

TOWN OF JAFFREY
Jaffrey, New Hampshire
PLANNING BOARD
Meeting Minutes
August 9, 2016

Present: Chairman McKenzie, Members, Deschenes, Despres, Devlin, Farmer, Gordon, Merrell and Selectmen's Representative MacIsaac

Absent:

Staff: JoAnne Carr, Director of Planning and Economic Development

MEETING MINUTES APPROVAL

On a motion by MacIsaac, seconded by Deschenes the minutes of the June 14, 2016 meeting minutes were approved as amended. (7-0)

On a motion by Merrell, seconded by MacIsaac the minutes of the July 12, 2016 meeting minutes were approved as submitted. (7-0)

PRELIMINARY CONCEPTUAL

None

CALL TO ORDER

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

Chairman McKenzie stated that Member Gordon will be elevated to a full member assuming Mark Kresge's seat. The request will go before the Board of Selectmen at the August 22 meeting.

APPLICATION ACCEPTANCE

1. PB 16-10 Rousseau, Michael and Diane, 124 Main St., Map 238/Lot 144, Zone: (Res. A)

Site Plan Review – The applicant proposes to conduct music lessons and retail sales.

On a motion by Merrell, seconded by Despres the site plan review application proposing to conduct music lessons and retail sales was accepted. (7-0).

By unanimous vote waiver requests for Existing Date checklist items 4, 6 and 11 and Proposed Plan checklist item 11 were granted.

PUBLIC HEARING – NEW

1. PB 16-10 Rousseau, Michael and Diane, 124 Main St., Map 238/Lot 144, Zone: (Res. A)

Site Plan Review – The applicant proposes to conduct music lessons and retail sales.

Presentation: Mike Rousseau

Appearances:

In 2006 the Rousseau's received a variance from the ZBA to conduct music lessons and the sale of instruments. They have been operating since that time however a site plan review never took place.

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They are proposing a small expansion and it seemed an appropriate time to come to the board for site plan review.

The Rousseau's also reside at 124 Main St. Often times inventory is stored in their home so it is their hope that the expansion will allow them space in their home by creating more business space. The expansion would include the removal of a small shed on the back of the store. The eight-foot area would be restructured and tied into the back side of the existing store with a twenty-four by twenty-four-foot new structure attaching to the eight foot restructured area. Currently there is parking in the back for staff and they plan to add another two or three spaces. They were advised that a grassy swale would be necessary to act as a buffer between them and the neighbor and that will be constructed. There will be no changes to the front of the property.

Chairman McKenzie asked if there was designated handicapped parking. Mr. Rousseau stated there are two spaces directly in front of the store that they use for this purpose. They are not presently identified as such but that is something he could do.

Chairman McKenzie noted that the driveway is currently gravel; she asked if there was any intention on paving it. Mr. Rousseau replied there is not; they do intend on keeping with the crushed stone. Chairman McKenzie was concerned that should they decide to pave in the future, without a drainage plan any run-off could impact abutters. Member Deschenes was asked if he knew how the contours drain now. He believes it drains towards the PSNH site. Mr. Rousseau added that there is a gutter over the front door of the store that is connected to a down spout that goes underground and travels out to the front corner of the property. Chairman McKenzie asked if it were possible that it was tied into the town sewer system. Member Deschenes replied that it shouldn't be.

There being no further questions Chairman McKenzie closed the public hearing.

PUBLIC HEARING – CONTINUED

2. PB 16-07 Greylock Properties, LLC (Cody Gordon) 250 North St., Map 237/Lot 55, Zone: Rural (without town water)

Site Plan Review – The applicant proposes the operation of a commercial landscaping business.

On August 4, 2016 A request from the applicant's representative Mr. Jed Paquin was received asking for a continuance until September.

On a motion by Gordon, seconded by Devlin the board agreed to postpone the hearing until September. (7-0)

The board will make a site visit on Wednesday, September 14 at 6:00 p.m. Members will meet at the site.

There being no further questions Chairman McKenzie continued the public hearing.

