

**MINUTES OF THE MEETING
PLANNING BOARD
March 12, 2014
7:00 PM**

MEMBERS PRESENT: Robert Smith, Chairman; Ryan Crosbie; Lou Ann Griswold; Mark Beliveau (not Walter Cheney); Robert Moynihan & David Cedarholm, Selectmen's Rep.

OTHERS PRESENT: Eric Perkins; Judy & Frank Eitler; Tobin Farwell; Walter Cheney; Sally Novell; Paul Tuck; Tom Bonaccorsi; Robert Callioras; Dan Gabrielle; Seth Peters; & Caren Rossi, Planning & Zoning Administrator

Robert Smith, Chairman opened up the meeting at 7PM.

○ **Review and Approval of Draft 02/20/2014 & 03/01/2014 Meeting Minutes**

Lou Ann Griswold made a motion to approve 02/20/2014 minutes.

David Cedarholm second.

Vote: all, motion carried, minutes approved

Robert Moynihan made a motion to approve the 03/01/2014 minutes.

David Cedarholm second.

Vote: all, motion carried, minutes approved

○ **Report of officers and committees**

Robert Moynihan reported that the regulations subcommittee will be scheduling another meeting soon.

○ **Review any correspondence**

None

○ **The applicant is requesting to continue this application to April 9, 2014. The application is a Site Review Application presented by Mike Sievert, MJS Engineering PC, Agent for Molly Darling & Robin Wunderlich. The property is owned by Colleen Latham/122 Mast Road, LLC. The property is located on 122 Mast Road and is known as Lee Tax Map#13-11-0200. The applicant is proposing a Dog Daycare and a Boarding Kennel with support services. This is an application acceptance hearing and a possible final hearing.**

Robert Smith, Chairman read into the record a procedure outline that he will now be applying to all applications. He explained that he has recently been educated and this is the outcome. (In file)

Caren Rossi read an email request asking the Board to continue their application to April 9, 2014.

Mark Beliveau requested that they get to Caren Rossi the items missing from the application at least a week before the meeting so she can go thru it to deem it complete or let you know if you are missing anything.

Molly Darling agreed.

Robert Moynihan discussed special studies that may be required.

Molly Darling commented that they are currently doing a traffic study for DOT; they have been working with a sound engineer; as well as have completed a site plan.

David Cedarholm asked if the traffic study they are working on includes the second curb cut.

Robin Wunderlich replied that he does not believe it does as it is just preliminary.

Mark Beliveau made a motion to grant the request.

Robert Moynihan second.

Vote: all, motion granted, hearing continued to April 9, 2014.

- **A consultation with representatives from W. E. Aubuchon Co., Inc. regarding the construction of a green house in an existing enclosed area.**

Erick Perkins, Aubuchon Manager explained that he would like to build a greenhouse/hoop house of approximately 20' X 27' X 12'6" in the enclosed fenced area located on the south side of the current hardware store. This building will be used to house the plants that they sell to protect them from the weather. The roof will be a removable clear plastic. The building will not have a foundation but it will be anchored into the hot top so it will not blow over.

David Cedarholm asked if this was the area in the enclosure that had the holiday items?

Erick Perkins replied that it was. In the existing fenced area.

Lou Ann Griswold asked if there would be any increased lighting etc.

Erick Perkins required no changes in lighting.

Robert Moynihan commented that he felt there were not any issues with the request, it is part of the store, and he doesn't feel there is any safety issues associated with the request.

David Cedarholm made a motion to waive site review.

Lou Ann Griswold second.

Vote: all, motion carried, site review waived.

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- **A continued accepted subdivision application presented by Walter Cheney, for property owned by South East Gravel Corp. The property is located off of Pinkham Rd & Newtown Plains Rd and is known as Lee Tax Map#03-09-0000. The applicants propose to subdivide off a building lot of 1.976 +-acres from the existing parcel of 12.298 +- acres. This is a possible final hearing.**

~~~Mark Beliveau recused himself from the application. ~~

The Board entered into a Non- Meeting with the Town's Attorney VIA telephone conference in the Fire Departments Communications Room.

Upon returning~~

Robert Smith, Chairman explained to the applicant that he cannot do the request as proposed. If the request was to be approved, we would be creating a non conforming lot; it has the size, but does not have the required frontage. He can get a building permit to build one home, and only one home as it is an existing non-conforming lot.

There was discussion on this and the applicant thanked the Board.

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- **A continued Site Review Application presented by Tobin Farwell, Farwell Engineering Services Agent for Dan Gabriel Inc, for property owned by Robert & Barbara Callioras. The property is located on Calef Highway and is known as Lee Tax Map#04-07-0600. The applicant is proposing to construct a commercial building of approximately 9,000 sq ft. +- with multiple retail uses. This is a possible final hearing. You are invited to appear in person or by representation of agent of counsel and state reasons why these applications should or should not be approved. Application information is on file at the Office of Planning & Zoning located at the Lee Town Hall.**

Dan Gabrielle did an overview of the project for the Board. He explained that since the last meeting, they received comments back from DES regarding the well location. DES had issues with the original proposed location of the well and would not allow any underground drainage within the well radius. They have since made an agreement with the Callioras Family and will be moving the well back and the radius will no longer be an issue. They will be abandoning the existing well on site as it is in the septic radius. He showed the proposed location to the Board. The access for around the building has been designed for a box truck as well as the additional parking. They would like the other tenants to be professional offices. They have an insurance company they are pursuing. Civil Consultants have reviewed the original submittal and they are addressing their comments. He has been in touch with Seth Peters who is a resident off of Old Mill Rd. Mr. Peters had a concern of light trespass. His

lighting is all down lighting. Mr. Peters was also concerned with deliveries late at night and feels there will not be any as the Aroma Joes closes at 9:00PM. Mr. Peters also had concerns of a 25" ROW that he has on the other Callioras piece. That is not on this property, it is on the other piece which is not currently under consideration.

Tobin Farwell explained that as of part of the development the current electric poles will need to be relocated twenty feet off of the edge of the travel way. DOT has completed a traffic impact study and they are asking for an additional ten foot wide shoulder on the north bound lane to accommodate the traffic turning in. They have to go back to the ZBA and ask for relief for the WDH setback. They have already been there to seek relief originally but need additional for the increased parking. They would like a decision if possible on the parking spot waiver request so they can continue with the project design.

Dan Gabrielle explained that he has measured several different parking spots located in town and he came up with the following measurements:

|                       |                     |
|-----------------------|---------------------|
| Aubuchons             | 8' 7" x 16'         |
| Market Basket         | 8' 10" x 18' 7"     |
| Family Dollar         | 8' x 17' 9"         |
| Public Safety Complex | less than 10' x 20' |

ADA compliance is 9' x 20'. He will comply with this size. He would like the reduction in size to allow for more spaces. He did the calculations using the towns regulations but does not feel that is enough spaces for the uses. Our regulations call for 51, he is proposing 60.

Robert Moynihan asked if a fire truck can drive around the building.

Tobin Farwell wasn't sure. This will be looked into.

Tobin Farwell explained that Civil Consultants has asked if they will be installing curb stops or curbing. They do not want to install these as they make snow plowing extremely difficult.

This was discussed. There was talk about snow removal. Where was snow going to be stored and or how?

Dan Gabrielle replied that would be pushed around and stored on site. If there is a lot they will haul it off site.

The Board discussed with the applicant the idea of a fence along the Rt. 125. This will be used to separate the parking from the rain garden. The applicant agreed to install a fence, this detail will be added to the revised plan. Installing this fence will eliminate the need for curb stops and/or curbing.

The Board discussed the lighting in the proposed signs. They would want the sign lighting reflected in the lighting splash plan.

Tobin Farwell continued to explain that Civil Consultants has requested a landscape plan. He provided a copy to the Board. He explained they are all low plants that will be located 10' to 12' from the pavement edge.

David Cedarholm asked if the Rain Garden had an overflow pipe. This would be for emergency and for larger rain events. He also asked if they had a maintenance program.

Tobin Farwell replied that it did not. They discussed the drainage system. Tobin Farwell agreed to add an over flow pipe, bee-hive type design. They do not have a maintenance program.

Tobin Farwell explained they are still trying to resolve the cistern location with the fire department.

#### Public Comment

Seth Peters, 23 Old Mill Rd commented that his major concern is the protective radius for the new well. Is it ok to have the new proposed road in the well radius?

Tobin Farwell replied it is.

Seth Peters also stated he also had concerns with the noise and late night deliveries.

Dan Gabrielle replied that Aroma Joes closes at 9:00PM.

Seth Peters commented that he likes the appearance of the building, it looks very nice.

Public Comment closed.

Robert Moynihan asked if they had picked a final color yet.

Dan Gabrielle replied that it will be an earth tone, just not sure if it will be beige or grey. He will send digital photos of the exact building that has been built in Hampstead NH on Rt. 111.

Robert Moynihan asked if there was a way to make the windows look more New England style. Possibly adding more window mulleins?

Dan Gabrielle will look into this.

Robert Smith, Chairman read the waiver request into the record.

Mark Beliveau commented that he is ok with the reduced spaces as the aisle space is larger than we require. He likes that. He explained that the applicant is also in need of a waiver for the continuous pavement requirement. We require that the continuous pavement not extend

beyond 150', they are requesting 206'. He thought that there should be some give and take. He suggested a brick walkway or a paver walkway from the center in the front to the building. He doesn't want this to blend in; he wants it to stand out.

The applicant agreed and this will be added to the plan.

Mark Beliveau commented that he felt some sort of stop sign should be added on the site for when you leave the drive-thru. There is a lot of activity on the sight and feels this will help with the safety. He also feels that if you make the island a raised island this will help with the traffic flow.

Dan Gabrielle spoke with concerns of raising the island as it will make it very difficult to plow snow in the tight area. He will add some type of stop sign, on that is aesthetically pleasing. Possibly, "STOP, pedestrians crossing".

Mark Beliveau made a motion to grant the request to reduce the parking spot size as requested on 1/23/14 by Farwell Engineering Services, LLC (in file) on the condition that the applicant agree to install a brick or paver walkway in the front center of the parking lot thru the lot to the front of the building. This walkway will be 8' wide and will not be stamped pavement. It will be a noticeable red tone.

Lou Ann Griswold second.

Vote: all, waiver granted. Walkway will be added to the plan.

Tobin Farwell addressed the impervious coverage recharge requirement.

David Cedarholm asked him what percent of the project is being treated with green infrastructure?

Tobin Farwell felt about 10% isn't getting treated; or about 90 % is; but he will get these numbers for the next meeting.

Mark Beliveau stated that at the next meeting he would like the applicant to go thru Civil Consultants letter and explain how they addressed each concern.

MINUTES TRANSCRIBED BY:

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Caren Rossi, Secretary

MINUTES APPROVED BY:

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Robert Smith, Chairman

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Ryan Crosbie

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Lou Ann Griswold

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Robert Moynihan

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David Cedarholm

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Mark Beliveau