



**PLANNING BOARD**  
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**MINUTES OF THE PLANNING BOARD**

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Thursday, October 20, 2022 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bob Dion, Steve Gerrato, Catie Medeiros, David Moore, Richard Winsor (Selectmen's Rep)

Members Absent: Stu Gerome, John McDevitt, Phil Dion (Alternate), Frank Catapano (Alternate)

Staff Present: Mark Fougere

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D. Moore opened the Planning Board public hearing at 6:30 p.m. He announced a quorum was present and the meeting was being recorded.

1. Projects of Regional Impact

There were no projects of regional impact.

2. Preliminary Conceptual Consultation: 670 Bayside Road (R14, 18B)

Owners: John Weeks, Robert Weeks, Lisa Holden

Applicant: John Weeks

The owners and applicant are proposing to subdivide a single house lot of 1.38 acres from a lot of 23.25 acres on a private road currently known as Weeks Point Farm Road.

John Weeks addressed the Board, pointing out on the plan the larger lot that is currently owned by himself, Robert Weeks, and Lisa Holden. They are proposing to build a single-family house on a private road; the 1.38-acre lot will be subdivided from the larger lot. A waiver will be needed. M. Fougere stated that the Town's backlot provision in the Subdivision Regulations requires at least five acres (which the applicant meets) and that the existing lot have at least 220 feet of frontage; they have 90 feet. A waiver will be requested to create a backlot with less than 220 feet of frontage. The lot to be subdivided would have 20 feet of frontage and meet the requirements; the large parcel would have 70 feet of frontage. It is a subdivision provision that can be waived by the Board. Attorney Tim Phoenix added that there is frontage on the private road that goes past the house.

J. Weeks pointed out the private road and public road. M. Fougere noted the public road ends at the right-of-way, just before the barn. The frontage at the end of the right-of-way is just under 40 feet and then around of the corner; their property catches the western side of the right-of-way. A lot was subdivided off in 1995. B. Dion confirmed that 1.38 acres (60,000 square feet) meets the Town's minimum requirement.

R. Winsor questioned if this could be done with conditions: future development requires the road be extended with satisfactory frontage on a Town road. M. Fougere stated they would have to come back to the Board for another waiver. J. Weeks agreed, adding they did not have any plans for future

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development. It was pointed out on the plan where the frontage was and the location of the proposed lot.

The consensus of the Board was that there were no problems with the proposed subdivision of land.

3. Preliminary Conceptual Consultation: 64 Breakfast Hill Road (R7, 46)

Owners: Richard and Elizabeth Simpson

Applicant: Richard Simpson, Rolling Green Nursery

The owners and applicant are proposing to construct a new store and conservatory and increase parking on site. They also plan to remove four greenhouses at the rear of the property and a greenhouse and garage at the front of the property.

Bruce Scamman, Emanuel Engineering and James Barron Associates and representing the owners/applicant, addressed the Board. Also present were Richard and Elizabeth Simpson, owners. B. Scamman described the location of Rolling Green Nursery and gave a brief history. There are two lots parallel to I-95. There are a series of greenhouses and office/sales areas on the property. B. Scamman noted the existing site on the plan. In addition to the greenhouses and office/sales areas, there is a residence on the front of the property and a residence on the second lot.

They are proposing to expand the sales building and add a second greenhouse for indoor sales to match the adjacent greenhouse. Parking is all over the site; they are proposing to locate the parking in one area in front of the main building. A few of the planting bed areas will be expanded. There will be a two-way drive into the area; currently it is one-way in and out along the power lines adjacent to I-95.

There are two lots; the proposed greenhouse is 26 feet to 27 feet from the side property line. Covered walkways are planned along that, which was one concern. The other concern was a large parking area in one location. They are trying to stay below the 100,000 square foot requirement for a DES Alteration of Terrain permit. They are redeveloping things into more precise areas for product sales.

The two-bedroom house on the rear of the lot will become office space; it would no longer be a residence. The other residence will remain as is. There is mixed use on the lot. Currently there is gravel parking; they are proposing one strip of pavement against the front where the handicapped spots are located. A sidewalk will also be added.

B. Scamman reviewed the plan submitted by the architect. They plan to push the parking back closer to the retail business, saving some green space in the front. The driveway will need to be slightly widened to allow two-way traffic in and out the main drive. They were planning to expand the bulk areas (distribution of mulch and the planting area).

