

TOWN OF JAFFREY
Jaffrey, New Hampshire
PLANNING BOARD
Meeting Minutes
April 11, 2017

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

Absent:

Staff: JoAnne Carr, Director of Planning and Economic Development

MEETING MINUTES APPROVAL

On a motion by Farmer, seconded by Merrell the minutes of the March 15, 2017 meeting were approved as submitted. (6-1-0) Selectmen's Representative Weimann recused himself.

PRELIMINARY CONCEPTUAL

None

CALL TO ORDER

Chairman protem Gordon called the public hearing to order at 7:00 p.m. Notice of the public hearing PB 17-05 through PB 17-08 was posted in the Town Office building, the Library; copies were sent to the Planning Board, the Conservation Commission, and the Board of Selectmen. Member McKenzie would arrive late. Member Sherman would vote.

PUBLIC HEARING - ACCEPTANCE

1. PB 17-05 Oswalt, Dawn, 13 Prospect St., Map 238/Lot 122, Zone: Rural (with town water)

Minor Subdivision – The applicant proposes a two lot subdivision.

On a motion by Devlin, seconded by Merrell the application proposing a two lot subdivision was accepted. (6-1-0) Member Despres recused herself. Member Sherman would vote.

2. PB 17-06 Gideon, LLC, Michigan Rd., Map 240/Lot 70, Zone: Residence A & B (without town water)

Minor Subdivision – The applicant proposes a three lot subdivision.

On a motion by Merrell, seconded by Devlin the application proposing a three lot subdivision was accepted. (7-0)

3. PB 17-07 Dubord, Stephen (property of Jaffrey Rite-Aid/Rared Jaffrey, 14 Peterborough St., Map 238/Lot 312, Zone: General Business

Minor Subdivision – The applicant proposes a two lot subdivision.

On a motion by Farmer, seconded by Merrell the application proposing a two lot subdivision was accepted. (7-0)

4. PB 17-08 Therriault, James, 16 Coll's Farm Rd., Map 254 / Lot 23, Zone: Rural (without town water)

Site Plan – The application proposing the addition of a fourth business inside an existing building.

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On a motion by Weimann, seconded by Devlin the application proposing a fourth business inside an existing building was accepted. (7-0)

PUBLIC HEARING – NEW

1. PB 17-05 Oswalt, Dawn, 13 Prospect St., Map 238/Lot 122, Zone: Rural (with town water)

Minor Subdivision – The applicant proposes a two lot subdivision.

Presentation: Jed Paquin, Paquin Land Surveying

Appearances:

Member Despres recused herself. Member Sherman voted.

The applicant is proposing a two lot subdivision. There is currently a house on the parcel and they would like to create a .48 acre lot for the house and the remaining 12.43 acres would be dedicated to their U-Pick blueberry business. A variance was obtained in August of 2016 to create the house lot with less than the required 1.5 acres. At the time of the ZBA application it was not realized that they would also need a variance for the lack of frontage on Prospect St. for the proposed 12.43 acre parcel. That issue was corrected on April 4, 2017 when a variance was obtained allowing the lot to have 100.86 feet of frontage versus the required 150 feet. Mr. Paquin pointed out that the parcel also has a small amount of frontage on Main St. however it cannot be used in combination with the Prospect St. frontage to obtain the required 150 feet. Mr. Paquin suspects that at some point the house lot was a separate parcel and then merged.

Mr. Paquin pointed out that the plan shows a driveway travelling over the Prospect St. frontage. This driveway belongs to abutter Adele Remillard and to the Oswalt's and the Remillard's knowledge there is no written easement. Moving forward the agreement between them is that Ms. Remillard can continue to use the driveway until she no longer owns the property at which time the driveway will no longer exist.

Abutter Mike O'Neil spoke in favor of granting the request pointing out that the size of the proposed house lot is in keeping with the neighborhood.

On a motion by Merrell, seconded by Farmer the board unanimously granted the waiver requests to General Plat Requirements, checklist items 7 (full boundary survey) and 16 (depicting soil conditions). (6-1-0)

There being no further questions Chairman protem Gordon closed the public hearing.

2. PB 17-06 Gideon, LLC, Michigan Rd., Map 240/Lot 70, Zone: Residence A & B (without town water)

Minor Subdivision – The applicant proposes a three lot subdivision.

Presentation: Jed Paquin, Paquin Land Surveying

Appearances:

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Chairman protem Gordon acknowledged a letter from abutter Christine Creelmen expressing her concerns.

Mr. Paquin stated that the property is owned by Gideon LLC which is made up of Keith and Leah Dupuis. They are proposing to subdivide a 3.36 acre parcel into three lots each approximately one acre in size. The property is in the Residence A and B districts and the proposed lots will conform to the zoning requirements. The boundary survey has been completed with topography and wetlands delineated. Mr. Paquin has met with the Town's Road Agent, Bruce Hautanen regarding driveway locations. There is a public water supply on the west side of the road and the plan is to tie into it. A letter has been received from the DPW Director, Randy Heglin stating that there is sufficient water supply. State subdivision approval is in hand.

