



**PLANNING BOARD**  
**Town of Greenland • Greenland, NH 03840**  
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**MINUTES OF THE PLANNING BOARD**

Thursday, March 02, 2023 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bob Dion, Stu Gerome, Steve Gerrato, John McDevitt, David Moore, Richard Winsor (Selectmen's Rep), Phil Dion (Alternate)

Members Absent: Catie Medeiros, Frank Catapano (Alternate)

Staff Present: Mark Fougere

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

**I. PUBLIC HEARING**

**1. Continued Public Hearing**

Site Plan Review

64 Breakfast Hill Road (R7, 45 & 46: Residential District)

Owners/Applicants: Richard and Elizabeth Simpson, Rolling Green Nursery

The owners/applicants propose to construct a new 4,400 square foot store and 48-foot x 72-foot conservatory. Parking will be consolidated and improved with a gravel parking lot. Four greenhouses will be removed at the rear of the property as well as a greenhouse and garage on the front portion of the property. A new driveway is proposed to serve the existing house at the site entrance.

Bruce Scamman, Emanuel Engineering and James Verra and Associates, and representing Rolling Green Nursery, LLC, addressed the Board. Also present were Richard and Elizabeth Simpson, owners/applicants. B. Scamman noted the location of Rolling Green Nursery. The owner/applicants would like to expand the nursery.

At the meeting on Thursday, February 16, 2023, the Board requested more explanation of the waivers. B. Scamman reviewed the 16-page waiver detail (copy on file). There was a question if some of the waivers were needed: the buffer between the lots (existing condition) is not being made worse, they are making it better; test pits; and structures within 200 feet. M. Fougere did not feel the waivers for test pits (using the existing septic system) and the buffer between the lots (existing site that will be improved) were needed. An aerial photo has been submitted that shows the neighborhood.

J. McDevitt asked B. Scamman to review his letter dated March 02, 2023 (copy on file), not addressing the waivers.

Item 4 – Sitework Construction Cost Estimate: Will be a Condition of Approval.

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Item 10 – NHDOT Permit: An application has been submitted to NHDOT and will be a Condition of Approval.

Item 11 – Storage and Selling of Fertilizer: The SWPP (Stormwater Pollution Prevention Plan), Maintenance Plan, and Drainage Study submitted to the Town addresses that concern. A SWPP is needed when over an acre of land is involved and is required by the EPA. All fertilizer is kept inside under cover; large amounts are not used. Their Maintenance Plan includes the use of fertilization and preventing overuse. Best management practices are used. R. Winsor questioned if the Maintenance Plan included the storage of fertilizer proposed for retail. B. Scamman responded it did not, but it could be included. To be added to the plan: 'All storage of fertilizer shall be inside in a covered space; there will be no exterior storage of fertilizer'.

Item 12 – Existing Septic System, Water Meter: They are willing to address this concern with a water meter for domestic water. M. Fougere pointed out that it was to verify usage over a year. R. Winsor recommended usage be reported to Altus Engineering for three years rather than one. A note will be added that there will be a water meter for domestic water use.

Item 13 – NHDES Water Supply Permit: The permit needs to be obtained prior to construction. A note will be added to the plan.

Item 16 – Fire Protection Design: B. Scamman has met with the Fire Prevention/Code Enforcement Officer. M. Fougere noted that they are all set. B. Scamman has spoken to Chief Cresta regarding the new gate on the driveway entrance; there will be a Knox Box on the gate.

Item 17 – Utilities: The same utilities are proposed; new utilities are not planned.

Item 18 – Snow Storage: B. Scamman pointed out the snow storage areas on the plan. The parking lot will not be used to its full extent during the winter months and will be a snow storage area. They propose to keep snow storage on the pavement and gravel areas; there will be less maintenance to the grass if the gravel area is not being plowed onto the grass. In addition, there are infiltration areas around the edges of the parking lot. Once the snow melts, it will go across the gravel and into the drainage basin below the parking lot. J. McDevitt questioned access to the site if snow storage was in the parking lot should there be an emergency. B. Scamman noted that the catch basin areas were made so trucks could drive over those for fire access; they are stone areas that will help prevent siltation of the catch basins and dry well.