Some people may think this is a non-conforming use due to the retail aspect. They believe it is more agriculturally based because plants are grown and sold on the property. Even though it may be a non-conforming use, it is a natural expansion: it has been there for many years; Greenland's regulations allow for the natural expansion of an existing non-conforming use.

R. Winsor asked if they were planning to merge the lots. B. Scamman responded that at this time they were not. D. Moore stated that if they merged the lots, it would remove some of the non-conforming issues. B. Scamman responded the only issue that may be close to non-conforming was the setback; the main structure meets that. M. Fougere noted that the walkway could not be covered. R. Winsor stated that merging the lots would alleviate some stress. D. Moore noted that the beds went over the property

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lines. B. Dion stated that the beds are not permanent. If the property were sold, the beds could be moved. R. Winsor stated that if the two lots were merged, there would need to be a buffer between the lots; by regulation, it would be a 20-foot vegetated buffer. There would be no further discussion if the lots were merged.

R. Winsor stated there was a question of pervious vs. impervious, compaction and anything involving dirt. There may be a use question. R. Winsor was concerned about the exit onto Breakfast Hill Road and site lines; that entrance was a little tough coming eastbound over the bridge. Another potential topic for discussion would be expansion and if the exit is appropriate in that location or whether it needed to be moved.

D. Moore asked M. Fougere if a waiver would be needed for parking. M. Fougere responded currently there is a small parking lot with overflow parking around the corner. The proposed parking area will consolidate it into a much cleaner concentrated area. It will be more efficient vs. the existing hodgepodge it is now. Constructing and striping a parking lot is more efficient than a gravel parking lot. B. Scamman noted that the parking lot is mostly gravel and what they are proposing. There will be a strip of paved parking up against the building with pedestrian access. R. Winsor stated that any parking lots and roads should be considered impervious because they are packed down. R. Simpson had spoken to someone else in Town who had said the same thing.

R. Winsor asked what percentage of the lot was developed for use. B. Scamman stated lot coverage was 51%; R. Winsor felt it was more than 51%. B. Scamman stated there are large areas that are green: developed as impervious or just developed? R. Winsor noted it was commercial use and each planting bed was developed; it is no longer open space. Responding to B. Dion's question, B. Scamman stated there are no wetlands. R. Simpson added it was all sand and gravel. It was his understanding that the water dropped through the ground.

The current exit driveway will be widened so it will be a two-way entrance and exit. The driveway near the power lines will be used by tractor-trailer traffic. The existing ten spaces on the side will be employee parking.

D. Moore questioned the removal of grass around the beds, adding that made it impervious. R. Simpson responded it was impervious and there were mats and sand under them; it is only non-mowed areas. There is also irrigation under those. D. Moore stated that on the old plan it shows existing grass. B. Scamman stated that was 'still up in the air' and how the paths will lay out. He wanted to show the worse case scenario with the gravel there. As they expand, more gravel may be needed due to more traffic. They could add to the plan that it will be grass or gravel. R. Simpson added that he could remove any of the mats; he could seed, and it would be all lawn.

R. Winsor noted that in the southeast corner there is another property line that may require a buffer; they were non-conforming even though it existed before. B. Scamman: Should the existing greenhouses and storage shed be removed? R. Winsor: He was not saying they should go but there needed to be a buffer.

M. Fougere stated that drainage was key. There will need to be a discussion about lot coverage. M. Fougere noted that this was an agricultural operation that includes retail. He has spoken to the Planning Board attorney; she felt it met the natural expansion and was a reasonable expansion of what was there today. However, it was in the residential zone. Maximum coverage (not a defined term) and with the

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current footprint is 20%, open space is 80%. They must stay within those parameters, or they will need to get a Variance. They cannot make it any worse.

There was a discussion about the terms 'maximum coverage' and 'footprint' as those apply to this property. M. Fougere stated that 'footprint' would apply because it was considered primarily agricultural and commercial. He will research the term 'footprint' further for how it has been used by the Board in the past. R. Winsor was not as confident it was directly applicable to this application because 'footprint' was designed as a residential use. M. Fougere responded it was in the residential zone and the 80% open space applies to this property. The majority use of the property is agriculture, which is an allowed use.

B. Dion questioned that there is currently 80% open space and must be maintained as a minimum. M. Fougere was unsure of the existing percentage; they cannot make it any worse without a Variance. R. Winsor noted they could not make it more non-conforming. D. Moore questioned if doubling the size of the building made it more non-conforming. R. Winsor stated they could give something up somewhere else. M. Fougere added that any bed is open space. If the walkways were draining, that would be open space.

