

PLANNING BOARD

August 15, 1990

Members in attendance: Richard Smith, Sr., Chairman; William DiProfio, Robert Marston, Catherine George, Mel Keddy (Late)

Others in attendance: Sarah Campbell, Rockingham Planning Commission, Joe Conti, Building Inspector and Larry Smith, Conservation Commission

The meeting was called to order at 7:35pm by Mr. Smith.

WORK SESSION Mr. Smith requested a motion to accept the minutes of July 18 1900. Mr. Larry Smith noted there were several corrections to be made. Pg. 1: para. 4, remove last sentence, "Rte 107 as an emergency road only"; Pg. 2: para. 8, change to "motion carried 3-0"; Pg. 4, para. 15, change "Commission" to "District"; Pg. 7, para. 7, change "January" to "July".

Mr. DiProfio motioned to accept the minutes as amended.

Mrs. George second.

The motion passed 4-0.

- DRIVEWAY PERMIT

Ms. Campbell informed the Board that she has drafted a driveway permit and will be sending a copy to Mr. Conti for review.

- FMR CLUSTER/CIVIL CONSULTANTS REPORT

A letter was reviewed from Civil Consultants stating they have reviewed the work performed to date at FMR Cluster and found it to be satisfactory. Site inspection dates were completed on: April 6, June 29, and August 3, 1990.

- MILLS/CIVIL CONSULTANTS REPORT

A letter was reviewed from Civil Consultants regarding the waiver of road grade at the Mills Cluster proposal.

- COLANTIN

Mr. Conti informed the Board that he has been contacted by Francis Colantin regarding building a new clubhouse, removal of the existing outbuildings, use of existing clubhouse for storage. Mr. Colantin was seeking direction from Mr. Conti about the necessity of going to the Planning Board. Mr. Conti stated he feels the proposal meets the Ordinance and Mr. Colantin will put in a full foundation and do away with some of the old buildings.

Mr. Smith asked the size of the proposed building.

Mr. Conti stated about 30 x 48 ft., will replace the existing structure.

Mr. Smith asked how many people it will accommodate.

Mr. Conti stated that he thought no more than 45 people as this is the limit before sprinkler systems would be required.

Ms. Campbell asked if this would be a change in use or an expansion.

Mr. Conti stated the change would be to add the full foundation.

Mr. DiProfio asked if this would include restaurant facilities.

Mr. Conti stated that he would be serving as he presently does.

Ms. Campbell asked the floor area.

Mr. Conti stated there would be 300 sq. ft. more.

Mr. Smith stated Mr. Colantin would require a Site Plan Review.

Mr. Conti showed the Board a rough sketch that was given to him. He said Mr. Colantin wanted to know if this would be adequate for the review.

Mr. DiProfio stated that this is a Commercial effort and since the Board had required Denny's to do a Site Plan Review he interprets the same must apply here.

Mr. Conti stated he will inform Mr. Colantin of the Board's feelings and let him get started on his project.

- DR. BOZAK, LOGGING ROAD

The Board reviewed the map showing a logging road off George Road to access Dr. Bozak's land for the purpose of removing wood.

Mr. Conti stated that such a temporary road is allowed for this

purpose to log wood out.

Mr. DiProfio asked if culverts were permissible for this purpose.

Mr. Larry Smith stated that temporary culverts are permissible for temporary crossing of wetlands providing they are pulled out at the end of the project.

Member Mel Keddy arrived at this point, 7:50pm.

- SOILS CONSULTANT'S LIST

Mr. Smith stated he has copies of the new approved Soils Consultant's List.

- TAX MAPS

New Tax Maps copies were distributed to the members.

ROBERT MILLS-PUBLIC HEARING CONTINUATION

The Public Hearing for Mr. Mills was called to order at 8:00pm.

Mr. Pica addressed the Board stating he had two items for discussion. He stated that regarding the waiver request to 7% grade, he had submitted the topo and profile, showing the retaining walls and thought he had submitted adequate information. He noted that Civil Engineers is looking for more information such as would be found in the final set of drawings. He said he had hoped the conceptual designs would be enough to base an opinion. He noted that the statement indicated no big problems with the proposal from an engineering point of view. Mr. Pica stated he wished to get a feeling if the plan would be acceptable before moving on to the final drawings.

Mr. DiProfio stated if the consulting engineer does not approve, the Planning Board would not either.

Mr. Pica stated that he will submit the final plans to the engineers.

Mr. DiProfio stated he was interested in discussing the recommendations from Rockingham Planning Commission.

Mr. Pica agreed it would be nice to have several clusters as recommended, however, the land configuration doesn't allow this to happen. He noted there is only so much usable space and they are trying to use it properly. He cited the wetlands to consider, setbacks and the 100 ft. buffer for leach fields. He noted in order to get the number of units allowable, 21, they have designed small houses. He noted the reduction of driveways by incorporating common drives may be possible. He noted they

first wanted to treat this cluster as single family homes as closely as possible to allow independent plowing, etc. He said the cluster development description allows the removal of lot lines, creating residential streets with houses on both sides and by conserving open space the ordinance allows for clustering.

Mr. DiProfio noted the Ordinance was written to protect the character of the Town, not to provide opportunity to line streets with row upon row of closely packed dwellings. He suggested that Mr. Mills and Mr. Pica read the intent of the Cluster Ordinance. He noted he does not see how this is accomplished with this configuration.

Mr. Pica stated there is no sensitive lands involved in the siting of the homes, and the setting will remain rural. He noted several areas that are not being touched by development. He noted the hill is being preserved to protect the well. He said aesthetically it was a matter of keeping open space. He agreed that clustering in three or four locations would be ideal, but the configuration of the land doesn't allow that. He stated that most of the land is not being developed.

Mr. Pica said on the five acre lot, the soils tests still needs to be done. It will have two single family houses and the roadway, thus there will be 21 units on the 50 acre site. He said there will be plenty of open space and green areas. He noted there will be lots of vegetation and they will produce a good-looking development which basically meets the intent of the Ordinance. They will try to eliminate four driveways by making them common drives.

Mr. Conti stated there must be a driveway for each house.

Mr. Pica said there is one for each house now, as it is. Mr. Mills liked the private drives to each house.

Mr. Conti questioned the perk tests regarding distance from the line.

Mr. Pica said all test pits are within the field delineated.

Mr. Conti stated that they (leach fields) must be 25 ft. from the mandatory 100 ft. buffer.

Mr. Pica stated they have to be 25 ft. from the lot line, not the line of delineation.

Ms. Campbell stated there could be no disturbance within the buffer.

Mr. Pica asked if there could be minimal grading.

Ms. Campbell answered nothing is to be disturbed within the buffer.

Mr. Pica said with the layout that they have, they are limited as to placement.

Ms. Campbell stated there is a provision stated in the Ordinance.

Mr. Pica noted that in some instances, an Ordinance can restrict good planning and said he feels it does in this instance. He noted they would be staying away from the wetlands if the plan for house configuration is left the way it is shown.

Ms. Campbell stated her exception to the previous statement about good planning noting that the Board is aware that this is a difficult piece to develop.

Mr. Keddy asked if any abutters had questions.

Mr. Dennis Quintal asked how much area the development will disturb.

Mr. Larry Smith stated 500,000 sq. ft. of contiguous area will be disturbed.

Mr. Quintal stated this would be a significant impact on the site.

Mr. Pica stated this happens with most Cluster development.

Mr. Quintal said this was a lot on this site.

Mr. Pica stated it is difficult to find a large piece which can support a cluster of this size which would be flat. He said this is indicative of the land of New Hampshire.

Ms. Campbell noted that she has been doing some layout prospectives with this plan and with some effort she feels the developer can make an effort to change the spacing to eliminate the uniformity. She suggested long and short driveways and to rotate the fronts of the houses to stagger the row-house appearance.

Mr. Pica and Mr. Mills were agreeable to do this.

Mr. Pica stated they still have to come up with a landscaping plan which will help to alleviate the row-house effect.

Mr. Pica was disturbed with the concerns on every site.

Mr. DiProfio expressed his views regarding the effort to put the same number of units, or more on site as allowed by the Ordinance. He noted he wished to preserve the character of the rural town, and did not view the World War II concept as enhancing the Town.

Mr. Mills asked for a suggestion to help the design deviate from this concept.

There was discussion about the concepts of clustering.

Mr. Pica stated clustering, by nature, brings houses closer together and they become more uniform than both sides would like.

Mr. Mills stated that he is willing to make the changes requested to hide the houses.

Mr. Pica stated they are willing to do something to enhance the site, and the development hinges on a decent landscaping plan.

Mr. Smith asked how long the driveways are.

Mr. Pica said they are shown at 53 ft. He noted the grades are different in each area.

Mr. Pica stated they are still in the preliminary stages.

There was discussion about changing the configuration design.

Mr. DiProfio stated he is looking to add value to the Town.

Mr. Pica stated the development will look good and will add value to the Town.

Mr. DiProfio suggested Mr. Pica call Civil Consultants regarding the grade waiver for further clarification of their statements.

Mr. Larry Smith stated the Conservation Commission has reviewed the plan and has a preliminary recommendation. The road construction will result in 12 acres of disturbed area. They feel it is unnecessary for any fill in the wetlands at the end nearest Andrews Lane, as presented. They further recommend that roadway construction be limited to within the ROW, which will also mean a reduction in filing fees for dredge and fill permits.

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row
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Mr. Pica will take a close look at Station 450 and noted they are meeting a 4-1 slope with this grading. He noted that going a little bit out of the ROW would be required, however, he did

agree with Mr. Smith that it will cut down considerably on the filling.

Mr. Larry Smith stated the alteration of the terrain means more disturbance. Drainage, erosion control and sedimentation will be required by the Conservation Commission.

Mr. Pica noted for Site Specific and Wetlands, they will be getting all the drainage information. He said they are still working on this phase.

Mr. Larry Smith informed the Board that the formula used for calculating the number of units needs to be reviewed. He recommends rethinking the formula.

Mr. Larry Smith requested Mr. Pica to flag the centerline prior to final inspection of the road.

Mr. DiProfio determined there were no questions from the abutters present.

The Board received a new plan for their files.

The Public Hearing for Mr. Mills was adjourned at 9:14pm.

Mr. Mills will be scheduled for September 19, 1990 at 8:00pm.

ED SMITH - PUBLIC HEARING CONTINUATION

The Public Hearing for Edward & Nancy Smith reconvened at 9:15pm.

Ms. Campbell stated the discussion of the impact of the subdivision on the Giles Road bridge remained an outstanding item.

Dr. Marston asked about drainage concerns voiced at the last meeting.

Mr. DiProfio stated that Road Agent Rossi has reviewed the culvert and he has stated to the Selectmen that he forgot to clean the culvert this past year, and he will have to clean the culverts in the spring. He felt this was the problem.

Mr. Ed Smith stated that he had given the Town a strip of land to improve the drainage and to put in the new culvert.

Mr. DiProfio asked about the Impact Fees. He noted that Mr. Smith had previously mentioned the ROW to backland as a proposal to be worked out in lieu of Impact Fees.

Ms. Campbell asked how wide the ROW is.

Mr. Larry Smith said it was 25 ft. wide and 1200 ft. long, as measured from the stone wall. It is 7/10ths of an acre.

It was calculated to have a value of \$6300.00 or \$63.00 per lot in Impact Fee value. The Board discussed more Impact Fee implications.

Mr. Ed Smith stated that Mr. Rossi pushes the snow over the culvert and then it freezes up.

Mr. DiProfio noted that Mr. Rossi doesn't think this is a problem.

There was discussion about the size of the culvert and Mr. DiProfio will request Selectman Andolina to ask Mr. Rossi for further clarification on this matter.

Ms. Campbell asked if Mr. Smith has received State Subdivision Approval.

Mr. Ed Smith said yes, he has approvals.

Ms. Campbell noted that the bounds are not shown on the plan.

Mr. Ed Smith asked if these need to be shown before obtaining the Building Permits.

Mr. Richard Smith noted they must be shown on the plan prior to the plan being approved.

Dr. Marston said they used to have them in place before the Board would approve the plan. He asked if the Board has changed this policy.

Mr. DiProfio, Mr. Keddy and Dr. Marston all stated the Board used to inspect the property to insure that the bounds had all been actually set.

Mr. DiProfio stated that the four corners will have to be set and shown as such on the plan.

Mr. Conti views the bound settings at the time of issuance of the Building Permit.