Item 33 – Site Lighting: R. Winsor was uncomfortable with this waiver request. He stated the foot candles and lighting plan as well as the hours of operation should be included. B. Scamman acknowledged they were on the plan. Also included on the plan was that the lights were on motion detection. Exterior wall mounted light fixtures along the building are downward facing LED lights.

Item 37 – Parking Requirements: Altus Engineering recommended that on busy days, parking attendants be available to direct traffic. Employee parking areas were noted. They did not want to commit that in the spring there would be someone directing traffic every weekend. R. Winsor noted there was enough space, and they did not need to commit to an attendant every weekend. R. Simpson added that they are proactive and will provide an attendant when it gets busy. S. Gerome did not want to have a queue on Breakfast Hill Road. B. Scamman noted there is a wider driveway entering and a much longer queue area than in the past. The driveway has also been flattened out and raised for better visibility when exiting.

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Item 41 – Knox Box on Proposed Gate: There will be a Knox Box at the first gate.

Item 51 – Inspection & Maintenance Plan: Full size documents will be given to the Town.

Item 56 – Drainage Analysis: A waiver has been requested for different sections of the drainage analysis.

Item 57 – Drainage Study Stamp: A Drainage Study stamp was submitted.

New Comment – Spot Grades and Yard Drain: B. Scamman noted the area on the plan that addressed the spot grades. Altus Engineering recommended a catch basin. There were mini catch basins. There are 18 inches of stone that the water will drop through. There are underdrain systems to direct the water to the parking lot, which is also all stone. There is an overflow system that will direct the water to the pond on site. B. Scamman did not think there was a need for an additional catch basin, adding it was a reverse dry well. R. Winsor noted it was an engineering detail that could be worked out between B. Scamman and Altus Engineering.

S. Gerome questioned R. Winsor's concern about lighting. R. Winsor stated he was not concerned with what they were doing; they needed documentation. B. Scamman stated that specs were submitted to the Town. S. Gerome commented that the Board needed clarification; they were fine granting the waivers but did not want them to make the site non-waiverable to the Site Plan Regulations. They were being asked to document what was being done. S. Gerome continued they were willing to grant the waivers from the Site Plan Regulations; however, the Board wants to make sure what is installed on the site is documented. B. Scamman clarified that exact light fixtures and locations are specified on the plan. They do not have the exact lumens and brightness of each fixture and how they work together as a system, which is the next level and the waiver request. M. Fougere noted they are not open until 9 pm or 10 pm. The closest home is 350 feet away from the area that will be lit, behind a vegetated buffer.

### Approval of Waivers:

MOTION: R. Winsor moved to grant the waiver request from **Site Plan Review Regulations** Section IV: Application Procedures and Requirements, Section 4.2 – Formal Application Review Process, Subsection 4.2.2 – Exhibits Required at Time of Submission, Item E – High Intensity Soils Information, which requires sewage disposal and lot size calculations. Second – S. Gerome; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to grant the waiver request from **Site Plan Review Regulations** Section IV: Application Procedures and Requirements, Section 4.3 - Data Required, Subsection 4.3.1 – Existing Data, Item B – Wetlands Scientist Stamp, which requires ....the stamp of a New Hampshire Certified Wetlands Scientist, to verify the existence and location of wetlands, or lack of wetlands, unless granted a waiver from the Board. Second – J. McDevitt; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to grant the waiver request from **Site Plan Review Regulations** Section IV: Application Procedures and Requirements, Section 4.3 - Data Required, Subsection 4.3.1 – Existing Data, Item D – Existing Conditions Plan, which requires ....Existing trees over 6" in caliper at 4' above the existing ground elevation must be shown on the existing conditions plan. Second – S. Gerome; all in favor. MOTION CARRIED