Member Despres asked if there was town sewer. Mr. Paquin stated there is not, only town water. To give the board a better idea of the building envelope on each lot Planner Carr shared with them a highlighted plan that shows the lots ability to accommodate a modest size home.

Chairman protem Gordon referred to the intersection at Michigan and Squantum and asked if the development would have any impact on that area in the way of traffic. Mr. Paquin did not believe it would.

Member Merrell questioned the concerns of construction impact on wetlands property and the lake raised by abutter Creelmen. Planner Carr explained that Ms. Creelmen represents the Contoocook Lake Association and is probably interested in increased development in the area.

Mr. Deiana is an abutter at the bottom of the hill. He is concerned with run-off onto his property. Mr. Paquin stated that the idea is to keep as minimal impact as possible especially with trees in key areas that would contain, in large part, run-off from the upper two lots. Ms. Carr stated that the subdivision regulations do require that there is no increase in run-off because of a subdivision. Ms. Carr stated that it could be easily addressed by requiring sedimentation and erosion control during construction to keep everything stable during construction and the measures can be removed once the site is stabilized.

There being no further questions Chairman protem Gordon closed the public hearing.

3. PB 17-07 Dubord, Stephen (property of Jaffrey Rite-Aid/Rared Jaffrey, 14 Peterborough St., Map 238/Lot 312, Zone: General Business

Minor Subdivision – The applicant proposes a two lot subdivision.

Presentation: Planner Carr

Appearances:

Ms. Carr explained that the issue at hand dates back to the beginning of the development of Rite-Aid; Route 202 at 124 was the original LLC that intended to consolidate all the parcels. The intention is to transfer just the Rite-Aid parcel and retain the rail trail. The transfer never took place and Rite-Aid has owned the entire parcel for as long as they have existed. During research for a right of way easement at the Elite Laundry lot Ms. Carr learned that Rite-Aid did not believe that they owned the property. Ms. Carr asked them if they would be willing to donate the rail trail to the Town if we went through the subdivision process and they were willing. The Town will retain it as part of the rail trail

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and the hope is to install some bollards with lights to make it a safe, walkable trail. There is still an easement to the benefit of Fitchburg Rail for the purpose of maintaining telecommunications. Ms. Carr did request a few of waivers – 1) to depict water courses, ponds and standing water because there is no development beyond what is out there or perhaps some bollard lights, 2) depicting contours as it is already developed and 3) soil conditions.

Member Farmer asked if the land is taxable under the TIF District. Ms. Carr stated that it is however it is considered back acreage giving it a value of approximately \$2,000. Chairman protem Gordon asked if the trail on the other side of the street went towards Rindge. Ms. Carr explained that it extends into Rindge and on into Templeton.

Chairman protem Gordon asked if a Phase 1 had ever been done. Ms. Carr explained that when Rite-Aid first came in they were responsible for a significant amount of clean-up as a result of the rail line and the Town, because of the Elite Laundry clean-up, has done a Phase I and Phase II assessment before the land was taken.

Member Merrell asked if there was an easement for crossing the Rite-Aid property to the Rails to Trails. Ms Carr believes that was worked out when Rite-Aid was first built and that it crosses State of NH property as well.

On a motion by Farmer, seconded by Devlin the board unanimously granted the requested waivers.

There being no further questions Chairman protem Gordon closed the public hearing.

4. PB 17-08 Therriault, James, 16 Coll's Farm Rd., Map 254 / Lot 23, Zone: Rural (without town water)

Site Plan – The applicant proposes the addition of a fourth business inside an existing building.

Presentation: Jim Therriault

Appearances:

Mr. Therriault stated that he would like to lease part of his building for light fabrication of modular residential green houses. Typical size would be 6 x 8 or 8 x 10.

Chairman protem Gordon asked for the number of employees and will they meet the regulations for the number of employees in the building and sanitary facilities. Mr. Therriault stated that the number of employees would be limited to the owner and 1 or 2 additional people. As for sanitary facilities, he believes the current system is rated for 600 or 700 gallons per day. He does not feel that the additional 2 or 3 people will tax the system.

Chairman protem Gordon asked about trucks coming to the site; is there ample room? Mr. Therriault stated that tractor trailer trucks used to deliver there; the owner uses a twenty foot box truck to make her deliveries. There is a three wide concrete pad in back of the building so he does not see a problem.

Member Merrell asked about a "New Addition" noted on the site plan. Mr. Therriault stated that he is not planning an addition. Any changes will be interior. The note is referring to prior changes. Member Merrell stated that if it is not being proposed it should be stricken from the plan. He also requested that the manufacturing area be delineated on the plan.

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Ms. Carr reminded the board that the applicant will need a use variance from the Zoning Board of Adjustment. Mr. Therriault was aware but postponed his ZBA application until he knew the outcome with the Planning Board. He will make an application with the hope of being heard at the May 2 ZBA meeting.

The board decided to continue the hearing and requested the applicant provide the following at the May 9 meeting:

- Variance approval from the ZBA.
- A plan showing the actual condition –
Strike “New Addition”.
Strike the words “New Entrance”.
Show the area for proposed tenancy for this site plan review.

There being no further questions Chairman protem Gordon continued the public hearing.

DECISIONS

1. PB 17-05 Oswalt, Dawn, 13 Prospect St., Map 238/Lot 122, Zone: Rural (with town water)

Minor Subdivision – The applicant proposes a two lot subdivision.

On a motion by Farmer, seconded by Weimann the application proposing a two lot subdivision was approved as presented and per testimony given subject to the following condition. The plan submitted is on file with this office with a plan date of March 13, 2017 revised on April 13, 2017 and stamped by Jedadiah A. Paquin, LLS. (6-1-0) Member Despres recused herself. Member Sherman voted.

Condition:

Boundary markers to be set prior to recording

2. PB 17-06 Gideon, LLC, Michigan Rd., Map 240/Lot 70, Zone: Residence A & B (without town water)

Minor Subdivision – The applicant proposes a three lot subdivision.

On a motion by Merrell, seconded by Sherman the application proposing a three lot subdivision was approved as presented and per testimony given subject to the following conditions. The plan submitted is on file with this office with a plan date of March 10, 2017 revised on April 13, 2017 and stamped by Jedadiah A. Paquin, LLS. (7-0)

Condition:

An erosion control plan must be submitted with the construction documents.

Condition precedent:

Boundary markers to be set prior to recording.

3. PB 17-07 Dubord, Stephen (property of Jaffrey Rite-Aid/Rared Jaffrey, 14 Peterborough St., Map 238/Lot 312, Zone: General Business

Minor Subdivision – The applicant proposes a two lot subdivision.

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On a motion by Weimann, seconded by Merrell the application proposing a two lot subdivision was approved as presented and per testimony given subject to the following condition. The plan submitted is on file with this office with a plan date of October 18, 2016 and stamped by Thomas P. Huot, LLS. (7-0)

Condition precedent:

The right-of-way over the Rite Aid property must be confirmed.

OTHER BUSINESS

Park Theatre: A request from Attorney Hannah was submitted to extend the site plan approval.

On a motion by Farmer, seconded by Devlin the board unanimously granted the request.

Transportation Committee:

The Select Board has mentioned that someone from the Planning Board requested that a board member be appointed to the Highway-Route 202 advisory committee. There will be approximately nine meetings over an eighteen month period and the convener will be VHB, the Town Engineer.

Member Merrell stated that Southwest Regional Planning Commission met today and a major portion of the meeting was about DOT highways in the Monadnock Region. With that being said he volunteered to represent the planning Board.

Jaffrey Town Communications:

The letter to the Select Board was reviewed and unanimously approved. Each member initialed the letter and it will be forwarded to the Select Board.

Master Plan Update:

The Certificate of Adoption for the Vision and Community Character chapter was signed by each member.

Election of Officers:

On a motion by Farmer, seconded by McKenzie the board unanimously elected Member Gordon to the Chairman's position.

On a motion by Gordon, seconded by Farmer the board unanimously elected Member Devlin to the Vice Chairman's position.

By unanimous vote the board re-elected Member Merrell as the Secretary.

Re-appointments: Terms for Members Gordon, McKenzie and Despres expired in March. A request for re-appointment will be submitted to the Board of Selectmen.

Appointment of Board member to participate in the JRCSA Apportionment committee:

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Chairman McKenzie explained that Jaffrey and Rindge have agreed to form a committee and the committee's job is to review the current apportionment formula to fund the two schools, review it for fairness and appropriateness and report to the board and the district in October any recommendations they may have to change the apportionment formula. The make-up of the committee will be a member from each town's Select boards, planning board, contingent for representation from the school board, one from Jaffrey's budget committee and one from Rindge's advisory budget committee.

By unanimous vote the board appointed Member McKenzie to the committee as the Planning Board Representative.

Elimination of Impact Fees (Carr):

Planner Carr stated that she has spoken with the Town Manager to be sure this is the direction the Select Board wanted to go and it is one of the goals they have set for the year. Ms. Carr suggested to the board that she prepare a proposal for them to respond to and then they can take it to public hearing. The plan is to have something ready for the board in August.

Storm Water Management (J. Carr):

Planner Carr distributed the proposed language to the board with the suggestion that it be included in the Site Plan and Subdivision review criteria so that when anyone submits a subdivision plan impacting more than an acre they must do an engineered storm water management plan. This is also consistent with the DES thresholds.

The proposed language is designed for storm water run-off. It addresses the issues raised that we are twenty years behind managing storm water and 2008 is the reference for the storm water management. If the board approves it today it will be scheduled for public hearing.


On a motion by Farmer, seconded by McKenzie the board voted to move to public hearing. (7-0)

ADJOURNMENT

The meeting adjourned at 8:47 p.m.

Submitted:

Erlene Brayall
Erlene R. Brayall
Recording Secretary

Attest:

Tim Gordon
Chairman protem, Jaffrey Planning Board

