

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
SEPTEMBER 14, 2016

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett,
William Perron, David Doran. Secretary Jane Boucher.

Chair Peter Schibbelhute called the meeting to order at 7PM.

DEERFIELD SAFETY SERVICES

Rebecca Hutchinson, Chair of the Deerfield Safety Services Steering Committee, advised that the Select Board is sponsoring a review and discussion of safety services needs in Deerfield to be held on Saturday, November 12, 2016 at 9AM - 12PM at the Deerfield Community School Cafeteria. The Police and Fire Stations will be holding community open houses on Thursday, October 13 from 5-7PM and Saturday October 15th from 9-11AM. Information is attached to these minutes.

APPROVAL OF MANIFEST

William Perron moved and David Doran seconded to approve the manifest in the amount of \$195.00 and two time sheets for Jane Boucher. (Upton & Hatfield \$195.00, time sheets for 18 hours and 18 1/2 hours). Voted in favor.

APPROVAL OF MINUTES

It was noted that Page 2 was missing from the minutes of August 24, 2016. Copies will be sent to members for approval at the next meeting.

REQUEST OF EXTENSION

A request for an extension of 60 days was received from Patricia Panciocco for Browns Mill, Phase III. It was noted that BMI is working with NH Fish and Game to negotiate a revision to the existing access easement. This will require approval by the Governor and Executive Council.

William Perron moved and David Doran seconded to grant a 60 day extension to BMI. (November 23, 2016). Voted in favor.

COMPLETE STREETS

Kate Hartnett advised of an e-mail and one page schematic from Sylvia von Aulock, SNHPC, . A copy is attached to these minutes. This will be discussed at the meeting on September 28, 2016.

7:15PM APPLICATION FOR PUBLIC HEARING; TIERRA DEVELOPMENT;
REVOCATION OF SITE PLAN APPROVAL.

Vincent Iacozzi, Aaron Firman, Jeff Burd and James Franklin

were present.

Chair Peter Schibbelhute read the Notice of Public Hearing by which the Planning Board will hold a Public Hearing to consider revocation of a Site Plan Approval for Tierra Investments, 603 Old Mammoth Road, Londonderry, NH, approved by the Planning Board on May 24, 2006. The property is located on Church Street, Deerfield, NH.

Mr. Iacozzi , representing Tierra Investments, addressed the Board. He asked that the original Site Plan, approved on May 24, 2006, be rescinded as the plan proved economically unviable. They will proceed with their plan for a four lot subdivision at the Church Street location.

William Perron moved and David Doran seconded to approve the request from Tierra Development to rescind the previous approval for a Site Plan on Church Street, Deerfield, NH (Map 210 Lot 9). Voted in favor

7:30 PM APPLICATION FOR PUBLIC HEARING; MAJOR SUBDIVISION;
TIERRA INVESTMENTS; CHURCH STREET
Vincent Iacozzi, Aaron Firman, Jeff Burd and James Franklin were present.

Chair Schibbelhute read the Notice of Public Hearing by which Tierra Investments, 603 Old Mammoth Road, Londonderry, NH will make application for a Public Hearing to consider approval of a Major Subdivision for property located on Church Street, Deerfield, NH (identified as tax Map 210 Lot 9) consisting of 24.654 acres and owned by the applicant. The intent of the application is to create three new lots utilizing the "Smith Road" Ordinance.

Chair Schibbelhute read a memo from Gerald Coogan regarding the proposed subdivision. Mr. Coogan recommended 1. Accept the application as complete 2 Open the Public hearing 3. Review KNA Letter;4. Continue the hearing and have a site walk. A copy of Mr. Coogan's memo is attached to these minutes.

Mr. Iacozzi said that this proposal tremendously reduces the density level with less noise and less traffic.

William Perron moved and David Doran seconded to accept the application. Voted in favor.

Mr. Iacozzi said he had not seen Mr. Coogan's memo but he had met with him and reviewed the ordinance . He also met with Rick Pelletier and Steve Keach. They did receive a building permit for Lot 9-1.

Mr. Burd noted that the road has been shifted to the south at the entrance to allow for better sight distance.

It was noted that a letter had been e-mailed from Steve Keach at 6PM this evening and copies were not available.

Mr. Burd commented that they would like to ask for waivers on several of Mr. Keach's comments.

Chair Schibbelhute noted that , unfortunately, the Board had not had an opportunity to review comments from Steve Keach and he felt that a sight visit should be held. He said that Fred McGarry would be back on the 22nd and he will coordinate with Mr. McGarry and the Board to conduct a visit to the site.

Kate Hartnett said that she felt Mr. Coogan's memo should be revised to include background on previous meetings.

Kate Hartnett commented on the Roadway and the 50 feet right of way and added that she would like to see a little bit softer flow and not resemble a landing strip.