Mr. Ed Smith suggested the Checklist be reworded "all boundaries shall be shown" to ensure applicants awareness of this requirement.

Dr. Marston agreed with this suggestion.

Mr. Richard Smith noted the driveways have been re-placed not to interfere with the curve in Giles Road.

Mr. DiProfio stated the Town requires Driveway Permits.

Mr. Ed Smith asked if they are obtained before the Building Permits are issued.

Mr. DiProfio answered yes.

Mr. DiProfio asked if Mr. Smith would be ready to settle the Impact Fee status by the next meeting.

Mr. Ed Smith stated that he felt that he has made a proposal in the form of the ROW.

Mr. DiProfio noted that the fees normally assessed is \$1500 per lot.

Mr. Ed Smith stated that he has made his offer of the ROW.

Mr. Ed Smith stated that he made a request to get a copy of the Bell and Flynn Impact Fee assessment.

Ms. Campbell gave him a copy this evening.

Mr. Ed Smith stated he is trying to work out a fair price considering the Town and Conservation Commission.

Mr. DiProfio asked if the total Impact Fee is the ROW.

Mr. Ed Smith stated yes, in perspective and in relation to the entire picture, he feels this would be equitable.

Mr. Ed Smith stated if the whole package does not materialize, he will pay the Impact Fees as assessed by the Town.

Mr. DiProfio stated as a Planning Board member, he will vote to collect the fees and Mr. Smith can then work out any other deals with the Board of Selectmen. He feels the Board must handle Mr. Smith's subdivision the same as all others as far as the Planning Board is concerned.

Mr. Smith stated the ROW proposal is valid as long as the LCIP remains a viable proposal.

Mr. Richard Smith stated that if the LCIP is not acceptable, the Board will require the Impact Fee.

Dr. Marston stated he needs more information about this offer.
Dr. Marston is an abutter.

Mr. Keddy stated he feels he wants more information.

Mrs. George stated she does not feel the 25 ft. ROW is equitable and thinks Mr. Smith should be assessed the same Impact Fees as other developers in this area. She also wished to have more time to think about this.

Ms. Campbell noted Mr. Smith wants to donate land for access to other property.

Mr. Richard Smith stated there were no further questions and reminded Mr. Ed Smith that corner posts are needed.

Mr. Keddy asked if there were concerns or requests from the Fire Chief.

It was explained that the Fire Chief has reviewed the plans and has written his requests.

Dennis Quintal asked if Mr. Rossi has looked at the size of the culvert pipe.

Mr. DiProfio stated again that Mr. Rossi said there was no problem.

Mr. Larry Smith stated the Conservation Commission has no concerns; there are no wetlands involved.

There were further expressions of concern with the size of the culvert pipe.

Mr. Larry Smith stated his opinion that an 18 in. pipe was required in this area.

Mr. Ed Smith asked if he would be asked to sign a statement regarding the Impact Fee.

Mr. DiProfio asked that he make his proposal in writing and submit it to the Board. The Board will then answer Mr. Smith in writing.

It was noted that the fire cisterns are shown on the plan.

The Public Hearing continuation for Mr. Smith adjourned at 9:55pm.

Mr. Smith's Public Hearing will be continued until September 19, 1990 at 8:30pm.

FURTHER DISCUSSION-ED SMITH

Mr. Richard Smith led further discussion about the Impact Fees for Mr. Ed Smith.

Mr. DiProfio expressed his feeling that he should be assessed the same as Bell & Flynn. Mr. Richard Smith feels the same way.

Mr. Richard Smith stated he should give the ROW, plus an Impact Fee.

Dr. Marston feels they should not take any more land off the tax rolls, especially as this is already unbuildable land. He questioned the logic for the Town to own this wetland.

OTHER BUSINESS Ms. Campbell presented preliminary information on the Growth Control Ordinance. Copies were presented to all members.

There was much discussion about population figures, Building Permits, issued versus used.

Ms. Campbell will revise the information and bring it back to the Board for discussion.

The meeting was adjourned at 10:15pm.

Ms. George stated that she does not like the width of the Mill's ROW going into Andrews Lane (60 ft.). She did not offer a solution.

Respectfully submitted,

Nancy J. Marden, Secretary

Typed: August 20, 1990