3. PB 16-09 Mountainside Senior Housing Associates, L.P. (property of St. Patrick's School), 70 Main St., Map 238 / Lot 154, Zone: Residence A (with town water / Main St. Overlay)

Site Plan Review – The applicant proposes a twenty-four-unit senior housing development.

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Presentation: Rob Hitchcock, SVE Associates

Appearances: Keith Thibeault, SWCS

The applicant was before the board at the July meeting and requests were made by the board to supply additional information. Mr. Hitchcock feels all of the information has been submitted.

Items requested included: An architectural view of the building with the school on the left and the building on the right. There was a question on the height of the building; it is forty-one feet at the peak plus or minus a few inches. The town allows up to three stories or forty-five feet; A plan showing all buildings within 200 feet; A drainage report which concludes there is a 1.5 CFS coming through the drainage pipe; Drainage calculations for the riprap sizing. A drainage structure was added to alleviate the velocity coming out of the pipe; The DOT permit; The driveway access easement; There was a snow storage note that has been removed and replaced with a note that states all snow will be trucked off site; There was a request to do elevations of all the retaining walls. At the last meeting the top and bottoms were pointed out and it was Mr. Hitchcock's feeling that this was sufficient so they did not do additional elevations; There was a request to review the Design Guidelines - it was discovered that they needed a couple more trees and the adjustment was made; The front of the building, for the most part, is in line with the school; it is a couple feet forward; Parking is on the side and to the rear; The walls have been broken up with a bit of "in and out" injections as well as windows through-out.

Chairman McKenzie asked Mr. Hitchcock to address the requirement in the Design Guidelines to break-up the parking area with islands. Mr. Hitchcock pointed out that the Guidelines call for no more than twelve parking spaces and that is the reason for the one island on the plan.

Member Gordon asked why it has to be three stories. Mr. Hitchcock explained that it's basically economics. Member Gordon asked if when subdividing the land could they not have figured a way to build in two stories. Again, Mr. Hitchcock replied that it is all economics and it's cheaper to go up than out. Mr. Thibeault added that distance between the parking and the units counts. Having it on a smaller footprint means a shorter walk to and from units. Member Gordon explained that his concern is for when the day comes and the school is not there. This building will look out of place. Chairman McKenzie agreed mentioning neighboring buildings such as the library and the civic center with the lawns in front.

Member Merrell asked for the height of the school. Mr. Hitchcock did not have that information. Referring to plan C6 Member Gordon feels it is a large structure in that space; it's not going to blend. Member Despres feels that it's attractive, it looks more residential than institutional. Chairman McKenzie asked what the façade material would be. Mr. Hitchcock replied probably PVC vinyl, a shingle look.

Chairman McKenzie asked about the Beehive Grate Base shown on plan C2. Is that a retention structure? Mr. Hitchcock replied it is not. The intent is to have a small ponded area. Asking about the riprap apron Chairman McKenzie notes that the discharge is up against the borderline of the wetlands. What about the velocity? Mr. Hitchcock confirmed it is against the borderline. The velocity could not be confirmed. Referring to the plan and using the spot grades he did show how the back parking lot sheets off.

Member Merrell asked what the purpose of the retaining wall is. Mr. Hitchcock replied that it is basically to support the driveway. One thing not on the plan was the fire hydrant. They can tap into

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the water main and place the hydrant wherever the Fire Chief would like it along the frontage. Member Merrell asked if the building would be sprinkled. Mr. Hitchcock replied that it would.

Member Farmer asked if the snow would be trucked outside of Jaffrey. Ms. Carr commented that there is a report from DPW stipulating snow storage in Jaffrey and their requirements. Chairman McKenzie added that it needs to comply with NHDES recommendations.

Referring to the elevation showing the proposed building in comparison to the school and the church Selectmen's Representative MacIsaac commented that it's a pretty impressive structure in comparison to the school. Is it really as imposing as it looks? Member Farmer pointed out that in her experience when an Architect does this type of plan it is not an exact science and it can look distorted. It's most often more for aesthetics and most likely not to scale. Also pointed out was how the road rises in that area. Chairman McKenzie asked if they had considered any other areas in town. Mr. Thibeault explained that they were approached from a town resident asking if SWCS would have an interest. In looking at the property they felt it was a suitable location for the proposed use. The sidewalks would allow the residents easy access to services.