Mr. Burd said they had talked about Ms. Hartnetts suggestion after the February meeting but felt the change would compromise the location of the first lot.

William Perron, David Doran and Peter Schibbelhute all felt the road as shown was fine.

James Franklin advised that they have received State Subdivision Approval.

William Perron moved and David Doran seconded to continue the Public Hearing for Tierra Investments to September 28, 2016 at 7:30PM. Voted in favor.

James Franklin noted that both the Town Planner and Town Engineer received copies of these plans two weeks ago and their comments were not received until the previous day and day of the hearing. He felt that this issue should be addressed.

SPM SHELLEY TETREULT; HOMEOWNER'S AGREEMENT/FEES
Shelley Tetreult and James Franklin were present.

Shelley Tetreult noted that she felt that the Town Attorney approved Covenants covered the Town but did not protect the owners. She said she never spoke with Town Attorney and never gave him any authorization to act on her behalf.

Ms. Tetreult said that she and her attorney were ready to work on a Declaration of Covenants and Restrictions, based on

suggestions from the Town.

Ms. Tetreult added that she was not going to sign the agreement and felt the bills she has received were not her responsibility.

Kate Hartnett referred to the amount that Ms. Tetreult had been billed which is almost \$1500.00. She also referred to a memo from Steve Keach noting that "Given the somewhat "crooked path" your application took to approval as a result of discovery that in certain instances, the Town's so called "Smith Ordinance" can conflict with applicable provisions of RSA 674:41, Kate Hartnett and I recognized that a portion of the time I was required to spend on your application should not be properly viewed as your responsibility".

James Franklin questioned why the Town Attorney has to comment. He noted that he was before the Planning Board last year for a Lot Line Adjustment on Summer Pasture Road and he submitted a Maintenance Agreement for the owners which he got off of the inter net. The secretary advised that the Maintenance Agreement had been recorded with the Plan.

Mr. Franklin felt that the Town Attorney should not have to get involved with situations on private roads.

Ms. Tetreult reiterated that she will not sign the Homeowners' Agreement nor will she pay for all the Attorney's fees.

James Franklin suggested that the Planning Board hire a third party "attorney" who specializes in "road laws" to come in to give an opinion. He offered to pay \$250.00 for that service.

William Perron moved and David Doran seconded to grant an extension to Shelley Tetreult and Mary Austin for 180 days for conditional approval for a Subdivision on Griffin Road (March 14, 2017). Voted in favor.

James Franklin will provide the names of attorney's to the Board for consideration.

Peter Schibbelhute will speak with Gerald Coogan and Steve Keach .

It was agreed that the Board will keep discussion on-going regarding this subject.

ROLLINS EXCAVATION PERMIT

Chair Schibbelhute advised that Earl Sandford had indicated that the plans will be submitted by October 6, 2016. If so, the Board will review the submitted plans at their October 12,

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meeting and hold a Public Hearing on October 26, 2016.

OTHER BUSINESS

Kate Hartnett advised that Eversource will provide signs to identify Scenic Roads as a pilot program.

The meeting was adjourned at 9PM.

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

A Community Conversation

Deerfield Safety Services – Preparing for the Future

Saturday, November 12, 2016, 9:00 – 12:00pm
Deerfield Community School Cafeteria



What are the most important things to consider when thinking about Deerfield's safety needs?

Over the past decade, several ballot initiatives for additional safety buildings have been defeated. Before moving forward with any additional proposals, the Select Board is sponsoring a review and discussion of safety service needs in Deerfield. They have enlisted New Hampshire Listens of the University of New Hampshire to facilitate a one-time community discussion of our safety needs. Please join this important conversation on November 12.

Walk-ins are welcome, but we encourage you to pre-register at <http://tinyurl.com/SafetySvcs> or by calling 862-0692 so we know how many people to expect. Free childcare with pre-registration.

Police, Fire & Rescue Department Open Houses

To permit us to have a well-informed discussion, the Police and Central Fire stations will be holding **community open houses** on **Thursday, October 13th from 5 – 7pm** and **Saturday, October 15th from 9 – 11am**. Stop by if you would like to see the current facilities for yourself.

