



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD PUBLIC HEARING

Thursday, March 20, 2014 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Chip Hussey, David Moore, Rich Winsor, Selectmen's Rep Mo Sodini, Steve Gerrato - Alternate

Members Absent: Paul Sanderson

Staff Present: Dylan Smith – RPC Circuit Rider, Myrick Bunker – Building Inspector

Chair Gerome opened the Planning Board meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Reorganization of the Board

At the request of Chair Gerome, reorganization of the Board has been continued to the work session on Thursday, April 03, 2014.

2. Site Plan Review: 01 Bayside Road [Map R17, 3]

Owner: MMC Greenland, LLC

Applicant: MJS Engineering, PC

The owner and applicant are proposing to construct an additional 30' x 140' self-storage building adjacent to the existing storage buildings.

Mike Sievert, MJS Engineering and representing the owner, addressed the Board. Also present was Bill Goodison, Property Manager for MMC Greenland. M. Sievert reviewed the existing conditions of the property; they are proposing to remove the outdoor storage and replace it with a 30' x 140' building which will be similar to the current buildings. The ZBA granted a Variance for open space on Tuesday, March 18, 2014. Without the proposed building, the site is approximately 30% open space. The proposed building will be placed on the existing gravel area, and there will be no change in the open space. The proposal is for a one story mini storage unit with minimal excavation.

C. Hussey stated he had reviewed the original site plan from 1996 and it appeared that the required plantings were either never done or didn't take. M. Sievert responded that the original plan was for trees to be planted along both sides of the property, and a drainage swale was added. C. Hussey added that the Conservation Commission was concerned with the lack of stormwater treatment, especially the bay side of the property going into the river. M. Sievert told the Board there are some basins on the property. C. Hussey pointed out that the required treatment was not installed although drainage may have been done. He continued that a treatment swale may not be appropriate because they don't work well in the winter but suggested a rain garden. M. Sievert thought infiltration basins with an overflow may have been installed. The gravel area is recycled asphalt.

R. Winsor was concerned with snow storage and wetlands. He felt a drainage plan was needed. Asked if he had elevations available and had reviewed building requirements, M. Sievert stated he planned to submit a waiver for the architectural regulations. The building will be exactly the same as the current ones: standard one story, overhead doors, no windows, metal siding and no insulation. R. Winsor asked if they were going to bring the site plan up to date with the original requirements of plantings, etc. M. Sievert stated they are willing to do what's necessary, if required.

Chair Gerome explained that there is a great deal of outside storage of boats, trailers, trucks and RV's. Based on the Variance granted by the ZBA, outside storage will be eliminated from the site. M. Sievert anticipates that there will be less traffic.

Snow storage and drainage were mentioned as concerns by D. Moore and M. Sodini. Building material requirements was briefly discussed; current regulations will apply. The Board agreed that the Town Engineer should review the plans before the next public hearing on Thursday, April 17.

D. Smith reviewed his comments (copy on file). M. Sievert told the Board he had originally requested two variances from the ZBA. Due to recent zoning changes, the variance request for the 50' setback for a non-conforming use was not required. D. Smith referred to Article IV, Section 4.3.4 (Explanatory Notes) and the fact that it was recently approved; the 50' setback would apply. D. Smith thought a use variance may be needed; storage facilities are not a permitted use within the Commercial A district. He noted that the Town Attorney should comment on that. M. Sievert explained that the Building Inspector's email to him dated February 06 states that lot coverage was the only variance needed. Initially the Building Inspector felt a use variance would be needed; however, after further research, he felt it would qualify under General Services (Table of Uses – H4). D. Smith suggested the Board seek an opinion from the Town Attorney because it's unclear. D. Smith reminded the Board that appropriate screenings are required between districts. Chair Gerome suggested that the Town Engineer should visit the site for compliance with the original plan as approved. The Board requested a copy of the DOT permit be forwarded to the office.

Chair Gerome opened the meeting to public comments. There being none, he closed the public hearing and returned to the Board for discussion. Chair Gerome requested that M. Sievert contact the Town Engineer to do a site walk, comparing the old site and what should have been done; he would also like a review of the proposed site. Chair Gerome further requested that the Town Attorney respond to the Circuit Rider's comments and proposed use.

MOTION: R. Winsor moved to accept the application as complete. Second – M. Sodini; all in favor. MOTION CARRIED

MOTION: M. Sodini moved to refer the project to the Town Attorney and Town Engineer for comment, and that the Town Engineer evaluate the original site plan and site for compliance. Second – R. Winsor; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to continue the application for 01 Bayside Road to the public hearing on Thursday, April 17, 2014. Second – M. Sodini; all in favor. MOTION CARRIED

Waiver requests were continued to the public hearing on Thursday, April 17.

3. Subdivision of Land: 319 Winnicut Road [Map R5, 3]

Owner: Patricia Johnson Revocable Trust

Applicant: Parkersville LLC

The owner and applicant are proposing a five lot residential subdivision development with an estimated 400' of roadway on approximately 15 acres of land.

Scott Cole, Beals Associates, addressed the Board; also present was Frank Catapano, developer. S. Cole briefly described the project. The current homestead and outbuildings located on the property will be removed. They are proposing five conventional lots, each with a minimum of 60,000 sq. ft. and 200' of frontage; there will be on-site septic and wells. The proposed 400' road will be an offset hammerhead off Vardon Lane. A bubble-shaped, tear drop road was evaluated; there were impacts in the wetland buffers with that design. The proposed offset hammerhead affords less impervious surface and has less wetland impact. The Conservation Commission, Fire Chief and Police Chief have reviewed the proposed design, and found it to be adequate. The proposed project has no impact to the wetlands or wetlands buffer. The only State permit required is subdivision approval. The applicant will be requesting three waivers, which were reviewed for the Board.

