



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD MEETING

Thursday, October 15, 2020 – 6:30 p.m., Virtual via Zoom

Members Present: Frank Catapano, Steve Gerrato, John McDevitt, Catie Medeiros, Bob Dion (Alternate), Steve Smith (Selectmen's Rep)

Members Absent: Stu Gerome, David Moore

Staff Present: Mark Fougere - Consultant

Vice Chair Gerrato opened the Planning Board meeting at 6:30 p.m. A roll call was taken by the Vice Chair; he announced a quorum was present and the meeting was being held virtually through Zoom and recorded by audio. A checklist to ensure meetings are compliant with the Right-to-Know Law during the State of Emergency was read into the record by Vice Chair Gerrato.

Attendance of Planning Board members was taken by roll call: Frank Catapano - aye, Steve Gerrato - aye, John McDevitt - aye, Catie Medeiros - aye, Bob Dion – aye, Steve Smith – aye.

1. Projects of Regional Impact

There were no projects of regional impact.

Referring to the email from Chief Laurent regarding Rt. 33 (copy on file), J. McDevitt asked if the Board wanted to participate in the group. Vice Chair Gerrato stated he did not want to participate; there were enough people involved.

2. Subdivision of Land: 177 Winnicut Road (R10, 12A)

Owners: Brian and Maria Beck

Applicant: 177 Winnicut Road LLC

The owners/applicant are proposing a three-lot subdivision to consist of one existing house lot of 1.42 acres, one new building lot of 1.39 acres plus 1.12 acres of contiguous upland, and one remaining lot of 12.42 acres.

Christopher Berry, Berry Surveying & Engineering, joined the meeting via Zoom.

M. Fougere noted the major recommendation from the Altus Engineering review, dated October 08, 2020 (copy on file): 'when the septic designer completes their design, a stormwater management plan should be provided for review to ensure that the down gradient areas are not adversely impacted by development. The designer should include with their submission all expected lot improvements.'

F. Catapano stated Altus Engineering had three concerns that C. Berry addressed appropriately. J. McDevitt read the emails; C. Berry responded appropriately. C. Medeiros agreed that C. Berry

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addressed Altus Engineering's concerns appropriately. B. Dion questioned 'LID' in Item 2 of the Altus Engineering review. C. Berry explained the term 'LID' was for 'low impact development' and referred to low impact stormwater implementations that can be placed on single family lots to reduce stormwater runoff. Altus Engineering's concern was that given some unstable soils those practices be employed during the design of the septic system and construction on site. Chair Gerrato questioned it being called a minor subdivision 'despite the 1,000 sq. ft. maximum impervious threshold'. He felt it was a big subdivision and were they breaking it down to get a waiver under that criteria. C. Berry responded that the waiver was because they were creating one additional building lot and it was a minor subdivision. The one residential house lot was the waiver request. They were not requesting a waiver for any other future development. There is only a single-family home being proposed. They are postponing the documentation for the subdivision until the lot is under consideration for development. All of the items that would ordinarily go into that section of the Ordinance will be implemented during the effluent design phase.

M. Fougere noted it was part of the recommendation from Altus Engineering. M. Fougere reviewed the waiver with the Board. The waiver is basically for stalling the specifications until a septic plan is submitted; the analysis and criteria will be done at that time.

MOTION: F. Catapano moved to grant the waiver from Subdivision Regulations, Section V – Erosion and Sedimentation Control Standards, Subsection 5.2.2 – Post-Construction Stormwater Standards, and Subsection 5.2.3 – Sites Disturbing Less than 5,000 sq. ft. or a Minor Subdivision, to the plan submitted by Berry Surveying & Engineering, dated October 09, 2020, Revision #1, File No. DB2018-052. Second – J. McDevitt; roll call vote: Frank Catapano - yes, John McDevitt - yes, Catie Medeiros - yes, Bob Dion – yes, Steve Smith – yes, Steve Gerrato - yes. MOTION CARRIED

