

**Official**

**HOOKSETT PLANNING BOARD MEETING  
HOOKSETT TOWN HALL CHAMBERS (Room 105)  
35 Main Street  
Monday, November 4, 2013**

**MEETING CALLED TO ORDER AT 6:00 P.M.**

**PRESENT: David Rogers (Chair), Dick Marshall (Vice-Chair), Paul Scarpetti, Tom Prasol, Tom Walsh, and Frank Kotowski**

**EXCUSED: Donald Winterton (Town Council Rep.)**

**STAFF: Jo Ann Duffy (Town Planner), Carolyn Cronin (Assistant Planner), Leo Lessard (Dept. of Public Works), Dan Tatem (Stantec), and Dean Shankle (Town Administrator)**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES OF 10/21/13**

*D. Marshall moved to approve the minutes of the October 21, 2013 meeting, as amended. Seconded by T. Walsh. Motion carried unanimously.*

**WAIVER REQUEST**

**1. PSNH**

**27 Lehoux Dr. & 2 Petersbrook Dr., Map 24, Lots 36-4 & 36-5 (plan #13-33)**

**Waiver of site plan request for PSNH temporary (10 months) storage of new transmission structures and other construction materials (including 198 steel poles, 450 davit type cross arms, several H-frame structures, and several box trailers) for a transmission line rebuild project from Deerfield Substation to Pine Hill Substation in Hooksett.**

**T. Prasol stepped down due to a conflict of interest.**

Laura Games: Early next year we will be starting to rebuild the D118 115kV transmission line that runs from Pine Hill Substation in Hooksett, approximately 15 miles to the Deerfield substation. The reason we need to rebuild this line is because ISO New England has deemed this line to be in danger of potential voltage overload. As a part of PSNH's ten-year plan we are looking to rebuild this line. As a part of this rebuild project, we were looking for an area to serve as a temporary lay down area for construction materials. The materials do not include any treated wood poles. They are steel structures, davit type cross arms and some box trailers. Manchester Sand and Gravel lots that PSNH used in 2011 for temporary storage of treated wood poles was available and they are amenable to leasing us the same two parcels for a period of ten months to end in October, 2014. Would you like me to go through the criteria?

D. Rogers: I don't think you need to unless the Board feels it is necessary because we have the waiver in front of us.

L. Games: I also have a fact sheet for the D118 rebuild if anyone is interest in it.

D. Rogers: Has the lease been agreed to, at least in principle?

L. Games: Yes.

D. Rogers: So it is simply a matter of getting the waiver and signing the release documents.

L. Games: Yes.

F. Kotowski: Is this the exact same ten acres that you used as lay down area a year ago?

L. Games: Yes it is.

F. Kotowski: I am a member of the Sewer Commission as well, and it is my understanding that we are in the process of swapping that land with another ten-acre site under control of Manchester Sand and Gravel at their expense and request. I know that all of the prior things that were on the original site have been removed in preparation of that. The gate is still there and currently that agreement is being looked at by lawyers on both sides. I think you need to know that. I would suggest you get in touch with David Campbell who is the attorney for Manchester Sand and Gravel and see where that stands. I have no objection to this but it is the first I am hearing about it.

L. Games: I will do that and I appreciate that information.

T. Walsh: How long is the lease for?

L. Games: It is 10 months.

***D. Marshall moved to grant a motion for a waiver of site plan request for PSNH temporary (10 months) storage of new transmission structures and other construction materials (including 198 steel poles, 450 davit type cross arms, several H-frame structures, and several box trailers) for a transmission line rebuild project from Deerfield Substation to Pine Hill Substation in Hooksett. Seconded by T. Walsh. F. Kotowski opposed. Motion carried.***

**T. Prasol returned.**

## **PUBLIC HEARINGS**

### **2. STERLING HOMES, LLC / KEACH-NORDSTROM ASSOCIATES (plan #13-26)**

**South Bow Rd, Map 12, Lots 1 & 24**

**Proposed 38-lot subdivision and roadway access off South Bow Road.**

**ZBA Special Exception: A Special Exception is requested from Article 18, Section E (1a) of the Zoning Ordinance to permit construction of a road that crosses a wetland.**

