June 28, 2011

The meeting was called to order at 6:30 p.m. by Chairman Stu Lewin. Present were regular members Mark Suennen and Don Duhaime, Alternate Member David Litwinovich, and Ex-officio Christine Quirk. Also present were Planning Coordinator Nic Strong, Planning Assistant Shannon Silver and Recording Clerk Valerie Diaz.

Present in the audience for all or part of the meeting was Ivan Byam.

Public Hearing on Subdivision Regulations

 The Chairman stated that the public hearing had been posted and noted that there were no members from the public in attendance for the hearing. He advised that he would address the proposed amendments and welcomed questions or comments from the Board.

The Chairman referenced Proposed Amendment #1 and noted that it intended to amend the last sentence of Section III-S, Definitions, to reference the correct Statute; there were no comments or questions.

The Chairman stated that Proposed Amendment #2, Section IV-E, Preliminary Application – Design Review, proposed to delete the requirement of a conditional approval of a preliminary plan, add the statutory language regarding the end of the design review process, and renumber the remaining sections as needed; there were no comments or questions.

The Chairman referenced Proposed Amendment #3, Section IV-F, 2, Completed Application, and advised that proposed to delete the requirement for driveway permits, State Subdivision Approval, road entry permits, and any and all other approvals and/or permits from local and state agencies, from the list of items required for a completed application and to renumber the remaining sections; and then move those requirements to Section IV-F, 3, Additional Requirements for Final Plans; there were no questions or comments.

The Chairman referenced Proposed Amendment #4 and stated that a new section 4 would be added to Section IV-G, Filing and Submission of Completed Application that included language that specified that the Planning Board could not consider an application to be incomplete due to the fact that it required permits or approvals from other governmental bodies. He noted that the remaining sections would be renumbered; there were no comments or questions.

The Chairman referenced Proposed Amendment #5 and stated that it had been proposed to amend Section IV-I, 2, Public Hearings, to include language that specified that the Planning Board may condition an approval upon receipt of State or federal permits relating to a project but may not refuse to process an application in the absence of those other permits; there were no comments or questions.

The Chairman referenced Proposed Amendment #6 and noted that it had been proposed to amend Section IV-M, 1, Fees, so that it included language that specified that relevant fees could be found in the Planning Board's Rules of Procedure; and, amend Section IV-M, 3, Fees, to specify that the Planning Board may require an applicant to pay for special studies and reviews but not if those studies and reviews replicated something that was already done for the ZBA; there were no questions or comments.

The Chairman referenced Proposed Amendment #7 and stated that it proposed to amend

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PUBLIC HEARING, SUBDIVISION REGULATIONS, cont.

 the last sentence of Section V-E, to include language that specified that special studies to determine whether or not a proposal included the threats listed should be submitted before final approval of the application could be granted; there were no comments or questions.

The Chairman referenced Proposed Amendment #8 and advised that it proposed to amend Section V-U, D, 2, to refer to the correct sub-section in the last sentence; there were no questions or comments.

The Chairman referenced Proposed Amendment #9 and stated that it proposed to amend Section V-U, E, 1, by adding a new section: q, that included details regarding access roads to drainage structures; there were no questions or comments.

The Chairman referenced Proposed Amendment #10 and stated that Section VI, Preliminary Plan Layout, would be amended to refer to the correct sub-section in the last sentence of Section VI-G; and, by deleting Section VI-M; and, by renumbering the remaining sections; there were no comments or questions.

The Chairman referenced Proposed Amendment #11 and stated that it proposed to amend Section VII-A, Final Plat, by deleting the requirement that the final plat be consistent with the approved preliminary layout. He asked why the section to be deleted had originally been placed in the Regulations. The Coordinator answered that she did not know why but the section in question did not have binding requirements and was not necessary to be in the Regulations. She further noted that this was related to Proposed Amendment #2 that deleted the requirement for a conditional approval of a preliminary plan and was based on advice from counsel.

The Chairman referenced Proposed Amendment #11a and noted that it would amend Section VII-J, Final Plat, by referring to the correct sub-section in the last sentence; there were no comments or questions.

The Chairman referenced Proposed Amendment #12 and advised that it would amend Section IX-B, 2, p, i, by specifying from where a cul-de-sac should be measured; and adding a new Section IX-B, 2, ac, regarding Minimum Centerline Offset for Underground Utility Trenches; there were no questions or comments.

The Chairman referenced Proposed Amendment #13 and noted that it would amend Section IX-B, 5, to include language regarding driveways in cuts and fills; there were no questions or comments.

The Chairman referenced Proposed Amendment #14 and stated that it proposed to amend Section IX-I, Fire Protection Systems, by changing the words "agreed to" to "accepted" in the last sentence of the opening paragraph; capitalizing Consulting Engineer throughout; deleting the last sentence of Section IX-I, a), 1; changing the amount of the deposit for the initial review of cistern design plans from \$500 to \$1000; specifying how those funds should be deposited; indicating that funds additional to the initial \$1,000 would be based on a written estimate from the Town's Consulting Engineer; specifying when approval of the design plans should be received; amending #4 to specify that the location of the fire protection system would be recommended by the Fire Wards and approved by the Planning Board prior to subdivision approval; detailing that the Town's Consulting Engineer should provide an estimate for construction monitoring; and, changing the words "will" or "must" to "shall".

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PUBLIC HEARING, SUBDIVISION REGULATIONS, cont.

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The Chairman asked if the Fire Wards had agreed to the proposed amendments contained within Proposed Amendment #14. The Coordinator answered yes.

The Chairman referenced Proposed Amendment #15 and noted that it proposed to amend Section IX-J, Fire Protection Cistern Specifications, by uncapitalizing the words Town and Owner and adding modular pre-cast concrete cisterns to the types of allowed cisterns in the opening paragraph; adding a section of general requirements applicable to all types of cisterns; adding Section IX-J,A,7, to include an Owner and Contractor Certification on cistern plans; renumbering the following sections; changing instances of "must", "is to be", "are to be" and "will" to "shall" throughout for consistency; adding a statement that all construction shall be carried out safely; amending Section IX-J,A,11, to change the depth loam is to be kept from the rim of the manhole from 4" to 12 - 18" and to refer to the correct erosion control manual; deleting the table of gradation from Section IX-J,A,12, and referring to NHDOT requirements instead, and changing the width and depth of pavement for the vehicle pad to match current Town requirements; deleting Section IX-J-A,12; moving Sections IX-J,A,14,16,17,18,20,21, from Section IX-J,B; adding Section IX-J,A,15, requiring all pipe and hardware within the cistern to be galvanized steel; adding Section IX-J,A,23, requiring a No Parking sign including the specifications therefor; amending Section IX-J,A,24, by adding the requirement for the contractor to refill the cistern after flow testing; amending Section IX-J,A,25, to require that cistern padlocks be purchased from the New Boston Fire Department; deleting old Sections IX-J.A.21 and 22 as they are obsolete; amending Section IX-J.B.1.a, to refer to the correct building code; re-ordering some of the sections for better continuity; adding material certifications to Section IX-J,B,5; deleting the first sentence of Section IX-J,B,10; amending Section IX-J,B,14, with regard to the size of boulders used to protect the tank area; amending Section IX-J,B,15,b, to specify the thickness of vermin-resistant foam insulation required; amending Section IX-J,B,15,c, to change the depth loam is to be kept below the rim of the manhole from 4" to 12 -18"; amending Section IX-B,18, to include the language for testing as modified from the pre-cast cistern section; including in Section IX-J,C,1,A,(2), i & ii, reference to the American Water Works Association; amending Section IX-J,C,1,B, to require submission of plans to the Planning Board and the Fire Wards, to require a design plan, and to require shop drawings two weeks prior to construction; deleting Section IX-J,C,2,D,B, as this language has been added to the general cistern requirements section; amending Section IX-J,C,3,A, by adding (2), requiring preparation of a Tank Installation Checklist by the contractor; amending Section IX-J,C,3,B,(4), to require compaction with hand-operated equipment and adding v, requiring fabric between gravel and crushed/pea stone; amending Section IX-J,C,4, to require a 50 year warranty instead of 30 years, to require the warranty to be provided to the Planning Board and Fire Wards prior to installation, and to require certain paperwork to be submitted to the Town's Consulting Engineer for review prior to acceptance of the cistern; amending Section IX-J,C,5, to require repairs to be made to the satisfaction of the Fire Wards instead of the Planning Board; amending Section IX-J,C,6, to allow the Fire Wards to direct any work or specification not included in this section; adding Section IX-J,D, to include requirements regarding modular pre-cast concrete units; changing the various inspection checklists to include the requirement for refilling the cistern

