

Sandown Planning Board
Minutes
March 15, 2011

Date: March 15, 2011

Place: Sandown Town Hall

Members Present: Donna Green, Chairman, Vice Chairman Mark Traeger, Steven Meisner, Ed Mencis, Marilyn Cormier and Hans Nicolaisen, Ex-Officio (*Mr. Nicolaisen arrived at 7:33 p.m.*).

Also present: Bette Patterson, Administrative Assistant and Town Engineer Steve Keach

Absent: Alternate Ernie Brown and Fred Daley

Opening: Chairman Green opened the meeting at 7:00 p.m.

Election of Officers

Chairman

MOTION: Donna Green made a motion to nominate and elect Mark Traeger Chairman for the ensuing year. Marilyn Cormier seconded. There were no other nominations. **VOTE ON THE MOTION:** Donna Green, Steven Meisner, Ed Mencis and Marilyn Cormier voted in favor of the motion. Mark Traeger abstained. **MOTION PASSED.**

Mr. Traeger accepted the position of Chairman and thanked Donna Green for her work as Chairman over the past year.

Vice Chairman

MOTION: Ed Mencis made a motion to nominate and elect Donna Green Vice Chairman for the ensuing year. Steve Meisner seconded. There were no other nominations. **DISCUSSION:** Mr. Mencis thanked Donna Green on behalf of the board for doing an excellent job as Chairman and putting in 125% effort into the job. **VOTE ON THE MOTION:** Mark Traeger, Steven Meisner, Ed Mencis and Marilyn Cormier voted in favor of the motion. Donna Green abstained. **MOTION PASSED.**

Alternate Position

MOTION: Donna Green made a motion to appoint Matt Russell to serve as an alternate member of the planning board for the ensuing year. Marilyn Cormier seconded. **VOTE ON THE MOTION:** Mark Traeger, Donna Green, Steven Meisner, Ed Mencis and Marilyn Cormier voted in favor of the motion. **MOTION PASSED.**

Action Items from March 1st, 2011

Vice Chairman Donna Green gave a status report on the following action items:

- Letter to Ken Sherwood and Board of Selectmen – Letter to Ken Sherwood was sent on March 2nd. The letter to the Board of Selectmen was not written due to the events that unfolded.
- There was a joint meeting with the Board of Selectmen with the intention to resolve the outstanding CUP issue and discuss how all boards can act cooperatively.
- Administrative Assistant Patterson will resend the Habitat checklist from Derek Sowers.

56 **Review and acceptance of CUP application from Montana Realty Trust.**

57
58 Steve Keach, Town Engineer, stated that the application is complete. There are three reports that need
59 to be submitted to the board for the public hearing; Conservation Commission Letter, Rockingham
60 County Conservation District Letter and the Keach-Nordstrom Report. There were no other
61 technical issues.

62
63 Vice Chairman Green stated that Montana Realty Trust met with the Conservation Commission on
64 March 10, 2011. She asked what the result of that meeting was.

65
66 Chairman Traeger stated that the Conservation Commission will be sending out a favorable letter.

67
68 Vice Chairman Green stated that she had contacted RCCD, Dr. Len Lord in reference to reviewing
69 this application as required by our regulations. Administrative Assistant Patterson hand delivered the
70 application and plan on March 8th. There are two more items that RCCD has requested.

71 Administrative Assistant Patterson stated that she is in contact with Dr. Lord and will deliver the items
72 to the RCCD office as soon as possible.

73
74 **MOTION:** Ed Mencis made a motion to accept for jurisdiction the Conditional Use Permit
75 application from Montana Realty Trust for property shown on Map 14, Lot 19-17, 9 Montana Drive.
76 Marilyn Cormier seconded. Voted in the affirmative by all members of the board.

77
78 The board discussed scheduling a public hearing for the CUP application. After a brief discussion,
79 the board agreed to hold a public hearing on March 29th, 2011 to review the Conditional Use Permit
80 application from Montana Realty Trust for property shown on Map 14, Lot 19-17, 9 Montana Drive.

81
82 *Please note: Steven Meisner recused himself from serving on the following case because he served as*
83 *Chairman of the ZBA when Mr. Falkenham was granted his variance.*

84
85 **Public Hearing for review of a Minor Subdivision Application submitted by Mark D. Falkenham**
86 **for a two lot subdivision. The property is shown on Tax Map 13, Lot 12 and is owned by Mark D.**
87 **Falkenham. The property is located on 144 Wells Village Road.**

88
89 David Jordan of MHF Design, Surveyor and David Falkenham, owner, presented the plan to the
90 board. The plan shows the construction of a single family dwelling to the rear of the lot. The
91 driveway access will follow the existing maintenance road. There are existing power lines that run
92 across the property and the applicant will have to get a joint use agreement with Public Service
93 Company of New Hampshire to travel under the power lines. The Conservation Commission has
94 reviewed this proposal and has issued a favorable letter in support of the wetland permit.

