

1 Sandown Planning Board
2 Minutes
3 March 18, 2014
4

5 **Date:** March 18, 2014

6 **Place:** Sandown Town Hall

7 **Members Present:** Matt Russell -Vice Chairman, Steven Meisner, Ernie Brown, Ed Mencis,
8 Doug Martin, Hans Nicolaisen – Ex-Officio

9 **Also Present:** Recording Secretary - Andrea Cairns

10 **Absent:** Mark Traeger – Chairman, Town Engineer - Steve Keach

11
12 **Opening:** Mr. Russell opened the meeting at 7:07 p.m.

13
14 **Review of the 3/4/14 Minutes**

15 **MOTION:** Mr. Brown made a motion to approve the 3/4/14 minutes as written. Mr. Meisner
16 seconded the motion. Members voted in favor. Mr. Martin and Mr. Mencis abstained. The
17 motion passed.

18
19 **Correspondence**

20 A letter from RPC regarding their annual dues. The 2014 dues are \$5,891.00. A slight
21 increase over last year's dues.

22
23 Mr. Russell gave Mr. Martin a brief explanation of the work that RPC does. He noted they
24 provide technical support to towns for projects like the master plan providing their expertise.
25 Mr. Russell feels they are a great resource. Mr. Mencis added that for the master plan the
26 town received considerable grant money through them to help offset the costs of writing that
27 plan.

28
29 Mr. Nicolaisen joined the meeting.

30
31 **MOTION:** Mr. Mencis made a motion to pay \$5,891.00 in dues to Rockingham Planning
32 Commission for the 2014 membership. Mr. Martin seconded the motion. All members voted
33 in favor. The motion passed.

34
35 Mr. Mencis thanked Julie LaBranche for her efforts and suggested the Board send a letter to
36 RPC acknowledging her effort.

37
38 Letter from DES to Artie Genuardo regarding a wetlands permit for the Wells Village Road
39 culvert. The permit was denied because they requested more information and that was not
40 received; two abutters did not respond to the request acknowledging that the work would
41 impact their property. The town is following up with the abutters and DES. The FEMA grant
42 that was secured to help pay for the project has been extended until December of 2014.

43
44 **Public hearing for review of a Conditional Use Permit application for an additional**
45 **wetland impact required for the proposed thermal uprate project within the H141/R193**
46 **corridor. The application was submitted by PSNH. The proposed impact is within the**
47 **existing right-of-way and is identified on Sandown Tax Map 17, Lots 3-46 and 3-47.**

48

49 Mr. Russell recused himself because he is an abutter. Mr. Brown chaired the meeting in his
50 place.

51

52 *Presenting the application was Tracy Tarr with GZA Environmental and Sandra Gagnon*
53 *with PSNH.*

54

55 Ms. Tarr explained that there is one small additional area that needed some splicing which
56 the engineer identified after they received the CUP approval on the last application. The new
57 impact area is approximately 220 sq. ft of impact. They will only install temporary matting.
58 The impact is an existing woods road, but it will be seeded and mulched when they leave the
59 property. They are not replacing polls.

60

61 Ms. Tarr noted they received a favorable recommendation from the Conservation
62 Commission on February 27, 2014. Steve Keach, the Town Engineer also gave a favorable
63 letter.

64

65 Mr. Brown questioned what time of year they would do the work. Ms. Tarr noted it would be
66 done in the fall when the least amount of impact would occur.

67

68 Mr. Mencis noted that it seems like a lot of work for a very small footprint.

69

70 Mr. Brown noted that Steve Keach recommended a surety for the project. Ms. Tarr noted that
71 he also recommended that for the last application and the Board didn't feel it was necessary.
72 Mr. Keach also recommended the town have their own consultant oversee the project. Ms.
73 Tarr noted they were an outside monitoring agency and they could submit reports to the town
74 for their consultant to review. Ms. Cairns noted they could have Mr. Miller review the reports
75 and PSNH would be responsible for paying for his review time. The Board agreed it would
76 be fine to have Ms. Tarr submit reports.

77

78 **MOTION:** Mr. Mencis made a motion to grant the Conditional Use Permit application
79 submitted by PSNH for an additional wetland impact required for the proposed thermal
80 uprate project within the H141/R193 corridor identified on Sandown Tax Map 17, Lots 3-46
81 and 3-47 with the following condition: Maintain positive PREA account balance. Mr.
82 Meisner seconded the motion.

83

84 **Discussion:** Mr. Nicolaisen noted Mr. Keach recommended third party monitoring. Ms.
85 Gaines noted that GZA Environmental is the third party monitor they are using and they are
86 required to follow all the local and state requirements. There are many parties involved in the
87 monitoring of the project so for the town to hire an additional consultant really isn't
88 necessary.

89

90 All members voted in favor. The motion passed.

91

92 Mr. Russell stepped back in.

93

94 **Appointment of Officers**

95 Mr. Russell suggested the Board hold off until the next meeting to do officer appointments
96 when there will be a full board. Members agreed to table the discussion to the next meeting.

97

98 Discussion Regarding PREA Accounts

99 Ms. Cairns explained what the PREA account was and how it was used. She noted they
100 currently collect \$1,000 with the application and pay all invoices out of that account. When
101 insufficient funds are in the account, she contacts the applicant for additional money.
102 Generally she tries to keep \$300-\$500 in the account.

103

104 Mr. Brown felt the current upfront fee was reasonable and explained when a developer would
105 typically spend money and at what phases of the project. He noted once the road inspections
106 are complete they usually don't spend money.

107

108 Mr. Russell noted that if there is no money in the account then the engineer reviews, such as
109 Steve Keach or Gerry Miller, don't get paid. He feels they need to come up with a set policy
110 of what they need to keep in the account.

111

112 Mr. Mencis thought \$300 would be fair.

113

114 Mr. Nicolaisen noted the money is refunded at the end of the project so he doesn't think it's
115 unreasonable to have them keep that balance.

116

117 Mr. Russell noted they need some way to make sure that balance is always there.

118

119 Mr. Martin suggested tapping into a credit card and questioned if the town had the ability to
120 do that. Mr. Nicolaisen noted the Town Clerk uses credit cards but there is a fee associated
121 with it. Mr. Brown wasn't sure about using a credit card.

122

123 Mr. Meisner felt they should have the maximum possible amount in the account—always
124 have a couple of inspections and additional cushion in the account.

125

126 Ms. Cairns explained that invoices can vary, but suggested \$500 as a minimum balance.

127

128 Members questioned if they could hold off on permitting if they don't have a current PREA
129 account.

130

131 Members agreed a \$500 minimum PREA account balance was appropriate. If the balance fell
132 below that amount they would send a letter and give the applicant 30 days to respond. If they
133 don't respond, they send a certified letter and if they don't respond to that 30 day request,
134 then the Board can take appropriate action.

135

136 Mr. Mencis questioned if the Board would grant an extension if there was a hardship. Mr.
137 Russell agreed that as long as the applicant contacted the Board, that could be taken under
138 consideration.

139

140 Mr. Nicolaisen suggested waiting until Mr. Keach was present for the discussion. Mr. Martin
141 noted he may also be able to give input on what other towns are doing. The Board agreed Mr.
142 Keach should give his opinion.

143

144 Ms. Cairns notified the Board of two accounts that had insufficient funds. The first was for
145 Phillips Pond Estates. Ms. Cairns noted the invoice was from Keach Nordstrom and was for

146 Mr. Keach's time preparing for trial. Ms. Cairns wasn't sure if it was JH Chase's
147 responsibility to pay that invoice or if it was the responsibility of the town.

148
149 Mr. Brown noted it was the planning board that initiated the action so he doesn't feel the
150 developer should take responsibility for that. Mr. Mencis agreed.

151
152 Mr. Russell noted since the easement was a requirement of the subdivision he wasn't sure if
153 the town should be responsible for paying the invoice. The subdivision was completed at that
154 point. Mr. Russell noted JH Chase stated they purchased lots not a subdivision.

155
156 Mr. Brown noted JH Chase agreed to put in the fire road, but couldn't get on the property. He
157 noted the town initiated the lawsuit. Mr. Russell agreed JH Chase couldn't get on the
158 property to put in the driveway, but there were other ways to satisfy that requirement.

159
160 Mr. Nicolaisen agreed the town should pay the invoice since it would cost the town more in
161 attorney fees.

162
163 Mr. Meisner questioned which developer (Holmes or JH Chase) requested that Phillips Road
164 be turned over to the town because that could determine who owned the development.

165
166 Mr. Brown noted that JH Chase purchased the road. Mr. Meisner noted that he bought a
167 subdivision then, not just lots.

168
169 Mr. Mencis noted the town is holding a \$5,000 surety; could the town take part of that bond
170 money to pay for this invoice? Mr. Russell suggested they consult with Mr. Keach on what
171 the cost of the road will be and when that project is going to be complete.

172
173 Ms. Cairns noted that the Janco subdivision also has insufficient funds in their account and
174 hasn't responded to letters sent by the Board. The Board suggested Ms. Cairns send a
175 certified letter to see if she would respond to that.

176
177 Mr. Mencis thanked Mr. Nicolaisen for his dedicated service to the Planning Board over the
178 past year.

179
180 **MOTION:** Mr. Mencis made a motion to adjourn. Mr. Nicolaisen seconded the motion. All
181 members voted unanimously in favor. The motion passed. MEETING ADJOURNED at 8:16
182 p.m.

183
184 Respectfully Submitted,



185 Andrea Cairns
186