The applicant, B. Scamman, M. Fougere and the engineer will meet prior to submission. If a Variance is needed, they would need to start that process sooner rather than later. D. Moore, agreeing with R. Winsor, recommended the two lots should be merged. The open space will be looked at differently with two lots. A larger building could make the upper lot more non-conforming.

#### 4. Site Plan Review, Boundary Line Adjustment, Voluntary Merger, Conditional Use Permit

**Address:** Off Tower Place/Maple Drive; Vicinity of Magnolia Lane, Sunnyside Drive  
(R7, 3 – Zones: Residential, Wetlands Conservation, Aquifer Protection)

**Owners:** Community Congregational Church (R7, 3), Homewood Farm Realty Trust (R8, 16), Philbrick-Vickery Tower (R8, 17), Elaine Grover (Easement - R7, 61), Margaret Bell (Easement - R7, 61), Linda McGurin (Easement - R7, 57), Rebecca Eastman (Easement – R7, 57)

**Applicant:** Joseph Falzone

The owners and applicant are proposing an age-restricted development: 47 units, club house, and approximately 3,100 ft. of new road.

Eric Weinrieb, Altus Engineering, was asked to be at the meeting to update the Board on his review of the project. M. Fougere stated that some of the outstanding items in the review were more significant than others. M. Fougere has discussed the issue of the right-of-way onto Magnolia Lane with the Planning Board attorney. He thought that to dispose of land it would have to go to Town Meeting; the Selectmen have that authority. The right-of-way is Town property and proposed to be a Town road. M. Fougere strongly recommended the Planning Board advise the Selectmen to give the right-of-way to the applicant: the turn-around will go away, the frontage will be on Magnolia Lane and will meet the legal frontage, and the Town will not have to maintain that road. Attorney Phoenix stated they agreed, subject to details. He stated the RSA 41:14-A process would be used. This will be added to the Board of Selectmen agenda for their meeting on Monday, October 24, 2022.

Vanasse and Associates was asked to prepare a Construction Traffic Management Plan, which was included in the Board packets (copy on file). The management plan included timing of construction vehicles, the location of the choke point on Magnolia Lane, two more locations for temporary speed bumps, hours of operation not to interfere with school pick up and drop off, etc.

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Christian Smith, Beals Associates, updated the Board. They have addressed 75% or more of the comments from Altus Engineering. Survey and condominium site plans have been received from Doucet Survey. They are waiting for the landscape architect's plans. C. Smith has not done the final drainage evaluation; there will be a difference if the cul-de-sac is gone. The traffic impact analysis is fine with the Board. R. Winsor wanted to ensure that the hours of operation included in the Construction Traffic Management Plan were coordinated with Greenland Central School and the high school.

### Review of comments:

- M. Fougere noted that Magnolia Lane is an older road with a lot of alligator cracking, which will only get worse. E. Weinrieb stated that the Town is aware of the condition of the road, and it is on the list; there are other roads ahead of it. There will be natural degradation as well as substantial construction vehicle traffic. There needs to be a fair share of pro-rating repairs. It will accelerate in its weakened condition. R. Winsor questioned if it would be a reclaim or rebuild; E. Weinrieb responded he would have to have a closer look. He felt it may be a mill and fill: the road was built in 1986/1987. There was good aggregate underneath and in good shape; there would not have to be a subgrade, it would be the pavement. Altus Engineering will work with Beals Associates and the applicant's contractor. There should be a sign package included. It was noted that once the construction traffic was done, it would be traffic due to home builders. Repaving Magnolia Lane after construction was briefly discussed.
- Mailboxes: C. Smith stated that the Postmaster will direct where the mailboxes will go. M. Fougere noted that the Post Office is requiring mailboxes for developments to be 'gang boxed'.
- Landscaping Buffers: C. Smith stated landscaping plans were not available and reviewed an older version. He did not see adequate landscaping on Lot 40.
- Legal Documents: Issues to be included in the legal documents: M. Fougere would like to have drafts available to send to the Planning Board attorney for review (septic systems, garbage disposals, the dog park, etc.). C. Smith noted the dog park has been relocated to the opposite end of the septic system.
- Proposed Private Right-of-way: E. Weinrieb needed confirmation that the private right-of-way was not in the electric easement. C. Smith stated it was kept out from underneath the lines according to the survey location. This may not be a problem if the road is turned over to the applicant.
- Culvert at the Intersection of Magnolia Lane: C. Smith stated that without question it was pitched in the wrong direction. E. Weinrieb stated it needed to be replaced and the swale in the right-of-way reconstructed to promote positive runoff.
- Fire Suppression Cisterns: C. Smith will confirm that information has been sent to the Chief for review.
- Effluent Disposal Plan: C. Smith stated they are not changing the size of leach field that was designed for 50 units. E. Weinrieb stated that was a win. His concern was that it was based on 125 gpd. By keeping the bed size and reducing the number of units, it will be 166 gpd. Responding to S. Gerrato, E. Weinrieb stated the leach field will not be a stone and pipe system. They will be leaching tubes and the designer's preference. He agreed that stone and pipe were the way to go. M. Fougere noted that use of the proper sand could be added to the inspection list. E. Weinrieb added they are very sensitive to vines: make sure the baffles remain on and pumped on regular basis. C. Smith stated there will be success if the systems are built correctly. If the system fails, the remediation plan would be to remove and dispose of the sand and rebuild the system. E. Weinrieb added that because it is not a residential system (this is a commercial system), they would have to go back through the State to be re-permitted. There will be two beds that alternate; in case of failure, one would be operating during reconstruction.

