarry said that the existing tree line should be identified. Lisa Wolford commented that existing trees not be removed.

Board members reviewed the minutes of November 30, 2013 which outlined the meeting when sound measurements were taken. A copy of the minutes is attached to these minutes.

Mr. Dane will confirm with Tobin Farwell regarding items that need to be identified on the plans.
The minutes were corrected as follows:
. Page 1; Paragraph 6: "were to be taken at 23 Mountain Road, home of Karry Linker, and 31 Mountain Road, home of Dennis Winkski.
. Page 2: Add to end of page "Submitted by Fred McGarry, Pending Approval of Planning Board.

Chair McGarry showed, on the plans, areas where sound levels were measured. he noted that the helicopter flew in from Raymond approached the property in Deerfield from the South East, swung North East of the site, then further to a point that was North West of the site, then came in from a North Westerly direction to the landing area. Mr. McGarry noted that the noise level as the helicopter crossed over Route 107 was 86 db.

Board members referred to and reviewed Article II 272 21 of the ordinance. Noise "Can the proposed land uses and activities be conducted so that noise generated shall not exceed the maximum noise dB level allowed and that excessive noise at unreasonable hours is avoided? If not, , have detailed plans been approved for the elimination of objectionable noise levels? Sound pressure levels shall be measured on a sound level meter at all major lot lines of the site, at a height of at least 4 feet above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute "american standard Specification for General Purpose Sound Level Meters" and be set to the A-weighted response scale and slow response. Acceptable levels for primarily residential areas is 55 dB(A) from 7AM - 10PM and 45 dB(A) from 10PM -7AM. Areas that are primarily commercial with no residential uses should be 65 dB(A) from 7AM -10PM and 65 dB(A) from 10PM-7AM. In areas of mixed use the limits governing the stricter zone shall apply to any noise entering the area."

Lisa Wolford referred to the Special Exception granted by the ZBA which stated that "Create suitable landscaping to reduce noise and be in compliance with Article II Section 272 21 Noise. She said that the ZBA has conditioned it's approval

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based on Article II Section 272 21. Ms. Wolford said that you have to rely on the language on what the ordinance says and if you can read the ordinance and conclude that there is a distinction between sustained noise and not sustained noise then you are okay. She stated that she did not think you can in this case. Ms. Wolford said that she strenuously disagree with that you can rely on what was intended. She added that she felt what the ZBA did is a problem because they conditioned the approval on what they seemed to think landscaping could take care of.

Kate Hartnett felt that the Section did cover that fact that excessive noise be avoided and not exceed the maximum.

Chair McGarry asked if anyone present would like to speak.

Karry Linker questioned the possibility of JCR agreeing not to fly the helicopter on weekends , except in the case of emergency. Mr. Dane will speak with Mr. Farwell regarding this request.

Jeanne Menard said, that although she did not ideally prefer this situation, she felt that JCR supports local business and the Town she supported this application.

Ms. Menard asked if the landing site would be strictly used by JCR.

Karry Linker questioned the effect on property values.

Chair McGarry was not aware on any studies being done and suggested that she could go to the Board of Selectmen for an abatement.

Lisa Wolford said that the size, make and model of the helicopter should also be indicated on the plans.

Alan O'Neal moved and Lisa Wolford seconded voted to grant an extension to JCR for a Site Plan Review to February 26, 2014. Voted in favor.

Alan O'Neal moved and Lisa Wolford seconded to continue the public hearing for J.C.R. to February 12, 2014 at 7:30PM. Voted in favor.

Mr. Dane was asked that plans be submitted prior to the next hearing in order for the Board to review them.

Kate Hartnett asked that statements from Gerald Coogan's Memo dated October 21, 2013 also be included.

APPROVAL OF MINUTES

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Alan O'Neal moved and Lisa Wolford seconded to approve the minutes of November 30, 2013 as previously amended. Voted in favor.

The following corrections were made to the minutes of December 11, 2013:

Page 1 Paragraph 3: Correct to read "REQUEST OF LOT MERGER"

Page 1 Paragraph 6: Correct to read "...one public hearing, but if we did, and no subsequent changes could be made."