Peter Julia (Keach Nordstrom Associates): The project you see before you in Hooksett is a 38-lot conservation residential subdivision. It is located at 68 S. Bow Road on two parcels, Map 12-1, approximately 53.9 acres, 12-24, approximately 46.4 acres, for a total aggregate of just over 100 acres. The parcel is presently owned by the Elliot family which will be transferred ownership as part of this project. It is zoned a low density residential. The parcel is largely wooded with some overgrown agricultural areas, wooded paths throughout the site, some wetlands and steep slopes. There is one minor wetland impact which will be handled by Peter Schauer of Schauer Environmental through a wetland impact permit. That permit is pending, has been submitted, and it is in process. The 38 lots, as part of a conservation subdivision, range in size from .7 acres to 1.5 acres. They all will be serviced by private drives, private wells and private septs. The main thru road will begin on S. Bow Rd., thru the Town of Hooksett, and eventually connect up to the existing Merrill Crossing located in the Town of Bow. That main thru road is approximately 2,600 ft long within the Town of Hooksett and off of it is an approximately 1,100 foot cul-de-sac that services 14 lots. That main thru road services 24 lots. Additional permits to be had as part of this project are a state subdivision, the wetland permit I previously mentioned, Alteration of Terrain, as well as individual septic systems. Some things unique about the project are the wetland crossing which is approximately 600 feet in from S. Bow Rd. which is proposed to be three 24-inch culverts. There was a box culvert but that has been revised. Approximately 800 feet in from S. Bow Rd. would be the first intersection of Old Mill and Churchill. Approximately 1,500 feet in from S. Bow Rd. is the low point of the project where the majority of the storm water will be collected and transported off to a storm water basin. There is approximately 4,400 feet of pipe ranging in size from 15 to 36 inches. They are connected with approximately 35 drainage structures which all lead to a one-acre wet pond behind Lots 24 and 25. This is all located in the Town of Hooksett. We are in receipt of the review comments to date, and we are currently working on responses to each of those comments. I can tell you in general approximately 70% of those comments are, in my opinion, editorial and housekeeping type comments. They pertain to lines, line work, symbols, additional notes, and clarifications on existing details. Approximately 10% of the items are directly relating to input that we are requesting from the Board. About 12% of those items contain, in my opinion, minor engineering clarifications and/or revisions that are likely to be accomplished through the permitting process, by entertaining comments from the public and the Board, in both Hooksett and Bow, as well as listening to those agencies that are reviewing the project for permitting, primarily Alteration of Terrain and the Wetland Board.

J. Duffy: My comments list a number of items that are still outstanding. I think the first thing the Board needs to decide is whether or not this is a development of regional impact. I had some discussions with the applicant and they do not agree that it would have an impact of regional development. My explanation is that Southern New Hampshire Planning Commission has provided guidelines which recommend a development may meet this requirement if certain criteria are met. Three of those criteria, I think, directly relate to this project which are: 1) Proposed developments directly adjacent to a municipal boundary; 2) Proposed developments that create a new road or a point of access between municipalities; and 3) Proposed developments that may impact shared facilities which could be DPW and Fire, depending on who gets there first. I am not 100% sure of the third one. The discussion I had with the applicant's engineer is that the Town of Bow is already aware of this project because they are acting on an additional eight lots on the Bow end of this roadway. Therefore, they have input anyway. If this Board decides that it does have regional impact it gives the Town of

Bow abutter status so they can attend or send letters to this Board. It is treated as an abutter versus an abutting community. It also kicks into review by the Regional Planning Commission. In this case there are two Regional Planning Commissions because there are two different towns involved. Bow belongs to Central, Hooksett belongs to Manchester. The other is that because this is a conservation subdivision there will be a special use permit required which will be submitted as part of this packet and you will be voting on that separately. There is a list of criteria that needs to met in order to approve. The homeowner documents have not been submitted. They did meet with the Conservation Commission concerning the open space. It has not yet been decided if the Conservation Commission would like them to donate the open space to the Commission or if it would be retained by the Homeowners Association. I emailed you a plan to show you the 25% slopes on this property. There are several steep slopes, many of which are located on the open space land. Currently there is no connection from the main roadway to access the open space and I had the question of where access would be coming from. I recommended that they show you a grading plan for four lots that include a large number of steep slopes. I also think they should show the potential driveway grades throughout the subdivision. Some of those lots are tight and normally we did require those in a conservation subdivision. The traffic impact analysis has not yet been submitted. I have provided impact fees to the applicant. We are leaving the cistern location and the number of cisterns up to Fire Department so we need to finalize the number and the location. They are going to the Zoning Board on Nov. 12 because of that one wetland crossing that requires a special exception by the Zoning Board. It also requires comments from this Board so you will need to provide a letter to the Zoning Board which you might be able to take care of this evening if the applicant presents the crossing information to you. This way they won't have to come back again in between November and December just for that issue.