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PUBLIC HEARING, SUBDIVISION REGULATIONS, cont.

after the flow test and adding an inspection sheet for modular pre-cast concrete cisterns; and, deleting the Receipt of Specifications and Agreement to Conform, as it is obsolete.

The Chairman referred the Board to page 16 of the Proposed Amendments to the Subdivision Regulations, item 18, and pointed out that the word "the" should be added before the word "cistern" appeared.

The Chairman referred the Board to item 19 on page 16 of the Proposed Amendments to the Subdivision Regulations and asked if the word "must" would be struck from the sentence and replaced with the word "shall". The Coordinator answered yes.

The Chairman referred the Board to page 17 of the Proposed Amendments to the Subdivision Regulations, item 24, and asked if there was a difference in meaning between the words "Installer" and "Contractor". The Coordinator answered no. The Chairman proposed to change the word "Installer" that appeared in item 24 and item 29 to "Contractor". The Board agreed with the Chairman's proposal.

The Chairman Board to page 23 of the Proposed Amendments to the Subdivision Regulations, item 18, and noted that the spelling of "key" in the 8th line needed to be corrected as it appeared as "kevy".

Board Member Mark Suennen arrived. The Chairman asked if Mark Suennen had any comments or questions on the proposed amendments previously discussed. Mark Suennen answered that he did not have any comments or questions to add. The Board agreed with the Chairman's proposed amendments to #15 of the Proposed Amendments to the Subdivision Regulations.

The Chairman referenced Proposed Amendment #16 and stated that the proposed amendment would replace the existing cistern details with the revised cistern details; there were no comments or questions.

The Chairman referenced Proposed Amendment #17 and noted that it proposed to amend Section XII, Amendments, by including a reference to the correct State agency in the last sentence. He questioned if the word "State" should be added before "Office of Energy and Planning" for the purposes of identifying the office as a State office. The Coordinator suggested "the NH Office of Energy and Planning". The Chairman agreed with the Coordinator's suggestion.

The Chairman noted that no members of the public were present for the hearing and he closed the public portion of the hearing. He asked for further comments or questions from the Board. Mark Suennen stated that he was satisfied with the proposed amendments. The Chairman added that because the additional proposed changes that had been made this evening were minor revision edits he did not feel that it was necessary to adjourn the hearing to another public hearing.

The Chairman seated David Litwinovich as a full voting member in Peter Hogan's absence.

Mark Suennen MOVED to adopt the amendments to the Subdivision Regulations as

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PUBLIC HEARING, SUBDIVISION REGULATIONS, cont.

amended at this public hearing. Don Duhaime seconded the motion and it **PASSED** unanimously.

Public Hearing on Non-Residential Site Plan Review Regulations

The Chairman noted that the public hearing notice had been posted in the all of the usual places and no members of the public were present.

The Chairman referenced Proposed Amendment #1 and stated that it proposed to amend Section 2, Submission Items: Site Development Plan and Supporting Data, to require submission of 11" x 17" copies of the site plan as part of the completed application; there were no comments or questions.

The Chairman referenced Proposed Amendment #2 and noted that Section 2.4, Additional Information, added language to specify that third party review and consultation may be required during the review process at the applicant's expense as long as the review and consultation did not replicate something that was already done for the ZBA; there were no comments or questions.

The Chairman referenced Proposed Amendment #3 and explained that it proposed to amend Section 4, Design and Construction Requirements, by adding Section 4.18, Off-Street Parking, that included details of parking spaces, their size and numbers. Mark Suennen commented that he was pleased with how the uses had been combined within Section 4.18, K.