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MOTION: R. Winsor moved to grant the waiver request from **Site Plan Review Regulations** Section V: Design and Construction Requirements, Section 5.3 – Landscaping and Screening, Item C – Landscaping Plan, which requires a landscaping plan be submitted and approved, showing locations and types of vegetation to be retained or established. Configuration and vegetation (including height) will be reviewed by the Board on a case-by-case basis to ensure adequate visual and noise screening and to contribute aesthetic natural quality to the development. Second – J. McDevitt; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to grant the waiver request from **Site Plan Review Regulations** Section V: Design and Construction Requirements, Section 5.3 – Landscaping and Screening, Item F – Landscape Bond, which requires a bond equal to 20% of the cost of the plantings to be held by the Town for two growing seasons to ensure prompt replacement of any dead plantings. Second - S. Gerome; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to grant the waiver request from **Site Plan Review Regulations** Section V: Design and Construction Requirements, Section 5.10 – Lighting, which requires that site lighting information be provided to specific guidelines. Second – J. McDevitt; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to grant the waiver request from **Site Plan Review Regulations** Section V: Design and Construction Requirements, Section 5.11 – Parking Requirements, Subsection 5.11.3 – Parking Specifications, Subsection 5.11.3.3 – Surface, which requires all parking areas and access drives and aisles shall be surfaced with bituminous binder, concrete, asphalt, compacted, or crushed stone placed in order to prevent erosion and raising of dust. Second – S. Gerome; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to grant the waiver request from **Subdivision Regulations** Section V: Erosion and Sedimentation Control Standards, Section 5.2 – Applicability, Subsection 5.2.1 – Stormwater Management Report and Plans, which requires a Stormwater Management Report and Plans to be submitted with the Site Plan Review or Subdivision Application, and shall be prepared and certified by a licensed NH Professional Engineer. Second – J. McDevitt; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to approve the Site Plan Review for 64 Breakfast Hill Road (R7, 45 & 46: Residential District), according to the plan submitted by Emanuel Engineering, dated 02/08/2023, Project 22-150, with the following conditions: (1) clean letter from Altus Engineering; (2) plan legend shall include proposed features; (3) Site Restoration Bond: amount to be determined by Altus Engineering, the Planning Board Consultant and the applicant's engineer; (4) note keyed to the plan: security lighting will be motion activated after hours; (5) snow storage location noted on the plan; (6) solid waste disposal location noted on the plan; (7) a plan showing individual devices that are to be maintained; (8) all storage of fertilizer shall be inside in a covered space; there will be no exterior storage of fertilizer; (9) external loudspeakers, bells and intercom systems are not allowed; (10) all permits, including NHDOT and NHDES Water Supply Permit; (11) plans and drainage study to be stamped by licensed professionals; (12) all waivers to be keyed to the plan; (13) water meter and reporting to Altus Engineering for three years, subsequent to construction and full operation; (14) resolve any outstanding issues with Altus Engineering regarding spot grades and possible requirement of yard drains; (15) reference was made to the 11 requested waivers and detailed letter dated February 23, 2023; (16) The applicant must submit a final full plan set (22"x34") and an 11"x17" plan copy as part of the Planning Board file; (17) the applicant shall submit a digital file of the plan; (18) this plan is consistent with the Town's Site Plan Regulations and Zoning Ordinance. Second – S. Gerome; all in favor. MOTION CARRIED

**II. WORK SESSION**

**1. Verified Mail vs. Certified Mail**

M. Fougere received an email from Attorney Bedard regarding the notification from the Town of Newington and their approval. A right-to-know request was made by Attorney Bedard to the PDA. In the document received from the PDA was a notice from the Town of Newington to the Town of Greenland that was supposedly delivered by verified mail. Attorney Bedard was concerned because Greenland claimed they were not notified. The letter was addressed to the Town of Greenland and the post office box—not to the attention of the Board of Selectmen or Planning Board.