D. Tatem: We issued a letter this week that has detailed comments that they can easily fix without any issues. The question we ask is if Peter has had enough time to review the comments to see which comments he takes issue with that he may need to get opinion of the Board to see how you'd like to approach it or address the comment if it is not as straightforward to address as we hoped. For example, our comment ten stating that the horizontal curves of the road do not meet AASHTO. They had the same problem in Austin Woods, which is the neighboring subdivision and they had to super elevate a couple of the curves. They actually went to Council and had that subdivision speed limit changed to 25mph. Your regulations state that your speed limit shall be 30mph or 35mph and it is our understanding that the roads in town are posted at 35mph not 30mph. There needs to be a decision by either Leo, the Board, or Council of how the speed limit on this road will be posted because that directly effects the design of center lines of the subdivision roads, which is a critical part of this project. If the lines have to change, it could change the whole layout of the project. That needs input and I don't know if that gets decided tonight or in the future but comments like that should be discussed to see where the Board or department heads need to give us input to try to resolve them.

D. Marshall: You are proposing that an analysis be conducted to see what the traffic impact will be on the adjacent roads?

D. Tatem: Yes. The regulations require that, with this size subdivision, a traffic impact analysis be completed

D. Marshall: Regarding the technical question of design speed, it bothers me when you say we will just

post it for 25mph. Do you think anyone will travel 25mph if every other road in town is posted at 35mph, with special conditions in school zones? You have to use some logic in deciding that you are going to have a reasonable design speed for that roadway and make it safe.

D. Tatem: It is not our suggestion that the limit be reduced. They either have to redesign the road to meet those criteria, get a waiver from the Board, or ask for a reduction of the speed limit from the Council.

T. Walsh: Would you consider all of the land in 12-1, or it looks like 90% of it, unbuildable? Are there any jurisdictional wetlands there? Is this all usable in the formula for the open space percentage?

D. Tatem: If you go to sheet C-1 there are some calculations at the lower left corner at the bottom. On the right hand side that says Hooksett open space, it says that there are 7.6 acres of wetlands and 8.3 acres of steep slopes. That is a total of 16 acres of restricted land and the rest is uplands that could be buildable.

T. Walsh: If it is going to be considered open space, I would need to see something change for them to get access to it. I notice we are also proposing sidewalks and the Town of Bow does not. Presumably as you go around the corner you will have an 24 ft. road end with a 5 ft. sidewalk and the sidewalk will disappear. I am not a big fan of sidewalks in these types of developments. If they were connector roads or arterial roads I could see the need for them, but I do not see the need for sidewalks in this type of development. Especially not if we are going to see it half and half. Also, apparently Bow doesn't have a conservation subdivision regulation because I would suspect if they did the same theme would continue through. How long have we had ours?

J. Duffy: The one we had prior to this one was called open space development and we have had it for over 15 years. The requirements have changed from then to now but there has been something similar on the books for quite a while.

T. Walsh: Have we had anybody develop in this town, conventionally, now that we have this conservation subdivision regulation.

J. Duffy: Lately, no.

T. Walsh: I didn't think so. It is a beautiful thing when you can take land that is not buildable, add it to an open space formula and because of that basically create a bunch of 1/2 acre lots. That is my opinion, but it isn't a regulation so I will act accordingly.

Keith Coviello (Long Beach Development): With regard to the regulations in Bow, they do have a conservation open space ordinance. If your lot is 30 acres or more you are required to use the open space subdivision regulation. If it is less than that you are not required to. Because of the configuration of where the road has to go through to make the connection from Merrill back out to S. Bow Rd. and the fact that Merrill Crossing is currently a traditional subdivision, we opted to continue the traditional through Bow to the town line.

P. Scarpetti: Is there a reason why we only have the profile for the road for the first section?

J. Duffy: I was questioning that the other day. That is why I took the other plan sheet and colored it up. I also noticed you didn't have the entire area shown of the open space. I am not sure why only certain pieces were provided. I think between now and the next hearing we should get full plan sets of the smaller sizes for all of the Board members so they can see the entire project.

P. Scarpetti: You have some pretty drastic fills and I agree, we do need to see the driveways because these do look like it is impossible to get the driveways in there with the town regulations.

### **Open to Public**

### **No Public Comments**

### **Closed to Public**

D. Rogers: I believe we need to discuss whether or not we determine this to have regional impact and that will impact whether or not Bow is more heavily involved. Am I understanding this correctly?

J. Duffy: Yes. Not only Bow but the Regional Planning Commissions.

D. Marshall: Has the DPW or the Fire Department indicated they foresee any problems in response time or coordination with Bow on any issues?

J. Duffy: None that I am aware of. It is more a matter of who gets there first. I have not heard anything back from Fire as far as that goes but that is something we will continue to coordinate with them once we narrow down where the cisterns will go.

D. Marshall: The only thing I can see as far as regional impact might be traffic. In a case like this with 38 homes, together they may generate 380 trips per day and with the other eight lots, another 80 trips. They may come through Hooksett or they may not, depending on where their destination is. I doubt this would create a problem. I assume at least 10% of those trips might be during the peak hours so it wouldn't really have a major impact on S. Bow Rd. or Hackett Hill. Personally, I don't feel it qualifies as a development of regional impact.

***D. Rogers moved to grant a motion that this does not have regional impact. Seconded by D. Marshall. Motion carried unanimously.***

D. Rogers: We need to address the special exception for the ZBA.

J. Duffy: Perhaps the applicant can show you where the impact is and the reason for it.

Peter Schauer (Certified Wetland Scientist from Schauer Environmental Consultants): There are two wetland impacts associated with the road construction. The first impact is a little shy of Station 600. It consists of three 24 inch culverts that are 66 feet long. It is a forested red maple wetland. This impact is

broken up in two areas of 3,620 sq. feet and 2,310 sq. feet for a total of 5,930 sq. feet. These culverts will pass a 100 year storm and not over-top the culverts. It will accommodate quite a flow of water. The second impact is close to the town line of Bow and Hooksett and before you go into Merrill Crossing connection. It is a tiny grading impact on the wetland that starts at this location and drains to the east. That impact is 480 sq. feet and the wetland is poorly drained. It is also a red maple forested wetland.

D. Tatem: What was the logic between changing from a box culvert to three 24's?

P. Julia: The paramount reason is there is no defined channel. This is a crossing of some distance maybe 50-75 feet of low lying ground that was crossed some time ago when the back land was used for agricultural purposes. This crossing is an existing location. It is only the sheer geometry of the roadway section as well as the elevation. There is approximately 7 feet of fill in that location. So you take our wide section, curb to curb, then with the panels and then our fill slopes and that is what creates the large impact. It is a larger impact, approximately 6,000 sq. feet, because it is such a low lying area. DES has a tendency to prefer open bottom box culverts, which is why that was our initial design element at this crossing. In subsequent conversations, as well additional field work we decided there wasn't a defined channel. This area has dried up several times this year alone and I suspect that is probably an annual occurrence. Therefore, we opted for three 24's. Essentially we only need two and the other is kind of a spare. We do know that there are environmental concerns in terms of habitat for the Blandings Turtle. The Blandings Turtle has not been sighted or recorded on either of the three parcels, but it is within a one mile radius. Under that consideration is why the third culvert is there. I could flip through and give you the precise flows through those culverts but, as Peter said, during the 100-year event, of 20 acres up stream of these culverts largely undeveloped, the flow rates are very small and the water doesn't even over-top the inlet condition of these triple culverts.

***D. Marshall moved to grant a motion to send a letter to the Zoning Board of Administration saying the Planning Board has no objections to the granting of the Special Exception. Seconded by P. Scarpetti. Motion carried unanimously.***

D. Rogers: There is still a fair amount of work to be done on this plan so, at this point, I think we will continue the hearing until November 18.

P. Julia: Could we request for December 2? The reason is we have to get to Bow and also ZBA in the interim and that will allow us more time to accomplish more comments and, hopefully, clear up many items.

D. Rogers: We will continue this public hearing until December 2, 2013.

### **CONTINUED HEARING ON FINAL APPROVAL**

- 3. MIACOMET DEVELOPMENT, LLC (plan #07-37)  
Webster Woods, Phase II, Daniel Webster Hwy, Map 6, Lot 114  
Final site plan approval.**

D. Rogers: Attorney Somers is not with us this evening, however, we received a letter from her dated

November 4, 2013. (Letter was read into record).

Steve Haight (Haight Engineering): With me is Mike Gospodarek from Herbert & Associates and Jim Gove from Gove Environmental Services. All of the work has been done with the exception of a couple of minor clean up items. All of the work items that were identified in the contract plans have been completed as of today. In regards to that work, what is remaining is a pile of material that had been excavated out when we put the outlet structure in. That was smoothed and spread out and has been planted. We are going to hydro-seed that with a wetland mix. In terms of the work, the outlet structure is in and working, the riprap is done and all the major work components are completed. We met with JoAnn and Dan today to review a punch list of remaining items and those small items that need to be done and other than that, the work is done. You also have a red line for items for the Phase II which was submitted. At the site walk you asked to take a look at areas that we could relocate some units and do some other design items to see if we could move things away from the ravine slopes and we have done that. On the plan with the red line items you will see, on the right hand side, we are relocating a number of the units. The lines that you see below in red that are marked off are underdrains. This whole Phase II has an extensive underdrain system to take the ground water down and away and keep it from going into the slopes. We can go through these items or any questions you have on the red line items. That goes with the letter we got from the Association regarding the slopes associated with the northerly side ravines. Miacomet has no problem working with the Association as we get into the construction to monitor, so if things come up we will be able to handle them right then and there. I think with the way it is designed and some of the redesign for the underdrains, all of the ground water will be essentially taken care of and not impacting the slopes. Any slopes that we do impact with drainage for drainage outfalls we have a very good methodology for stabilizing those. If you find the red lines are acceptable and that is a good approach we can make those changes to the design plan and have Stantec review and approve them. Mike and I met with Stantec and what you see in red is what came from a collaboration with them.