Organized by Deerfield Select Board Safety Services Steering Committee:
Dwight Barnes, Aron DiBacco, Matt Fisher, Rebecca Hutchinson (Chair), Dick Pitman, Kevin Verville

From: Kate Hartnett <nhkate98@gmail.com>
To: Sylvia von Aulock <SvonAulock@snhpc.org>
Cc: Jan Foisy <ta@townofdeerfieldnh.com>; gicoogan <gicoogan@gmail.com>; fire <fire@townofdeerfieldnh.com>; Mcgarry128 <Mcgarry128@myfairpoint.net>; William Lambert <WLambert@dot.state.nh.us>; Mark Young <roads@townofdeerfieldnh.com>; policechief <policechief@townofdeerfieldnh.com>; Adam Hlasny <AHlasny@snhpc.org>; Cameron Prolman <CProlman@snhpc.org>; Larry Keniston (lkeniston@dot.state.nh.us) <lkeniston@dot.state.nh.us>; Dfd P Bd Jane Boucher <f5fy@aol.com>; Dfd PB Pete Schibellhute <PeteSchib@gmail.com>; Dfd P Bd Dave Doran <dave@randomorbits.com>
Subject: Re: Deerfield Demonstration Project Draft Schematic
Date: Fri, Sep 9, 2016 2:53 pm

Thanks Sylvia. Plan Bd meets on 14th. But we have VERY full agenda. I just asked Secty Jane Boucher to put on agenda for 28 Sep so hopefully we can discuss it then.

PS Jan is on vacation until 13 Sep.

On Thu, Sep 8, 2016 at 4:36 PM, Sylvia von Aulock <SvonAulock@snhpc.org> wrote:

Hello Deerfield Team,

In an effort to move this along, I've created a one page schematic to try and capture what we envision could happen for the intended demonstration period. Please review and comment. I can adjust if needed.

Also, regarding materials, Bill was allowing the temporary spray paint and white duct tape for the crosswalk if it was a one-day event. If you would like a longer test period, we would need to get MUTCD approved temporary paint and we are looking into that.

As the Fire Dept intends to contract out the painting of the parking area, we will leave that to the Chief and the contractor. I have suggested a possible scenario as was discussed during the site walk that the Chief might want to consider. (As seen on the schematic)

Jan, please let me know when some possible dates for Board of Selectmen review and approval so we can schedule a presentation to the BOS. We will also need to coordinate with Mark Young on materials and installation.

You will also note on the schematic that we have suggested three policy changes for Church St. in order to address ongoing issues with parking, congestion, and safety. These include:

- A. *Discuss alternative or additional "book drop off" with library*
- B. *Consider limiting on-street parking as 10 min. only*
- C. *Consider enforcing both Fire Dept and on-street parking areas, starting with warning tickets*

Recommendations and next steps for the other two sites, the Town Office crosswalk and the subdivision ROW will be put into a brief outline within the next few weeks.



Deerfield, Demonstration Project
 BOS Meeting: Sept. _____
 Layout: _____
 Temporary Installment: Oct __, 2016

- Demonstration Project Temporary Improvements and Policy Considerations:**
- A. Create extra wide crosswalk(10") between Town Hall and Pre-school
 - B. Add fog lines beginning with 3 ft from edge of pavement on the North side, keeping 20 ft total travel lane width and adding a fog line on south side
 - C. Remove "no parking" signs
 - D. Paint "Fire Dept Use Only" in designated areas
 - E. Paint circulation arrows for shared FD and Library parking
 - F. Discuss alternative or additional "book drop off" with library
 - G. Consider limiting on-street parking as 10 min. only
 - H. Consider enforcing both Fire Dept and on-street parking areas, starting with warning tickets

MEMORANDUM

September 13, 2016

TO: Deerfield Planning Board
FR: Gerald Coogan
RE: Plan Review – Subdivision Plan - Land of Tierra Investments, LLC, Tax Map 210, Lot 9

Owner: Tierra Investments, LLC,
Applicant: Tierra Investments, LLC,
Agent: James Franklin, LLS, Lic # 733
Engineer: R. Jeffrey Burd, P.E., RJB Engineering, Inc.
Wetlands scientist: Bruce Gilday, Bag Land Consultants, Concord, NH
Lot Area: 24.654 acres
Location: Church Street, Deerfield, NH, Tax Map 210, Lot 9

Background: On May 24, 2006, the Deerfield Planning Board approved the Thibeault (aka Tierra Investments) Elderly Housing site plan. Since that time, no substantial progress has been made on the site and now the Thibeault Corporation wishes to subdivide the 24.6 acre parcel into a total of four single family family lots (3 new lots with the existing lot) using the Section 207.1 B provision (aka "Smith Ordinance") of the Deerfield Zoning Ordinance (DZO). The proposal is a less intense use than elderly housing. In a recent letter, the landowner requests the Planning Board to rescind (i.e. revoke) the previously approved site plan. This is a voluntary revocation by the landowner in accordance with RSA 676: 4-a. After the Board approves the revocation, the Board can open the public hearing on the proposed four lot subdivision.

As a "Smith Ordinance" proposal, the road providing frontage is built to lesser standard than the one in the Town's Subdivision Regulations (enclosed). The agent should review the proposed road standard and describe how it deviates from the standard for Local Street-1. In the past, the Planning Board proposed elimination of this provision. See RSA 676:4-a.

676:4-a Revocation of Recorded Approval. –

I. A subdivision plat, street plat, site plan or other approval which has been filed with the appropriate recording official under RSA 674:37 may not be revoked, in whole or in part, by the planning board, except pursuant to this section, and only under the following circumstances:

(a) At the request of, or by agreement with, the applicant or the applicant's successor in interest.

Project description: The applicant proposes to subdivide the 24.654 acre parcel (TM 210, Lot 9) into three lots, plus the parent lot. The proposed subdivision will consist of:

1. Proposed Lot 9: 11.572 acres +- with 3.01 of upland soils
2. Proposed Lot 9-1: 4.028 acres +- with 3.26 of upland soils.
3. Proposed Lot 9- 3: 5.19 acres with 4.2 acres of upland soils.
4. Proposed Lot 9- 4: 3.436 acres with 3.2 acres of upland soils.

Comments:

1. Mr. Gilday reports: "There were no observed vernal pools or rare, threatened, endangered species onsite."
2. Proposed Lot 9:
 - a. Lot 9 has 11.5 acres, of which 3 acres consists of upland soils, most of which is located in the rear of the proposed lot;
 - b. Mr. Gilday reports: "The wetlands are very poorly drained soils and saturated to the surface for very long durations during the growing season";
 - c. The most likely buildable area is a triangular section near the proposed hammerhead;
 - d. Add plan note: "No further subdivision" since much of the land on Lot 9 is wetlands; Mr. Firman was agreeable to the addition of that statement;
3. Roadway standards:
 - a. Review the proposed roadway in comparison to the Local Street-1 road standards;
 - b. Is the 20 foot gravel roadway adequate?
 - c. Should the road be paved?
 - d. NFPA standards call for a durable surface; Fire Chief to comment;
 - e. Discuss the acceptability of the hammerhead at the end of the roadway.
4. Request Atty. Raymond to review the road maintenance agreement.
5. Certified Wetlands Scientist (B. Gilday) to sign and stamp the plan.
6. Show the proposed driveway locations.
7. Proposed Lot 9-4 has a "bowling alley type" shape.
8. The total area of land disturbance is 87,500 SF, which is below the threshold of 100,000 SF that triggers an Alteration of Terrain (AoT) permit; see plan note # 9 on sheet 1 of 4 of the roadway plan.

Recommendations:

1. Vote to revoke the previously approved site plan per RSA 676: 4-a;
Move to revoke the site plan previously approved on May 24, 2006 at the request of the applicant / landowner.
2. Accept the application as complete;
Move to accept the application as complete.
3. Open the public hearing;
4. Review KNA letter; and
5. Continue the hearing and have a site walk.

Possible conditions:

1. Set monuments
2. Receipt of NH DES subdivision approval for proposed lots 9-1, 9-4.

cc: James Franklin, LLS

TABLE IV-1
TABLE OF GEOMETRIC ROADWAY DESIGN STANDARDS

<u>ITEM</u>	<u>COLLECTOR STREET</u>	<u>LOCAL STREET-2</u>	<u>LOCAL STREET-1</u>
1. AVERAGE DAILY TRAFFIC	>400	201-400	0-200
2. MINIMUM WIDTH OF RIGHT-OF-WAY	60'	50'	50'
3. MINIMUM PAVEMENT WIDTH (W)	24'	20'	18'
4. MINIMUM GRADE	1.0%	1.0%	1.0%
5. MAXIMUM GRADE	6.0%	9.0%	9.0%
6. MINIMUM ANGLE OF INTERSECTIONS	90°	80°	80°
7. WIDTH OF SHOULDERS (S)	3'	2'	2'
8. MINIMUM CENTER-LINE RADII ON CURVES	600'	400'	200'
9. MINIMUM TANGENT LENGTH BETWEEN REVERSED CURVES	300'	200'	100'
10. ROAD BASE (MINIMUM) CRUSHED GRAVEL (304.3) GRAVEL (304.2) SAND (304.1)*	8" 12" 12"	6" 12" 12"	6" 12" 12"
11. BITUMINOUS CONCRETE (403.11) PAVING BINDER COURSE WEARING COURSE	2-1/2" 1-1/2"	2" 1"	2" 1"
12. ROAD CROWN (MINIMUM)	0.02	0.03	0.03
13. CUL-DE-SAC STREETS (SEE FIGURE IV-B) RADIUS OF TURN-AROUND R.O.W RADIUS OF TURN-AROUND PAVEMENT	- -	75' 62'	75' 62'

*MINIMUM THICKNESS OF SAND BLANKET SPECIFIED SHALL BE REQUIRED OVER LEDGE (SEE FIGURE IV-A)