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E. Weinrieb stated that on the site overall they are really close. The big challenge is right where they are looking. They are building a new road, taking a gravel surface, and draining it down toward Magnolia Lane, and it is only a 50-foot-wide right-of-way. Run off is being added up to the property line and/or point of analysis at the intersection. If it is a private road, they can put detention. C. Smith stated that in the past, they have created little modified bioretention areas. For this project it will depend on the elevation compared to water tables, etc. There is not a lot of space but could be done in a couple spaces down the road.

S. Gerrato: Questioned slabs rather than standard foundations. C. Smith stated it was dependent on topography. S. Gerrato insisted on no slabs; they must be 18-inches to the finished grade. E. Weinrieb responded that they will have full foundation walls. Rather than a basement it will be a full concrete slab on grade.

M. Fougere stated that he is waiting to hear from Chief Laurent on the traffic management plan. They were at a point where the engineers needed to be 'on the same page' so the list is at a length that the Board was satisfied with to be approved with conditions. M. Fougere added they did not need to come back until the list is at an acceptable length. R. Winsor commented that there was not much the Board could do to help them at this time. Attorney Phoenix requested an extension to the meeting on Thursday, December 15, 2022.

MOTION: R. Winsor moved to continue the Site Plan Review for Off Tower Place/Maple Drive to the public hearing on Thursday, November 17, 2022, and accept the requested extension to the meeting on Thursday, December 15, 2022. Second – S. Gerrato; all in favor. MOTION CARRIED

5. Site Plan Review, Conditional Use Permit: 480 Breakfast Hill Road (Map R1, 9 – Residential-Commercial-Industrial Mixed-Use Overlay District)  
Owner/Applicant: Seacoast Family Promise  
The owner/applicant is proposing a 3,507 square foot addition to the existing group home. The building will be renovated to be a total of 12 bedrooms (10 guest rooms and 2 staff rooms).

Paige Libbey, Jones and Beach Engineering, and representing Seacoast Family Promise, addressed the Board. Also present was Irving Canner, President - Seacoast Family Promise Board of Directors. The Conditional Use Permit was withdrawn at the September meeting. Landscaping, lighting, and trash were discussed at the September meeting. Added to the plan reviewed at this meeting was a dumpster location, a lighting plan, and the landscaping was updated to not include arborvitae as requested by the Board.

R. Winsor asked the starting size of the Norway Spruce indicated on the landscape plan. They are listed as 8-feet to 9-feet and are mature. A fence will not be added. D. Moore noted the neighbor had wanted a fence installed. The dumpster is located at the edge of the parking lot and will be enclosed. S. Gerrato mentioned the time of day the dumpster would be emptied. P. Libbey stated they have noted on the plan that dumpsters are not to be picked up between 7:00 pm and 7:00 am. The facility is currently using all three dumpsters. Once the building is upgraded, there will be more trash.

M. Fougere added the following stipulations: finalize the agreement with the Church regarding parking and landscaping must be installed before an occupancy permit can be issued.