MOTION: R. Winsor moved to accept the waiver request from Greenland Subdivision Regulations Section 2.2.3, allowing the subdivision application to proceed without the mandatory design review. Second – D. Moore; all in favor. **MOTION CARRIED**

D. Smith reminded the Board that new roads require a design review; new applications with a road require a preliminary design review. He continued that the application appeared to be complete for a final public hearing.

MOTION: R. Winsor moved to accept the application for a five lot residential subdivision development at 319 Winnicut Road as complete. Second – D. Moore; all in favor. **MOTION CARRIED**

Chair Gerome announced the Board was in a public hearing. S. Cole addressed comments by D. Smith (copies on file). S. Cole stated they had been to a Dig Safe excavation hearing that morning and it included utility companies. A 10' separation from vegetation to any structure will now be a requirement.

S. Cole continued that they have tried to limit the number of proposed driveways coming off the hammerhead. The developer has agreed that the access for Lot B will be off Vardon; three driveways are being proposed on the new road (Lots C, D and E). Snow removal should not be a problem. D. Smith requested the full driveway for Lot C be shown to ensure a conditional use permit is not required. The area of disturbance will be 39,000 sq. ft. Single family homes are being proposed: no duplexes. There is a cistern located on Vardon, across from the proposed road, for fire protection; the Fire Chief was in agreement with the cistern, which is approximately 600' from the furthest home. M. Sodini added there is another cistern located on the opposite side of Vardon. D. Smith told the Board he did a site walk recently. The tree lined drive to the existing house of hickory, maple and oak trees is a unique natural feature of the site. F. Catapano stated he would prefer to move the driveway on Lot B back to the road than cut trees down. D. Smith would like the applicant to submit plans to the Town Engineer for comments. He suggested that putting the driveway on the proposed road is appropriate.

C. Hussey preferred the offset hammerhead rather than the bulb. He felt less impervious space would be utilized. It should also be easier to plow because snow can be pushed straight in. R. Winsor felt this lot didn't present the challenges of other lots in Town, and would support a typical approved road. He continued that he would be almost vehemently opposed to a hammerhead. Chair Gerome added that

from a snow removal perspective, he didn't agree with the ease of plowing. F. Catapano stated that the snow would be pushed forward, unlike the cul-de-sac where you have to move snow from the center to the outer edge. F. Catapano felt that the offset hammerhead works better. Chair Gerome preferred the bubble or "P" as an option and is allowed in the regulations. He stated he would prefer minor buffer impact than a hammerhead. D. Moore preferred the bubble or "P", as did S. Gerrato and M. Sodini. The general consensus of the Board was to move Lot B back on the proposed road. D. Smith asked if it was possible to do the "P" and keep the same number of lots. F. Catapano responded that they were trying to reduce the amount of pavement, impervious surface and buffer impact. The hammerhead does allow access for emergency vehicles. The hammerhead wraps around the contour of the property better. S. Cole added that they will look at the schematics of a bubble or "P", but there will be buffer impact.

Chair Gerome opened the meeting to public comments. Karen Betournay, 333 Winnicut Road and direct abutter: She would like to see the hours of construction limited to Monday through Friday. During the summer and vacations they would like construction not to start until 8:30 a.m. They have also requested a natural barrier along Lots A and B for privacy. Her major concern was safety. Her children attend Greenland School and the bus cannot pick them up on Winnicut Road. After spending a great deal of time with the bus company and school, it was decided they would get the bus on Vardon Lane. Mr. Johnson allowed the Betournay's to cut through the corner lot to get to Vardon; during the winter they snow blow a path. The Betournay's are requesting an easement on the corner lot for the next four years until her children leave Greenland School. Responding to a question from Chair Gerome, K. Betournay told the Board there is no place for the bus to turn around; Cornerstone School won't let the bus turn around there because they can't make the turn for their driveway.

Paul Johnson, Winnicut Road: P. Johnson explained that at one time the bus would back up High Street and come back and pick up his children for school. K. Betournay explained they could no longer do that because of the traffic.

F. Catapano explained that he has contacted his attorney who didn't like the idea of an easement. A landowner would have limited protection with a waiver of liability and could be overridden in court. An easement would also devalue the lot.

With no other comments, Chair Gerome closed the public hearing and returned to the Board for discussion. The Board agreed to wait for the Town Engineer's review.

MOTION: R. Winsor moved to continue the proposed subdivision at 319 Winnicut Road to the public hearing on Thursday, April 17. Second – C. Hussey; all in favor. MOTION CARRIED

Waivers have been continued to Thursday, April 17, 2014 after the Town Engineer's review is available.

4. Approval of Minutes: Thursday, March 06, 2014

MOTION: M. Sodini moved to approve the minutes of Thursday, March 06, 2014. Second – R. Winsor; all in favor. MOTION CARRIED

5. Topics for Work Session: Thursday, April 03, 2014

Christian Smith, Beals Associates, will do a work session on Age Restricted Housing.

6. Other Business

S. Gerrato gave an RPC update on Sea-3. D. Smith stated that RPC is responding to the opinion in the Portsmouth Herald.

7. Adjournment

MOTION: R. Winsor moved to adjourn at 8:25 p.m. Second – D. Moore; all in favor. ***MOTION CARRIED***

NEXT MEETING

Thursday, April 03, 2014 – 7:00 p.m., Town Hall Conference Room, Work Session

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Thursday, April 03, 2014