J. Duffy: If you do approve this tonight, I would like to make sure there are three conditions attached to that approval: 1) The punch list is complete by Tuesday, November 12; 2) review of the relocation of the Units and the drainage revision in Phase II be reviewed and approved by Stantec prior to the signing of the plan for Phase II; and 3) Attorney Somers had agreed to provide the Homeowners Association with a check for \$1500 for some plantings. We received that check, however, it was made payable to the Town of Hooksett versus the Homeowners Association. We sent it back and have not received another check yet.

D. Tatem: Besides completing those items that Steve has mentioned, we recommended in a meeting today, and the applicants agreed, to provide a letter from the professional engineer and the licensed wetland scientist stating that the plans have been completed, the design will function as intended and that the wetland restoration has also been completed and reviewed and they are signing off on it for the file.

S. Haight: For clarification, there is no problem with what Dan said. We will follow up with finalized letters, the red lines as we had discussed, and then a completion indicating that all work has been completed.



**Open to Public**

Jerry Ouellette (11 Dogwood Drive): I would like an answer on whether the Planning Board has taken any discussion with the developer as far as the roads are concerned about the porous asphalt or going back to traditional drainage.

D. Rogers: I don't believe there has been anything beyond what was approved.

J. Duffy: When the Board reviewed this plan, several years ago, they did agree to allow porous pavement on site due to the sandy conditions of the soils and the problem with water. At the time, everyone agreed that porous pavement would be advantageous, however, there is some maintenance that goes along with that, and the Homeowners Association ultimately would be responsible for having that pavement vacuumed once or twice a year. I think that is what Mr. Ouellette is referring to.

J. Ouellette: Exactly. It is evidently very high maintenance. Other than the reason you just said, is there any other reason that is required? Why are we the guinea pigs on this? Is there any other development that has that type?

J. Duffy: There are other commercial projects in town such as Public Service that has used this pavement, but I think their engineer would explain the reasons for it and how it would actually be helpful. If you did decide to go away from the porous pavement it would affect the entire drainage design and it would have to be redone.

D. Rogers: For the record the Town received an email from the President of the Homeowner's Association, Marian Kolesar, that addresses a number of concerns primarily related to water and landscaping issues on the property.

Marian Kolesar (President of the Homeowners Association): Steve Haight did call and explained a number of questions that we had in the letter that I forwarded to JoAnn which she forwarded to Steve. There was also a letter from Mike Gospodarek that referenced a number of the questions. At this time, I am satisfied with the questions and the answers and, as we move forward, I have been assured by Steve that Miacomet will work with us on the continuing erosion because they are going to be part of the Association as we go forward with Phase II. I would like to think the Board would approve. Because of the situation and the ongoing erosion, this way at least they are there with us. If they choose not to build, or if the Board does not approve, we, the first group of Webster Woods, have to address those issues at some point and time and that can be a very costly issue for all of us and I don't know how we would handle it at this point, including the water that comes from off-site. I know the ravine's have been here forever, but ultimately we are at the bottom of the hill and we have to address that as well. I believe Mr. Walsh already knows that we are looking at blueprints to see where a lot of that water comes from and where it is being directed into Webster Woods.

**Closed to Public**

P. Scarpetti: When we were out there we were talking about the red lines and moving buildings. I thought we had discussed the relocation of Buildings 1, 3, 5 and 7. If those buildings get built there is

no regrading once they are there. Maybe I misunderstood what was said. The only buildings that were relocated are the ones on the other side of the project and I thought the ones on the major ravine were going to be pulled away.

Mike Gospodarek (Herbert & Associates): When we originally designed the project we had proposed regrading on the left hand side. The slopes that we are regrading back to the 298 line gives us an extra 10-15 feet behind the units. As you go on the left hand side, the first four contour lines are being regraded out giving more of a platform behind the units. The same thing goes with Units 5 and 7. We are getting further and further away from the slope and you will see that the 292 contour is the tie in for that. From Number 7 you can see the contour coming out (the dark line). What happens when you pull that contour out, you end up, in this case, eliminating three of the contour lines. We are actually creating more of a platform behind the units. The other item in Numbers 9 and 11 is the exact same principle. Number 13 originally always had a flat back. If you look at the 286 contour you will see that the proposed elevations of the unit with the grading allows for a flat back. Taking that into account we did not feel we had to move those units because we were already regrading that slope out. In addition, those units were already placed as close as they can to the roadway to provide necessary parking from the garages to the roadway to meet the parking regulations. We focused in on the units on the other side doing some flipping. For instance, instead of making it long, make it narrow and longer to get into the flat slopes on the right hand side. In some cases we went from a two car garage to a one car garage.

P. Scarpetti: I understand what you did our test at the top but a slope is a slope. There is some erosion on that slope itself. What happens in the future if that does erode at the lower section? I understand you took the top portion off but you still have a steep slope.

M. Gospodarek: When we did our test borings, we did them on both sides and we looked at the layers. That is what has brought us to the underdrain system that is about 8 feet deep, well below the foundations. We can collect the water that usually travels horizontally through to both slopes and put it in a fixed location so that movement of water, which would be part of the erosion coming out onto the ravine, would be eliminated or at least reduced. Based on our soil test is why we went with the type of underdrain system that we did. The units have basements so they are going to be down about ten feet, so we do not think there will be an issue.

D. Marshall: Looking at this new section, Units 1, 3, 5 and 7 along that steep slope. If you went out the back of Unit 3, there is a 28 ft. drop as soon as you step off of the foundation. Why would anyone buy a unit that looks like they are going to face a lot of the same problems that already exist in Phase I.

M. Gospodarek: On Number 3, the dash line is not the proposed contour. If you go about four contours down that is where the slope is going to start. We are cutting out that area where the slope starts.

D. Marshall: We need to see some cross sections on that one.

D. Tatem: When we took a look at these with them a couple of weeks ago. These were the four they couldn't do much with because of the need for a driveway and they are parallel with the road and the road is parallel with the slope. Some other ones they were able to move, and they made some duplexes into singles, and I think they did an acceptable job on the other ones. The hard thing is where do you

say it is too close or not close enough. We felt that we didn't have anything hard and fast because there is nothing to say what is too close and what is not. The ravine in the back, behind those four units, as we know, has been as stabilized as it can be right now with the work they have done over the last couple of months. They eliminated the underdrain outlets between Units 3 and 5 and to the east of Unit 1. There will be no more water subjected to those slopes. What we have seen on-site is the slopes failure due to channelized water. Where the pipes go into the slopes is where the slopes fail. With them eliminating those two underdrain outlets into those slopes right behind those units, we are more comfortable with the locations of those, however, we do feel those are still pretty close. They really could not move them. It is either those or someone has to determine they are too close and they will have to reduce the units in the site plan.

D. Rogers: Has any consideration been given to reducing it by those four units, eliminating them and getting rid of this problem?

S. Haight: There was consideration. I can not tell you we are going to do that.

D. Rogers: I recognize that. I know developers, as a general rule, want to maximize the space and put as many units out there as they can, but given the problems that have been replete for the past several years, perhaps a compromise in the number of units might ensure more success than we have had in Phase I.

S. Haight: If you look at Units 1, 3 and 5, the contour is going to come down 6-8 feet, so they are going to be away from the top of that slope. The buildings are not going to be right on the back side of that slope. The other difference between this design and what was done in Phase I, is that this has an engineered underdrain system. They have material in this sandy soil where the water hits that more dense material and flows horizontally and that is where you are getting the sluffs on the ravine sides. With this design that water is not going to be going in that direction. Especially on the ravine we just stabilized. We put 6-8 feet of material on the bottom of that and we came up. Eliminating discharges to that slope we felt was very good compromise with the design that was there. We did not feel as uncomfortable with Units 1, 3 and 5 as previously. The answer to your question is, we can talk to Miacomet and see if it makes financial sense for them to take one or two of those units away, but in regards to the rest of them, we specifically looked at those with the understanding of what has occurred on Phase I. With the reduction in material, 6 or 8 feet of cut, you are actually getting further away from the top of that swail, which gets us closer to where stone was placed in that ravine. On the opposite side, exactly the same thing. We are eliminating discharge to the swails, eliminating the groundwater going horizontally, so we are taking out a lot of the water that was going out into the side slopes. I guess the answer to your question is that I can ask them and see if they feel comfortable eliminating some units.

D. Rogers: My question was more if that was considered. I am not demanding that it be altered. It still concerns me because I have been on this Board for 2+ years and this has been a long standing issue with Phase I. I don't want to be revisiting this 5 or 6 years from now with the same problems.

S. Haight: From an engineering perspective, we did consider and look at that. Very specifically we didn't feel uncomfortable with that layout.

T. Walsh: The porous pavement is part of the underdrain system that makes this all work?

S. Haight: No. There are two separate systems. The underdrain system is being put 8-10 feet below the finished grade. Anywhere from 2-4 feet the site will be reduced in elevation and from there down it will be 8-10 feet below with an underdrain system. Porous pavement will be at existing grade. Porous pavement is about 24-48 inches in the cross-section of that. One doesn't need the other. There are porous pavement designs where you have an underdrain in the porous pavement. This one does not need it. We have the right soils at this site to handle porous pavement. Porous pavement doesn't work everywhere. In this case it does.

