

**PLANNING BOARD
APRIL 1, 2014 at 7:30 PM
TOWN HALL, 41 SOUTH MAIN STREET**

In attendance:

Members: Kate Connolly, Judith Esmay (Chair), Joan Garipay, Iain Sim; Nancy Carter (Selectmen's Representative)

Alternates: Jon Criswell

Staff: Vicki Smith

Others: See Attendance Sheet

1. **MINUTES:** The minutes of March 4, 2014 were approved.

2. **P2014-12 SUBMISSION OF APPLICATION FOR MINOR SUBDIVISION BY THE TOWN OF HANOVER, AS AGENT FOR THE BARBARA F HALL REVOCABLE TRUST, PROPERTY OWNER OF RECORD, TO DIVIDE ONE LOT INTO TWO LOTS (CREATING LOTS OF 22,740 SF AND 45,794 SF) AT 3 DOWNING ROAD, TAX MAP 22, LOT 3, IN THE "SR-1" ZONING DISTRICT.**

ESMAY read the Notice of Public Hearing.

Vicki Smith, Senior Planner, and Jenny Lynn Hall presented the application. Smith said Nathan's Garden was created in 1991 in honor of Nathan Hall, Jenny Lynn's brother. The award winning wildflower garden is a very peaceful place that is used by many people. Smith said it is the Hall family's wish that the garden be given to the Town of Hanover and kept as public use. A subdivision is needed to separate the garden from the house lot. A Variance was sought and granted to allow the creation of the house lot that is non-conforming with respect to size. The subdivision includes two easement areas: (1) on the house lot allowing public access to the garden; (2) on the garden property allowing the Halls access to maintain an existing retaining wall. Hall said her family has arranged for custodial upkeep of the garden at no cost to the Town. She said it is important to her family that the space remains open to the public and be maintained in a way that is in keeping with the spirit of the garden.

Board Comments/Questions:

- Board members thanked the Halls for the extraordinary gift.

Public Comments/Questions:

- Bill Fischel, neighbor of the garden, spoke in support and appreciation of the application. He asked if the public will be able to provide input as to governing the trust and activities.
 - CARTER said yes, that is the intention of the Board of Selectmen. Smith said assuming the subdivision is approved, Town Meeting will be asked to vote on

- acceptance of the gift. Similar to all other town-owned properties, there will be guidelines developed about its use starting with a management plan for the garden.
- Fischel asked if there will be a public hearing before the May Town Meeting.
 - CONNOLLY said no, the Selectboard cannot decide on a management plan until the town accepts the garden.
 - Fischel said his concern is with hours of operation.
 - ESMAY said issues such as that would be decided at a Selectboard public hearing. Hall said one of the reasons they want to give the garden to the town is so that it will be included in the general rounds of police patrol.
 - SIM asked what happens if the subdivision is approved and Town Meeting votes not to adopt the gift.
 - Smith said the ZBA decision requires that the garden lot be permanently protected. Ed Chamberlain, Chair of the Conservation Commission, said it is highly unlikely that Town Meeting will vote against acceptance. If that does occur, there are other options for other organizations to accept the garden. ESMAY added that if the Variance conditions of approval are not met, the Variance is null.
 - Fischel asked if a land trust were to accept the garden, as well as the town, who sets the rules.
 - Smith said per the ZBA approval, the town would be the deed owner and the land trust would own the development rights for that conservation easement.

Waivers Requested:

1. 6.07b Names and addresses of abutting property owners, subdivisions and buildings within 100 feet of the parcel to be subdivided; roads, streets, and driveways within 200 feet of the parcel to be subdivided. [Smith said given that the Hall residential lot is already developed and the garden lot will continue its current use, it is not necessary to show all of the buildings and driveways adjacent to the lot.]
2. 6.07i Soil test data, sewage disposal information and approvals as required in Article 11.07. [Smith said both lots are served by municipal water and sewer; the soil test data is not applicable.]
3. 6.07j Where the Minor Subdivision is to be served by public water supply or sewers, the Plat shall show the location of such existing service. A statement from the municipal department or company involved attesting to the availability of such service shall be submitted. [Smith said while service to the Hall's house is not shown, the plat will be revised to show public sewer lines in the area.]

It was moved by CONNOLLY, seconded by CARTER, to accept the application as complete with the waivers requested. THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION. Criswell participated as voting Alternate.

It was moved by CONNOLLY, seconded by CARTER, to approve the Minor Subdivision by the Town of Hanover, as Agent for the Barbara F Hall Revocable Trust, property owner of record, to divide one lot into two lots (creating lots of 22,740 sf and 45,794 sf) at 3 Downing Road, Tax Map 22, Lot 3, in the "SR-1" zoning district as shown on a plan prepared by Wayne McCutcheon Associates, Inc., entitled *Subdivision Plan of Land owned by Barbara F. Hall, Trustee of The Barbara F. Hall Revocable Trust of 1997, March 11, 2014, Project No. 1522211.* THE BOARD VOTED

UNANIMOUSLY IN FAVOR OF THE MOTION. Criswell participated as voting Alternate.

3. P2014-10 SUBMISSION OF APPLICATION FOR SITE PLAN REVIEW – MAJOR PROJECT BY HYPERTHERM, INC. TO CREATE A LOGISTICS CENTER CONSISTING OF OFFICE & WAREHOUSE, LOADING DOCK, ASSOCIATED PARKING & STORMWATER MANAGEMENT SYSTEMS AT 9 GREAT HOLLOW ROAD, TAX MAP 1, LOT 24, LOCATED IN THE “BM” SERVICE BUSINESS AND LIMITED MANUFACTURING ZONING DISTRICT.

ESMAY read the Notice of Public Hearing.

Perry Seale of Hypertherm, Jan Becker of Breadloaf Corporation, Ben Swenson of RSG, and Russ Rohloff of Pathways Consulting, presented the application. Seale said the proposal is to build a shipping and receiving center to consolidate what occurs within thirteen Hypertherm properties. Hypertherm reached out to its neighbors via email and held a neighborhood site visit last Saturday.

Existing site: Becker said the 16-acre site includes a one-story, 36,000 sf building, a paved driveway and parking area, and three loading docks. A gravel area toward the east side of the site is used for trailer parking. Public parking is provided adjacent to a trail entrance. There is significant screening along the east side of the site.

Proposed site: The existing paved areas will be repaved and paving will be expanded to include the gravel area. The parking layout will be revised to comply with current code standards and to accommodate a new building entrance. Improvements to stormwater management, landscaping, site lighting, and site utilities are proposed.

Parking/Site circulation: Visitor parking in the northern parking lot will be adjusted to provide three ADA spaces. There will be three other reserved spaces near the southwest building entrance. A walkway along the north side of building will lead to a new associate entrance. Two parking spaces in this area, shown on the plans as ADA spaces, will be used as preferred parking spaces by associates that require parking in close proximity to the entrance. There will be a new truck loading area with a recycling staging platform.

Stormwater management: Rohloff said the site is 50-60% wetlands. A couple bio-retention areas will be added to handle some of the flow from the paved areas. An open drainage system will promote sheet flow through the vegetative zones and buffers before recharging into the wetlands. All stormwater will be treated before it is discharged.

Landscaping: Includes new tree plantings and preserving the entire perimeter buffer. All new trees will provide shading to the parking areas, will meet the landscaping requirements of the Site Plan Regulations, and will be salt-tolerant as requested by William Desch, Hanover’s Urban Forester. Screening requirements of transformers and mechanical equipment will be met. Lawn and open meadow areas will be maintained throughout the year with annual or biannual mowing. Hypertherm does not intend to use any fertilizers, pesticides, or herbicides within those areas. Seale clarified that Hypertherm will use fertilizers geared specifically for tree preservation. It will not be broadcast over any type of soil.

Site lighting: Existing lighting is standard cut-off fixtures, mounted at the proper height to meet the regulations. Pole lights will remain at a height of 15' and have sharp cut-off fixtures. A few entrance lights are proposed for safety purposes. Lighting fixtures will be similar to what has been approved at other Hypertherm sites in Hanover. A property identification sign proposed at the front of the facility will not be illuminated. There will be no unnecessary addition of any glare along the road corridor. Most of the building-mounted lighting will be on the west side, away from the road, to support loading dock functions. The exterior lighting will be on all night. Operating hours will be 6:00 AM to 11:00 PM. There will be very few trips between 6:00-7:00 AM and 9:00-11:00 PM, aside from a single truck coming every hour. The majority of trips will occur between 7:00 AM and 7:00 PM. There is a full light mounted just inside the driveway access.

Utilities: The site is served by municipal water and sewer. Utility improvements include removal of excess sewer stub, manhole, and water main stub, as requested by Peter Kulbacki, DPW Director. An existing fire hydrant will be relocated as requested by Jerry Frankenfield, Fire Inspector. Bollards will be added to protect it from snow removal operations. The water line stub to the current hydrant location will be removed.

Noise: 95-99% of all activity will occur on the west side of the building. The closest neighbor is 385' from that location.

Traffic: Swenson said parking is appropriately sized based on the number of employees and their shift changes. This project will result in less than one-half percent increase on Route 120 over the course of a day, with less than a tenth of a point during peak hours. The plan is to reduce the overall output of trucks from this site. Hypertherm has agreed to prohibit their trucks from utilizing Greensboro Road. Tractor trailers servicing the logistics center will use Great Hollow Road to access Route 120. Seale said Hypertherm will not do business with companies that provide tractor trailer deliveries if they do not agree to avoid Greensboro Road.

Miscellaneous items: Straw bales will be used for erosion control. The plan is to empty the building during construction so that the site will be vacant. Hypertherm intends to engage with the Trails Committee to create greater opportunities for outdoor enjoyment.

Board Comments/Questions:

- Can the pasture be hayed?
 - Rohloff said that area is more like a wet meadow. The areas closest to the pavement are more descriptive of a lawn.
- Are the trucks servicing the facility owned by Hypertherm?
 - Seale said no.
- Have the issues of Section 319 of the Zoning Ordinance been resolved?
 - Smith said the Zoning Administrator is satisfied that existing screening is sufficient.
- Trail easements were questioned.
 - Rohloff said a 30' trail easement is defined as part of the deed. Open space requirements on the northwest corner of the parcel will be maintained as well.
- Will there be a limitation on trucks idling while loading/unloading?
 - Seale said it will be discouraged but not disallowed. This is a trucking facility. There are reasons to allow trucks to idle particularly during winter months.

- There was a lengthy discussion about snow storage: size of area proposed, locations for secondary storage, impacts to perimeter treatment swales after the snow melts, etc.
 - Rohloff said the main operating area most crucial to keep clear is the truck area. The snow storage area chosen is the closest, slightly depressed area to the truck area. He said he does not envision snow being pushed into areas of the treatment swales but rather to the north. The proposed snow storage area could be enlarged in the direction of the sewer easement. Seale said a bucket loader is used to pile snow in the single snow storage area at 15 Great Hollow Road. Snow can also be removed from the site. ESMAY pointed out that the Site Plan Regulations do not require a set amount of snow storage, just that there be some.
- There should be an additional sign stating that all trucks must turn right at the exit, reinforcing that they cannot go down Greensboro Road.
- Where do Hypertherm-owned box trucks park at night?
 - Seale said they will be backed up to the building.
- The glare of lighting from the windows along the east side of the building was questioned.
 - Seale said the windows depicted do not exist.
- Are there outdoor areas for employees to take breaks?
 - Seale said a picnic table will be located out front. The proposed lawn space (meadow area) could also be used.
- Will the ground-mounted A/C pad be screened?
 - Rohloff said no, that area is part of the wetland buffer.
- Will the exterior lighting be on all the time?
 - Seale said inventory totaling \$4-10 million is kept in the building. Vandals were recently arrested for stealing copper from their exterior recycling area. It is very important to maintain lighting through all periods of the night. Rohloff said they tried to match lighting levels at other Hypertherm sites, with the exception of the Heater Road site. The proposal will result in balanced lighting levels across the site.
- Are the ADA spaces for visitors or employees?
 - Becker said both. Seale added that this building will not have a lot of visitors.

Public Comments/Questions:

- Nancy Collier, abutter to 21 Great Hollow Road, asked about the installation of roof-top equipment, future roof-top changes, utility poles along the road, the need for all the lighting proposed, and the need for lighting 24 hours/day. She said there is a long stretch along Etna Road where most of the businesses are without entry lights or driveway lights. She would like as little light as possible.
 - Seale said there is no roof-mounted equipment proposed for this project. A/C units will be located in two areas. Hypertherm can work to screen them. The units will meet the town's noise standards. Hypertherm does not intend to request a utility light at the end of the driveway. Their intent is to have just enough light so that there is reasonable visibility to locate the entrance to the drive. Pole lights will be installed at a height of 15' using cut-off, down-lights. Becker said there will also be lighting at the doorways. Seale said the wall-mounted lighting will be limited to shining down.
- Smith advised of a letter received from Wendy Conquest, a letter Conquest sent to Seale, and summary of Seale's verbal response to Conquest. Smith said Conquest is concerned about additional light fixtures, deliveries as late as 11:00 PM, impacts of a shift change at 11:00 PM, and employees smoking at the site entrance which is adjacent to her property.

- Seale suggested the smokers may not be Hypertherm associates.
- Ed Chamberlain, Chair of the Conservation Commission, said the Commission voted to support the application in terms of wetland impacts. Their only recommendation was to use porous paving to deal more effectively with stormwater drainage treatment. Chamberlain spoke about opportunities for trail connectivity and suggested the UVLT, Hypertherm, and the Town get together to talk about trail access in this area.

Waivers Requested:

Submissions

- 1) survey showing all easements [Rohloff advised that a final survey is still being reviewed. The draft provided meets the Site Plan requirements except that it is not yet stamped by a land surveyor.]
- 2) use of abutting properties
- 3) phasing plan [It was noted that there will be no phasing.]

Standards

- 1) Granite curbing (Article IX, B3c(2))
- 2) Landscaping around parking lot and screening of loading dock (Article IX, B3c(3)(d))
- 3) Lighting at loading dock will be mounted higher than 15 feet (Article IX, B2)
- 4) Screening for recycling dock and containers and 8' x 8' condenser unit pad (Article IX, B1)

It was moved by CONNOLLY, seconded by CARTER, to accept the application as complete with the submission waivers and waivers of the standards requested. SIM questioned the waiver of the list of abutters. Smith said that waiver is relative to the use of abutting properties, not their ownership. SIM questioned whether the location of any vents should be addressed or added as a condition of approval. Smith said the Board's concern with vents is relative to their noise output. The Zoning Administrator will confirm compliance prior to issuance of a Certificate of Occupancy. **THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.** Criswell participated as voting Alternate.

Possible Conditions of Approval:

- 1) All local and state permits shall be submitted to the Planning staff prior to the commencement of improvements.
- 2) The air conditioning pad on south side of building shall be screened.
- 3) A sign designating the trail parking shall be installed.
- 4) Should vents be needed, plans for the vents shall be submitted to Planning and Zoning staff for review and not installed until approved by staff.
- 5) Prior to commencement of improvements, plan amendments satisfactory to Planning and Zoning staff shall be submitted showing increased snow storage, screened air conditioning pad, trail head parking sign, and elimination of lights 1-3 and 12 windows on elevation Sheet A-4.1.

It was moved by CONNOLLY, seconded by GARIPAY, to approve Site Plan Review by Hypertherm, Inc. to create a logistics center consisting of office & warehouse, loading dock, associated parking & stormwater management systems at 9 Great Hollow Road, Tax Map 1, Lot 24, located in the "BM" Service Business and Limited Manufacturing zoning district as shown on plans entitled *Hypertherm Inc., Logistics Center*, prepared

by BreadLoaf, Architects, Planners, Builders, Project no: 10180-04, dated 3/04/14. The application was approved with the following conditions: (1) All local and state permits shall be submitted to the Planning staff prior to the commencement of improvements. (2) The air conditioning pad on south side of building shall be screened. (3) A sign designating the trail parking shall be installed. (4) Should vents be needed, plans for the vents shall be submitted to Planning and Zoning staff for review and not installed until approved by staff. (5) Prior to commencement of improvements, plan amendments satisfactory to Planning and Zoning staff shall be submitted showing increased snow storage, screened air conditioning pad, trail head parking sign, and elimination of lights 1-3 and 12 windows on elevation Sheet A-4.1. **THE BOARD VOTED UNANIMOUSLY IN FAVOR OF THE MOTION.** Criswell participated as voting Alternate.

Smith said if there are to be roof-top installations of condensers, generators, transformers, etc. (noise-making equipment) Hypertherm must return to the Planning Board for Site Plan modifications. Light tubes are not regulated.

4. OTHER BUSINESS:

Pine Park Association Informal Review: Tim McNamara of Dartmouth Real Estate, presented details of an erosion repair project at the Hanover Country Club. McNamara said there is a tributary to Girl Brook near Hole #13 with deep, extremely steep banks. Into it flows a couple of culverts that come off properties on Lyme Road as well as surface drainage from the golf course. Over the last few years, there has been tremendous erosion in this gully to the extent where banks have collapsed and ten feet of culvert is exposed. A Wetlands Special Exception application has been submitted to the ZBA. Wetland disturbances will be both temporary and permanent. The Conservation Commission will conduct a site visit on April 7th at 4:00 PM.

CARTER asked if this is the kind of thing where nature is deciding how the landscape should be. McNamara said nature has been compromised here. This is the low spot in the Girl Brook watershed. As the watershed has been developed, those pipes all end up here. An alternative plan to detain water further upstream was denied by the US Army Corps of Engineers and NH DES.

The Board discussed whether to require Pine Park and Dartmouth to apply for Site Plan Review approval. Smith read from Article VI, D, *“Major Projects, Except as expressly exempted by VI.B or delegated by VI.C, the following projects are subject to view by the Planning Board and require Planning Board approval: 1. New multi-family or non-residential projects or uses, including new buildings, structures, and disturbed area...”* The Board agreed Site Plan approval is required.

Regional Broadband Plan: Smith asked if anyone wanted to review and/or comment on the regional broadband plan. The Board agreed to submit comments individually.

Calendar:

- 04/07/14 1:30 PM Staff Review of upcoming Planning Board applications (Town Hall)

- 04/07/14 4:00 PM Conservation Commission site visit of Pine Park project
- 04/16/14 7:00 PM Ben Kilham Presentation “The Social Black Bear: What Bears Have Taught Me About Being Human” (Filene Auditorium in Moore Hall)
Co-sponsored by Hanover Conservation Commission and Dartmouth Outing Club
- 04/21/14 6:30 PM Workshop on Emerald Ash Borer (Kilton Library, W Lebanon)
- 05/06/14 7:30 PM Next Hanover Planning Board meeting (Town Hall)

5. ADJOURN: The meeting adjourned at 10:25 PM.

Respectfully submitted,

Beth Rivard