

Sandown Planning Board  
Minutes  
March 21, 2017

**Date:** March 21, 2017

**Place:** Sandown Town Hall

**Members Present:** Ernie Brown – *Chairman*, Ed Mencis – *Secretary*, Steven Meisner, John White, Erik Dykeman, Bill Greene

**Members Absent:** Terry Treanor - *Ex Officio*, Matthew Russell – *Alternate*

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

**Opening:** Mr. Brown opened the meeting at 7:00 p.m.

***Approval of the 3/7/17 Minutes***

**MOTION:** Mr. Mencis made a motion to accept the 3/7/17 minutes as written. Mr. Meisner seconded the motion. Members voted in favor. Mr. Brown abstained. The motion passed.

**Public hearing for review of an application submitted by Kasher Corporation for an amended site plan. The property is located on Wells Village Road and is identified on Map 13 as Lot 1. The application proposes to adjust which units will be two-bedroom and which units will be three-bedrooms. The total number of bedrooms will remain the same.**

Jim Lavelle presented the application.

Mr. Lavelle noted that Kasher Corporation would like to change which units have two bedrooms and which units have three bedrooms. The reasoning is the units with three bedrooms are taller and if they are located on the higher parts of land, they are not as attractive so he would like to move those units to lower areas. The number of total bedrooms is not changing. If approved, they would record a new page one showing the updated chart identifying the revised bedroom count for each building.

*Mr. and Mrs. Bishop, 92 Wells Village Road*

They reviewed the changes and are amenable to the adjustments.

*Steve Berkholm, 131 Wells Village Road*

Mr. Berkholm just wanted clarification on what was changing.

Mr. Meisner clarified that the total square footage was not changing. Mr. Lavelle confirmed, they would be staying within what was allotted originally.

The Board had no further concerns.

**MOTION:** Mr. Mencis made a motion to accept for jurisdiction the application submitted by Kasher Corporation for an amended site plan. The property is located on Wells Village Road and is identified on Map 13 as Lot 1. Mr. Brown seconded the motion. All members voted in favor. The motion passed.

47 Mr. White questioned if the application would be effected by the new zoning amendment that was  
48 just passed limiting the number of bedrooms in multi-family buildings. The Board noted the  
49 application would be vested because of the previous approval.

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51 **MOTION:** Mr. Mencis made a motion to approve the application submitted by Kasher Corporation  
52 for an amended site plan. The property is located on Wells Village Road and is identified on Map 13  
53 as Lot 1 with the following conditions:

54

- 55 • Receipt of correspondence from the Town Engineer approving the application
- 56 • Maintain a positive PREA account balance

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58 Mr. Dykeman seconded the motion. All members voted in favor. The motion carried.

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60 **Public hearing for design review of an application submitted by Gary Barnes for a major**  
61 **subdivision. The property is located on Wells Village Road and is identified on Map 9 as Lot**  
62 **14.**

63 *Gary Barnes, Corey Barnes and Jim Lavelle presented the application.*

64

65 Mr. Lavelle noted the property was previously approved for 142 elderly housing units. The new  
66 design proposes an open space development with 41 single family parcels with no age restriction.

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68 The test pit data is the same as the elderly housing units.

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70 There are three open space parcels – 22.28 acres, 23.75 acres and 12.12 acres. The 23.75 acre parcel  
71 has the wells that were put in for the previous project. They will serve as community water.

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73 The road layout and entrances are in the same place—one from Lantern Lane and one from Wells  
74 Village Road. The new proposal does not connect those roads. The project will be constructed in two  
75 phases. One on the lower level of the property and the second is on the higher level.

76

77 There is another access off of Debbie Lane, but that is proposed as an emergency ROW and will be  
78 gated.

79

80 The plans have road profiles and driveway profiles for each lot as well as drainage calculations.

81

82 Bill Gregsak from Gregsak Engineering joined the meeting. He is the primary engineer on the  
83 project.

84

85 Mr. Gregsak noted there will be individual septic systems and a community well.

86

87 Mr. Mencis questioned what the average lot size would be. Mr. Gregsak noted they varied. The  
88 smallest was approximately 33,000 sq. ft and they went up to 4.5 acres. Mr. Gregsak added that the  
89 terrain is difficult, but they could have put more lots in there.

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91 Mr. Gregsak noted there are five detention ponds for runoff. They need to meet alteration of terrain  
92 requirements as well as town regulations.

93

94 Mr. Meisner questioned if they gave thought to the recreation requirement. Mr. Barnes noted he  
95 would do whatever the Board requested, but would prefer to make a \$1,000 donation per lot instead

96 of putting in expensive on-site recreation that only benefits the neighborhood, not the entire town. He  
97 did on-site recreation in Waterford Village Estates and does not see it get used. He would prefer to  
98 have the town manage the funds and use them for something more people in town can use.  
99

100 Mr. Brown questioned if Chief Tapley had reviewed the plans. Mr. Gregsak noted he had not had the  
101 chance to meet with the fire department, but would plan to. Mr. Brown suggested they think about  
102 cisterns or hydrants off the wells. He noted they also had the option to sprinkler the homes. The  
103 regulations allow for some leeway as long as the builder can come up with something the fire  
104 department can work with. Chief Tapley will need to review and approve the plans. He suggested  
105 they do that before they come back.  
106

107 *Skip Ryan, 38 Wells Village Road*

108 He wanted clarification on the fire road and will work with Mr. Barnes on the construction.  
109

110 *Sandy Bishop, 93 Wells Village Road*

111 Ms. Bishop had concerns about Wells Village Road itself with all the development going on that  
112 road. A lot of people walk it, and there will be a lot of additional cars going up and down it. Would  
113 the road need to be widened to accommodate the additional traffic?  
114

115 Mr. Gregsak noted they did do a traffic study that took into account the three major developments  
116 that may affect the road. They can take a look at it again.  
117

118 Mr. Mencis suggested talking with Artie Genualdo to see if that could be addressed the next time  
119 they repave that road; possibly widen it where necessary.  
120

121 *Attorney Fredette, representing Fred Murdock*

122 Mr. Fredette noted there is a question on one of the boundaries on the property. There has been some  
123 discussion but no resolution yet as to where the boundary could be. The difference is about 13 acres.  
124 It is being worked on. He was there only to make the board aware of the concerns.  
125

126 Mr. Lavelle noted that Mr. Barnes is working with Mr. Murdock. They may need to adjust some lot  
127 lines or concede some land. Mr. Barnes added that he has been negotiating with Mr. Murdock for  
128 some time, but intends on having it resolved before the next meeting.  
129

130 Mr. Lavelle noted, if they conceded some land, they would still exceed open space requirements.  
131

132 *Kevin Padian, 13 Ammy Lane*

133 Mr. Padian had concerns about the entrance onto Lantern Lane. It would add additional traffic  
134 through that neighborhood. Mr. Brown noted the Town Engineer would take a look at that and  
135 determine if a traffic study needed to be done.  
136

137 Mr. Barnes added that the property is approved for 142 elderly housing units. They are reducing that  
138 by two-thirds. It doesn't come close to the original impact that was approved.  
139

140 Mr. Padian thought the original entrance was going to be off School House Road.  
141

142 Mr. Barnes noted if he developed the upper part, they would be much smaller homes (1,400-1,600 sq  
143 ft) and would likely attract an older population looking to downsize.  
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145 Mr. Brown suggested they meet with both Steve Keach and Chief Tapley.

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**Continued public hearing for review of an application submitted by Richard E. Lord and Rocco Piccirilli, Jr. for a lot line adjustment. The subject parcels are located on Balsam Lane and identified on Map 6 as lots 18 and 18A. The purpose of the plan is to show a lot line change between lots 6-18A and 6-18 and also lots 6-18A and 6-20-1.**

Mr. Meisner stepped down because he heard the case on the Zoning Board.

Jim Lavelle presented the application.

Mr. Lavelle reviewed the application. The lots are existing lots, on a private way. The two smaller lots will gain square footage to make them more conforming.

They received a variance from the Zoning Board on February 23, 2017.

Mr. Brown questioned if they looked at the deeds based on the comments from the abutter at the previous meeting. The board discussed, noting the abutter was concerned about a ROW to the beach. Mr. Lavelle noted the lot line adjustment would not affect any ROW.

**MOTION:** Mr. Mencis made a motion to approve the application submitted by Richard E. Lord and Rocco Piccirilli, Jr. for a lot line adjustment. The subject parcels are located on Balsam Lane and identified on Map 6 as lots 18 and 18A with the following conditions:

- Receipt of correspondence from the Town Engineer approving the application
- Maintain a positive PREA account balance

Mr. White seconded the motion. All members voted in favor. The motion carried.

Mr. Meisner stepped back in.

#### **Other Business**

Mr. Mencis noted that the governor sent a letter to Washington to request a relaxation on the MS4 regulations.

#### **Correspondence**

- Correspondence regarding the status of the school board releasing the requested information to complete the impact fee study
- Correspondence regarding potential violations on Lot 18-1

#### **Hans Nicolaisen – discussion regarding recreation requirements for previously approved subdivision on Fremont Road**

Ms. Cairns noted that as a condition of the approval for the minor subdivision located on M20 L10 & 11 was to construct trails within the Fremont Road Town Forest. Mr. Nicolaisen is ready to build on those lots and would like to know specifically what he is required to build for trails.

There was some confusion as to whether the plans had been recorded and they confirmed they were recorded back in 2011.

195 The Board felt Mr. Nicolaisen should meet with the Conservation Commission and determine what  
196 they would like. Then have the Conservation Commission send a letter back to the Planning Board  
197 confirming the work has been completed.

198

199 **Appointment of Officers**

200 **MOTION:** Mr. Mencis made a motion to appoint Mr. Brown as Chairman. Mr. Meisner seconded  
201 the motion. All members voted in favor. Mr. Brown abstained. The motion carried.

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203 **MOTION:** Mr. Mencis made a motion to appoint Erik Dykeman as Vice Chairman. Mr. Meisner  
204 seconded the motion. All members voted in favor. The motion carried.

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206 **MOTION:** Mr. Meisner made a motion to appoint Ed Mencis as Secretary. Mr. White seconded the  
207 motion. All members voted in favor. The motion carried.

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209 **Other Business**

210 Mr. White noted there has been a lot of discussion on Facebook on how to control taxes. There was  
211 some discussion about whether or not they could implement a building permit freeze to try and  
212 control the growth.

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214 The Board noted legally, they cannot do that. They did try in the past to do that and lawsuits were  
215 brought against the town. The Board cannot legally prevent someone from developing their property  
216 as long as they are within regulations. They cannot by law prevent certain types of house because of  
217 laws to prevent “snob zoning.”

218

219 The Board discussed the possibility of increasing zoning to allow businesses. Sandown is not  
220 appealing to businesses because of the location, but also the lack of town sewer and water. There are  
221 commercial lots within Sandown that have remained vacant for a very long time.

222

223 **MOTION:** Mr. Mencis made a motion to adjourn. Mr. Greene seconded the motion. All members  
224 voted unanimously in favor. The motion passed. MEETING ADJOURNED at 9:13 p.m.

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226 Respectfully Submitted,

227 

228 Andrea Cairns