

TOWN OF JAFFREY
Jaffrey, New Hampshire
PLANNING BOARD
Meeting Minutes
February 12, 2013

Present: Chairman Merrell, Members, Deschenes, Despres, Kresge, McCarthy, Moore and Selectmen's Representative MacIsaac

Absent: Member Grodin

Staff: JoAnne Carr, Director of Planning and Economic Development

MEETING MINUTES APPROVAL

On a motion by McCarthy, seconded by Kresge the minutes of the January 8, 2013 meeting were approved as amended. (7-0)

PRELIMINARY HEARING

None

CALL TO ORDER

Chairman Merrell called the public hearing to order at 7:00 p.m. Notice of public hearing PB 13-01 was posted in the Town Office building, the Library; copies were sent to the Planning Board, the Conservation Commission, and the Board of Selectmen.

APPLICATION ACCEPTANCE

None

PUBLIC HEARING – NEW

None

PUBLIC HEARING – CONTINUED

None

DECISIONS

1. PB 13-01 Avery, Seth (property of Desrosier), 5 Pinecrest Rd., Map 245/ Lot 108, Zone: General Business

Site Plan - The applicant proposes an automotive repair shop.

Decision: Continuation of deliberation. Additional information requested.

OTHER BUSINESS

1. PB 13-01 Avery, Seth (property of Desrosier), 5 Pinecrest Rd., Map 245/ Lot 108, Zone: General Business

Site Plan - The applicant proposes an automotive repair shop.

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Chairman Merrell reminded the board that the hearing had been closed at the January 8, 2013 public hearing and that this evening would be deliberations. The site visit on January 16, 2013 raised some issues for the board.

Member Kresge had concerns about the floor drains and noise and any impact on the neighbors.

Member Deschenes mentioned that per NH DES any pressurized water, such as the line that feeds the warehouse, cannot operate without the benefit of a septic or town sewer. With respect to there being no facility in the warehouse – it is not required unless there are employees. As for his concerns – what about storage? Parking vehicles after hours should be limited to the area out of sight of the neighbors. How many vehicles would there be for a one man operation?

Selectmen's Representative MacIsaac expressed concern for the proximity to neighbors and Cheshire Pond and soil conditions. Can a soil sample be requested?

Member Moore has issues with there being no facility and no septic or sewer for the gray water. What about containment for fluids stored in the shop – spill control? He too has concern for noise; how can the sound be contained (doors open/closed during business hours)? What will the hours of operation be?

Mr. Tieger stated to the board that the buyer is aware of the soil issue and that JoAnne Carr, Director of Planning and Economic Development informed them that should a Level 1 assessment be necessary South West Regional Planning Commission has grant money available.

Chairman Merrell recognized the number of issues and that the applicant has been made aware of them. It was suggested that a new application be made addressing issues such as screening (in the way of fencing, vegetation or both), parking, installing a sanitary facility in the building and tying it into the town sewer to relieve that issue, the plugging drains and he feels a soils survey is in order.

The question was asked if a Level 1 assessment would give them the information they are looking for. Member Kresge replied that a Level 1 is merely a record to see if there has ever been a reported problem with the site and defines what the historical uses have been. If that raises enough red flags for the person commissioning the study then the next step would be some form of a Level 2 which does involve physical sampling.

Member Moore feels the drains should be chased to see where they go. Member Kresge does not feel the pond is connected to the drains but more likely they go to a dry well somewhere on the property. Member Kresge does not feel that the board has the authority to require a soil survey.

Selectmen's Representative MacIsaac feels that knowing what is in the ground would help the board to determine how strict the containment has to be. In that sense they do need to know what the Level 2 soil sampling looks like.

Selectmen's Representative MacIsaac reviewed the issues raised by the board –

1. Noise – sound abatement / barriers (vegetative buffer and/or fencing)
2. Fluid containment - floor drains (to be chased and sealed) / handling spill control & hazardous material
3. Appearance – signs / storage of vehicles

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4. Sanitation – if you have pressurized water you need a drain and need to hook up to sewer.
5. Soil survey –
6. Hours of operation – At the request of the applicant this topic was discussed and voted upon. On a motion by Moore, seconded by McCarthy the board agreed that the hours of operation would be Monday – Friday 8:00 a.m. to 6:00 p.m. and Saturday 8:00 a.m. to 12:00 (noon). (7-0)

Mr. Tieger stated that other issues he heard was the lack of an on site bathroom facility, number of cars allowed outside and designation of parking.

Member Kresge is in agreement with the list with the exception of the soil survey. He questions that it is within the board's purview to make this request and will the board be comfortable issuing a site plan approval if they do not see any soil sample results. During the board's discussion Member Despres pointed out that if the lender is not satisfied with the results of a qualified Level 1 review then they would not lend and if it is acceptable on the lender's terms would the board be comfortable with that. Ms. Carr pointed out that if Level 1 sample results are returned stating no further tests are warranted then the board would have no grounds to second guess the findings. Although the consensus of the board was yes there was a request for a finite description on the differences between a Level 1 and Level 2 assessment.

In terms of time the applicant was informed that an amended application covering all the issues at hand could be submitted for the March meeting or the April meeting if more time is needed.

2. Discuss Impact Fee Schedule -

Ms. Carr distributed documents to the board stating that the current fee schedule is twenty +/- years old and the town is only charging half of what they were advised to at that time. Currently the town does not charge for non-residential development and for a single family house of approximately 3,000 square feet the calculation would be \$3,313.

In the new proposal the town would not charge for Police or Fire but will charge for public capital facilities as per the Capital Improvement Plan. There will be no impact fee assessments for recreation, open space, water or sewer (which will be handled separately).

The proposed residential fee schedule for a 3,000 square foot home (considering only grades 9-12) would be \$6,660. If K-8 were added the school portion would increase by \$3,870. Categories charged are school, public facilities and roads. It is the recommendation of Ms. Carr that they only charge for one of the schools; that being the high school. The proposed non-residential fee is calculated on a 10,000 square feet structure and it is broken into three categories; retail at \$17,000, office at \$10,709 or industrial at \$6,500.

Selectmen's Representative MacIsaac asked how Jaffrey compared to Rindge or Peterborough. Member Despres replied that Rindge is a flat fee of \$5,725 regardless of size. Ms. Carr added that Rindge charges for school, police, fire and recreation. They do not charge for roads.

The board struggled with the amount of fees proposed with this update and discussion ranged from setting a cap on the amount of square footage charged to reducing the percentage of the proposed fee.

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Member Kresge made a motion to accept the schedule as proposed with a cap set at 2,500 square feet. The motion died at the lack of a second.

Selectmen's Representative MacIsaac made a motion to have no cap on the square footage and keep the sliding scale. The motion died at the lack of a second.

A motion was made by member McCarthy, seconded by Despres to set a cap of 3,000 square feet and reduce the proposed fee by 25 percent. The vote was 2-5 and did not pass.

Selectmen's Representative MacIsaac suggested that if the board likes what has been proposed, in methodology, but does not like the number what about adopting the schedule but grow into it over a period of three years starting at 50%. This would at least validate the numbers. Ms. Carr interjected that in three years they will be recalculating for public facilities.

On a motion by MacIsaac, seconded by Despres the board approved and move to the March 13, 2013 public hearing the proposal to accept the schedule as it is with a growth period of five years and a 20 percent increase each year. (5-2)

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Submitted:

Erlene Lemire
Recording Secretary

Attest:

Edward Merrell
Chairman, Jaffrey Planning Board