D. Moore questioned the dumpster location and parking. P. Libbey explained it was in that location because no one is there during the day; there will not be any parking in that area during the day. People

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staying at the facility cannot come back before 5:00 pm. They can revise the dumpster pick up time to 5:00 pm so there is no overlap. Responding to R. Winsor's question, M. Fougere stated the Fire Department will review when the building permit is submitted; the existing building is sprinkled.

D. Moore opened the meeting to public comments. There being none, he closed public comments and returned to the Board for further discussion. M. Fougere reminded the Board that based on the new statute, there needed to be findings of fact for denials and approvals.

MOTION: R. Winsor moved to approve the Site Plan Review: 480 Breakfast Hill Road (Map R1, 9 – Residential-Commercial-Industrial Mixed-Use Overlay District) according to the plan submitted by Jones & Beach Engineers, Inc., revised 07.12.2022, Project No. 21282, with the following conditions: the signed agreement with the Church regarding parking must be submitted as part of the Planning Board file, landscaping must be installed before an occupancy permit can be issued, trash pick-up hours must be amended to 5:00 pm and included on the plan, a designated smoking area must be on the plan, all Variances must be listed on the plan, a digital copy and 11x17 copy of the plan must be submitted as part of the Planning Board file. This plan is consistent with the Town's Site Plan Regulations and Zoning Ordinance. Second – S. Gerrato; all in favor. MOTION CARRIED

6. Site Plan Review, Conditional Use Permit: 69 Tide Mill Road (Map R17, 65 – Commercial District A)  
Owner: River Tweed Properties, LLC  
Applicant: Sarah Greenshields, Little Tree Education  
The owner and applicant are proposing a mixed-use site to include the existing building as an office with studio apartments above. Also proposed is a 4,226 square foot, two-story school and two 1,200 square foot multi-family buildings.

Paige Libbey, Jones and Beach Engineering and representing the owner, addressed the Board. Also present were Sarah Greenshields, owner of Little Tree Education, and Rebecca Brown, Greenman-Pedersen, Inc. (GPI) Engineering. At the September meeting, they reviewed the site plan and plan set and discussed traffic. R. Brown was present to answer any questions the Board may have regarding traffic. P. Libbey informed the Board that the Selectmen have signed the driveway permit and will be submitting that to DOT. They also attended the Conservation Commission meeting in September. They had a productive meeting with Portsmouth Water Department and are waiting for their feedback. Altus Engineering has reviewed and commented; they will respond to those comments prior to the next meeting. M. Fougere's comments were also received.

D. Moore questioned if the inadequate water pipe across Rt. 33 had been addressed. P. Libbey stated that it was discussed with the Water Department, and they may be helping with the replacement of the line. The Water Department still has some work to do to determine what is their line and what is River Tweed Properties service. B. Dion clarified it was to address the water feeds for the private residences and the school as well as a separate fire feed. P. Libbey stated there was not a separate fire feed, but they are required to upgrade to an 8-inch line regardless of the fire feed. E. Weinrieb questioned the two separate feeds from the street. He clarified that there could be one line to the building and split off for domestic and fire protection. The hydrant line is a sprinkler line. E. Weinrieb explained that if the water bill is not paid, the domestic can be shut off and there would still be fire suppression and no life-safety code issue. P. Libbey added it was their hope that there would be a main and they would have a service off it.

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R. Winsor's concern was traffic, which was going to be an Achilles Heel. Sending 150 cars onto Rt. 33 between 7:00 am and 9:00 am is significant. He was pleased they were working out the water line issue. There was a good chance he would be 'digging in his heels' with fire suppression.

Responding to B. Dion, P. Libbey stated the septic design was done. They needed to do more test pits based on comments from Altus Engineering; test pits need to pass the 18-inch requirement. E. Weinrieb explained that for a passing test pit, 18-inches were needed. The building code requires one test pit for every 500-gallons of wastewater generated. It is not clear if each test pit must be 18-inches. R. Winsor's interpretation was that each test pit had to be 18-inches to pass.

M. Fougere noted that there were two Conditional Use Permits (CUP) and a waiver. Once CUP is associated with work in the buffer which will need to be reviewed by the Conservation Commission; M. Fougere felt it was premature to discuss that CUP. One of Altus Engineering's recommendations was to have the drop-off as one-way. M. Fougere thought that would be a good idea. If the parking was angled 60° facing the direction of the traffic, the aisle can be reduced to 18-feet. That would eliminate 4-feet of impact, moving it further away from the buffer; the impervious area would not be in the buffer. P. Libbey stated they looked into that before the meeting and felt it was a good idea. They will look into it further to see how much of the impervious area they can get out of the buffer. B. Dion asked if it would reduce the number of parking spaces. E. Weinrieb stated it does become less efficient.

R. Winsor stated there are some challenges: a reduction in parking with a use that requires a fair amount of parking. M. Fougere added that they show areas where parking could go, if needed. They have room for impervious area. E. Weinrieb suggested getting a letter from an abutter to use their lot if there is an event that requires additional parking; they could reciprocate with the abutter. He recommended parking be added as a condition of approval. R. Winsor wanted 'if needed' defined and requested that paper spaces be noted. D. Moore did not ever want to see parking on Tide Mill Road.

One of E. Weinrieb's concerns was fire access. He questioned drop-off procedures and if the area with the long sidewalk was a stacking area; that could become a traffic hazard. He would like it reviewed by fire and police. D. Moore questioned if the site was laid out well enough to be accessed by a fire truck. P. Libbey stated they will be adding fire truck turning templates to the plan set. S. Greenshields explained the drop-off procedures. E. Weinrieb would like to see notes on the plan and 'No Parking' signs. A section should be striped: 'No Parking – Fire Lane'.

M. Fougere noted that the other CUP was for multi-family housing and that the Board could act on it at this meeting. The Board opted not to act on the CUP at this meeting but did not have a problem with the multi-family housing, reserving final approval for emergency vehicle access.

M. Fougere commented that traffic has taken the longest time. The applicant has stated in the past that they would be willing to accept the right turn lane exit restriction. M. Fougere asked the applicant how long they wanted to wait for the DOT process, which could be another six months. R. Brown stated they are a little ahead in the process because they submitted the traffic impact study to DOT for review. That was approved to move forward to highway design. When the formal application is submitted to DOT, that will start the review of the concept plan. The concept plan is for converting the designated left turn lanes on Rt. 33 to a two-way left turn lane, allowing for a two-stage left turn exiting the site. D. Moore did not like a left turn at all because of the accidents on Rt. 33. R. Winsor added he would feel a lot more comfortable with no left turn. There was a lot of traffic in that area during peak hours.

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R. Brown stated that in DOT's mind, left turns are allowed there. The current no left turn restriction was done without DOT approval. R. Brown continued they did an analysis that having a right turn only indicates more traffic is put onto Portsmouth Avenue to the west, making that intersection worse. The Police Chief's concern was the queuing that occurs at Winnicut Road all the way through and creates a site line issue. When it is not peak, there is not a site line issue. They are proposing the two-way left turn lane so there could be a two-stage movement looking for oncoming traffic, moving out into the two-way left turn lane when there was a gap in the traffic. D. Moore noted they would still be crossing Rt. 33 to get to the queue lane.

R. Winsor stated the Board is really focused on the outbound traffic from the site. At 7:30 am traffic is backed up from Bayside Road. R. Brown explained there is a designated left turn lane into the school, which would not necessarily be eliminated. If it was converted to a two-way left turn lane, someone pulling into that lane could still turn left.

B. Dion questioned the number of cars that could queue in that lane. R. Brown explained the left turn lane using a diagram, noting possibly six cars would fit in the 100-foot lane. R. Winsor stated he would like to understand the queuing and the impact based on the analysis of morning and evening hours. Congestion in that area is very high. Will Rt. 33 be degraded further by doing this? R. Brown stated they do not expect much impact on Rt. 33; the impact is on Tide Mill Road because of the left turn.

R. Winsor questioned if the traffic study had been peer reviewed. R. Brown responded that the Town has not done a peer review. NHDOT has hired a third-party peer review consultant, WSP. B. Dion noted they do not recognize how bad the road is. E. Weinrieb has not reviewed the traffic study. He stated that a right turn only (as currently exists) will not work without putting in a median and traffic control to force them to turn west.

S. Greenshields addressed the Board regarding the traffic study, asking if they should move forward. D. Moore, responding to S. Greenshields, stated that he was fine with keeping the right turn only. R. Winsor stated that he imagined it was within the purview of the Board to be able to say what the end of that road looked like. Sensibility would indicate that they did not need to wait for DOT to decide anything. It would be as simple as stating there should be traffic control at the end of Tide Mill Road to force a right turn only. R. Brown stated they would prefer the Board tells them now so they can propose something different before DOT says they want a two-way left turn lane. R. Winsor stated it would not be just a sign, there would need to be traffic control measures.

B. Dion added that would be the direction he would like to see. He continued that he would accept R. Winsor's statement that the Planning Board could say what the end of that road should look like. R. Winsor stated that it would not be the Town that makes that modification. M. Fougere stated it would be a raised island and a condition of approval. E. Weinrieb stated it would have to be a mountable raised island. E. Weinrieb explained the raised island within the Town's right-of-way noting it could not interfere with Rt. 33. M. Fougere stated that DOT will have to sign off on the concept.

S. Gerrato commented that the applicant wanted an opinion from the Board. R. Winsor stated the Board's preference would be a right turn only with a mechanism and traffic control to force a right turn, more significant than a sign. S. Greenshields asked if the Board would accept a plastic reflective barrier that could be knocked down. E. Weinrieb responded they would be better off with a mountable raised island.

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E. Weinrieb stated that the Town's regulations do not allow external amplifiers or speakers. S. Greenshields responded that they are a Montessori School and are very quiet. R. Brown asked the Board if they would be willing to have a condition of approval stating the exit will be restricted to right turn only with channelization, provided it is approved by DOT. If not approved by DOT, they will return to the Board. R. Winsor felt the Board could do something conditional if all parties were ready for approval. R. Brown stated they would have something for the next meeting. R. Winsor noted there were issues with parking, traffic, fire suppression, and septic in addition to Altus Engineer's comments. A robust plan for the turn will make it easier. The plan can be submitted to DOT before the next meeting. They were advised to keep E. Weinrieb and M. Fougere in the loop.

D. Moore opened the meeting to public comments. Amanda Nelson, Weeks Brick House President, and Cynthia Smith, Weeks Brick House Treasurer: Did not want the raised island that was discussed to interfere with their ability to make the turn onto Weeks Avenue. M. Fougere pointed out where the raised island would be located near the right-of-way. It will not block their driveway.

There being no further comments, D. Moore closed the public hearing and returned to the Board for further discussion. The application was accepted as complete on September 15, 2022; 65-days would be November 19, 2022 and the Board meets on Thursday, November 17, 2022.

MOTION: R. Winsor moved to continue the Site Plan Review, Conditional Use Permit: 69 Tide Mill Road (Map R17, 65 – Commercial District A) to the public hearing on Thursday, November 17, 2022. Second – S. Gerrato; all in favor. MOTION CARRIED

7. Subdivision of Land: 529 Portsmouth Avenue (Map U5, 9 – Commercial District A)  
Owner/Applicant: Granite State Pioneer Group, LLC  
The owner/applicant is proposing to convert the existing duplex into a two-unit building (new construction).

M. Fougere noted that Altus Engineering has finished their review of the project. Issues are minor in nature. The owner/applicant, Jeff Apsey, has gone back and forth on a condominium. When the project came back before the Board, it was advertised as a duplex and not a condominium. A subdivision plan has been submitted as a condominium. The project will need to be readvertised as a condominium. Another public hearing will need to be held in November. M. Fougere's only comments were that the corner pins needed to be set and the plans needed to be stamped and signed by the engineer. If it had been advertised correctly, the Board could have approved the project at this meeting.

M. Fougere summarized that the outstanding issues from Altus Engineering needed to be resolved in addition to having the plan stamped and signed by the engineer.

MOTION: R. Winsor moved to continue the Subdivision of Land, 529 Portsmouth Avenue (Map U5, 9) to the public hearing on Thursday, November 17, 2022. Second – B. Dion; all in favor. MOTION CARRIED

### 8. Approval of Minutes

MOTION: R. Winsor moved to approve the minutes of Thursday, October 06, 2022. Second – S. Gerrato; four in favor, one abstained (D. Moore). MOTION CARRIED

9. Consent Agenda

There was not a consent agenda.

10. Other Business

The Board received a copy of the Seacoast Online article regarding robotized manufacturing at Pease.

11. Topics for Work Session: Thursday, November 03, 2022

Topics will include any zoning amendments and the public hearing for the Subdivision Regulations and Site Plan Review Regulations.

12. Adjournment

MOTION: R. Winsor moved to adjourn at 8:55 p.m. Second – C. Medeiros; all in favor. MOTION CARRIED

NEXT MEETING
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Thursday, November 03, 2022 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant