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**Sandown Planning Board  
Minutes  
July 16, 2013**

**Date:** July 16, 2013

**Place:** Sandown Town Hall

**Members Present:** Mark Traeger – Chairman, Matthew Russell -Vice Chairman,  
Matthew Brown – Secretary, Ernie Brown, Steve Meisner, Ed Mencis

**Also Present:** Steve Keach – Town Engineer, Andrea Cairns - Recording Secretary

**Absent:** Hans Nicolaisen – Ex-Officio, Jim Carroll

**Opening:** Mr. Traeger opened the meeting at 7:10 p.m.

**Review of the 6/18/13 Minutes**

**MOTION:** Mr. Mencis made a motion to approve the 6/18/13 minutes as written. Mr. Ernie Brown seconded the motion. Mr. Traeger and Mr. Matthew Brown abstained. The motion passed.

**Correspondence**

Flyer regarding erosion control field days to be held in August.

Attorney Gorrow correspondence regarding the Holmes case.

CAI Technologies packet. They are the company that does our tax maps and sent a proposal to the town regarding GIS mapping and tax map integration. Members agreed they are interested in hearing more about the software capabilities and they should be invited to a meeting for a presentation. Members were agreeable to splitting the initial set-up cost if it was worth it.

**Chief Tapley – Addition of fire suppression language into the Sandown Subdivision Regulations.**

*Chief Bill Tapley and Engineers Fred Teague, Paul D’Amore, Dennis Giangregorio, Michael Devine were present.*

Mr. Russell explained why they requested that the chief and engineers come in for a discussion. He noted that RSA 674:36, paragraph 4 states that the Planning Board shall not require sprinkler systems in one or two family residences. The draft of proposed language has sprinkler systems as an option for fire suppression and the Board wanted to make sure that the chief wasn’t requiring them. Chief Tapley noted that it was only being suggested as an option. He would prefer that they chose a cistern or other proposed option before putting in a sprinkler system.

Mr. Russell questioned what would happen if a sprinkler system was the only option. Chief Tapley noted a cistern is always an option. Mr. Keach clarified that the board

46 receives a lot of two-lot subdivisions and it wouldn't be financially reasonable to ask a  
47 builder to put in a \$75,000 cistern for a \$75,000 lot. Chief Tapley clarified that was why  
48 he wanted the builder to meet with him before submitting plans so they could discuss  
49 options. He noted that they aren't going to require fire suppression for one or two lots,  
50 but will for major subdivisions.

51

52 Mr. Keach also noted that because of vesting statutes for subdivision regulations, if they  
53 were to put the changes into the subdivision regulations, they would only apply to new a  
54 development approved after the date of the amendment. He questioned if that was  
55 acceptable to the chief. He further explained that if the chief wanted the amendments to  
56 apply to subdivisions that are already approved, they could place the amendments into the  
57 zoning ordinances so it would be adopted into the building code. That would require a  
58 town vote, but could be retroactive so it would apply to older subdivisions.

59

60 Chief Tapley had some concerns that if it was to go on as a warrant article it wouldn't  
61 pass.

62

63 Mr. Keach noted that the Board is an advocate of what he is trying to achieve and the  
64 Board wants to make certain that the chief and engineers have a clear understanding of  
65 the means to get there.

66

67 Mr. Keach also suggested the Board should adopt something similar into the site plan  
68 regulations to protect commercial and public buildings as well as multi-family buildings.

69

70 The Chief noted he would prefer the amendments to go into the subdivision regulations  
71 so they could apply sooner than later.

72

73 Mr. Russell asked how many engineers there were and confirmed that they would need a  
74 unanimous written opinion sent back to the Board. The Chief noted there are seven and  
75 that would only apply if a developer was proposing an alternative source. The Chief  
76 noted that for single-family homes, a cistern would be his first choice, not sprinklers.  
77 Multi-family homes would be a different situation.

78

79 Mr. Keach noted he would like to see Chief Tapley come up with a companion for the  
80 site plan regulations. If we are going to have the dialogue and adopt something as  
81 advanced into the subdivision regulations, we would also want to get something into the  
82 site plan regulations. Chief Tapley noted it would likely be the same for both.

83

84 Mr. Keach noted he has a few minor changes to suggest so the amendments would merge  
85 into the current language of the regulations.

86

87 Mr. Russell asked if it should be adopted into the design review phase and Mr. Keach  
88 confirmed that is where the amendments should go. The developer should speak with the  
89 chief well before the Board is ready for approval.

90

91 The Chief and fire engineers stepped out to discuss whether they would like the  
92 amendments to go into the subdivision regulations or zoning regulations. They returned  
93 and noted they unanimously agreed they would like to move forward as soon as possible  
94 and put them into the subdivision regulations.

95  
96 Mr. Keach recommended the Board review a draft, approve it and make a motion to post  
97 the amendments. Once the amendments are posted, a public hearing would be held 30  
98 days from the posting date. Once the amendments are posted, they take effect.  
99

100 Mr. Keach will send his revisions to Ms. Cairns who will make the changes and  
101 distribute.

102

103 **8:15 – Hillside Estates Wetlands Violations and Conditional Use Permit**

104

105 Mr. Traeger invited the Chief to stay for the conversation and gave them an update on the  
106 current situation. He noted that Mr. Vilella did need to get a Dredge and Fill permit  
107 which he has applied for after-the-fact and the town's wetland scientist confirmed he  
108 needs to apply for a Condition Use Permit.

109

110 Mr. Russell noted that Mr. Vilella did the work, but didn't own the lot and when they did  
111 the work, there was no easement for the property. The town has since received an  
112 easement.

113

114 Mr. Russell noted that there is some erosion around the site where the work was done.  
115 Chief Tapley noted that it was winter when it was put in and Mr. Vilella stated that he  
116 would put in some gravel to stabilize the area so they could park a truck there. He also  
117 noted that there was no rush on his part to have the fire hydrant installed, and they could  
118 have waited until the proper permits were obtained.

119

120 Mr. Mencis questioned if the home was sold and asked if that creates additional problems  
121 if Tiffany Lee Homes no longer owns the property.

122

123 Mr. Mencis also questioned if the Chief could maintain the hydrant without a permit  
124 since the Chief stated they will routinely need to dredge near the area of the pipe to make  
125 sure there are no obstructions. The Chief noted he could maintain it without getting a  
126 permit.

127

128 Mr. Russell asked the Chief if he had a commitment from Mr. Vilella that he would fix  
129 the pad and seed the area. Chief Tapley noted he did and that Mr. Vilella is going to  
130 create a larger pad for the truck and hard pack around the landing zone and would seed  
131 the edges so it would not erode. Chief Tapley will call Mr. Vilella to follow-up with him.  
132 If he doesn't get a response, he will send him a letter.

133

134 Mr. Keach noted that Mr. Lavelle is putting together a CUP application.

135

136 Mr. Ernie Brown questioned what makes a vernal pool. Mr. Russell noted that it was  
137 identified as a vernal pool before the development was put in. When they put the road in,  
138 they disturbed the area around there and had to put a culvert in to drain or it would flood  
139 the road. Mr. Brown questioned if water is draining into it, how can it be a vernal pool?  
140 Mr. Traeger noted that DES will review the site to determine exactly what type of  
141 wetland it is.

142  
143 Mr. Russell questioned if the PREA account was current. Ms. Cairns confirmed it was  
144 not. Mr. Russell noted that Mr. Gerry Miller wouldn't review the site for the CUP until  
145 the PREA account is current because he had concerns that he wouldn't be paid in a timely  
146 manner. Mr. Keach noted that it is a standing condition of approval and carries with the  
147 development until it is complete. He noted they could invoke RSA 676:4a – revocation of  
148 a plan.

149  
150 The Board discussed and determined that Ms. Cairns should send a letter stating that if  
151 they do not receive payment by the date of the next meeting, they would begin the  
152 process of revoking approval.

153

#### 154 **Other Business**

155 Mr. Traeger has been talking to the building inspector about homes being built without  
156 any erosion control measures, which is part of the zoning ordinance. He noted that the  
157 ordinance states that the Health Inspector is supposed to be enforcing the erosion control,  
158 not the building inspector.

159

160 Mr. Mencis noted that he always checks the plans to make sure there are silt fences on the  
161 plans, but he doesn't always check the site. Mr. Traeger noted he has seen several homes  
162 being built without silt fencing.

163

164 Mr. Mencis noted that he spoke with Bob Bogosh, the building inspector, and Bob will  
165 check the sites since he is on-site throughout the process.

166

167 Mr. Keach noted that they need to make sure to coordinate that and reminded the Board  
168 that when the ordinance was adopted, the Health Inspector and Building Inspector was  
169 the same person.

170

171 Mr. Traeger noted he had a list of properties that they could start with and could send that  
172 list to both Mr. Mencis and Mr. Bogosh.

173

174 Mr. Keach noted that there were several homes being built on Montana and Meghan  
175 Drive, both of which are accepted town roads. He noted there needs to be silt fencing  
176 between new homes and existing homes to prevent silt drainage into existing landscape.  
177 They also need to protect the existing public infrastructure and prevent erosion into  
178 existing catch basins. If those catch basins get blocked up, the tax payers have to pay for  
179 them to be cleaned out by the town's DPW department. So even if there are no wetlands,  
180 there needs to be erosion control while those homes are being built to protect the public  
181 infrastructure.

182

183 Mr. Keach spoke with Joe Menard from Benchmark Engineering again. Mr. Menard is  
184 going to pass along Mr. Keach's advice about finishing the road to the bank. The bank is  
185 anxious to complete and sell that property.

186

187 **MOTION:** Mr. Ernie Brown made a motion to adjourn. Mr. Matthew Brown seconded  
188 the motion. The Board voted unanimously in favor. The motion passed. MEETING  
189 ADJOURNED at 8:439 p.m.

190

191 Respectfully submitted,



192

193 Andrea Cairns, Recording Secretary