



PLANNING BOARD

Town of Greenland • Greenland, NH 03840
575 Portsmouth Avenue • PO Box 100
Phone: 603.431.7111 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE PLANNING BOARD PUBLIC HEARING

Thursday, September 18, 2014 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Steve Gerrato, Chip Hussey, David Moore, Paul Sanderson, Selectmen's Rep Mo Sodini

Members Absent: Rich Winsor

Staff Present: Glen Greenwood – RPC Circuit Rider

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. Site Plan Review, Conditional Use Permit: 1533 Greenland Road [Map R21, 55 & 55A]
Owner: Clan Murphy Limited Partnership
Applicant: Richard Landry, Thurloe Kensington Development
The owner and applicant are proposing construction of approximately 29,800 sq. ft. of commercial space, including retail space and drive-thru restaurant. The proposed project will disturb approximately 8 acres.

Ken Mavrogeorge, Tighe & Bond and representing the applicant, addressed the Board reminding them they had last appeared at the meeting on Thursday, August 21, 2014. Minor revisions were made to the plans based on comments from that meeting.

Operating hours for Lot A will be 5:00 a.m. to midnight; Lot B will be 7:00 a.m. to 10:00 p.m. The photometric plan has been revised to reflect the operating hours. Outdoor storage height was addressed (Note 25, Sheet C4), restricting height of storage in two different areas. Outdoor vendors and restrictions: Note 26, Sheet C4. It was noted on the septic plan where the proposed system is less than the required separation from seasonal high water to ledge; a waiver would be required from the Building Inspector. Full septic plans have been submitted to the Town for review and forwarding to the State. Alteration of Terrain approval has been received from the State. Preliminary comments received from DOT are being addressed.

Septic: seasonal high water separation is just under 4', which is required by the Town's regulations. The plan set submitted to the Town and State reflects a concrete chamber system with a reduced septic field size, using Clean Solutions System. The Town Engineer recommended they use an alternative source of treating waste water; the Clean Solutions System reduces the septic field size which allows proper separation. With that design they are less than 5' from ledge. The plan has been revised since the submittal of September 09, 2014; no waiver will be required from the Town because the design has been shifted to avoid that.

DOT comments included that no mitigation was required at the existing traffic signal. The majority of comments concerned adding stationing labels to the plans, adding distances from the construction base

line, and clean-up of the plans (DOT wanted certain materials to be used on a specific section of pavement in terms of depth, as well as an overlay of any areas there would be new striping in front of the development).

Utility companies will be present during construction within the easements; a revised note will be made on the plans that they must be present. R. Landry added that utility companies have indicated that with final approval from them it will be a requirement.

The Town Engineer's comments were reviewed (copy on file). The Town Attorney was provided with the draft easement as well as draft easement plan. The plan will be recorded. Stacking of vehicles at the reader board was discussed. The design on the submission was not changed; the applicant felt it was adequate for the proposed use. Operating hours were revised on Sheets C-4 and C-17. The applicant felt the Flowering Pear trees would provide adequate shade for the proposed use. The truck turning plan has been revised to show that a tractor trailer can enter and exit the site.

Comments from RPC, dated August 21, 2104, were reviewed (copy on file). The draft maintenance and easement was submitted to the Town Attorney. Town Engineer comments, dated September 15, 2014, were reviewed (copy on file); some of his concerns were addressed previously. A final drainage study has been submitted; upon approval, a stamped copy will be part of the file. An operation and maintenance log has been included in the drainage study. They were open to having maintenance logs submitted to the Town annually as a Condition of Approval.

Lot A retail hours will be 5 a.m. to midnight; operating hours are anticipated to be 6:00 a.m. to 11:00 p.m. The additional hour on either side is for the safety of employees (lighting purposes an hour before and an hour after); Tractor Supply (Lot B) is similar for employee safety.

