

1 **Sandown Planning Board**  
2 **Minutes**  
3 **June 21, 2016**

4  
5 **Date:** June 21, 2016

6 **Place:** Sandown Town Hall

7 **Members Present:** Ernie Brown – *Chairman*, Doug Martin – *Vice Chairman*, Ed Mencis -  
8 *Secretary*, Steven Meisner, John White, Terry Treanor - *Ex Officio*, Erik Dykeman –  
9 *Alternate*, Matthew Russell, *Alternate*

10 **Members Absent:** Mark Traeger, Lisa Butler – *Alternate*

11 **Also Present:** Andrea Cairns – *Administrative Assistant*

12  
13 Mr. Brown opened the meeting at approximately 7:03 p.m.

14  
15 **Review of the 6/7/16 Minutes**

16 L17 Matt Russell stepped down.

17 L74 change “they” to “the”

18 **MOTION:** Mr. Mencis made a motion to accept the 6/7/16 minutes as written.

19 Mr. Treanor seconded the motion. Members voted in favor. Mr. Martin abstained. The  
20 motion passed.

21  
22 Mr. Meisner stepped down for the first case because he sat in on the Zoning Board hearing.  
23 Mr. Dykeman was appointed in his place.

24  
25 **Public hearing for design review of an application submitted by James & Christine**  
26 **Buckley for a subdivision. The application proposes to subdivide two single-family**  
27 **residential building lots from the subject parcel. The lots will be accessed from a**  
28 **proposed 50’ wide right-of-way. The property is located at 33 Showell Pond Road and**  
29 **identified on Map 3 as Lot 38.**

30  
31 Charlie Zilch, SEC Associates presented the application.

32  
33 The property is zoned residential and is a 23-acre parcel surrounded by landlocked parcels.  
34 There is 950’ of frontage on Showell Pond. In 2005 they constructed a single family dwelling  
35 with its own septic, well and driveway off Showell Pond Road.

36  
37 The Buckley’s are hoping to create two single-family lots. His only option was to seek a  
38 variance for the frontage and create a private road. The variance was granted 11/2015 based  
39 on these plans. They are hoping to create a 650’ private roadway from the end of Showell  
40 Pond Road. Off that road they will create two lots with frontage off the private road. They are  
41 proposing a 2.3 acre lot and 2.8 acre lot both with 200’ of frontage. They will all have their  
42 own driveway, septic and well. They both meet all setback requirements. Test pits were  
43 performed. There are no wetlands and only state subdivision approval is required which has  
44 been granted.

45 Mr. Zilch noted they tried to keep the driveways separate. To get to the buildable area, the  
46 driveway slope goes from 8% at the beginning and ends up being 10% towards the end. They  
47 dug four test pits on each lot to give them flexibility and they only hit ledge on one.

48

49 Mr. Russell confirmed that Showell Pond Road is a private ROW and this would essentially  
50 be an extension of that. Mr. Zilch confirmed that was correct.

51

52 Chief Tapley didn't submit his letter in time, but Ms. Cairns spoke to him and he stated that  
53 because of the grade of the driveways he would like them to be paved. The board reviewed  
54 the driveway profiles and felt the fire chief needed to approve them.

55

56 *Jim Buckley – homeowner*

57 Mr. Buckley questioned having to pave the driveways and asked if it was typical for that to  
58 be required. Mr. Brown noted that it was because of the grade. Mr. Buckley questioned what  
59 the benefit was to paving. Mr. Mencis noted it gave the trucks more traction.

60

61 Mr. Buckley had concerns with the cost and also with runoff around the pond and creating  
62 more impervious surfaces. He also noted that he has the equipment to maintain the gravel  
63 driveways, but pavement would be more costly. Mr. Zilch would discuss this with the fire  
64 chief.

65

66 Mr. Brown noted the town engineer felt there would potentially be less runoff with pavement.

67 Mr. Zilch noted pavement is impervious and hard packed gravel is close to impervious but  
68 can handle the runoff better. They will look at alternate surfaces. The board suggested they  
69 talk with Chief Tapley.

70

71 Mr. Zilch questioned if the board would accept the road as proposed. Showell Pond Road is  
72 10'-15' wide and they are proposing a 20' wide road with a gravel surface. The fire chief  
73 didn't have any concerns about getting service vehicles in and there will be a t-turn on the  
74 end for turning vehicles around.

75

76 Mr. Brown noted that Mr. Keach requested a road profile. Mr. Zilch would generate that but  
77 added it likely won't be all that different from the driveway that exists there now.

78

79 Mr. Martin questioned where the water would flow off the lots, since they are so high in  
80 elevation. Mr. Zilch noted they have cross culverts along the roadway and at the entrance to  
81 each of the driveways. There is one culvert there already. Mr. Buckley noted that he has only  
82 seen water flow through there twice and doesn't have any water issues currently.

83

84 Mr. Martin questioned if Mr. Buckley's driveway would change. Mr. Buckley confirmed it  
85 wouldn't change at all.

86

87 Mr. Zilch will address Mr. Keach's points. He offered to do a site walk with the board if they  
88 were interested. The board did not feel it was necessary as they had all been down there.

89

90 Mr. Brown felt that if the road was going to be gravel, the driveways should also be gravel.  
91 There are no other paved driveways out there. Mr. Zilch noted with the 10% grade, they tried  
92 to level it out to have a landing area at the end of the driveway.

93

94 Mr. Zilch noted they will request a waiver for recreation and for the roadway (the horizontal  
95 layout and the material).

96

97 Mr. Martin felt the homeowners association was a good idea for the future of the homes and  
98 resale so there would be a good clean title. Mr. Buckley agreed.  
99

100 Mr. Zilch questioned Mr. Keach's requirement for setting monumentation on the roadway.  
101 They don't have any problem setting pins along the roadway, but having to set granite  
102 markers is very expensive. Since it isn't a town road, he questioned if the board would accept  
103 a partial waiver for that. They don't have an issue with setting them on the inside to establish  
104 the property lines, but he doesn't feel they would be necessary on the outside. Mr. Brown  
105 preferred they defer that question to Mr. Keach to determine if they were necessary.  
106

107 Mr. Brown opened the hearing to the public.  
108

109 *Brook and Patrick Mackey and Jason Buckley (L3-31).*

110 They want to keep the family together. The road hasn't been in better shape that it is now.  
111

112 *Fred Riley*

113 He's been there 40 years. Since the Buckley's have been there, the road gets better and better  
114 every year.  
115

116 *Mr. Franklin, 106 River Pines, Brookline MA.*

117 He owns a piece of property in the back which is landlocked he was hoping to get some kind  
118 of access to his property. The board suggested he speak with Mr. Buckley or another abutter.  
119

120 **MOTION:** Mr. Mencis made a motion to close design review for the application submitted  
121 by James & Christine Buckley for a subdivision located at 33 Showell Pond Road and  
122 identified on Map 3 as Lot 38. Mr. Treanor seconded the motion. All in members voted  
123 favor. The motion passed.  
124

125 Mr. Zilch will get the application in so the hearing could be held July 19.  
126

127 **Public hearing for review of an application submitted by Kasher Corporation to create**  
128 **a 50 unit open space development for multi-family dwellings. The property is located on**  
129 **Wells Village Road and identified on Map 13 as Lot 1**  
130

131 Mr. Tim Lavelle reviewed the project and updated the board on the status. They met with  
132 Conservation, ERSALAC and Eban Lewis from DES regarding the wetlands and wetland  
133 crossing. They have not received their ERSALAC and NHDES approvals yet, but they should  
134 be coming soon. The alteration of terrain permit has been extended. The subdivision approval  
135 will also be extended. They are also waiting on NHDES approval for the water system.  
136

137 They had plans reviewed by Steve Keach. They addressed some of the items but there are  
138 some that remain to be addressed.  
139

140 Mr. Meisner stepped back in.  
141

142 **MOTION:** Mr. Mencis made a motion to accept for jurisdiction the application submitted by  
143 Kasher Corporation to create a 50 unit open space development for multi-family dwellings  
144 for the property located on Wells Village Road and identified on Map 13 as Lot 1. Mr.

145 Martin seconded the motion. The board voted in favor. Mr. Treanor opposed. The motion  
146 passed.  
147

148 Mr. Lavelle asked how the board wanted him to proceed, noting they agreed with most of the  
149 items in Mr. Keach's review letter dated 6/20/16 and will take care of them. There were some  
150 items that do require the board's discussion.  
151

152 Mr. Lavelle noted recreation was one of the items that required discussion. The open space  
153 calculations on the plans need to be clarified. They are approximately 23 acres, but that  
154 number will likely expand. They still intend to offer the off-site recreation across the street.  
155

156 Mr. Meisner requested that Mr. Lavelle run through Mr. Keach's letter and address each  
157 item.  
158

### 159 *General comments*

- 160 1. They will put the new dredge and fill number on the plans when they receive it. Mr.  
161 Keach is requesting separate septic plans for each system which they can do if the  
162 board feels it is necessary. Mr. Brown questioned if that was because they size and  
163 locations may change. Mr. Lavelle noted they would likely be moved. Mr. McCarthy  
164 would speak with Mr. Keach about that directly.
- 165 2. In terms of the bond, there is still a bond in place, they just need to determine if there  
166 is enough in place to satisfy the requirements.
- 167 3. They will formerly withdraw the previous applications upon approval of the new  
168 application.  
169

### 170 *Zoning Matters*

171 They will take care of all these issues.  
172

### 173 *Planning/Design Matters*

174 They will address all the items.  
175

176 In terms of the secondary access, Chief Tapley did send a letter of approval stating it wasn't  
177 needed. They will put forward a waiver to remove the secondary access in lieu of sprinklers.  
178 Mr. McCarthy noted the easement will always exist they just won't construct anything there.  
179

180 Mr. Russell questioned the easement—if the Bishops granted the easement when the  
181 development was age restricted, is there still an easement if the development is no longer age  
182 restricted? If the fire chief doesn't need it, then should it be brought back to the state it was  
183 prior? Mr. Bishop noted that if it's not needed and not going to be improved, then he would  
184 prefer his driveway to not be a road and for the rock wall to be put back in. Mr. Russell  
185 questioned if their desire was to bring things back to their original state, could that be  
186 negotiated. Mr. McCarthy noted the deed only stated it would be a 52 unit multi-family  
187 complex. Mr. McCarthy added that if the board granted the waiver to eliminate the secondary  
188 access, then they would gladly repair the driveway and replace the stone wall and he would  
189 work directly with Mr. Bishop on that.  
190

191 Mr. Brown noted the plan would be recorded without the secondary access. Mr. Bishop  
192 stated he would like it removed since it would have an impact on his deed. Mr. McCarthy  
193 noted he was reluctant at that point only because he wasn't sure if they would need it for the

194 utility company to bring power through. He feels they will likely come down the main road,  
195 but he doesn't know that for sure right now so he would like to retain a utility easement if  
196 necessary. Other than that he doesn't have a problem bringing it back to the way it was.

197

198 Mr. Brown asked the board if they wanted to entertain the fire chief's recommendation and  
199 get rid of that access if Mr. Bishop and Mr. McCarthy can work out arrangements. Mr.  
200 Russell wanted to see the agreement before they voted on it. Mr. Martin agreed.

201

202 Mr. Meisner questioned if the board should send a letter to the fire chief letting him know  
203 they are considering removing the easement on the deed level and putting a stone wall in  
204 place so it will no longer be passable. The board agreed they would like to do that.

205

206 Mr. Lavelle noted they would need a waiver for the secondary access and the cul-de-sac  
207 being over 1000'.

208

209 Mr. Lavelle noted they are also going to put in a ROW to access the cemetery adjacent to the  
210 entrance of the road so the town will have access for maintenance. They will pave it and put a  
211 driveway in.

212

213 Mr. Lavelle questioned if the board was happy with their recreation proposal. Mr. Russell  
214 noted at the previous meeting the discussed also putting in a small park similar to Waterford  
215 Village Estates. Mr. McCarthy noted his insurance company does not want any playground  
216 equipment, but an open field would be acceptable and they could find a spot for something  
217 like that if they board wanted to see that.

218

219 Mr. Keach asked for a roadway landscaping plan. Mr. Lavelle questioned what they wanted  
220 to see. The board felt they should discuss that with Mr. Keach. The regulations call for trees  
221 every 100' but that may be excessive if it is on both sides of the road.

222

223 Mr. Bishop had concerns about the number of vehicle trips per day and questioned if Wells  
224 Village Road could sustain that; would there be additional signage. A lot of people walk that  
225 road and they need to slow down traffic. Mr. Lavelle noted there was a traffic study that was  
226 done that included the build-out of Wells Village Estates, Vantage Point, Hillside Estates and  
227 the Porter Property. In that, they made recommendations for added stop signs and painted  
228 stop bars. He was unable to find a copy but Mr. Keach may.

229

230 The hearing will be continued to July 19, 2016

231

### 232 **Correspondence**

233 Email from Bruce Mayberry with a cost for coming to a workshop. It will be approximately  
234 \$600-720 for him to come to a meeting and suggested they email him any questions they may  
235 have.

236

237 *The board though the main questions were:*

238 Will the data hold up in court if the fee structure was contested?

239 How his fixed cost was constructed?

240

241 Mr. Mencis noted that Mr. Mayberry is highly respected in his field and didn't feel they  
242 needed to spend the extra money.

243

244 Mr. Russell noted he is always obligated to explain and present a proposal and doesn't feel it  
245 is unreasonable to ask him to do the same.

246

247 Mr. Meisner noted they were making a reasonable update with the information they had.  
248 They should find the funds in their budget and move forward with it.

249

250 The board agreed to continue the discussion to the August meeting.

251

252 **Non-Public Meeting**

253 **MOTION:** Mr. Mencis made a motion to go into a Non-Public Meeting according to RSA:  
254 91: A: 3 II d. Mr. Russell seconded the motion. All members voted in favor. The motion  
255 passed.

256

257 **MOTION:** Mr. Mencis made a motion to seal the minutes. Mr. White seconded the motion.  
258 All members voted in favor. The motion passed.

259

260 **MOTION:** Mr. Mencis made a motion to adjourn. Mr. Brown seconded the motion. All  
261 members voted unanimously in favor. The motion passed. MEETING ADJOURNED at 9:40  
262 p.m.

263

264 Respectfully Submitted,

265

266



Andrea Cairns