95
96 Mr. Jordan stated that on November 11, 2010 a variance was granted to Mark Falkenham from
97 Article II Part B Section 3 of the Sandown Zoning Ordinance to permit creation of a lot that has
98 163.37 feet of frontage where 200 feet is required and that does not have a minimum contiguous
99 buildable tract equal to 75 feet in width by 100 feet in length.

100 Mr. Jordan stated that a conditional use permit will be required and an application will be submitted
101 shortly.

102 **MOTION:** Marilyn Cormier made a motion to accept for jurisdiction the Minor Subdivision
103 Application submitted by Mark D. Falkenham for a two lot subdivision. The property is shown on
104 Tax Map 13, Lot 12 and is owned by Mark D. Falkenham. The property is located on 144 Wells
105 Village Road. Ed Mencis seconded. Voted unanimously in the affirmative.

106 After a brief discussion on how to improve the CUP process and ensure that applicants have all the
107 correct information needed to submit a CUP application, it was agreed that the requirements for a
108 CUP should be added to the checklist. **One of these requirements is a favorable letter from RCCD.**

109 Vice Chairman Donna Green asked Mr. Keach why he thinks RCCD review of CUP applications
110 is not applicable.

111 Mr. Keach explained that plans were sent to RCCD because, at the time, the Town did not have a
112 building inspector that had the expertise to witness test pits. The current building inspector does
113 witness test pits and he is the one that will be issuing the septic permit. Mr. Keach encouraged the
114 board to set up a meeting with Mr. Sherwood to discuss the process.

115 The board discussed the recreation fee requirement for this proposal. Chairman Traeger suggested
116 that the applicant could make a donation of gravel for improvements to the town forest parking lot
117 located off Wells Village Road.

118 Hans Nicolaisen suggested the board consider waiving the road shoulder improvements as it was
119 done for his own subdivision because when the road is improved the grades will be raised.

120 Steven Keach agreed with Mr. Nicolaisen stating the Sandown Road System Action Plan of 2008
121 specifies the segment of Wells Village Road upon which the applicant's property fronts is
122 scheduled to have the culvert replaced by the Town using FEMA funds.

123 Chairman Traeger asked how the slopes, where the water comes down the driveway into the road,
124 are being addressed on the plan.

125 Mr. Jordan stated that they are installing a culvert under the driveway that will divert the water flow.
126 The stonewall along the front will be eliminated.

127 Marilyn Cormier and Donna Green expressed concern that the stone wall was being removed.

128 Matt Russell, an abutter, stated that all the stone walls on the north east side of the road are gone.
129 This one section of stone wall that is going to be removed is small.

130 Hans Nicolaisen stated that the same concerns about a stone wall being removed were raised when
131 his application was being reviewed by the planning board. He asked what authority does the
132 planning board have to ask a property owner to keep a stone wall intact.

133 The board agreed that this is a suggestion only and not a requirement.

134 Matt Russell, an abutter, stated the access road is also used by ATV machines which currently are
135 tearing up the road. This proposal is going to help to prevent this type of thing happening,
136 particularly in the wetland area.

137
138 Mr. Keach reviewed the following report with the Planning Board.

139
140 *Subject: **Proposed Subdivision of the Land of Mark D. Falkenham***
141 ***144 Wells Village Road (Map 13 – Lot 12); Sandown, New Hampshire***
142 ***KNA Project No. 11-0224-1***
143

144 *At your request we have completed a technical review of project plans and supporting information*
145 *submitted to your Board by or on behalf of the applicant in the subject matter. To date, we*
146 *acknowledge receipt of the following information, which was the subject of our review:*
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- 148 • *A copy of the proposed project plans (4-sheets) dated September 07, 2010 and last revised*
149 *on February 09, 2011;*
150 • *A copy of a drainage report dated February 22, 2011;*
151 • *A copy of an application for subdivision approval, with several attachments, as received by*
152 *the Town of Sandown on February 23, 2011;*
153 • *A copy of an application for NHDES Subdivision Approval dated February 22, 2011;*
154 • *A copy of NHDES Wetlands Permit 2010-03355; and*
155 • *A copy of a construction cost estimate for road shoulder improvements at Wells Village*
156 *Road dated February 22, 2011.*
157

158 *Based upon our careful review and consideration of the foregoing information, we offer the*
159 *following comments and recommendations at this time:*
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161 **General Comments**

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- 163 1. *Since this proposal involves creation of a single “new” parcel for building or development*
164 *purposes, this application may be considered a minor subdivision pursuant to the*
165 *provisions of Section 7.11 of the Subdivision Control Regulations.*
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167 2. *We recommend your Board make a determination for the record as to whether or not it is*
168 *believed this application represents a development of regional impact as defined under*
169 *RSA 36:54.*
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173 3. *It appears the following State project permits are required under this application: (a)*
174 *NHDES Subdivision Approval for platted Lot 12-3; and (b) a NHDES Wetlands Permit*
175 *for construction of a planned residential driveway on platted Lot 12. As always, we*
176 *recommend each required State project permit be received prior to or as a condition of*
177 *final subdivision approval; and each resulting State project permit number be specified on*
178 *the final plat.*
179
180 4. *In order to satisfy the requirements of Article II-Part C of the Zoning Ordinance, we*
181 *remind the applicant of the need to apply for and receive a local driveway permit prior to*
182 *construction of proposed driveway improvements planned at Lot 12.*
183
184 5. *We recommend the following note be added to the final plat: “Pursuant to the authority of*
185 *Article VIII of the Sandown Zoning Ordinance and Section 9.26 of the Sandown*
186 *Subdivision Control Regulations, public capital facilities impact fees were assessed at the*
187 *time of subdivision approval. Correspondingly, a public school impact fee of \$4,511.00*
188 *shall be collected by the Town of Sandown prior to issuance of a building permit for*
189 *construction of the planned single family detached dwelling unit on platted Lot 12”.*
190

191 **Zoning Matters**

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- 193 1. *As cited in the text of Note No. 3 on Sheet No. 1 of the project plans, on November 18, 2010*
194 *the Sandown Zoning Board of Adjustment granted variances from the terms and*
195 *conditions of Article II-Part B-Sections 3.B and 3.A respectively permitting proposed Lot*
196 *12-3 to be platted without benefit of 200-feet of frontage and without benefit of a contiguous*
197 *buildable area having dimensions of 75-feet by 100-feet.*
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2. *As detailed on Sheet 3 of the project plans, construction of driveway access to the planned residential building site on platted Lot 12 is to involve disturbance of an estimated 1,876 square feet of land area situated in the Wetland Conservation District. Correspondingly, pursuant to the provisions of Article I-Part B-Section 3 of the Zoning Ordinance, a Conditional Use Permit is required for this construction. Has the applicant submitted an application to your Board for the required Conditional Use Permit? If so, this office is not in receipt of a copy of the same. If not, we recommend the applicant advance such an application for your Board's consideration without delay. In the event your Board ultimately approves an application for a Conditional Use Permit, we recommend a notation acknowledging the same be added to the final plat.*
 3. *In order to satisfy the requirements of Article II-Part B-Section 3.C.3 of the Zoning Ordinance, we recommend the applicant's consultant prepare and submit soil based lot sizing calculations demonstrating Lot 12-3 satisfies the requirements of that Section.*
 4. *As shown on Sheet 3 of the project plans, the location of the planned residential driveway for access to Lot 12 will intersect Wells Village Road at a location where Wells Village Road has an existing vertical slope of approximately 7.5-percent. Both Article II-Part C-Section 3 of the Zoning Ordinance and Section 9.4 of the Subdivision Control Regulations require driveway access to occur at a location where the existing or proposed street from which access is provided to have a vertical slope of not more than 6-percent. As such, we recommend the location of the planned driveway intended to provide access to platted Lot 12 be repositioned in order to conform to these requirements.*

Planning/Design Matters

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1. *Note No. 5 on Sheet No. 1 of the project plans indicates there are a total of 3-sheets of project plans. We count 4. We recommend both the text of this note and the title blocks of each sheet of the project plans be revised accordingly.*
 2. *In order to satisfy the requirements of Section 11.8 of the Subdivision Control Regulations, we recommend Sheet 1 of the final project plans be expanded to illustrate all applicable minimum yard and setback dimensions, required under the Zoning Ordinance, affecting Lot 12-3.*
 3. *We recommend Sheet No. 1 of the project plans be expanded to specify Wells Village Road is a Class V public highway.*
 4. *We recommend Sheet No. 1 of the project plans be expanded to specify boundary monuments, conforming to the requirements of Section 9.11 of the Subdivision Control Regulations, are to be installed at the following locations: (a) at each end of boundary courses having lengths of 60.95-feet and 102.42-feet respectively on the frontage of Lot 12-3 at Wells Village Road; (b) at the westerly end of a boundary course having a length of 240.00-feet on the northerly line of Lot 12-3; and (c) at each end of a boundary course having a length of 105.84-feet near the southwesterly corner of Lot 12-3. As always, we recommend all monuments specified as "to be set" on the final plat, or otherwise required to be set in order to fully satisfy the requirements of Section 9.11, in fact be set and certified by a Licensed Land Surveyor prior to or as a condition of final subdivision approval.*

- 250 5. *We recommend the project plans be edited in order to refer to the currently “proposed*
251 *road shoulder maintenance easement” as a “proposed general highway easement to be*
252 *conveyed to the Town of Sandown”. We further recommend your Board receive an*
253 *executed general highway easement deed, in a form acceptable for recording at the*
254 *Rockingham County Registry of Deeds, and such easement deed be recorded of even date*
255 *with the final plat.*
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- 257
- 258 6. *What is the applicant’s proposal for satisfying the requirements of Section 9.23 of the*
259 *Subdivision Control Regulations pertaining to recreational accommodations?*
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- 261 7. *We recommend Sheet 3 of the project plans be expanded to provide a cross-sectional detail*
262 *of proposed road shoulder improvements planned along the frontage of Lot 12 at Wells*
263 *Village Road. In addition, we recommend this same sheet be expanded to identify the limits*
264 *of such construction as well as an effective means of erosion and sedimentation control.*
- 265
- 266 8. *In order to satisfy the requirements of Section 9.20 of the Subdivision Control Regulations,*
267 *we recommend any approval granted to this application be conditional upon the applicant*
268 *providing a performance guarantee, in an amount and form acceptable to your Board, to*
269 *serve as a financial surety for the successful and timely completion of road shoulder*
270 *improvements planned within the Wells Village Road right-of-way.*
- 271
- 272 9. *Sheet 3 of the project plans includes a detail of a “concrete headwall with a v-notch plate”.*
273 *Since it does not appear this type of construction is planned as part of the proposed work,*
274 *we recommend this detail be removed and replaced with a standard headwall detail.*
- 275

Regional Impact Determination

276 **MOTION:** Ed Mencis made a motion that the Sandown Planning Board determines that this
277 subdivision application has no regional impact. Marilyn Cormier seconded. Voted unanimously in
278 the affirmative.

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281 **MOTION:** Marilyn Cormier made a motion to continue this hearing to Tuesday, April 19th, 2011 at
282 7:30 p.m. in the Sandown Town Hall. Ed Mencis seconded. Voted unanimously in the affirmative.

283

284 **Public Hearing for review of a three lot Subdivision Application, as well as a 22 unit open space**
285 **development submitted by KDRM, LLC. The property is shown on Map 5, Lot 28 on the**
286 **Sandown Tax Map and located on 115 Hampstead Road. The property is owned by KDRM,**
287 **LLC.**

288 Kevin Camm, representing KDRM, LLC, presented the plan to the board. He stated that in 2005
289 the Kelly Green subdivision was conditionally approved. Due to the economy and changes in the
290 zoning ordinance, the new proposal is an open space concept subdivision of 22 units located in 5
291 buildings that will be situated around a cul de sac. All units will contain two bedrooms. The units
292 will be served by common wells and individual septic systems. Each unit will have three parking
293 spaces. The applicant will improve Wilkele Road. The previously approved subdivision will be
294 formally withdrawn.

295 **MOTION:** Marilyn Cormier made a motion to accept the plan for jurisdiction. Ed Mencis
296 seconded. Voted unanimously in the affirmative.

297

298 Mr. Keach reviewed the following report with the Planning Board.

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300 ***Subject: Kelley Green Subdivision & Open Space Development***

301 ***115 Hampstead Road (Map 5 – Lot 28); Sandown, New Hampshire***
302 ***KNA Project No. 10-1117-1***
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305 *At your request we have completed a technical review of project plans and supporting information*
306 *submitted to your Board by or on behalf of the applicant in the subject matter. To date, we*
307 *acknowledge receipt of the following information, which was the subject of our review:*
308

- 309 • *A copy of the proposed project plans (8-sheets), dated November 2010 and last revised on*
310 *February 22, 2011;*
- 311 • *Copies of applications for both subdivision and site plan review, with attachments, as*
312 *received by your Board's Administrative Assistant on February 24, 2011, including copies*
313 *of each of three waiver requests;*
- 314 • *A copy of schematic building elevation and floor plan drawings, undated; and*
- 315 • *A copy of a memorandum prepared by the applicant's consultant on February 22, 2011*
316 *for the purposes of describing additions and amendments made to the project plans since*
317 *the date of the previous technical review completed by this office on December 13, 2010.*
318

319 *Based upon our careful review and consideration of the foregoing information, we offer the*
320 *following comments and recommendations at this time:*
321