M. Fougere further explained that, unlike certified mail, verified mail indicates that the Post Office delivered the document. The Town Clerk does not recall seeing the letter and there is no documentation it was in the Town Office. M. Fougere reviewed the statute and found that under 'Projects of Regional Impact', notices must be sent by certified mail. Boards can elect to use verified mail; however, it is an option. Newington opted to use verified mail.

MOTION: J. McDevitt moved to continue sending abutters notices by certified mail. Second – S. Gerrato; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to increase the fees for abutters notices sent by certified mail to \$10. Second – B. Dion; all in favor. MOTION CARRIED

**2. Approval of Minutes**

MOTION: R. Winsor moved to approve the minutes of Thursday, February 16, 2023. Second – B. Dion; six in favor, one abstained (S. Gerrato). MOTION CARRIED

**3. Consent Agenda: Approval of Invoices**

- Town Budget – Fougere Planning and Development: **\$1,623.90**
- PB Escrow Account – Fougere Planning and Development: **\$390**
  - Tower Place - \$60
  - Rolling Green - \$330

MOTION: R. Winsor moved to approve the Consent Agenda as presented. Second – B. Dion; all in favor. MOTION CARRIED

**4. Topics for Work Session: Thursday, March 02, 2023**

- Reorganization of the Board
- Subdivision of Land, Conditional Use Permit  
136 Bayside Road (R17, 22: Residential District)  
Owner/Applicant: Cynthia Armstrong  
The owner/applicant proposes to subdivide Lot R17, 22 (16.58 acres) into two single-family residential lots. Lot R17, 22 will be 2-acres with 150 feet of frontage; Lot R17,22A will be a back lot

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of 14.57-acres and 50 feet of frontage. Both lots will have on-sites wells and septic and share a driveway.

### 5. Other Business

PDA – Peer Review of Traffic Study: M. Fougere updated the Board that a proposal had been received from Vanasse & Associates for the peer review of the traffic study at Pease (80 Rochester Avenue). The City of Portsmouth hired VHB to peer review Novice's traffic study, which indicates everything looks fine. The contract from Vanasse & Associates went to the Board of Selectmen; there was confusion regarding the address. The property address is 80 Rochester Avenue, the site plan indicates 100 New Hampshire Avenue, the City is advertising it as 80 Rochester Avenue, and the Vanasse information references 100 New Hampshire Avenue.

M. Fougere has sent a letter to the Board of Selectmen, hoping they will greenlight the project. R. Winsor stated there was a certain degree of consternation from some of the Selectmen. Anything the Planning Board can do to assist the Selectmen in understanding the importance of the peer review would be helpful. R. Winsor has one meeting remaining as a Selectman and will continue to push back. As a Board and members of the community, it is important that residents are aware. M. Fougere noted that the Vanasse contract is \$5,500. If the Board is going to go to the Portsmouth Planning Board, there needed to be facts. Having Vanasse there will make a difference. R. Winsor stated that he would qualify the discussion with the Selectmen as a split decision: there is some consternation and some members that are less committed than others. The Selectmen are expected to decide at their meeting on Monday, March 13<sup>th</sup>. M. Fougere noted that there was some discussion at the last Selectmen's meeting about reaching out to Stratham.

The Board received a copy of the email M. Fougere sent to Selectmen as well as a letter to the Stratham Board of Selectmen in 2018.

Rockingham Planning Commission: B. Dion informed the Board the RPC continues to talk about support of different budgets and other means of funding (usually in the 20% range). If the Winnicut River Bridge passes, Greenland may be responsible for 20% of the cost (approximately \$5 million). R. Winsor noted there was also the CSX Rail issue.

Last Meeting for Members: F. Catapano, S. Gerome and R. Winsor were thanked for their many years of service on various Boards. It was noted by D. Moore that there was plenty of room for alternates.

### 6. Adjournment

MOTION: R. Winsor moved to adjourn at 7:30 p.m. Second – J. McDevitt; all in favor. MOTION CARRIED

### NEXT MEETING

Thursday, February 16, 2023 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant