

**MINUTES OF THE MEETING
PLANNING BOARD
March 26, 2014
7:00 PM**

MEMBERS PRESENT: Robert Smith, Chairman; Ryan Crosbie; Mark Beliveau Ed Bannister; Robert Moynihan & David Cedarholm, Selectmen's Rep.

OTHERS PRESENT: Teresa Poor; Paul Poor; Huw Powell; Pat Roop; George Walker; Shirley Walker; Scott Gove; Gove Group Real Estate; Joseph Falzone, Kelsey Lee LLC; James Long, GZA Environmental; Paul Kerrigan, Chingburgh Builders; William Doucet, Doucet Survey; Shirley Walker; George Walker; Scott Holman, Zaremba Group; Nick Sanders, Vanasse Hangen Brustlin, Inc. (VHB); Robert Baskerville; Jim Daley, Jr.; Peter Hoyt & Caren Rossi, Planning & Zoning Administrator

Robert Smith, Chairman opened up the meeting at 7:02PM.

- **Review and Approval of Draft 03/12/2014 Meeting Minutes**
Ed Bannister made a motion to approve 03/12/2014 minutes.
Ryan Crosbie second.
Vote: all; motion carried, minutes approved

- **Report of officers and committees**
Robert Moynihan reported that the regulations subcommittee will be meeting on April 2, 2014.

- **Review any correspondence**
None

- **The applicant is requesting to continue this application to April 23, 2014. A subdivision Application presented by Wayne Morrill, Jones & Beach Engineering, Agent for Lee Properties, LLC. The property is owned by John D. Hauslein; located on Hayes Rd and is known as Lee Tax Map#01-04-00 & #01-07-00. The applicant is proposing to subdivide the existing parcels into 28-single family homes. This is a possible final hearing.**

Caren Rossi read the letter from Jones & Beach Engineering requesting a continuation to the April 23, 2014 meeting.

David Cedarholm made a motion to continue as requested.
Mark Beliveau second.
Vote: all, motion carried.

- **A Subdivision Application submitted by Kelsey Lee, LLC. The applicant proposes to subdivide 57.598+- acres into two new building lots and the existing house will remain on the remaining 52.09 acres.**

Bill Doucet, Doucet Survey, agent showed the Board the proposed two-lot subdivisions plans. He explained that they wish to subdivide out two conventional building lots, the lots meet all of the town's requirements, and each one is just over two +- acres. They will be sharing a driveway. He then showed a conceptual plan of what the entire site will look like when all phases of the subdivision is complete. All of the houses will have sprinkler systems. Underground utilities wherever possible. He explained that phase one, which is what is presented tonight, is the two-lot conventional subdivision. Phase two is subdividing an additional conventional building lot, and carving out the original house. Phase three will be a cluster subdivision. They will need to have an additional curb cut then what are regulation currently allow. Our regulations allow three per parcel, they are requesting four. They have 1,845 feet of frontage and feel with this amount of frontage the additional cut is acceptable and allowed. The current regulations allow for shared driveways.

Mark Beliveau asked why in phases?

Bill Doucet explained that it was for cash flow purposes.

Robert Smith, Chairman explained that the Board is not fond of shared driveways as they cause a lot of issues for the town. Will the appropriate wording be in the deeds?

Bill Doucet explained that it will be and he will provide it to the Board.

Caren Rossi read Randy Stevens's letter to the Board. (In file) He suggests that the shared portion, if allowed, be paved.

David Cedarholm expressed concern with the shared driveways as well.

Robert Moynihan stated but we could allow them because they are covered in the subdivision regulations.

Mark Beliveau expressed that he wants the Board to realize phase one is an important part of the process so they need to be sure that we don't miss anything and are happy with the shared driveways and the number of requested curb cuts in all of the phases.

David Cedarholm asked if Randy Stevens has had a chance to review the plans for all of the phases.

Peter Hoyt stated that he had just received them this morning.

Robert Moynihan felt everyone had good points and asked if they had considered doing a loop road for the cluster development?

Bill Doucet replied that they did look into this design but they would not be able to get as many houses.

The type of turnaround was discussed, Peter Hoyt stated that he is the one that would plow that development and he would prefer a frontage lot development instead of another road to maintain and plow but if not, he would prefer a hammerhead design and not a cul-de-sac.

Robert Moynihan asked what style homes will be built? Will all phases be the same style?

Paul Kerrigan, Chingburgh Builders replied that they would be building 2,000+- sq feet homes. They will build a model on the phase one lots.

Mark Beliveau made a motion to accept the application.

Ed Bannister second.

Vote: all, motion carried.

Robert Smith, Chairman asked about fire protection.

Caren Rossi read gave the Board a letter from the Fire Chief that addresses his request for a cistern and its location. (In file)

Caren Rossi read the cistern regulation to the Board and reminded them that in the past, they considered this type of subdivision, phase one, a three-lot subdivision and required a cistern.

Robert Moynihan stated they will be sprinkling all of the homes. He then spoke with concerns of people not maintaining the sprinkler systems, we control the cisterns so we know they are maintained, how do we ensure future homeowners down the road will maintain their cisterns?

Peter Hoyt was not aware of any standards for sprinkler systems.

David Cedarholm stated he thought the town of Durham required annual reports.

Mark Beliveau asked that the location of the shared driveway for lots one and two be added to the plan that will be recorded, sheet one.

Ryan Crosbie spoke with concerns of when the wetland mapping was completed. The plans say it was done in January 2014.

James Long stated that was a mistake, it was in the late fall, prior to snow fall, it will get fixed.

Ryan Crosbie and James Long discussed the wet soils rules for the town and how they differ from the state.

There was discussion if an AOT permit was needed for the two lots and it was determined it was not. State subdivision approval has already been received.

Mark Beliveau spoke about the pavement of the driveways as suggested by the road agent.

Paul Kerrigan explained that they will be paving the driveways.

Robert Moynihan discussed with Bill Doucet tie information for the town line and it was determined to be added to the plan.

Public comment

None, floor closed.

The following items need to be addressed for the next meeting

- Supply the Board with the driveway easement information
- Put the location of the shared driveway on the sheet to be recorded
- The town line tie information on the plan
- Revise the wet soils delineation date on the plan
- Add to the plans that the houses are to be sprinkled
- Provide the Board with information about how sprinkler systems work specifically maintenance of them

Robert Moynihan stated to the applicant to be sure for Design Review to include the road profiles.

Mark Beliveau made a motion to continue the application to April 9, 2014.

David Cedarholm second

Vote: all, motion carried.

- **The application is a Site Review application from Noble Farm Commercial Park, LLC. The applicant is proposing to construct a 30,000 sq ft. warehouse with office space. Property is located on Nobel Farm Drive and is known as Lee Tax Map# 25-03-0000.**

Robert Baskerville, Bedford Design Consultants explained the proposed plan. He started by giving everyone the history of the property prior to his clients purchase of it. His client would like to construct a 30,000 square foot storage building with office space. He will be building it off the existing road. It will be serviced by an individual well and a septic. They have provided more than adequate parking for the use. They will be using the existing pond for fire protection. Part of the drainage for the site was already complete, but he is not sure exactly to what extent until the snow melts. There is a conservation easement on the pond. They will need to redo the wetlands permit to utilize the pond for fire protection, but they will not need an AOT permit for this phase. They will for the additional phases but not for this one. He explained that the visibility of the building was raised as a concern at the conceptual meeting. They don't feel it will be an issue from the abutting properties as they are higher than the proposed building but they feel it will be most visible from the pond view area. They

proposed to plant several trees/shrubs and provided a detailed landscape plan. (In file) The building will be a muted color. For cash flow purposes they would like to do the original buildings in phases to generate income to continue. The use of this building will be Monday thru Friday with very little truck traffic. Hours will be during regulation business hours. The parking spaces are delineated spaces ten by twenty. The number of spaces exceeds the required amount. The water lines are in partially as well as the underground conduit.

David Cedarholm spoke with concerns of the drainage management and he has concerns with pollutants and volume control.

They discussed the past drainage design and the proposed drainage plans. (In file)

Caren Rossi explained that Civil Consultants has not responded from the initial review.

It was pointed out that silt fencing was not on the plan and it needs to be added.

Robert Moynihan made a motion to accept the application.

Ed Bannister second.

Vote: all, motion carried.

Jim Daley spoke and explained the building will be a low impact building. It will have a long term tenant lease in half of it now with possible surplus office space. A local business has great interest in the building and potentially three to four other tenants. They will like to keep low key business in there. Truck traffic is low, a few trucks in and out a day. Monday thru Friday. Not a Wal-Mart.

Robert Baskerville explained that this building will be built by the same company who built the last of the Daley's buildings. They will be muted in color but not too light that it will stick out on the off season.

Robert Smith, Chairman stated that he wanted to remind them to keep in mind that it is close to residents.

Jim Daley stated that he is very aware of this.