322 ***Outline of Proposal***
323

324 *The current application involves a proposal for residential development of a 20.10-acre tract*
325 *situated at 115 Hampstead Road in Sandown, New Hampshire. Presently, the majority of the*
326 *subject parcel is undeveloped land situated to the west of one single-family home which enjoys*
327 *both frontage and access at Hampstead Road. The southwesterly portion of the parcel also enjoys*
328 *limited frontage on Wilkele Road. Both Hampstead Road and Wilkele Road are Class V public*
329 *streets. On July 19, 2005 the current owner/applicant (KDRM, LLC) received conditional final*
330 *subdivision approval from your Board for a 13-lot "conventional" subdivision of the same tract.*
331 *Under that proposal, a new street was to be constructed for the purposes of connecting*
332

333 *Hampstead Road with Wilkele Road and to provide frontage for eleven platted lots. Our records*
334 *show that all conditions of the 2005 approval were ultimately satisfied except Conditions No. 3 &*
335 *4, which required a performance guarantee to be posted with the Town. Since these two precedent*
336 *conditions have yet to be satisfied, to date the final plat has neither been signed nor recorded.*
337

338 *At the March 11, 2008 Town Meeting, voters approved a warrant article adopting a zoning*
339 *amendment advanced by the Planning Board. Specifically, the warrant article in question deleted*
340 *Sandown's former Cluster Zoning Ordinance and replaced the same with what is now entitled the*
341 *Open Space Development Ordinance (Article II – Part D). On March 09, 2010 Town Meeting*
342 *again approved a warrant article advanced by the Planning Board for the purposes of expanding*
343 *the Open Space Development Ordinance to permit the construction of Multi-family Housing and*
344 *Buildings. The current Kelley Green proposal is being advanced under the current Open Space*
345 *Development Ordinance. Specifically, the current proposal involves: (a) the platting of two*
346 *"conventional" lots, identified on the project plans as Lots 28 and 28-1 respectively. These two*
347 *lots are to have areas of 1.33 and 2.77-acres respectively, and will enjoy frontage and access at*
348 *Hampstead Road; (b) the dedication of a 21,644 square foot (0.50-acre) public right-of-way*
349 *extension at the westerly end of Wilkele Road. In addition to providing "legal frontage" for*
350 *platted Lot 28-2 (15.50-acres), this right-of-way extension is intended to remedy the fact that*
351 *Wilkele Road was platted and constructed without benefit of a proper turn-around or cul-de-sac;*
352 *and (c) the platting of a 22-unit multi-family open space development on Lot 28-2. This proposed*

353 residential development is to contain three four unit and two five unit “townhouse style” buildings
354 and in addition provide for 475,328 square feet (10.91-acres) of open space.
355

356 As members of the Planning Board may recall, on December 14, 2010 representatives of KDRM,
357 LLC appeared before the Board for design review of the current proposal. At the applicant’s
358 request and with the Planning Board’s consent, design review was closed on January 18, 2011.
359 On February 24, 2011 applications for final subdivision and site plan approval were received by
360 the Planning Board’s Administrative Assistant and have been scheduled for formal review and
361 consideration by the Planning Board at a public hearing scheduled for March 15, 2011.
362

363 **General Comments**

- 364
- 365 1. The application submitted by the applicant included a copy of the Board’s recently adopted
366 Projects of Regional Impact Checklist. We recommend the Planning Board make a finding
367 for the record as to whether or not it is believed this application represents a development
368 of regional impact as defined under RSA 36:55.
369
 - 370 2. As acknowledged above, the same property that is the subject of these current applications
371 presently enjoys status as a conditionally approved 13-lot residential subdivision. Since,
372 under New Hampshire law, it is not possible for a single parcel to
373 simultaneously enjoy land use permits for two or more competing uses, we recommend
374 any approval granted to the current applications be conditional upon your Board’s receipt
375 of correspondence from the owner/applicant formerly withdrawing the previous land use
376 application, which was conditionally approved by your Board on July 19, 2005.
377
 - 378 3. As acknowledged on the Cover Sheet to the project plans, full build-out and construction of
379 the proposed development will necessitate issuance of NHDES Subdivision Approval, a
380 NHDES Alteration of Terrain Permit, as well as receipt of Construction Approval for each
381 of the five subsurface sewage disposal (septic) systems intended to serve multi-family
382 dwellings within the planned Open Space Development. As always, we recommend any
383 approval granted to the present applications for final subdivision and site plan approvals
384 should occur subsequent to or be conditional upon receipt of all required State project
385 permits.
386
 - 387 4. In order to satisfy the requirements of Section 9.20 of the Land Subdivision Control
388 Regulations, we recommend any approval of the current subdivision application be
389 conditional upon the applicant providing a performance guarantee, in an amount and
390 form acceptable to your Board, for successful completion of all public improvements
391 including construction of the proposed cul-de-sac at the westerly extension of Wilkele Road
392 and those improvements to Wilkele Road summarized in the text of Note No. 3 provided
393 on Sheet 3 of the project plans.
394

395 **Zoning Matters**

- 396
- 397 1. Article II-Part D-Section 5 of the Zoning Ordinance enables up to fifty-percent of those
398 multi-family dwelling units proposed under this application to contain 3-bedrooms, with
399 the balance containing 2-bedrooms. While Note No. 8 on the Cover Sheet to the project
400 plans specifies all 22-dwelling units planned within the proposed Open Space Development
401 units are to be 2-bedroom units, schematic floor plans submitted in support of this
402 application suggest all units are to have a total of 3-bedrooms. We recommend this
403 conflict in application materials be resolved.
404

- 405 2. *Article II-Part D-Section 7 of the Zoning Ordinance includes a requirement for the*
406 *creation of a homeowners association for on-going governance and maintenance of Open*
407 *Space Developments. However, that requirement presumes all dwelling units planned with*
408 *an Open Space Development will be conveyed to separate owners. At the present time, we*
409 *understand that the applicant is uncertain if the 22-dwelling units within the proposed*
410 *Open Space Development will be retained by a single owner and in turn leased to residents*
411 *or in the alternative, be offered for individual sale under a condominium form of*
412 *ownership. In the event the applicant ultimately chooses to pursue the latter, we would*
413 *recommend any approval of the site plan application be conditional upon receipt*
414 *of a draft copy of the proposed articles of association or incorporation for the creation of*
415 *a homeowners association satisfying the requirements of Article II-Part D-Section 7.*
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419 *Planning/Design Matters*

- 420
421 1. *Sheets 1 and 2 of the project plans include both a subdivision and topographic subdivision*
422 *plat of a proposed three lot subdivision. Based upon our review of the same, we offer the*
423 *following comments and recommendations:*
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 - 426 • *We recommend both Sheets 1 & 2 of the final plat be stamped and signed by a*
427 *Licensed Land Surveyor and a Certified Wetland Scientist; and Sheet 2 be stamped*
428 *by a Certified Soil Scientist.*
 - 429 • *In order to satisfy the requirements of Section 11.1.2 of the Land Subdivision*
430 *Control Regulations, we recommend Sheet 1 of the final plans be signed by the*
431 *owner/applicant.*
 - 432 • *We recommend the final sentence of Note No. 1 on Sheet 1 be edited to refer*
433 *“Sheets 6 through 8” instead of “Sheets 6 & 7” since an eight sheet has now been*
434 *added to the project plans.*
 - 435 • *Sheet 1 identifies the “limit of existing town easement” along the westerly line of*
436 *Hampstead Road. If this easement currently exists, we recommend the reference to*
437 *the recorded instrument (plan or easement deed) which establishes the same be*
438 *specified on the final plat. If this easement is actually proposed, we recommend the*
439 *final plat be revised to identify the same as a “proposed general highway easement*
440 *to be conveyed to the Town of Sandown”. Similarly, the same Sheet 1 depicts and*
441 *defines a “proposed town drainage easement” to the northeast of the planned*
442 *extension of Wilkele Road. We recommend: (a) the text of this label be revised to*
443 *read: “proposed drainage easement to be conveyed to the Town of Sandown”; and*
444 *(b) the boundaries of the platted easement be adjusted to capture the full extent of*
445 *those drainage improvements specified on Sheet 3. In the case of all proposed*
446 *public easements, we recommend your Board receive executed easement deeds in a*
447 *form acceptable for recording; and such easement deeds be recorded of even date*
448 *as the final subdivision plat at the RCRD.*

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452 2. *Section 9.19 of the Land Subdivision Control Regulations requires that all subdivision*
453 *applications include provisions for road shoulder improvements along existing Class V*
454 *public streets. The applicant has requested a waiver from this requirement at Hampstead*
455 *Road. In response to the same, this writer will perform an on-site inspection of the subject*

456 *parcel's frontage at Hampstead Road prior to providing a recommendation relative to this*
457 *waiver request.*

- 458
459
460 3. *Sheets 3 & 8 of the project plans include design plans for the construction of a cul-de-sac*
461 *at the westerly end of Wilkele Road. Based upon our review and consideration of the*
462 *same, we offer the following comments and recommendations:*

- 463
464 • *Sheet 3 specifies storm drain segment P1, to be laid beneath Wilkele Road, is to*
465 *have a diameter of 12-inches. Section 9.18.B.2 of the Subdivision Control*
466 *Regulations requires a minimum diameter of 15-inches for all storm drain laid*
467 *under a public street. Further Section 9.18.B.4 of the Regulations require either*
468 *headwalls or flared end sections be installed at each end of all segments of storm*
469 *drain. We recommend the final project plans be revised accordingly.*
470
471 • *We recommend the final project plans be expanded to identify the location of all*
472 *proposed underground utilities. As currently presented, Sheet 3 identifies the*
473 *location of underground utilities serving all proposed dwelling units within the*
474 *planned Open Space Development, but does not indicate the manner in which*
475 *these utilities will connect with "live" service lines at Wilkele Road. We*
476 *recommend the final plans be expanded accordingly.*
477
478 • *We recommend the limits of right-of-way be added to each of the individual*
479 *cross-sections provided on Sheet 8.*

- 480
481 4. *We recommend a full and complete stormwater management report, conforming to*
482 *applicable requirements of Section 9.18 of the Land Subdivision Control Regulations be*
483 *prepared and submitted at the time application for final approval is made.*

- 484
485 5. *In addition to the waiver request relative to Section 9.19 discussed above, the applicant has*
486 *submitted two additional written waiver requests, each related to planned improvements to*
487 *Wilkele Road. Specifically:*

- 488
489 • *Appendix A – Paved Street Width:*

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491 *Appendix A requires a pavement width of 24-feet. Currently, Wilkele Road enjoys a*
492 *nominal paved width of 20± feet. The applicant seeks a waiver to maintain a*
493 *similar width over the short segment of incremental road length required to*
494 *construct a proper cul-de-sac. Both the Public Works Director and this writer*
495 *support this request given the low volume of traffic to be served by Wilkele Road;*
496 *the lack of potential for further roadway extension; and the desire to have the width*
497 *of the short extension planned under this application match the prevailing width of*
498 *this existing street.*

- 499
500
501
502
503 • *Sections 9.3 & 9.3.1 – Maximum Cul-de-Sac Length and Volume:*

504
505 *The cited Sections limit the length and population served by a dead-end street to not*
506 *more than 1,000-feet and 25-homes respectively. As currently constructed*

507 *Wilkele Road, which provides frontage and access for approximately one-dozen*
508 *homes, extends westerly from Hampstead Road for a length of approximately*
509 *1,100-feet before abruptly ending without benefit of a suitable turn-around. Both*
510 *the Public Works Director and this writer embrace the applicant's proposal to*
511 *design and construct the proposed cul-de-sac from both a public safety and*
512 *convenience perspective. The Public Works Director has indicated construction of*
513 *the proposed cul-de-sac would benefit his Department's maintenance operations*
514 *significantly in that "full-sized" maintenance vehicles would then be able to*
515 *negotiate turning maneuvers at the westerly end of this dead-end street. Further, it*
516 *is presumed the same lack of a suitable turn-around that plagues the Highway*
517 *Department's operations also serves to frustrate the ability of emergency response*
518 *vehicles to safely operate on this street during circumstances requiring their action.*
519 *Given the Town's inability to remedy the current deficiency without benefit of the*
520 *supplemental right-of-way to be dedicated by this applicant, we support the*
521 *issuance of waivers required for the short extension of Wilkele Road currently*
522 *planned.*

523
524 6. *Sheet 5 of the current project plans includes a site plan of the planned Open Space*
525 *Development. Based upon our careful review and consideration of the same we offer the*
526 *following comments and recommendations at this time:*

- 527
528 • *We recommend the final site plan be expanded to: (a) identify suitable off-street*
529 *parking accommodations for residents and visitors; (b) specify solid waste*
530 *storage/disposal accommodations; and (c) provide for a detailed design of*
531 *appropriate landscaping and amenities.*
- 532
533 • *In order to avoid the potential for vehicular conflicts immediately adjacent to*
534 *driveways serving Buildings No. 2 & 3 (see Sheet 5), we recommend the planned*
535 *mail station be relocated to an area in the vicinity of Sta. 3+00± right at Wilkele*
536 *Road. In order to avoid premature degradation of the planned roadway shoulder*
537 *immediately adjacent to the mail station caused by vehicular travel over the same,*
538 *we recommend the full width of shoulder be paved at this location.*
- 539
540 • *We continue to recommend the design engineer revisit the grading design shown*
541 *at the rear of Building No. 5. As currently designed the extent of useable open*
542 *space immediately adjacent to this building appears scant. Given the extent of*
543 *land otherwise available in the vicinity of this building, it would appear*
544 *adjustment of site grading at this location could create are far more "livable"*
545 *environment for future residents.*
- 546
547 • *Sheet 5 suggests all five townhouse style buildings will be constructed on slabs.*
548 *How then can the design engineer propose differences of approximately 8.5-feet*
549 *between slab grade and finish grade at the rear of Buildings No. 4 & 5? These*
550 *two structures appear very conducive to walk-out basement construction.*
- 551
552 • *As presented on Sheet 5, it appears the design engineer intends for the area*
553 *immediately in front of each townhouse style building to be entirely paved. This*
554 *contradicts what is shown on the architectural building elevation drawings. We*
555 *recommend this conflict be resolved.*

556
557
558 ***Regional Impact Determination***

559
560 Mr. Camm stated that Fire Chief Tapley has reviewed the plan and had no problem with the length
561 of the road. The Fire Chief did recommend that all units be equipped with a sprinkler system.
562

563 The board agreed to request a letter from Chief Tapley with the above information.
564

565 **MOTION:** Ed Mencis made a motion that the Sandown Planning Board determines that this
566 subdivision application has no regional impact. Marilyn Cormier seconded. Voted unanimously in
567 the affirmative.

568 Vice Chairman Green stated that the road is narrow and accesses onto Hampstead Road. There
569 could be large snow banks which would make turning into the road difficult. She suggested that
570 there should be a turning lane on Hampstead Road onto Wilkele Road.

571 Mr. Keach stated there is no need for turning lanes on that type of road.

572 **Abutter Comments:**

573 Chairman Traeger read a letter from Mr. & Mrs. Buckley, abutters to this project. Please note a
574 copy of this letter is attached to the original set of minutes on file in the town clerk's office and
575 available for review during regular business hours.

576 The Buckley's concerns were if any damage would be done to the abutter's stone walls and if work
577 to improve Wilkele Road would impact any abutter's front yards. Mr. Camm responded that
578 abutting properties will not be affected and no abutter's stone walls will be removed.

579 Mr. Spencer, 2 Rowell Road stated that they already have an issue with drainage onto Hampstead
580 Road and asked what impact the new units would have.

581 Mr. Keach replied that the new units are located away from Hampstead Road and would not have
582 an impact on the drainage.

583 Julie Faseola, 3 Wilkele Road, stated there is a brook that runs through her back yard and asked if
584 this development would have an impact on that.

585 Mr. Keach replied that that is a stream that finds its own way and will not be affected by this
586 proposal.

587 There were no further abutter comments at this time.

588 **Waiver requests:**

589 Mr. Keach stated that he cannot recommend the granting of the waiver request to Article 9.19 for
590 road frontage improvement.

591 Mr. Keach also recommended that **because grass is preferable to pavement**, that each unit have two
592 parking spaces instead of three and he suggested creating an auxiliary parking area for guests.

593 **MOTION: Ed Mencis made a motion to deny the waiver request to Subdivision Regulation 9.19.**
594 Marilyn Cormier seconded. Voted unanimously in the affirmative.

595 **MOTION:** Ed Mencis made a motion to grant the waiver request to **Article 9.3** Dead end streets
596 requirement of less than 1,000 feet. The waiver is granted because Wilkele Road is over 1,000 feet
597 in length now and the minimum distance possible to improve Wilkele Road will be used with a cul

598 de sac as detailed in the submitted plan. Marilyn Cormier seconded. Voted unanimously in the
599 affirmative.

600 MOTION: Ed Mencis made a motion to grant the waiver request to Appendix A – Road Width
601 requirement of 24 feet. The waiver is granted because Wilkele Road is less than 20 feet now and
602 the proposal is to improve the road with a width of 20 feet around the cul de sac. Density as
603 proposed will not be increase so additional pavement width is unnecessary and pertains to new
604 construction only. Marilyn Cormier seconded. DISCUSSION: Vice Chairman Green stated she
605 is not comfortable with the existing road being 20 feet wide or less. Mr. Keach stated the existing
606 road is that width now and this waiver only pertains to new construction. VOTE ON THE
607 MOTION: Voted unanimously in the affirmative.

608 MOTION: Ed Mencis made a motion to continue this hearing to Tuesday, April 19, 2011 at 7:45
609 p.m. Marilyn Cormier seconded. Voted unanimously in the affirmative.

610 **Other business:**

611 Chairman Traeger stated he would like to discuss the CIP with the Board of Selectmen to determine
612 a way to make sure all departments are involved in the process.

613 **Adjournment**

614 MOTION: Ed Mencis made a motion to adjourn. Marilyn Cormier seconded. Voted
615 unanimously in the affirmative. MEETING ADJOURNED AT 9:52 P.M.

616

617 Respectfully submitted,

618

619 Bette D. Patterson, Administrative Assistant