Member Devlin asked about the soils around the foundation walls. Mr. Hitchcock replied that borings will be done and a complete geotechnical study. If the soils are weak there will be a bigger spread in the footings. If the soils are very weak they will be on piles but he does not anticipate that to be the case.

Chairman McKenzie asked for the time line on the grant approval. Mr. Thibeault replied that grant applications are due around the 24th or 25th of this month and they are accepted on an annual basis.

Mr. Owen Houghton representing The United Church spoke in favor of the project pointing out that the Diocese is involved in three projects where churches have been taken for housing. It seems very appropriate to have future hearings about intent for St. Pat's for the use of that facility. It should not hold up the approval from the board.

Jaffrey resident Ruth Webber stated that both she and her husband do not feel this is an appropriate location for this. It is a good project with a lot of good points but the site is highly inappropriate, the lot is too small, the building is too big and it is not in scale with the neighborhood. Ms. Webber pointed out that the residents on the west side of the building will either be looking at a deteriorating vacant building or if it gets developed there will be foot and vehicular traffic coming and going all day long. This is not a quality of life. Where is the vegetative separation as expressed in the Design Guidelines? Ms. Webber also asked why they are allowed to have twenty-four units when the Land Use Code, Section 6.3, says multi-family housing are to have a maximum of eight units in a building except in the rural districts.

Member Deschenes stated that there is a difference in the density for the Elderly Housing Section 5.16.3 (A) and Apartment Houses Section 6.3. Section 6.3 (apartment houses) references eight living units in a building and 5.16.3 (A) (elderly housing) calls out ten units per acre; this would relate to the density variance granted by the ZBA. Chairman McKenzie stated that it appears the variance requested and granted applies to this clause in the land use code provisions that govern more than one zone. The elderly housing clause would govern over the table and text in Section VI.

Jaffrey resident Randy Christmas stated that he has concerns with the drainage which is calculated at 1.25 cubic feet per second, that is about ten gallons of water. He does not think this calculation is taking the drainage from the roof of the adjacent building into consideration. He also has concern for

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the height that the discharge is at on the hill which is steep and deep. This stream is a tributary to the Contoocook River and he feels there is a lack of concern for what happens downstream. Lastly he has a concern over the height of the proposed building and the potential for blocking light onto the school.

There being no further questions Chairman McKenzie closed the public hearing.

Deliberations:

Chairman McKenzie asked for the ZBA file requesting the density variance. After reviewing the application, she stated that the applicant was specific in their request for twenty-four units and the first paragraph under 5.16 is very clear that this paragraph governs over other provisions in the land use code.

Member Farmer appreciates the applicant returning with the answers to questions asked at the prior month's meeting and that the need for elderly housing is being addressed. If she were a voting member on this project she would be in favor.

Representative MacIsaac clarified that Section 6.3 deals with and addresses apartment houses and Section 5.16 deals with and gives the definition of elderly housing. Density is in the section for elderly housing and it says not more than ten units per acre shall be allowed so the applicant went before the ZBA and obtained a variance to the density. Chairman McKenzie replied he was correct.

Member Despres feels it is a good location for the use and is in favor of the project.

Chairman McKenzie stated that she understands that the applicant has "met the letter of the law" so to speak and he has addressed the questions raised by the board however she does have concerns with the size of the building, the location and the aspect it will present to those in the neighborhood. She expressed concern over what possible use it leaves for the remaining school.

Member Merrell agrees with resident Owen Houghton. He feels there is a need and is in favor of granting.

Representative MacIsaac asked if there was a path forward knowing they need planning board approval to apply for the grant. Is there something aesthetically that could be done to make it look lower? Chairman McKenzie feels that perhaps a sizeable tree planting once the construction is finished might help. Member Farmer agreed with the tree suggestion adding that you can't predict what's going to happen down the line and you can't stunt a project because you don't know what the abutters are going to do.

Member Gordon feels it might be worth talking with the Diocese about their plans for the remaining property. His objection is that he doesn't see any plan for the entire site and in his view it's part of the board's responsibility to plan the future of the town and the direction.

Representative MacIsaac understands that everyone is in favor of the project and that it's a driver for the area. He reiterated that in his view it's aesthetics and if an Architect were to look at the building he feels certain he would have ways to make it not look so high.

Considering the application deadline for funding Member Gordon asked Mr. Thibeault if it could be approved conditionally. Mr. Thibeault explained that the condition has to be one that can be met; it has to be achievable. Based on what he has heard he will be returning to his Architect in an attempt to soften the point of the roof and make it rounder. Member Farmer cautioned that trading the peaks for arches will not be in keeping with the architecture of the other houses. Chairman McKenzie commented that the tower at

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the front corner is very prominent and questions whether extending the porch and moving the tower to the back would make the building look any less imposing.

Chairman McKenzie informed the board that they can proceed to make a motion and vote however she questions how to craft a condition precedent that would satisfy the concerns for the size of the building in its location that would enable Mr. Thibeault to proceed with his grant application that would not require another meeting. Member Gordon would make a motion to deny the application currently because they cannot approve it in the amount of available time and they would pledge to work with the applicant in the coming year to find something that can be agreed upon. Representative MacIsaac feels that it is a workable solution and they are still searching for a way to approve. A flat denial will not benefit the town. Member Gordon and Chairman McKenzie agreed but time is also an issue.

On a motion by Gordon, seconded by McKenzie the motion was made to deny the application. The vote was 3-4 and the motion did not pass. Roll call: Ayes – Gordon, McKenzie and Devlin. Nays – MacIsaac, Merrell, Despres and Deschenes.

On a motion by Despres, seconded by Merrell the motion was made to approve the application as presented. During the discussion Representative MacIsaac asked if it is “as is” or nothing at all – is there no middle ground? Planner Carr commented that they can add conditions such as improved landscaping. Representative MacIsaac asked why they couldn’t ask for an improved façade. Planner Carr responded that it would be more than an administrative decision. If the board is looking to improve the look of the building, not speaking for the applicant, she feels confident that the applicant would be more than willing to work with the town and bring forward designs that perhaps a sub-committee could review in advance of the building plans being submitted to the building department. This is only a possible scenario; it cannot be a condition of approval.

On a revised motion by Despres, seconded by Merrell the motion was made to approve the application as presented and per testimony given subject to a condition precedent. The motion passed 4-3. Roll call: Ayes – MacIsaac, Merrell, Despres and Deschenes. Nays – Gordon, McKenzie and Devlin. The condition precedent is as follows:

Condition Precedent:

1. The applicant shall revise the landscaping plan such that once construction is completed the front of the building is softened and screened by landscaping in addition to what is shown in the referenced plan.

DECISIONS

1. PB 16-10 Rousseau, Michael and Diane, 124 Main St., Map 238/Lot 144, Zone: (Res. A)

Site Plan Review – The applicant proposes to conduct music lessons and retail sales.

On a motion by Gordon, seconded by Deschenes the application proposing to conduct music lessons and retail sales was approved as presented and per testimony given. The amended sketch submitted was originally prepared by Vorce, Soney and Associates, LLC, stamped by Al Vorce, LLS dated March 16, 2010. The “Received” stamp is dated August 9, 2016 and noted for PB 16-10. (7-0)

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2. PB 16-09 Mountainside Senior Housing Associates, L.P. (property of St. Patrick's School), 70 Main St., Map 238 / Lot 154, Zone: Residence A (with town water / Main St. Overlay)

Site Plan Review – The applicant proposes a twenty-four-unit senior housing development.

On a motion by Despres, seconded by Merrell the application proposing a twenty-four-unit senior housing development was approved as presented and per testimony given subject to a condition. (4-3) The plans submitted and on file with this office were prepared by 1) SVE Associates with a date of June 14, 2016 revised through July 27, 2016 and stamped by Robert H. Hitchcock, PE and Russell J. Huntley, LLS and 2) Burnell Johnson Architects titled "Perspective" with a date of May 2, 2016 Prelim. Roll call: Ayes – Deschenes, Despres, Merrell and MacIsaac. Nays – McKenzie, Gordon and Devlin.

Condition precedent:

1. The applicant shall revise the landscaping plan such that once construction is completed the front of the building is softened and screened by landscaping in addition to what is shown in the referenced plan.

OTHER BUSINESS

- Election of Vice Chairman
- Complete Streets – By unanimous decision the board agreed to partner with Southwest Regional Planning Commission. Members Merrell and Gordon agreed to represent the Planning Board on the committee.
- Master Plan – Member Farmer stated that the postcards for the survey have been sent to all postal patrons. 125 surveys have been completed on-line with the goal being 800. There will be 2 forums on Friday, September 9. The first session will be 4:00 to 5:30 and the second session will be 6:00 – 7:30. Representation from the board is requested for each session.
- CIP – Chairman McKenzie announced that the next CIP meeting will be on Wednesday, August 17 at 5:30. Discussion will focus on the DPW and capital equipment.
- LUP edits will be discussed at the September meeting.
- Excavation Pits – Chairman McKenzie asked about the status of an open pit on Woodbury Hill Rd. and there is no permit in place. Member Deschenes stated that Bruce Coll is running the operation and he has been in contact with him and plans to visit the site. At this point Mr. Coll has stated that what is coming out of there is product that has been blasted, processed and stock piled. They typically do the blasting and processing all at once trucking out what they need and stock pile the remainder. They will be looking to do another phase in the future. Selectmen's Representative MacIsaac pointed out that there is a weight restriction on the road. Chairman McKenzie agreed adding that the Excavation Permit addresses things such as travel paths and bond for roads (damage). There should be a permit in place for this pit. Member Deschenes explained that all permits for pits in Jaffrey had expired at the time the board took on updating the excavation regs. Chairman McKenzie asked if the Planning Board should write a letter to the BOS saying that they do not feel the gravel pit should be active unless a permit is in place.

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- Member Gordon asked if there is a process in place for following-up on approvals to make sure what was approved is what's being done or do they request an as-built to compare to what was originally submitted. Ms. Carr replied that there is a process. Once the project begins the Building Inspector, Rob Deschenes, does the inspections and if it's a large project involving for example road construction a third party construction monitor would be hired to make sure construction is to spec. There is a requirement in the site plan review regulations to submit as-built plan.

Another question raised was with respect to drainage and calculations. Have we adopted the most recent update to the State storm water management plan as our approval for future and current projects? Ms. Carr replied that would be under site plan which does reference storm water management and in particular in the wellhead protection areas where there would be a higher standard. Edits to the LUP are underway. Member Gordon feels it would expedite their process if they had an external Engineer, at the applicant's expense, review the plan to see if it meets the requirements. Currently they do rely on the Engineer submitting the plans that they are certifying what is being submitted is correct. In some cases, if there are concerns they would have another person, qualified to do that, review it and report back to the board. Ms. Carr replied that would be a recommendation if they received an application for a large project that was in proximity to a resource area. In the plan review between Inspector Deschenes and herself they may recommend that a third party review has to happen. Current regs require for a twenty-five-year storm. Ms. Carr added that the Engineer is relied on but when they review the applications she reviews the numbers and they are also looked at by the DPW and Chairman McKenzie. Speaking to tonight's applications there was nothing alarming; there were no red flags in the design.

ADJOURNMENT

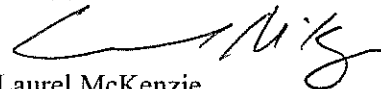
On a motion by Despres, seconded by Deschenes the meeting adjourned at 9:23 p.m.

Submitted:



Erlene Lemire
Recording Secretary

Attest:



Laurel McKenzie
Chairman, Jaffrey Planning Board