Chair Gerome was concerned with the stacking at the reader board as well as turning for tractor trailers and shade trees. R. Landry told the Board that shade trees were discussed at the August meeting and felt the trees would provide some level of shade. An oak tree would be denser and after several years would be blocking the building, at which point they would be removed and smaller trees put in place. The trees out front will be Prince and American Elm: four on the Tractor Supply lot and seven on the retail lot; Flowering Pear will be on the islands. C. Hussey stated that tractor trailers are a problem on any site in Greenland. D. Moore was also concerned with stacking at the reader board. R. Landry stated that the site was designed that way; there is more parking on that section of the site than is needed. There is a retaining wall/sidewalk ramp connecting the upper portion of Lot A to the lower retail lot.

Architectural aspects were briefly discussed. Clapboards have been added to Tractor Supply as well as some vertical trim work to break up the side elevation. Originally it was painted CMU on the side; it will remain on the rear of the building (will probably be a hardy panel siding). What appears to be corrugated metal on the Tractor Supply building is actually a board and batten type siding. There was also a brief discussion on the fencing. R. Landry told the Board it needs to remain chain link down the side of the Tractor Supply Store. An ornamental type of fencing would be destroyed within a few weeks. Black chain link fencing will be used. Outdoor storage of non-merchandise materials will be noted on the plan to be recorded. Tractor Supply will need to apply for a sign permit. All retail sales will take place inside the building; however, there will be an outdoor display area. R. Landry added that the fenced-in display area for Tractor Supply is a drive-thru.

MOTION: *P. Sanderson moved to grant conditional and final approval for the site review at 1533 Greenland Road [Tax Map R21, 55 & 55A] in accordance with the plans by Tighe & Bond most recently revised to September 09, 2014, to construct approximately 29,800 sq. ft. of commercial space, including*

retail space and drive-thru restaurant. The proposed project will disturb approximately 8 acres. Second – M. Sodini; all in favor. MOTION CARRIED (Conditions of Approval follow.)

- Purpose is for retail space and drive-thru restaurant, including retail space for Tractor Supply.
- Hours of Operation: Lot A – 5:00 a.m. to midnight; Lot B – 7:00 a.m. to 10:00 p.m.
- Any and all State and/or federal permits shall be obtained and made part of the file, including but not limited to: NHDES Alteration of Terrain approval, NHDES Subsurface Disposal System approval and NHDOT Driveway Permit.
- No occupancy permit shall be issued until such time as the requirements of the fire protection system have been installed, tested and accepted in accordance with the Site Plan Review Regulations.
- No occupancy permit shall be issued until the landscaping is inspected by the Building Inspector; landscaping shall be completed according to the plan.
- Any and all fees due the Town of Greenland and its consultants must be paid before the mylar is signed and recorded.
- Police Chief review and written comments prior to approval.
- Fire Chief review and written comments prior to approval.
- A pre-construction meeting must be held with the Building Inspector prior to any building permits being issued.
- A post-construction meeting must be held with the Building Inspector prior to any occupancy permits being issued.
- The Town Engineer, paid for by the applicant, must inspect the installation of erosion and sedimentation control measures, septic or sewer system installations and stormwater drainage systems to ensure compliance with the approved plan.
- Any variances or waivers granted must be keyed to the final plan.
- No changes to the approved plan(s) can be made without appearing before the Planning Board.
- All on-site lighting must be down-shielded/dark skies compliant.
- Erosion control measures must be in place and maintained throughout the duration of project construction.
- The applicant must submit a final full plan set (22"x34") and an 11"x17" plan copy as part of the Planning Board file.
- The applicant must submit a digital copy (CD ROM or thumb drive) of the final full plan set as part of the Planning Board file.

Conditions Preceding (Prior to Final Signing of Mylar and Recording of Plans)

- The applicant shall receive all necessary State permits required for the project including, but not limited to, NHDES Alteration of Terrain approval, NHDES Subsurface Disposal System approval, and NHDOT Driveway Permit.
- Easement language, including maintenance requirements, between the two approved parcels be reviewed by the Town Attorney and revised, if required, to the satisfaction of the Town Attorney.
- Applicant shall provide a stamped copy of the full Drainage Analysis and Operation and Maintenance Plan to the Town for file records.
- Plans shall be revised to reflect the current address of the applicant.

Unique to the Site Plan Application

- Should the retaining wall location on Lot A, size or type, needs to be modified, the applicant must return to the Planning Board to amend.
- Maintenance logs must be kept on site for the Building Inspector to review when the annual inspection is done.
- No third party food vending outside of the building.
- No non-merchandise items shall be stored outside the fenced in area.

Conditions Subsequent

- *If parking is determined to be exceeding the constructed capacity by the Code Enforcement Officer, the applicant shall return to the Planning Board to determine if the proposed future spaces, as shown, are to be constructed.*

2. Subdivision of Land: 1533 Greenland Road [Map R21, 55 & 55A]

Owner: Clan Murphy Limited Partnership

Applicant: Richard Landry, Thurloe Kensington Development

The owner and applicant are proposing to subdivide the existing parcel into two lots. The parcel is located in the Commercial C Zone along Route 33 and consists of approximately 34.2 acres. Proposed Lot 1 will be approximately 29 acres; Lot 2 will be approximately 5.2 acres.

Ken Mavrogeorge, Tighe & Bond and representing the applicant, addressed the Board reminding them they had last appeared at the meeting on Thursday, August 21, 2014. He explained that the proposed subdivision is part of the development that had previously been approved. Lot B will be occupied by Tractor Supply; Lot A will be occupied by two separate buildings. The plan shows the location of the shared septic system as well as easements between the two properties. The plan and maintenance agreement has been sent to the Town Attorney for review.

Comments from the Town Engineer were reviewed (copy on file). Draft Conditions of Approval were also reviewed. Item 4, Town Engineer's review, will be added to the recorded plan (approval of this subdivision by the Greenland Planning Board shall not be construed as approving the encroachments from Map R21, Lot 54, which is a private matter between the applicant and the adjacent land owner).

Waiver requests, dated September 04, 2014, were submitted by MSC Civil Engineers & Land Surveyors. All waivers must be keyed to the recorded plan.

MOTION: *P. Sanderson moved to grant a waiver from Subdivision Regulations, Article 4.3 – Determination of Soil Type, Section 4.3(b) – Soil data using the standards of High Intensity Soil Maps of High Intensity Soil Maps of New Hampshire as part of the subdivision plan. Second – S. Gerrato; all in favor. MOTION CARRIED*

MOTION: *P. Sanderson moved to grant a waiver from Subdivision Regulations, Article 4.4 – Design Standards, Section 4.4.1(a) – The subdivider shall make a maximum effort to have the lot configuration conform to the natural contours of the site. Second – S. Gerrato; all in favor. MOTION CARRIED*

K. Mavrogeorge highlighted the subdivision lines for the Board; the large parcel at the rear of the lot will be part of Lot A if the subdivision is approved.

MOTION: *P. Sanderson moved to approve the subdivision of Map R21, Lots 55 & 55A into a total of two lots in accordance with the plan by MSC Civil Engineers & Land Surveyors, originally dated May 29, 2014, revised to September 04, 2014, upon the following standard conditions. Second – M. Sodini, all in favor. MOTION CARRIED*

- *No building permit shall be issued until the mylar is signed.*
- *Any and all State and/or federal permits shall be obtained and made part of the file.*
- *No occupancy permit shall be issued until such time as the requirements of the fire protection system have been installed, tested and accepted in accordance with the Site Plan Review Regulations and associated site plan approval.*

- *Any and all fees due to the Town of Greenland and its consultants must be paid before the mylar is signed and recorded.*
- *Boundary Monumentation must be included and installed in the construction cost estimate.*
- *The applicant shall provide the Town of Greenland with "as built" plans for the construction of any improvements upon the site in accordance with the approved site plan.*
- *A pre-construction meeting must be held with the Building Inspector prior to any building permits being issued.*
- *A post construction meeting must be held with the Building Inspector prior to any occupancy permits being issued.*
- *The Town Engineer, paid for by the applicant, must inspect the installation of erosion and sedimentation control measures, septic or sewer system installations and stormwater drainage systems to ensure compliance with the approved plan.*
- *A stamped Certificate of Monumentation must be received prior to the issuance of a Certificate of Occupancy.*
- *Any variances or waivers granted must be keyed to the final plan.*
- *No changes to the approved subdivision plan(s) can be made without appearing before the Planning Board.*
- *The applicant must submit a final full plan set (22"x34") and an 11"x17" plan copy as part of the Planning Board file.*
- *The applicant must submit a digital copy (CD ROM or thumb drive) of the final full plan set as part of the Planning Board file.*

