

PLANNING BOARD

September 19, 1990

Members in attendance: Richard Smith, Sr., Chairman;
Robert Marston, Catherine George, Mel Keddy

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

The meeting was called to order at 7:40pm by Mr. Smith.

WORK SESSION

Mr. Smith reviewed incoming mail. Several workshop offers were received: NHMA Annual Budget & Finance Management Workshop, Three Fall Workshops for Town/City, State, & Regional Planners (UNH), 1990 Municipal Law Lecture Series Announcement, & OSP Governor's Planning Conference. There was no interest at this time.

Mr. Smith requested a motion to accept the minutes of August 14, 1990. Mr. Larry Smith noted two changes to be made to the minutes. Pg. 6: para. 15, change reference to 12 acres of disturbed area to 5 acres. Next sentence should read: They feel it is unnecessary for any fill in the wetlands outside the ROW at the end nearest Andrews Lane, as presented.

Mr. Keddy motioned to accept the minutes of August 14, 1990 with corrections suggested by Larry Smith.

Mrs. George second.

The motion passed 4-0.

- DRIVEWAY PERMIT

Ms. Campbell submitted a driveway permit application to the Board.

Mr. Keddy suggested they put the Town Seal on the application. This was approved and Ms. Campbell will contact Ruth Kaste at the Selectmen's office to incorporate this into the application using the computer software.

Mr. Keddy then asked if they would be pre-numbered.

Mr. Conti stated that he uses the date of issue as a sequential numbering system.

Mr. Keddy motioned to accept the Driveway Permit Application with the modifications as discussed.

Ms. George second.

The motion carried 3-1. Dr. Marston voting in the negative.

FMR CLUSTER

Ms. Deborah Whalen was present and asked the Board several questions about the FMR Cluster. She asked if the homes would be placed on full foundations?

Mr. Conti stated they would not be; there is no law stating that they must have a full foundation.

Ms. Whalen asked if they are mobile homes and not the manufactured homes that she anticipated during the initial Subdivision hearings.

Mr. Conti explained that the Subdivision called for manufactured housing and that the units being installed were indeed manufactured housing.

Ms. Whalen asked if there would be any underground electrical utilities. She stated there are currently poles and her recollection was the plan had called for the more expensive underground installations.

Mr. Conti stated that nothing governs this in the ordinance. Mr. Decker had stated he would use underground, however the cost is three times greater than the conventional poles.

Ms. Whalen inquired about the landscaping throughout the project.

Mr. Conti stated that the road would have to be paved before sale of any unit.

Ms. Whalen asked if Brandywine Lane would be a Town road.

Mr. Conti answered yes and explained that Town ownership would ultimately be in the best interest of the Town.

MILLS-PUBLIC HEARING CONTINUANCE At 8:00pm Mr. Smith convened the Public Hearing continuance for Mr. Mills.

Mr. Pica stated that there were few changes to be presented tonight. They have made the changes as requested by the Board regarding the drives. They have made more common drives and have staggered the home placements. He stated they still have to have the landscaping plans and expected to present them at the next meeting.

Mr. Pica addressed the filling of the wetlands at the lowest portion of the road. He has revised the filling to a 3-1 slope which will present less impact on the wetlands. He noted that the 2-1 slope is less stable. He stated the 3-1 slope would not be very far off the ROW. He estimated the impact off the ROW would be 5 ft. He felt his presentation is good engineering.

Mr. Pica noted that he has not done any change in grading on the buffer zone. He will comply with the hydric soil rules at the appropriate time.

Mr. Pica showed the impact of the disturbance into wetlands on the five acre piece at the 107 end of the proposed cluster.

Mr. Pica noted that the soils of the five acre piece are no problem, there is room for the septic systems and there are good soils. There are no wetlands on the five acre piece.

Mr. James Powers, an abutter stated in July he asked about the size of the parcel. He also asked how many houses it would support. He stated he was looking for surveys taken on the site. He noted that he was aware of lots which were subtracted from the site which show on deeds, however, he does not have confirmation that these have been accounted for on the proposed site.

Mr. Pica stated the size is 50 acres, plus or minus. He also stated that a survey was conducted during April.

Mr. Powers noted that there is no evidence (physical) on the site of a survey and to date he has not been able to view a plat survey.

Mr. Pica stated there are no mylars on the survey as yet. They are not ready. He stated they are proposing 21 units. There will be 19 on the lower piece and 2 on the upper piece. Mr. Pica then stated there will be 22 units. The secretary recording these notes heard the figure "22" however, concedes this may be a mis-stated figure from the speaker.

Mr. Powers stated that the deed comprised x pieces of land, given the 21-22 parcels subtracted from this land, and since the survey one more piece is subtracted; he is concerned that there is no evidence of the number of acres. He is concerned that there is no evidence to the public of the size of the land.

Mr. Pica stated that he will produce the mylar at the appropriate time.

There was continuing discussion from the public whether or not a survey has been done.

Mr. Pica stated he will supply the registered land survey with the appropriate stamp.

Mr. Smith asked if any drawings have been submitted to the Town Engineer to date.

Mr. Pica stated not to date.

Mr. Smith noted that the 90 day clock is about to run out by the next meeting. The Board will require a letter requesting a 90 day continuation.

Mr. Pica stated that he will submit this letter. He said he wanted a 60 day continuance and wished to be placed on the November agenda.

Ms. Campbell explained the law regarding a 90-day extension to be agreeable between the parties.

Mr. Smith agreed that he will accept a letter requesting a 90-day extension and Mr. Pica will be placed on the November agenda.