T. Walsh: I heard if porous pavement was removed the system would not work. Phase I does not have the porous pavement, correct?

S. Haight: Correct.

T. Walsh: Once this is complete it is one Association so that all of the people that bought homes in Phase I will now watch their costs go up to vacuum the streets of Phase II. How much does that cost?

S. Haight: We do a lot of storm water management reviews as well as yearly reviews. The vacuum truck is about the size of the table I am sitting at and has a sweeper with a vacuum. Last year the cost of doing a 400 car parking lot which is approximately four acres was about \$250. Make no mistake porous pavement does require maintenance. The difference is you don't use sand on a porous pavement so that cost goes away. Instead of sand in the winter you will pay for vacuuming and sweeping in the Spring. You may not even need the vacuuming or sweeping because you are not using sand. You can use salt if you need it but not sand. Maintenance as far as snow plowing is the same as a regular roadway. We recommend that whoever does the plowing does not use their sharp cutter edge and dig it into the pavement when removing ice. You don't typically have that situation on porous pavement. Typically a nylon blade edger should be used instead.

T. Walsh: They are going to change that in between Phase I and II?

S. Haight: It is a much of an education process for anyone that has to use it. We have a number of projects we have used it on. It is different than standard pavement and requires a different type of maintenance. From what I have been told, the cost has balanced itself out.

F. Kotowski: I am interested in the wetlands. With this type of pavement, are they using a chemical for ice removal in the winter? If that chemical goes into the underdrain, does the underdrain drain into the marsh?

S. Haight: With this system you actually take out all of those types of materials through the matrix of material in the porous pavement, as well as the gravels below it. Most typically, the water that comes down through and into the underdrain will have all that sand below it, which is actually a sand filter.

F. Kotowski: So salt will not get into the marsh?

S. Haight: Not through the underdrain system.

D. Tatem: The underdrain system is designed to keep the groundwater away from the slopes and to keep the slopes dry. It does not work with the drainage system. It is not a component. They are two separate items. If you took away the porous pavement and put in regular pavement you would have to add catch basins, pipe and detention ponds just like any other site plan that you typically see. The large volume of stone and gravels underneath the pavement is an underground detention system. The idea is for it to slowly percolate into the soils below. Some of that may get into those underdrains but it is not designed to tie into those underdrains and then be daylighted into the wetlands or the slopes below.

T. Walsh: This porous pavement and design was approved by the Planning Board? How long has that been part of the plan?

M. Gospodarek: The first design came in with the typical catch basin with detention areas. When we started doing the borings, we realized those detention areas would not provide infiltration as we wanted it to because we were cutting into the soil so deep. Then we switched to the porous pavement because it would provide more treatment of the water and provide more access to volume of storage underneath.

D. Rogers: I will entertain a motion on conditional final approval with the three conditions that JoAnn mentioned.

J. Duffy: Dan also had the comment about receiving final letters from the engineer and wetland scientist.

***D. Marshall moved to grant a motion for conditional final site plan approval. There was no second to the motion.***

P. Scarpetti: Are we going to be able to take a look at this Phase II?

D. Rogers: The way this motion is made, and it has not been seconded yet, is that Stantec will be taking over. They will be reviewing the final drafts, letters and configurations that have been discussed tonight and at the on-site meeting.

F. Kotowski: Earlier you talked about if Miacomet would consider eliminating a few of the buildings. I heard the gentleman say he would bring it to their attention and would be interested in hearing first, before I vote on this whether they are willing to do that.

D. Rogers: I believe his comment was he is not authorized to make that kind of a commitment but it can be explored.

***D. Marshall moved to grant a motion to continue the final public hearing and final site plan approval to November 18, 2013. Seconded by P. Scarpetti. Motion carried unanimously.***

**OTHER BUSINESS**

□ **Appoint Chris Pearson, ZBA Chair to Sign Committee**

*T. Walsh moved to grant a motion to appoint Chris Pearson, ZBA Chair to Sign Committee. Seconded by F. Kotowski. **Motion carried unanimously.***

□ **Discussion of Sign Committee quorum**

J. Duffy: There was a question as to what the quorum is because the number of Board members has not been established. I spoke with Dr. Shankle and he said whoever is appointed at that time you would go by that number. If now we have eight we would need five for a quorum.

D. Rogers: That number would be 50% plus one.

□ **Sprinklers**

J. Duffy: As you all remember we had the Bielizna subdivision on Prescott Heights. There was the parent lot and then they did a subdivision. According to the building inspector, at the time, Bielizna didn't need to do a sprinkler in his replacement home because he was replacing an existing home and it was considered the parent lot. However, the ordinance said the parent lot is considered as a new lot. There was another three-lot subdivision as part of this land on Smyth Rd. that was approved by the Planning Board in December. Those three lots were then sold to Mr. Mulliken. Mr. Mulliken started building on two of those lots and he is planning to put in sprinklers. The third lot was a five acre lot. He came back to the Planning Board in September and subdivided that third lot into two lots. Now he has four lots. Those two lots were sub-divided in September after the zoning change so he is saying he does not need to sprinkler those two homes. The question of the staff was because the original third lot was a parent lot of a subdivision that had a sprinkler requirement, does he need a waiver to not put in a sprinkler.

D. Marshall: Wouldn't it have been easier to give him a waiver.

J. Duffy: We can't. He needs to come for a public hearing and we need to notify abutters. He wanted to see first if he needed a waiver.

D. Marshall: To resolve any issues later on wouldn't it be best to schedule him for November 18 and have him fill out the form for a waiver .

J. Duffy: We can do that. I am not sure how far along he is in his project so I don't know if that will have an affect on it or not. The other two homes he willingly put in the sprinklers.

P. Scarpetti: I have been watching the construction there. The lot they are doing now, Number 3, isn't one they got approved for. They haven't touch the one that was part of the original subdivision. He has time because with the fourth lot, which they got approval for, he doesn't have to get a waiver for because it was approved that way.

J. Duffy: It was approved that way for the fourth lot off of a parent lot from those original three.

P. Scarpetti: He hasn't touched the parent lot yet.

J. Duffy: Ok. So, does everyone agree that he doesn't need the sprinkler for the fourth new lot that was approved in September? The parent lot of the new lot is the one people are not sure of.

D. Rogers: I think the character of the parent lot has changed. It may have been what the original lot was but the subdivision changes the character.

J. Duffy: It made it smaller.

D. Rogers: Right. So it is not the same as it was prior to the subdivision being there.

J. Duffy: That was the case with Bielizna as well, and they said that house should have had a sprinkler.

D. Rogers: I think, in this case, requesting the waiver would be the better way to go legally. It cleans it up and going forward there is no question.

J. Duffy: So just require the sprinkler for that third lot, not the fourth?

D. Rogers: The fourth one is the one after the ordinance change?

J. Duffy: Yes.

D. Rogers: My feeling would be the third, not the fourth.

T. Walsh: Is there anything else in the development regulations we need to clean up in light of the ordinance changing?

J. Duffy: Yes. After we get through the sign ordinance project, we have a list of items that we would like to change to bring forward at the same time for the development regulations, and that is one of them.

### **CHANGE OF USE**

1. In the Goodwill Plaza we had approval for a Nail Salon that is going into a vacant unit.
2. Petco is going into where Staples was down at Exit 10 on Quality Drive. They came in for a change of use and that was approved.
3. The Performance Place is moving into the RK building where Hooksett Tool Rental and an automotive repair was.

4. CGI Benefits Group on Londonderry Turnpike is converting the warehouse space for additional offices so the whole unit will be offices.

T. Walsh: I heard the old Dexter Shoe and Blockbuster next to Sals pizza was another auto store. Has anyone heard about that?

J. Duffy: They came in a while ago. It is an auto parts dealer going into that site.

D. Shankle: What did you say about Labrie's property?

J. Duffy: The name of the company called Performance Place used to be in the Labrie Building. They are moving to the RK Plaza Building.

D. Rogers: Is there any word about Bond? I think they were supposed to be opening this week. Is that still the plan?

J. Duffy: I believe so. They have been in contact with Leo about landscaping bonds and getting their monies back for the site work.

D. Shankle: In case people don't know the reason I asked, the town now owns the property that used to be Labrie's.

J. Duffy: Is he leasing from the town right now?

D. Shankle: He doesn't have a lease. He had a lease from her but he is moving.

### **BOARD DISCUSSION**

P. Scarpetti: Are we at liberty to talk about the second phase of Webster Woods?

D. Rogers: Probably not at this point since it has been continued to the next meeting.

D. Shankle: Once it is an approved site plan, unless you have a reason to not accept Phase I you are pretty much stuck with Phase II. The other issue is that if they start agreeing to changes that opens up the whole site plan again and the attorney will probably be concerned about that.

D. Marshall: They have to realize that this is going to be one of the most closely watched subdivisions in the history of the Town. After what we just came through, monitoring that construction in Phase II is going to be paramount.

### **ADJOURNMENT**

**The meeting was adjourned at 7:36 pm.**

**Respectfully submitted by,**



**AnnMarie White**  
**Recording Clerk**