MOTION: J. McDevitt moved to approve the Subdivision of Land at 177 Winnicut Road (R10, 12A), according to the plan submitted by Berry Surveying, dated October 09, 2020, Revision #1, File No. DB2018-052, with the following conditions: (1) NHDES Subdivision Approval shall be obtained. (2) A common access and maintenance easement document shall be drafted and recorded with the plan. The easement area shall be further clarified on the plan with cross hatching or some other identifying method. (3) A LOMA must be obtained from FEMA and any flood plain areas shall be clearly noted on the plan. (4) A note must be added stating that prior to site disturbance or tree removal, a fence or other barrier shall be installed along the wetland buffer edge. Erosion control measures shall be in place to protect adjacent wetland and buffer areas. (5) Survey and wetland stamps shall be added to the plan. (6) Clearly label all wetland buffers with signage and their width on all lots. (6) When the septic designer completes their design, a stormwater management plan shall be provided for review to ensure that down gradient areas are not adversely impacted by the development. The designer should include with their submission all expected lot improvements. Second – F. Catapano; roll call vote: Frank Catapano - yes, John McDevitt - yes, Catie Medeiros - yes, Bob Dion – yes, Steve Smith – yes, Steve Gerrato - yes. MOTION CARRIED

3. Site Plan Review: 64 Tide Mill Road (R18, 24)

Owner/Applicant: Kathrin Fitzpatrick, Hignett Enterprises, LLC

The owner/applicant is proposing a site plan amendment for the addition of an 18 space parking lot.

Steve Haight, Civil Works New England, joined the meeting via Zoom. Also online was Katie Fitzpatrick, Hignett Enterprises, LLC (owner of the dance studio).

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MOTION: J. McDevitt moved to accept the application for the Site Plan Review of 64 Tide Mill Road (R18, 24) as complete. Second – S. Smith; roll call vote: Frank Catapano - yes, John McDevitt - yes, Catie Medeiros - yes, Bob Dion – yes, Steve Smith – yes, Steve Gerrato - yes. MOTION CARRIED

The site plan was approved a couple of years ago. There is currently a gravel lot at the rear of the building and a paved area in front of the building. Additional parking is needed due to COVID requirements for students and access to the facility. People picking up students must wait in the parking lot. The applicant is proposing 18 additional parking spaces.

They have gone through a design reiteration and met with Altus Engineering. Many items in the letter of October 02, 2020 (copy on file) have been addressed. A second letter from Altus Engineering was received on October 14, 2020. S. Haight reviewed those items in depth during the meeting.

1. Greenland does not record site plans.
2. A construction cost estimate was provided as well as the 20% cost for landscaping, which is approximately \$1,200.
3. Altus Engineering recommended a performance surety for the parking lot; S. Haight stated that would be a Planning Board decision.
4. Detention pond: Based on the existing conditions survey, the pond as constructed is slightly smaller than the dimensions on the original design. The system was designed to accommodate the improvements relative to the proposed paving of the existing gravel parking lot. They analyzed the whole system: the detention pond as constructed maintains the previous requirements. It was constructed appropriately and the calculations indicate it works.
5. Porous pavement will be in the parking stalls. The main road will be paved with normal pavement. There will be no surface runoff from that area. It will either go into the ground or underdrains can be installed to direct water back into the detention pond. A Stormwater Maintenance Plan has been submitted and shows owners how to maintain the system. Altus Engineering recommended the maintenance plan be recorded.
6. The exit on the north side of the building is on the plan.
7. The Tide Mill Road entrance will be repaved; a 10 ft. radius will be added.
8. The existing utility information was updated on the drawings.
9. Landscape Plan: all trees in the tree area have been located and accounted for; there are two large trees where the proposed parking lot is that will be removed. Trees will be added around the perimeter of the parking lot.
10. It was not clear on the development plans how much larger the lot should be.
11. The existing gravel parking lot has expanded over the original footprint over time. Additional full depth will be put in around the edges of the gravel parking lot to accommodate the paved area (refer to Grading Plan).
12. The northeast corner of the parking lot will be shaved slightly. The runoff from the vegetated buffer flows under the paved area, creating a safety hazard during the winter. A detailed swale cannot be developed on that edge due to the light pole in the parking lot.
13. There are ADA compliant parking spaces; grading has been clarified to show that the proper ADA requirements are met in that area.
14. Town regulations specify the maximum parking area is 5%, which they currently have. The drive aisle goes to a 9.5% grade before it flattens out at the parking spaces. It is a very short section as well as a non-transient lot. S. Haight had to balance the cut on the uphill side with the fill on the downhill side so the parking lot could be constructed in a feasible and affordable way. The downhill side, exit side, grade is 5%.

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15. There is less than 5% of the area that will be porous pavement. This is a vegetated slope that will be grass and maintained. There is an underdrain on the uphill side to capture any water from the slope. S. Haight did not see this as a degradation.
16. A guardrail will be added to the lower side of the parking lot.
17. The underdrain on the drawing is the design location of underdrain and is not daylighting to the slope. It is daylighting in the riprap area of the gravel. S. Haight will correct that on the drawing. It is installed and working.
18. The parking lot was designed to try to limit the amount of cut and fill on the site in case they hit ledge. The underdrain system will work the same way. The porous pavement section is approximately 30 inches deep. They will be doing test pits.
19. The undersized culvert goes underneath the driveway and is an 8-inch pipe. There was a 12-inch pipe when the site design was done. After the initial review and consultation with Altus Engineering, it was reduced to an 8-inch pipe. The pond was redesigned to accommodate that change. The analysis indicates the 8-inch pipe provides the needed attenuation.
20. The water will be flowing horizontal. The underdrain will capture the water in the porous pavement section. The fill material on the downhill side is denser and packed so there is impermeable barrier. A membrane is not typically installed. It is a construction issue that can be easily resolved.
21. The lighting will be dark sky compliant and meet the Town's lighting requirements. Three, four and five lumens currently light the walkway. The revised plan will show the existing light pattern with the proposed in the new parking lot. The overlap at the drive aisle is .3, .8 and will overlap with the back side of the other lighting. There should be plenty of light to get across the parking lot; the walkway on the side of the building far exceeds the minimum requirement. There is no lighting at the entrance to the parking lot off Tide Mill Road; the Planning Board originally did not want lighting along Tide Mill Road. There is lighting in the parking lot, against the building and on the walkway.
22. This was done.
23. This was done.
24. Altus Engineering was correct. S. Haight stated that Hydro-Cad will not allow modeling a height out of a detention pond at a 0% slope. .001 is considered 0.
25. The outlet of the pond is blocked and not free flowing. When the riprap was installed, the water flows from the pond, backs up in the pond, backs up and veers through the 8-inch pipe. It was left in the riprap area on the left side was to attenuate any flow out of there so it seeps through the riprap as opposed to trying to follow on top. S. Haight stated the ponds works fabulously; he has seen it in heavy rainstorms and it has never filled up to any significance. It is operating exceptionally well. Maintenance has been done on the pond. When the detention pond is analyzed, there is a tailwater design and headwater design (which one of the pipe ends are controlling the water).
26. Altus Engineering noted there has been some ponding and puddling on the left-hand side of the driveway (right-hand side of Tide Mill Road driving away from Rt. 33) along the gravel edge. There is a house out back that uses that driveway as well as a trailhead. S. Haight felt it may have been worn over time due to traffic. He did not see the repair as a problem during construction. He added they are mitigating peak flows tremendously with the detention pond and porous pavement. The overall design takes care of mitigating pre- and post- peak flows which needs to be done and has been done.

S. Haight stated they would be happy to work with Altus Engineering to accommodate some of the items. S. Haight felt they had done a good job mitigating stormwater, revegetating, showing the areas where the underdrain will be located, and to accommodate for any runoff from the hill. It will remain vegetated mostly with trees.

B. Dion questioned Item 26 and if there was a possibility the road surface was under the original grade due to traffic or gravel being spread to the side. S. Haight stated that the Class V section of the road has

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been paved to the right of the Dance Studio driveway. They went to the Selectmen, who agreed to extend the Class V road to end where it is paved. The remainder of the road is gravel. M. Fougere recommended talking to the Selectmen before starting any work on the road. B. Dion stated he wanted to proceed with a view towards minimizing any further deterioration to the road. S. Haight noted that the entire part of Tide Mill Road that is paved was redone as part of the previous project.

J. McDevitt questioned Item 14 regarding the slope. S. Haight explained that when the original approval was given, the entrance drive was slightly over 10% to get into the site. There is a small section of the drive that is at 5%. The driveway is actually super elevated (high on one side and low on the other). The section on the inbound side on the upper edge is approximately 10%. S. Haight continued that from an engineering/driveable standpoint it is uphill and going into a parking space; it is a very short section. J. McDevitt asked about the impact of the construction of the new parking area at 5%. S. Haight responded they would have to cut more into the hill. Approximately 1.25 ft. more would have to be cut out of the site along that edge. There is not a steeper grade leaving.

F. Catapano did not think 10% was that big of a grade and it is a short distance. His biggest concern was that it was fine for cars but someone walking with icy conditions could fall. It was clarified that the Class VI section of Tide Mill Road was Town-owned, not maintained. S. Smith stated it was a Town-owned right-of-way to the Bay. M. Fougere added that the Town maintained the Class V section of road to the edge of pavement. S. Smith stated if there was a drainage issue that undermined the grade portion of the road, there might be an issue. He added that there has been vehicle traffic into the Weeks Brick House and the public trails. S. Haight, responding to F. Catapano for clarity, stated that the center of the driveway coming down is approximately 7.5% grade, flattening out to 5% then 2%. F. Catapano stated that if they had the opportunity to flatten that portion out, it would be better for the dance school. S. Haight commented that if they do not find ledge when doing the test pits, they would be happy to drop it down a foot.

J. McDevitt asked if all of Altus Engineering's concerns had been addressed. S. Haight responded they had addressed all their concerns. The analysis showed the detention pond as installed and as built accommodates all that is being done and works fine. C. Medeiros asked for the total number of parking spots once the additional lot is built. S. Haight stated they would lose two spaces in the gravel lot out back to put in the 18. The total number of spots with a full build out will be 36. A large part of the request for additional lots is COVID-related due to parents having to wait in their cars to pick up children. B. Dion asked if the transition from the 10% grade to the parking lot above would cause an issue for cars with low clearance. S. Haight responded it would not; cars would not bottom out. B. Dion was concerned with the space between the lighted upper parking lot and the entrance going through the driveway inbound and outbound with pedestrians. S. Haight responded there would be plenty of light from the parking lot to the sidewalk. M. Fougere added that the requirements of .4 would have to be met or light would need to be added. S. Smith's concern about runoff crossing Tide Mill Road was discussed earlier. If they were willing to work with it, he was good with it as was Vice Chair Gerrato.

Vice Chair Gerrato opened the hearing to public comments. There being none, Vice Chair Gerrato closed the public hearing and returned to the Board.

MOTION: J. McDevitt moved to approve the Landscape Bond for 64 Tide Mill Road (R18, 24), in the amount of \$1,244. Second – F. Catapano; roll call vote: Frank Catapano - yes, John McDevitt - yes, Catie Medeiros - yes, Bob Dion – yes, Steve Smith – yes, Steve Gerrato - yes. MOTION CARRIED

J. McDevitt stated there were several areas where there was disagreement between the applicant's engineer and Altus Engineering. It would be helpful for him to make a final decision if there was further

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discussion between the two. F. Catapano agreed with J. McDevitt; he wanted to see it cleaned up and wrapped up and approve it at the next public hearing.

S. Haight was hoping for a conditional approval and he could work with M. Fougere and Altus Engineering on resolving the outstanding issues. They would like to get the construction started as opposed to waiting an additional one to two months. M. Fougere stated the only risk for the applicant would be if Altus Engineering and their engineer could not come to terms; the only arbitrator would be the Planning Board. S. Haight was sure they could reach an agreement.

MOTION: F. Catapano moved to approve the Site Plan for 64 Tide Mill Road (R18, 24), according to the plan submitted by Civil Works New England, dated October 08, 2020, Project No. 1667, with the following conditions: Civil Works New England, Mark Fougere, and Altus Engineering must come to an agreement to resolve the open and partially addressed issues in the Altus Engineering review dated October 14, 2020. Second - J. McDevitt; roll call vote: Frank Catapano - yes, John McDevitt - yes, Catie Medeiros - yes, Bob Dion – yes, Steve Smith – yes, Steve Gerrato - yes. MOTION CARRIED

J. McDevitt clarified for S. Haight that he was concerned with the grading issue in the parking area. S. Haight stated they would do the test pits and modify the grade, if possible. B. Dion was comfortable that S. Haight and Altus Engineering could come to an agreement.