Public comment

Shirley Walker spoke with concerns of wells with blasting, and the additional wells.

Robert Baskerville explained that their water usage will be much less than the approved 38 houses. They don't anticipate having to blast, if they do, it will be very minimal and it would be for the fire protection.

Pat Roop expressed concerns with blasting as well. When they blasted here when it was an active gravel pit it caused issues with wells.

Terry Poor spoke also with concerns of blasting. She too had issues in the past with her well and the blasting. She also spoke with concerns of the hours of operation, was it possible to limit their hours? She also stated the earth in this area is very fragile.

Robert Smith, Chairman stated that there isn't anything in the regulations that limit the hours of operation but it is something they can take under advisement.

Mark Beliveau explained that a pre-blast survey can be done and bonded by the blasting contractor.

George Walker spoke and stated he remembers the blasting to have been done to mine the blue stone on the property, not for the wells.

Pat Roop stated she felt this was the best anyone could have hoped for on this property.

Jim Daley explained that they don't anticipate having to blast. The building actually needs to be raise up from the existing grade about four feet for the dock height. This ground provides a very stable platform to build on.

Floor closed.

David Cedarholm made a motion to continue the application April 10, 2014.

Mark Beliveau second.

Vote: all, motion carried.

- **Site Review Application presented by Chris Nadeau, Nobis Engineering, and Agent for the Zaremba Program Development LLC. The property is owned by Nathan & Janet Spence and Harry & Sandra Wiggen. The property is located on 60 Concord Rd and is known as Lee Tax Map#07-08-0300. The applicant is proposing to remove the existing building and construct a 9,100 sq ft general merchandise store.**

Scott Holman, Zaremba Group explained the application. They are proposing to construct a 9,100 sq ft. Dollar General Store. This process has been in the works for a very long time. No fault to anyone. They have gone to the ZBA and received all the variances that they need. They are requesting three waivers, two are to the parking requirement and one is to the entrance alignment requirement. The lighting will be wall pack down lighting with two lights on poles. One pole light at the street and one on the Dunkin Donuts side. The lights will be on ½ hr after closing except for fire exits; the delivery door and on a few on inside the store. This is for security purposes. The number of parking spaces has been determined by the use of the store. The size is reduced to accommodate the number needed due to the size of the lot. He explained the proposed drainage; the landscape plan and the proposed signage. (In file) He showed the Board a picture of what the building will look like. He took their advice and designed the building to their requests. (In file)

Robert Smith, Chairman asked that for the next meeting, they bring all available color/brick samples.

Caren Rossi read the written waiver request.

Robert Moynihan asked if NH DOT has requested a deceleration lane of any type.

Nick Sanders, VHB replied that the NH DOT did not require anything. He provided some data from the report. Dollar General generates, at peak, 35 trips an hour , 20 in and 15 out. They are considered relatively a low volume retail business.

David Cedarholm asked why a wet pond for the drainage?

Chris Nadeau explained this is due to the type of soils on the site.

They discussed the proposed drainage design.

Caren Rossi explained that Civil Consultants has performed the initial review, they applicant has responded and now Civil Consultants is reviewing that. We should have the revisited review soon.

Mark Beliveau spoke to the parking waiver requests. He stated that it appeared to him that the maximum number that could be on the site is only the request 30. Do you have internal data to support the request?

Scott Holman answered, yes, and that is what they used to determine the spaces needed. The data was based on the Nashua store. This data was also what was used for the traffic study.

Robert Moynihan asked for clarity on what the peak traffic hours were?

Nick Sanders replied it is weekdays from 3pm to 5pm. 800 cars per hour west bound during peak. Slightly less east bound.

Mark Beliveau made a motion to accept the application.

Ryan Crosbie second.

Vote: all, motion carried.

The Board set a site walk for Monday, March 31, 2014 at 5:00pm. All will meet on site.

Caren Rossi read the fire; police and the Oyster River Local Advisory Committee letters into the record. (In file)

Scott Holman asked if the Board liked the design of the building and if the basic elevations worked? They are running tight on time and if there are issues, he'd like to know now.

Robert Moynihan commented they listened to the past comments, and made the requested changes.

A majority agreed.

Mark Beliveau made a motion to continue the hearing until April 23, 2014.

David Cedarholm second.

Vote: all, motion carried.

MINUTES TRANSCRIBED BY:

Caren Rossi, Secretary

MINUTES APPROVED BY:

Robert Smith, Chairman

Ryan Crosbie

Ed Bannister

Robert Moynihan

David Cedarholm

Mark Beliveau