The Chairman referenced Proposed Amendment #4 and noted that it proposed to amend Section 7.7, Compliance Hearing, by including language that specified that the Planning Board may condition an approval upon receipt of State or federal permits relating to a project but may not refuse to process an application in the absence of those permits; there were no questions or comments.

The Chairman again noted that no members of the public were present and he closed the public portion of the hearing. He asked for comments or questions from the Board; there were no comments or questions.

Mark Suennen **MOVED** to adopt the amendments to the Non-Residential Site Plan Review Regulations as presented at the public hearing. Don Duhaime seconded the motion and it **PASSED** unanimously.

Public Hearing on Driveway Regulations

The Chairman noted that the public hearing notice had been posted in all of the usual places and added that no members of the public were present at the hearing.

 The Chairman referenced Proposed Amendment #1 and explained that it proposed to amend Section 9.6, Driveway Entrance Criteria (All Lots), by including language regarding driveways in cuts and fills; there were no comments or questions.

The Chairman referenced Proposed Amendment #2 and stated that it proposed to amend

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PUBLIC HEARING, DRIVEWAY REGULATIONS, cont.

the Driveway Permit Form and the Driveway Certificate of Use to include language regarding driveways in cuts and fills.

Mark Suennen asked why the font that appeared under Proposed Amendment #2 differed from the rest of the amendments. The Coordinator answered that the portion of the document in question had been cut and pasted directly from the Driveway Permit Form.

The Chairman referenced Proposed Amendment #3 which advised that the Driveway Regulations Figure 1 would be replaced with revised Driveway Regulations Figure 1 – Driveway Geometric Requirements.

David Litwinovich asked if driveway width was specified in the Regulations. Mark Suennen answered that the Regulations specified that driveways needed to have at least a 12' travel width.

The Chairman closed the public portion of the hearing.

The Chairman asked for further comments or questions from the Board; there were no further comments or questions.

Mark Suennen **MOVED** to adopt the amendments to the Driveway Regulations as presented at the public hearing. Don Duhaime seconded the motion and it **PASSED** unanimously.

MISCELLANEOUS BUSINESS AND CORRESPONDENCE FOR THE MEETING OF June 28, 2010

2. Endorsement of a Non-Residential Site Plan Review Agreement by the Planning Board Chairman for Margaret McGann, Tax Map/Lot #19/3, 1 Old Coach Road.

The Chairman indicated that he would execute the above-referenced agreement at the close of the meeting.

3. Schedule compliance check for Susana LeClair Revocable Trust, Tax Map/Lot #9/24-13, Wilson Hill Road, confirmation of 200 ft sq area that needed stabilization.

The Chairman noted that the Board had agreed to view the above-referenced property to confirm stabilization and asked if the members had viewed the property. Mark Suennen noted that he had not viewed the property. David Litwinovich stated that he had gone to the property but was unsure if he viewed the correct area. Don Duhaime and Christine Quirk both noted that they had not viewed the property. The Chairman stated that he had stopped at the property earlier in the evening. He advised that the area was not completely filled in; however, [it] was consistent with other sites that the Board had approved before. He added that there did not appear to be any erosion. Mark Suennen commented that he would defer to the opinion of the Chairman on this matter. The Chairman noted that he was comfortable to release the bond.

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MISCELLANEOUS BUSINESS, cont.

Mark Suennen **MOVED** to release the security in the amount of \$90.00 to Susana LeClair Revocable Trust. Don Duhaime seconded the motion and it **PASSED** unanimously.

5. Letter dated June 15, 2011, from Shannon Silver, Planning Board Assistant to Ivan Byam, re: operating a farm stand from Tax Map/Lot #6/40-1-1, Byam Road.

 Present in the audience was Ivan Byam. The Chairman asked Ivan Byam to briefly explain his plan for operating a farm stand. Ivan Byam provided the Board with a drawing of his proposed farm stand. He noted that the structure measured 10' x 3'. He pointed out the location of the proposed farm stand on a map. He noted that he had cleared brush near the location of the proposed farm stand and created clear range of sight from his second drive on Byam Road down to River Road (Route 13).