S. Haight asked the Board if they wanted a bond for the site construction as mentioned by Altus Engineering. M. Fougere stated that due to the size of the site and no wetlands, surety for erosion control and site stabilization to protect the adjacent roadway would be needed.

4. As provided for in RSA 675:7, to amend the Planning Board Rules of Procedure, Officers - Chairman to allow for the election of Co-Chairmen, by amending the section to read as follows: *The Planning Board, by majority vote, shall have the authority to elect Co-Chairmen to preside over Board matters. If such a decision is made, the Planning Board shall note in the record the responsibilities of each Chair.*

M. Fougere stated that there was no criteria in the Rules of Procedure for Co-Chairmen. The only requirement was that the notice be posted and it be on the agenda. The Board had no objections when discussed at a previous meeting. Responsibilities for each Co-Chairman was discussed at that meeting. To officially make that change, the Board had to officially change its Rules of Procedure.

MOTION: J. McDevitt moved to approve the amendment to the Planning Board Rules of Procedure – Officers - Chairman, to allow for the election of Co-Chairmen. Second – S. Smith; roll call vote: Frank Catapano - yes, John McDevitt - yes, Catie Medeiros - yes, Bob Dion – yes, Steve Smith – yes, Steve Gerrato - yes. MOTION CARRIED

5. Approval of Minutes

Approval of the minutes was continued to the work session on Thursday, November 05, 2020.

6. Approval of Invoices

There are no invoices to approve.

7. Other Business

Rt. 33: Vice Chair Gerrato stated that he has been a member of RPC for approximately 12 years, has worn out his welcome about Rt. 33 and does not have the authority to do anything. There is a committee that includes a Senator and Police Chief; these individuals should have been on this a long time ago. Vice Chair Gerrato attended a recent MPO/RPC meeting where they were going to vote on projects. He did not feel that this was the time to spend \$5 million on greenways with fatalities at intersections in the area.

Vice Chair Gerrato felt there enough people on the Rt. 33 Committee that the Planning Board did not have to add any more. F. Catapano stated that the Planning Board had the best opinion and they were not involved. People with no experience should not be involved in roadways. J. McDevitt suggested Chief Laurent attend the work session on Thursday, November 05, 2020.

B. Dion stated that Chief Laurent’s email only discussed the section of road between Bayside Road and the Stratham line. It did not mention anything about the section of road over the bridge between Bayside Road and Post Road; traffic is horrible in that section and needs to be addressed.

M. Fougere told the Board that the services of Vanasse and Associates had been engaged to do a corridor study. He reviewed two designs for the intersection of Winnicut Road/Rt. 33/Bayside Road. That is the linchpin intersection causing the backups. The roundabout is over \$3.5 million. J. McDevitt stated that the working group needed to see the designs. They are unaware of the Planning Board’s work. The final report will be sent to the Planning Board and Board of Selectmen.

Hazard Mitigation Plan Meeting: S. Smith updated the Board on the Hazard Mitigation Plan. The next meeting is Thursday, October 29, 2020 at 1:00 p.m. via Zoom. The public is encouraged to attend.

8. Topics for Work Session: Thursday, November 05, 2020

Topics were briefly reviewed. Members were reminded to do their homework (Mandatory Open Space and Work Force Housing).

9. Adjournment

MOTION: F. Catapano moved to adjourn at 8:21 p.m. Second – S. Smith; roll call vote: Frank Catapano - yes, John McDevitt - yes, Catie Medeiros - yes, Bob Dion – yes, Steve Smith – yes, Steve Gerrato - yes. All in favor. MOTION CARRIED

NEXT MEETING

Thursday, November 05, 2020 – Work Session, 6:30 p.m. via Zoom

Submitted By: Charlotte Hussey, Administrative Assistant