

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
AUGUST 27, 2014

MINUTES OF MEETING

Present: Board members Fred McGarry, William Perron, Richard Pitman. Alternate David Doran and secretary Jane Boucher.

Chair Fred McGarry called the meeting to order at 7:04PM and appointed David Doran a voting member in the absence of Kate Hartnett.

APPROVAL OF MINUTES

William Perron moved and David Doran seconded to approve the minutes of August 13, 2014.

The following corrections were made to the minutes

Page 2 Paragraph 1: Correct to read "He said that the Zoning Ordinance has been amended since the Site Plan was approved..."

Page 3 Last Paragraph Correct to read "Voted in favor three to one with Fred McGarry opposed."

Page 4 Paragraph 5: Correct to read "...and advised that in the future for approving any request for intent to excavate, a memo from the Planning Board should be received by the Board of Selectmen....."

Page 4 Paragraph 6 Correct to read "...can have 1000 cubic yards..."

Page 5 Paragraph 2: Correct to read "...emergency egress."

Chair McGarry called for a vote on the motion. Voted in favor with Richard Pitman abstaining.

APPROVAL OF MANIFEST

William Perron moved to approve the manifest in the amount of \$744.00 and a time sheet for Jane Boucher. Richard Pitman seconded. (Upton & Hatfield \$429.00, Gerald Coogan \$315.00 Time sheet 13 1/2 hours) Voted in favor.

TIERRA DEVELOPMENT; THIBEAULT CONSTRUCTION

Lisa Wolford was present.

Chair McGarry advised that Planning Consultant Gerald Coogan had spoken with Attorney James Raymond who said that because Mr. Iacozzi indicated that Thibeault Construction did not want to proceed with the approved development for 62 and over, it would be advisable for them to withdraw the proposal. Gerald Coogan will suggest that they withdraw.

William Perron questioned the existing bond and if the Planning Board should hold a portion of the bond. Chair McGarry will check with Town Counsel.

Lisa Wolford said that she was in attendance to discuss the development on Church St. (Thibeault) and questioned if restoring property after it has been disturbed is part of the approval. Chair McGarry replied that was the intent of the bond which is a site restoration bond.

FOREST GLEN DEVELOPMENT: TUKCOR REAL ESTATE DEV.
Jeff White was present.

Mr. White explained that he was here to request a reduction in the bond amount provided by Keach Nordstrom (KNA) for Phase II and Phase III of Forest Glen. He advised that KNA had quoted \$740,000 for a bond amount. He indicated that he felt there was not enough credit given for gravels and rip rap on site. Mr. White said that he had received a price from Spofford Excavation for \$479,000 to complete both roads and is working with Enterprise Bank on financing Phases II and III. Mr. White requested that the bond be reduced to \$600,000 in order that he can begin work on both phases.

Chair McGarry read an e-mail from Steve Keach, KNA, (A copy is attached to these minutes) noting " I could be comfortable with this arrangement given the fact that a municipality rarely if ever calls a surety to built a road in its totality, but rather to finish a road that has already been started."

Richard Pitman moved to reduce the bond for Phase II and Phase III for Forest Glen Development to a combined total of \$600,000 based on recommendations from KNA on further reductions of the bond. David Doran seconded. Voted in favor.

CASTOR EXCAVATION SITE/MOUNTAIN VIEW ROAD

Donald Fisher was present and questioned if Barbara Castor had replied to Fred McGarry's letter of August 15.

Mr. Fisher was advised that Ms. Castor has not replied. He will check with Code Enforcement Officer Richard Pelletier.

CAPITAL IMPROVEMENT PLAN (CIP) SCOPE OF WORK

Board members reviewed a "Proposal and Scope of Work" to update the CIP for the Town of Deerfield provided by Town Administrator Michael Wright.

Chair McGarry noted that under "Approach" he would like to see the addition of School Board to received the final update.

David Doran felt the completion date of October 31 was not realistic and suggested November 30, be indicated as the completion date.

William Perron moved to approve the proposed scope of work for the CIP and forward the information to SNHPC. Richard Pitman seconded. Voted in favor.

SHANE CARTER/ADDITION TO EXISTING BARN

Mr. Carter has an existing 28 x 64 barn on his property at 132 North Road which is currently being used for storage for his construction company. He would like to put a 20x32 addition onto the barn for office space.

Chair McGarry and board members agreed that Mr. Carter will have to apply for a Site Plan Review since there is no current approval for a site plan for the property.

William Perron moved to adjourn the meeting at 7:55PM.

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

3. How do you feel about Jeff White's request:

To date Jeff Quirk from our office has afforded Mr. White every break we feel we can provide without potentially compromising the Town's position or violating the terms and conditions of the former Subdivision Regulations under which the project was approved. That said the bare cost of work identified in the current Phase II and Phase III bond estimates are \$267,639.75 and \$305,376.50 respectively (\$573,016.25 collectively). The balance of the recommended Phase II and Phase III surety sums (\$79,221.37 and \$90,391.44 respectively) represent allocations for "engineering & Contingencies" and "escalation" in the cost of the work over the life of the project (inflation). Jeff Quirk has continued Steve Chabot's past (conservative) practice of apply values of 20% and 8% of estimated bare cost values to arrive at these sums since all bond administration approved by the DPB since the beginning of this project used those same cost escalation factors. With the Board's consent I would be comfortable reducing those escalation factors to something on the order of 10% and 8% respectively, which would reduce the Phase II and III bond estimates to \$317,956.02 and \$362,787.28 respectively (\$680,743.30 total for both phases). Jeff White has suggested a combined surety sum of \$600,000 so the consideration I am comfortable with essentially meets him half way.

While I have little doubt Mr. White may have received a base bid from Spofford for the \$479k figure he has mentioned, in addition those considerations Mr. White has suggested favorably influenced Spofford's bid (see below) the surety sums recommended by this office include cost allocations for required work and real project costs that would not typically be "carried" by any road builder, but would in fact represent costs to the Town if it ever had to seize a surety to complete a project. These costs include: (a) installation of boundary monuments; (b) preparation of as-built drawings; (c) inspection services and testing; (d) legal fees associated with calling the surety; (e) contract administration costs; and (f) in all probability installation of the required 30,000 gallon fire cistern in Phase III, which we presume Mr. White will take care of himself. That said, if the Board is inclined to accept a combined Phase II and Phase III surety sum of \$600k at this time, we could probably make that work by simply reducing the value of the first couple of rounds of surety releases until such time as the remaining level of work for which the surety has been given matches the available surety sum. I could be comfortable with this arrangement given the fact that a municipality rarely if ever calls a surety to build a road in its totality, but rather to finish a road that has already been started. In any case, whatever action is taken by Mr. White and the Board will need to be consistent with the terms and conditions of the recorded development agreement.

Gerry,

I'm currently working with Enterprise Bank on financing phase 2 and 3 of Forest Glen. They want to bond both phases and then reduce the bond as work is completed. Jeff Quirk from Keach Nordstrom has provided a bond amount of 740k. Typically this number is based in part on NHDOT estimates which are usually figured high plus a 20% engineering contingency and another 8% escalation contingency.

I currently have a price from Spofford Excavation of 479,000 to complete both Rds minus all gravels and rip rap. This amount is in line with my own estimate that I provided the bank. On site there is enough Rip Rap, 6" minus gravel for both roads and enough 1 1/2" gravel for Phase 2. In the bond there is a total amount 88 k for the gravels and rip rap. Jeff has already reduced the gravel amounts since they are on site, but this may be still high. Also all loam is on site and stock piled. It needs to be screened, put in place and hydroseeded. The bond figure is 70K. Cost to do this appx. 20k. At Jeff Quirk's recommendation, I'm asking the planning board review the bond amount and consider reducing the contingency amounts so that the bond would be 600K. My plan is to start immediately. Please call with any questions. 370 1800

Jeff White

I will call in a day or so.

Thank you.

Jerry