The Chairman asked if Ivan Byam intended to have customers pull into the driveway. Ivan Byam answered yes and added that there was enough room for three or four cars. The Chairman asked if there was enough space for vehicles to turn around and drive out onto Byam Road instead of backing out. Ivan Byam indicated that there was plenty of room for vehicles to turn around.

The Chairman noted that the drawing included a sign for the farm stand. Ivan Byam explained that a sign for produce would be put up in the morning and taken down in the evening. The Chairman asked if proposed sign was subject to the Sign Ordinance. The Coordinator answered that signs for temporary agricultural products that did not exceed 12 s.f. per face and were removed within thirty days of fulfilling their function did not require a permit. Ivan Byam stated that he did not intend to post a permanent sign.

Mark Suennen asked if the farm stand would be manned. Ivan Byam answered that he would most likely be around the farm stand to assist customers. Mark Suennen asked if any employees would be hired. Ivan Byam answered no.

David Litwinovich asked if Ivan Byam intended to post a sign only on Byam Road and not River Road (Route 13). Ivan Byam answered that his property had frontage on River Road and he may very well put a temporary sign there too. Christine Quirk noted that River Road (Route 13) was a State road and he needed to be careful not to post the sign in the State right-of-way.

The Chairman asked if the property was zoned Commercial. Ivan Byam answered yes.

The Chairman asked for comments or questions from the Board. Christine Quirk commented that she did not have any issues with the plan for the farm stand.

Ivan Byam asked if there would be any issues with him modifying the roof of the proposed farm stand. Mark Suennen answered that if the roof would be dramatically larger there may be an issue.

It was the consensus of the Board that a non –residential site plan and sign permits were not required for the proposed farm stand as described to them by Ivan Byam at this meeting.

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	MISCEL	LANEOUS	BUSINESS	, cont
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6. Letter received June 22, 2011, from Kevin Leonard, P.E., Northpoint Engineering, to Nicola Strong, Planning Coordinator, re: Karen M. Morin Rev. Trust (Daylily Lane/Greenfield Road) – Outstanding Items Summary, for the Board's information.

The Chairman asked the Coordinator to briefly explain the above-referenced matter. The Coordinator explained that the bond had expired for the above-referenced subdivision and a new bond had been recently obtained. She continued that all of the issues were being resolved. She noted that it was the Road Agent's opinion that all of the road issues on Greenfield Road were not solely the developer's issues to fix. She continued that the developer and the Road Agent were negotiating a plan to pave the entire road.

The Chairman asked if there were houses existed within the subdivision. The Coordinator answered that two houses existed and noted one had been sold and the other was being finished to be sold.

7. Distribution of June 14, 2011, minutes, for approval at the meeting of July 12, 2011.

The Chairman acknowledged the above-referenced matter. He noted that the Board had one scheduled meeting on the second Tuesday for the months of July and August.

4. Schedule Site Walk for Vista Road, LLC, Tax Map/Lot #6/40-2, Byam Road & River Road (Route 13)

 The Chairman asked if the above-referenced property had been staked. The Coordinator answered yes. The Planning Assistant indicated that Eric Mitchell's office had contacted the Planning Office and advised that the staking had been completed.

Mark Suennen stated that he did not plan on attending the site walk. The Chairman advised that he would be attending the site walk and asked if any other members were interested in attending. Mark Suennen believed that Peter Hogan was interested in attending a site walk. David Litwinovich commented that he would like to attend the site walk. Don Duhaime also stated that he would like attend the site walk. Christine Quirk was unsure if she would be able to attend a site walk.

A site walk was scheduled for Thursday, June 30, 2011, at 6:00 p.m.

1. Approval of the May 24, 2011, minutes, distributed by email.

 The Chairman referenced "Discussion, re: Draft CIP Policy & Procedures Manual" from the May 24, 2011, meeting minutes and questioned the use of the word "memorialized" in the following sentence, "The Chairman clarified that the intention of the document was to be helpful as well as memorialize the practices and procedures that would be followed". He believed that he did not use that word during the meeting. The Recording Clerk noted that she most likely paraphrased what had been said to make it easier to understand in the minutes. The Chairman

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MISCELLANEOUS BUSINESS, cont.

stated that he was fine with leaving the sentence as is in the minutes.