Page 2 Paragraph 1: "Ms. Wolford felt the proposed amendments taken from Windham's Ordinance, should not be discussed until more work can be done."

Page 2 Paragraph 8: Correct to read "...the condition of the road and noted the steepness of the grade as it approaches Range Road."

Page 3 Paragraph 5: Correct to read "...there is limited 4 G service.."

Page 3 last paragraph "Correct to read "459 High St., Candia, NH

Page 3 last paragraph Correct to read "...four maps provided showing improved coverage."

Page 4 Paragraph 2: correct to read "...replied 8% of Deerfield."

Page 4 Paragraph 7: Correct to read "Mr. Goulet said there would be no interference."

Page 4 Paragraph 10 : Correct to read "the housing will house a generator, electronic equipment and a/c unit to maintain equipment at a required temperature."

Page 5 paragraph 8" Correct to read "provided photos"....

Page 5 Paragraph 9 Correct to read "Lisa Wolford asked if the height of the tower could be reduced. Attorney Weaver replied that Verizon had approved a reduction to 125 feet."

Page 5 Paragraph 11 Correct to read "...submitted could be adjusted to reflect a reduction to 125 feet in height."

Page 5 Paragraph 4 Correct to read"approved by the Planning Board..."

Alan O'Neal moved and Lisa Wolford seconded to approve the minutes of December 11, 2013 as amended. Voted in favor.

VERIZON WIRELESS

An e-mail was received from Attorney John Weaver along with a copy of a letter from Ivan Pagacik to provide a peer review of an RF Report for a proposed cell tower at cost of \$1,200.00 , which Verizon will pay. Attorney Weaver advises that the report will be submitted January 17, 2014. Attorney Weaver asked for an extension from January 8 to January 22, 2014, in order that the Board have sufficient time to review the proposal.

Board members agreed to this request.

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Chair McGarry noted that he had received a call from Mrs. Samuels, an abutter, giving the name of Alan Drake, an acoustics engineer. Chair McGarry will contact Mr. Drake and authorize a study.

PROPOSED ZONING\

The Board will meet on Thursday, January 2, 2014 to discuss zoning amendments;

Village District

Home Business

A Public hearing will be held on January 21, 2014.

The meeting was adjourned at 10PM.

Recorded and transcribed by

Jane Boucher

Pending Approval by the Planning Board



December 10, 2013

Mr. Frederick J. McGarry, P.E.; Chairman
Deerfield Planning Board
Post Office Box 159
Deerfield, New Hampshire 03037

Subject: **Non-Residential Site Plan Review Application – JCR Construction, Inc.
27 North Road (Map 210 – Lot 54); Deerfield, New Hampshire
KNA Project No. 13-1021-2**

Dear Mr. McGarry:

At your request we have completed a technical review of project plans and supporting information submitted to your Board by or on behalf of the applicant in the subject matter. To date, we acknowledge receipt of the following information, which was the subject of our review:

- A copy of the proposed site plan (6 drawings), dated September 2013; and
- A copy of a Drainage Analysis Report, dated September 2013.

Based upon our careful consideration and review of the noted materials we offer the following comments and recommendations at this time:

General Comments

1. It appears the following State project permits will be required under this application: (a) NHDES Construction Approval for the planned on-site, subsurface sewage disposal (septic) system; and (b) an updated NHDOT Driveway Permit. As always, we recommend each required State project permit be received prior to or as a condition of final site plan approval. We further recommend each resulting permit number be acknowledged in the form of a note on the final site plan.

Zoning Matters

1. We understand the Zoning Board of Adjustment (ZBA) granted the applicant a Special Exception, pursuant to the provisions of Article II – Section 204.1 of the Zoning Ordinance, on June 25, 2013 to permit “aircraft take offs and landings”. Based upon our review of the minutes of those proceedings, we understand the ZBA, in granting this Special Exception, imposed a series of specific conditions. We recommend the text of the note provided on the Cover Sheet to the project plans acknowledging ZBA approval be expanded to identify each such condition.

Civil Engineering

Land Surveying

Landscape Architecture

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915

Mr. Frederick J. McGarry, P.E.
December 10, 2013

2. Article II – Section 210.7.A of the Zoning Ordinances stipulates: “For lots created after the adoption of this amendment (March 14, 2006) no septic tank or leachfield may be constructed or enlarged closer than one hundred (100) feet of any wetlands.” As depicted on Sheets C-1 & S-1 of the project plans, the applicant intends to construct a new septic system to be situated as close as 51± feet to an adjacent wetland. A check of information on file at the Rockingham County Registry of Deeds suggests the subject lot was created via a subdivision approved in 1987 (See RCRD Plan No. 16461) and conveyed to the applicant by deed on January 30, 1995 (Book 3088/Page 2648). Given the fact the subject parcel was created prior to March 14, 2006, it appears the provisions of Article II – Section 210.7.A of the Zoning do not serve to affect this proposal.

Planning/Design Matters

1. We recommend the applicant’s consultant recheck the numbering sequence of the series of notes provided on the Cover Sheet to the project plans.
2. Is the existing manufactured home situated on the subject premises currently served by an on-site well and septic system? If so, we recommend their respective locations be shown on the Existing Conditions Plan.
3. Section III-3.E.3(a)(5) of the Site Plan Review Regulations requires “all boundaries of each subject parcel be defined by metes and bounds”. As presented, the Existing Conditions Plan illustrates the extent of only that portion of the subject 96.43 acre parcel, situated to the north of an existing PSNH transmission line easement, and relevant to the current application. Correspondingly, we recommend the applicant request, and be granted, a waiver from the cited requirement in this instance.
4. In order to satisfy applicable requirements of the Site Plan Review Regulations we recommend:
 - The final plans be expanded to identify the reference bearing to which boundary information provided is referenced – Section III-3.E.3(a)(12);
 - If the subject site is not situated in a Special Flood Hazard Area, as defined on the current FEMA Flood Insurance Rate Map, we recommend a note be added to the final plan acknowledging the same – Section III-3.E.3(a)(20);
 - The final plans be expanded to note the status (Class II) of North Road – Section III-3.E.3(a)(8);
 - Sheet C-1 be expanded to graphically depict and define all minimum yard dimensions specified under the Zoning Ordinance – Section III-3.E.3(a)(17);
 - Sheet C-1 be expanded to specify existing and proposed above/underground utility service connections – Sections III-3.E.3(a)(21) & III-3.E.3(b)(21);
 - The final project plans address requirements for the storage of snow (Section IV-6.C) and solid waste (Sections III-3.E.3(b)(7) & IV-6.B);
 - The height of the proposed building be specified (Section III-3.E.3(b)(2));
 - Specifications sufficient to demonstrate exterior lighting requirements contained in Section IV-6.A be submitted;

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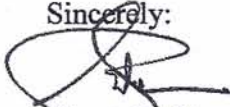
- The applicant provide the Board with information sufficient to satisfy the requirements of Section III-3.E.3(b)(23) relative to the appearance of the proposed garage;
 - The applicant demonstrate applicable requirements of Section IV-3.A through C pertaining to landscaping and buffering will be fulfilled under the current proposal; and
 - Sheet C-1 be expanded to specify all proposed parking spaces are to be constructed in accordance with the requirements of Section IV.2.C.1.
5. Sheet C-1 specifies three proposed parking spaces are to be gravel surfaced. Section IV.2.D.2 of the Site Plan Review Regulations requires parking spaces to be paved.
 6. We recommend the text of the Planning Board approval blocks be revised to correct the spelling of the consecutive words "plat" and "is".
 7. Based upon our review of the Drainage Analysis, we understand the paved surface of the proposed helicopter landing pad is to be graded so as to drain in a northerly direction towards the planned detention pond. We recommend Sheet C-1 be expanded to include a series of finish "spot" grades to aid the contractor in achieving this outcome.
 8. Will the proposed garage have floor drains? If so, we recommend the final project plans be expanded to illustrate the intent to conform to applicable NHDES requirements regarding the same.
 9. We recommend the final project plans be expanded to identify the location of the proposed water line connecting the planned water well and building(s).
 10. We recommend the final project plans be expanded to specify the design length, diameter, pipe material, slope and invert elevations of that segment of storm drain exiting the planned detention pond.
 11. In order to satisfy the requirements of Section IV.4.B.4 of the Site Plan Review Regulations, we recommend the project plans be revised to specify either a headwall or flared end-section is to be installed on the discharge end of the aforementioned segment of storm drain.
 12. We recommend the final project plans be expanded to specify the design thickness of rip rap to be installed at the inlet and discharge ends of this same segment of storm drain.
 13. Sheet D-2 includes a construction detail of proposed Outlet Structure #1. We recommend this detail be expanded to: (a) specify bedding requirements for this structure; (b) specify the design invert elevation for the proposed outlet orifice; and (c) to specify the material from which the proposed orifice plate is to be manufactured.

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December 10, 2013

14. Based upon our review of the Drainage Analysis Report prepared and submitted by the applicant's consultant we are pleased to report that it appears this document satisfies applicable requirements of Section IV-4 of the Site Plan Review Regulations as presented.
15. Does the applicant intend to store motor fuel or other petroleum based products intended to be used in helicopter operations on the subject premises? If so, we recommend the Board review and consider the owner's proposal for proper storage and containment of the same.

We trust you will find this brief letter report both responsive to your recent request and useful in your continued consideration and review of the subject application. As always, please contact the writer in the event you should have specific questions or further instructions related to this matter.

Sincerely:



Steven B. Keach, P.E.
President
Keach-Nordstrom Associates, Inc.

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
November 30, 2013

MINUTES OF MEETING

PRESENT: Board members Kate Hartnett, Fred McGarry, Alan O'Neal, and Lisa Wolford. Others present: Tobin Farwell, P.E., engineer for JCR Construction, Matt Reed with JCR Construction, Diana Young, Jackie and Karry Linker, and Jeanne Menard.

9AM Board members met at the site of the proposed JCR helicopter landing pad adjacent to and immediately east of North Road, Map 201 Lot 54. The sky was clear and the temperature was in the range of 10 to 20 degrees F. Members discussed the locations of the proposed sound measurements which are planned to be taken when the helicopter lands and then takes off from the location of the proposed helicopter pad.

Ms. Young asked about possible sound measurements on Mountain Road close to the power lines. The Board did not identify that location for sound measurements at the Board's meeting on November 20.

Mr. Farwell noted that his sound meter was reading 4 decibels low.

Sound measurements were taken by Alan O'Neal of traffic on Route 107 from about 10 to 15 feet off the edge of pavement of Route 107 at the entrance to the site, the sound level for the helicopter recorded by Alan O'Neal was 86 db. The height of the helicopter above the ground was about 300 feet. The sound level of the helicopter once landed and idling was 66 to 67 db. Mr. Farwell was on the property line between lots 56 and 54 and at the edge of the Public Service right-of-way. He recorded a sound level of 80 db at that location.

The next round of noise measurements were to be taken at 23 Mountain Road, home of the Linkers, and 31 Mountain Road, home of the Winskis. Mr. Farwell would be at 23 Mountain Road and Mr. O'Neal would be at 31 Mountain Road. Noise readings would be taken at takeoff.

9:35 Everyone with the exception of Mr. McGarry left for Mountain Road to witness the sound levels upon takeoff.

Mr. McGarry noted that at a point 15 feet off the edge of pavement of Route 107 that traffic noise drowned out the noise from the idling helicopter. It wasn't until he moved to the property line of the site, about 30 feet from the edge of

pavement, did the helicopter idling noise equal the traffic noise.

9:45 The helicopter took off from the site and headed south to the JCR site in Raymond. Mr. McGarry noted that the noise level at takeoff increased when it was about 15 feet off the ground.

Mr. O'Neal, Mr. Farwell and Mr. Reed returned to the site. Mr. Farwell recorded a noise level at 23 Mountain Road on the deck attached to the house at 57 db. Mr. O'Neal had positioned himself on the driveway to 31 Mountain Road, about half way between Mountain Road and the house. He recorded a reading of 59.8 db. He noted that a box truck driving up Mountain Road had a reading of 89 db.

There was some discussion that because of the temperature, which was in the range of 10 to 20 degrees F, that the sound levels would be higher than at warmer temperatures since sound waves travel better in colder temperatures.

Everyone left the site at 10:09.

Submitted by

Frederick McGarry
Chair