Mr. Larry Smith presented a drawing that he drafted showing that a 2-1 slope would fit the roadbed with all fill fitting within the ROW. He stated that he has used the standards as presented in the Subdivision Regulations. He said the steepest fill would be about 5 feet.

Drains and cross-culverts would be required to drain the highest side.

Mr. Pica compared the 3-1 slope to that which one would see in a raised leach bed system. He stated he maintains his position that the 3-1 slope is good engineering, however, if the Board insists he will entertain the 2-1 slope.

The length to be affected on the roadbed is 360 linear feet.

Mr. Pica stated they would maintain the 2-1 slope and stabilize until they achieve good grass growth.

Mr. Richard Smith stated they should be able to stay within the 60 ft. ROW.

Mr. Pica agreed they would achieve this.

Mr. Richard Smith and Mr. Keddy agreed they would ask for this as Board members.

Ms. Campbell stated that in her opinion she was expecting more changes in the configuration of the housing sites. She said moving four less than 50 ft. each did not make a major breakthrough. She had hoped for more mixing up.

Mr. Pica stated that the changes presented this evening were small, however, they don't have the latitude to do more. He stated this is the best design and asked the Board to consider the dimensional changes with three dimensional views. He stated in actuality this configuration would not look as regimental.

Mr. Pica stated he is ready to send the figures to RCCD to calculate the number of units versus open space. He also requested to be allowed to send the Engineer review plans at the time they select to have them reviewed. He stated he will get a set of drawings to the Engineer when they are more complete.

Mr. Richard Smith stated he would think this proposal over and get back to Mr. Pica.

Mr. Pica stated he will send a letter requesting a 120 day extension and requested to be placed on the November agenda.

The Public Hearing continuation for Mr. Mills adjourned at 8:35.

EDWARD & NANCY SMITH PUBLIC HEARING CONTINUATION

The Public Hearing continuation for Mr. & Mrs. Edward Smith opened at 8:37pm.

Mr. Richard Smith noted that the stone bounds are now shown on the prints.

The Board reviewed the plans.

Mr. Smith stated he typed a letter regarding the ROW as his Impact Fee offer.

Mr. Smith then stated he felt the Board was not in favor of this proposal and therefore he is prepared to propose another Impact settlement. He distributed copies of his new proposal to Board members.

Mr. Richard Smith explained to the Board members that on August 14, 1990 they had required \$1500.00 per lot instead of the ROW.

There was discussion among the members which centered around the request being the same figure used for Bell & Flynn and FMR.

Mr. Edward Smith stated he felt that Bell & Flynn will be impacting the road more with his subdivision than he will be. However, he stated he is agreeing to pay the \$1500 per lot.

Mr. Richard Smith stated that Bell & Flynn also put up a \$50,000 bond on the road during his construction for related damages should they occur.

Dr. Marston asked what the story is on the bridge.

There was brief discussion that the problem with the bridge is not resolved.

Mr. Keddy motioned to accept the letter and offer of \$1500 per lot.

Ms. George second.

The motion carried 3-0. Dr. Marston did not vote as he is an abutter.

Ms. Campbell inquired about the drainage issue.

Mr. Larry Smith stated that he looked at the culvert and said it looks like an 18 inch pipe and if it is kept clean it should be adequate for the winter runoff.

Ms. George motioned to approve the Edward A. and Nancy J. Smith Subdivision on Giles Road, MBL 06-01-01, as shown on the plan dated May 1990, revised July 90 and August 90 and drawn by Parker Survey Associates.

Mr. Richard Smith noted that the plan states "Bounds are 'To Be Set'".

Dr. Marston was concerned that the bounds are checked prior to signing the plan.

Mr. Edward Smith noted the estimated cost to set the bounds is \$3000. He said he does not have the funds at this time to do this.

Mr. Conti stated that he goes out to check the bounds prior to issuing a Building Permit. He noted he goes out regardless of the weather.

Mr. Edward Smith stated the wording in the Ordinance states the bounds must be in prior to getting a Building Permit.

Mr. Conti noted that the fine is \$100 per day if the Ordinance is violated. He said it would be cheaper to install the bounds.

Dr. Marston stated the bounds were always set prior to signing in the past.

Mr. Richard Smith stated that the Ordinance changed the past practice.

The Board then read the Ordinance, page 13 regarding this situation. They were satisfied that the Ordinance is clear that the bounds have to be set prior to obtaining a Building Permit.

Mr. Keddy seconded the motion.

The motion carried 3-0. Dr. Marston did not vote as he is an abutter.

The Board signed the plan.

This plan created MBL 06-01-40 through 06-01-49.

The Public Hearing for Mr. Smith was closed at 9:10pm.

MILLS-BOARD DISCUSSION Mr. Richard Smith asked what the Board wished to do with the Mills Subdivision.

Mr. Conti suggested Mr. Mills be required to stay with the original plan as submitted to eliminate problems down the line. He is particularly concerned with construction changes which could be introduced at the last minute.

Mr. Richard Smith stated this is the first plan with no lot boundaries which the Board will have to deal with.

Ms. Campbell stated that abutters are concerned with the survey. The Ordinance clearly asks for a survey and she feels the Board

should be sure to see a survey stamped by a Registered Land Surveyor prior to consideration for approval.

The Board discussed the items which would be asked of Mr. Mills in November, which are basically outlined in the above minutes.

The meeting was adjourned at 9:30pm.

Respectfully submitted,

Nancy J. Marden, Secretary

Typed: September 22, 1990