The Chairman referenced the public hearing of Vista Road, LLC, in the May 24, 2011, meeting minutes. He believed he had informed the applicant that he had stopped at the property prior to the meeting and that was not reflected in the minutes. He asked for the audio recording of the meeting be reviewed and for the statement to be added if indeed he had been said. The Coordinator confirmed that the audio recording would be reviewed.

It was determined that the approval of the minutes would be voted on at the next meeting.

Discussion, re: Draft CIP Policy & Procedures Manual continued from May 24, 2011

 The Chairman stated that the Draft CIP Policy & Procedures Manual had been reviewed and discussed at a previous meeting and that an updated version had been provided that reflected the changes.

The Chairman commented that the Manual did a really good job explaining how the CIP Committee worked.

The Chairman invited comments from the Board. The Coordinator pointed out that she left the language "ad hoc" in the document as it accurately described the CIP Committee. She continued that it was her understanding that "ad hoc" referred to a committee set-up for a specific purpose. The Chairman stated that he believed that "ad hoc" referred to a committee set up "on the fly." Mark Suennen added that an "ad hoc" committee was not a legislative entity like the Planning Board.

The Chairman referred the Board to page 3 of the Manual and pointed out an extra space that existed before the word "advisory" in the first paragraph.

The Chairman referred the Board to page 6 of the Manual and suggested that the first bolded, italicized sentence be amended to say "The CIP Committee may also decide not to recommend inclusion of a project in the CIP Plan". Mark Suennen believed adding the word "also" to the sentence was not necessary. The Chairman withdrew his suggestion.

The Chairman referred the Board to page 8 of the Manual and noted that "Nomination/Selection of a Chairman" should be replaced with "Nomination/Election of a Chairman". The Coordinator agreed.

It was the Chairman's understanding that the members to the CIP Committee that were appointed by the Selectmen and Finance Committee were not required to complete an application. He questioned what process the at-large members needed to follow. The Coordinator answered that the at-large members were required to fill out an application. She continued that they would be appointed for 3 year staggered terms. She noted that if a position needed to be filled it would be posted and the member could be appointed on a rolling basis. The Chairman asked when the term would begin. The Coordinator answered that the term would most likely begin in August. It was determined that the application process would be rolling and it was not necessary to have a specific appointment schedule.

Don Duhaime asked why the required number of planning Board members had changed from two to one. The Coordinator explained the past year's Chair of the CIP Committee, Brandy

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1	DISCUSSION RE: CIP POLICY AND PROCEDURES, cont.
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3	Mitroff, had made the request last year because often only one member from the Planning Board
4	would attend the meetings anyway.
5	Mark Suennen asked what documents were contained within Appendices I and II. The
6	Coordinator answered that Appendix I contained a form that Department Head Managers as well
7	as other CIP participants completed in order to propose their projects to the Committee. Mark
8	Suennen suggested that Appendix 1 be entitled "Template Form to Department Heads". The
9	Coordinator informed that Appendix II was a memo that was sent to all CIP participants. Mark
10	Suennen commented that it was a sample and asked that it be entitled "Sample of Typical Cover
11	Letter". Mark Suennen recommended that Appendix III be entitled "History of the CIP". Mark
12	Suennen stated with the above amendments made he was comfortable with adopting the
13	document.
14	The Chairman asked for comments or questions; there were no comments or questions.
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16	David Litwinovich MOVED to adopt the CIP Policy & Procedures Manual with Mark
17	Suennen's three amendments regarding the Appendices and the Chairman's described
18	spelling and format changes. Mark Suennen seconded the motion and it PASSED
19	unanimously.
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21	Mark Suennen MOVED to adjourn the meeting at 7:25 p.m. Don Duhaime seconded the
22	motion and it PASSED unanimously.
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24	Respectfully Submitted, Minutes Approved: 9/13/11
25	Valerie Diaz, Recording Clerk