Additional Conditions

- *Approval of the subdivision is contingent upon site plan review and conditional use approval, which has been obtained.*
- *Easement language, including maintenance requirements between both parcels, shall be reviewed by the Town Attorney.*
- *The final subdivision plans shall be recorded at the Rockingham County Registry of Deeds.*
- *The subdivision plan and site plan must be recorded contemporaneously.*

3. 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 Schlosser, MJS Engineering and representing the owner, addressed the Board. He reviewed comments made by the Planning Board at the meeting on August 21, 2014 (copy on file). Underwood Engineers reviewed the revised infiltration plans and signed off.

Originally proposing to use the existing lines, MJS Engineering will put in new lines to the catch basins. There will be an infiltration trench with a pipe in addition to minor changes in the grading of the swale. Underwood Engineering was in agreement.

Self-dimming motion sensors have been added to the storage building. A PIR designation has been added to the plan which indicates the lights will self-dim. The fixture will be turned on at dusk and off at dawn, set at 40% full brightness.

MJS was unable to locate any information regarding the existing septic system. They have indicated on the plan where septic is believed to be located.

G. Greenwood commented that all issues and concerns have been addressed. Underwood Engineers was in agreement with how the catch basin will be fixed. The existing tree buffer is on 01 Bayside property. Snow storage was moved; the new location was pointed out by M. Schlosser.

M. Schlosser requested to withdraw their request for a waiver from Section 5.17 (Architectural Plans); they had submitted a copy of the plan. After a brief discussion, it was decided the waiver should be requested due to it being a metal building.

A wetlands scientist has done a site review and will stamp the plans. There was a minor encroachment with the property at 780 Portsmouth Avenue, which has been resolved with an easement.

Chair Gerome opened the meeting to public comments. There being none, he closed the public hearing and returned to the Board.

MOTION: *M. Sodini moved to grant the waiver as requested by 01 Bayside [Map R17, 3] from Section 5.17 – Architectural Plans: the regulation requires architectural plans be prepared and submitted, indicating floor plans, building elevations, types of windows and doors, and type of building materials.*

DISCUSSION: The storage unit will be a metal building which is not allowed. Other storage units are metal buildings; there will be little to no visibility of the new unit.

MOTION: *M. Sodini moved to grant the waiver as requested by 01 Bayside [Map R17, 3] from Section 5.17 – Architectural Plans: the regulation requires architectural plans be prepared and submitted indicating floor plans, building elevations, types of windows and doors, and type of building materials. Second – C. Hussey; all in favor. MOTION CARRIED*

MOTION: *D. Moore moved to approve the request by MMC Greenland, LLC, 01 Bayside Road [Map R17, 3] to construct an additional 30' x 140' self-storage building adjacent to the existing storage buildings; plans revised to September 09, 2014. Conditions of Approval follow. Second – M. Sodini; all in favor. MOTION CARRIED*

- *Approval is for a 30' x 140' self-storage building.*
- *Hours of operation will be 9:00 a.m. to 4:00 p.m. as noted on page C-1 of the plan set.*
- *Any and all State and/or federal permits shall be obtained and made part of the file.*
- *No occupancy permit shall be issued until such time as the requirements of the fire protection system have been installed, tested and accepted in accordance with the Site Plan Review Regulations.*
- *No occupancy permit shall be issued until the landscaping is inspected by the Building Inspector; landscaping shall be completed according to the plan.*
- *Any and all fees due the Town of Greenland and its consultants must be paid before the mylar is signed and recorded.*
- *Boundary Monumentation must be included in construction cost estimates.*
- *A pre-construction meeting must be held with the Building Inspector prior to any building permits being issued.*
- *A post construction meeting must be held with the Building Inspector prior to any occupancy permits being issued.*
- *The Town Engineer, paid for by the applicant, must inspect the installation of erosion and sedimentation control measures, septic or sewer system installations and stormwater drainage systems to ensure compliance with the approved plan.*
- *A stamped Certificate of Monumentation must be received before the mylar is signed and recorded.*
- *Any variance or waivers granted must be keyed to the final plan.*

- *No changes to the approved plan(s) can be made without appearing before the Planning Board.*
- *All on-site lighting must be down-shielded/dark skies compliant.*
- *Erosion control measures must be in place and maintained throughout the duration of project construction.*
- *The applicant must submit a final full plan set (22"x34") and an 11"x17" plan copy as part of the Planning Board file.*
- *The applicant must submit a digital copy (CD ROM or thumb drive) of the final full plan set as part of the Planning Board file.*
- *A Wetlands Scientist stamp is required on the final plan set.*

4. Design Review: 34 Newington Road [Map R22, 23]

Owner: Bertha Patterson Trust

Applicant: John Chagnon, Ambit Engineering, Inc.

The owner and applicant are proposing a four lot residential subdivision with frontage on Newington Road; proposed Lot 3 will be a back lot. No new road construction is proposed.

John Chagnon, Ambit Engineering and representing the Bertha Patterson Trust, addressed the Board. Also present was Lorna Boucher, Trustee. A large section of 34 Newington Road is encumbered on one side by an easement to PSNH; there are no wires, it's on paper only. Wetland delineation was done earlier that day. There is some drainage that goes under Newington Road and exits in an excavated pit that bubbles over onto the surface; it appears to be a State highway culvert without a proper outlet.

The proposal is for a subdivision of four lots: two lots with frontage on Newington Road, a backlot with minimum frontage on Newington Road, and a lot with frontage on Portsmouth Avenue and Newington Road. Concept house locations were shown; owners will subdivide the lot and let the buyers decide.

G. Greenwood explained to the audience that this was the design review process and comments would be non-binding on the part the Planning Board and applicant. It gives the opportunity for the proposal to be reviewed and have feedback provided.

J. Chagnon commented that the applicant was committed to single family homes, in keeping with the neighborhood. The backlot will have access off Newington Road and have a Newington Road address. J. Chagnon stated they are in discussions with DOT regarding driveway locations, and may be limited on the number of cuts; they may come in off Portsmouth Avenue. P. Sanderson stated it was possible to get a waiver; in this situation, a waiver may be appropriate. A shared driveway may be very difficult. His primary issue was the driveway. DOT may say only three driveways. The backlot frontage has 46' where only a maximum of 20' is allowed by the Ordinance; that will be revised. Lot 4 may not have enough land in the front rectangle to qualify for a lot; J. Chagnon stated it was only .75 acres. Lot 4 also surrounds another property; a driveway off Portsmouth Avenue may be an option. C. Hussey stated there could be a shared driveway with the 50' right-of-way, similar to the subdivision on Winnicut Road. Chair Gerome stated he wasn't comfortable with the layout of Lot 4.

Chair Gerome opened the meeting to public comments. Dennis Pratt, 128 Portsmouth Avenue: The driveway on Portsmouth Avenue would be backwards, coming into the back of the house. J. Chagnon stated it would not be unusual for the corner lot to have a driveway with a garage in the back. D. Pratt commented on the "dip" in the front of the property, and felt it could be a wetland. J. Chagnon responded that the wetland scientist had looked at it, but he was still waiting for the official report.

Christine Marchulaitis, 90 Portsmouth Avenue: She was concerned with drainage and how much water would be forced to the back of the property. J. Chagnon responded it would be a Planning Board

decision if a detailed drainage analysis was required. It was not going to be a new road development; they had anticipated requesting a waiver for drainage analysis. C. Hussey stated that the Newington Road side of the easement would be going uphill and should not affect drainage problems. Chair Gerome clarified that house locations indicated on the plans may not be final.

There being no further public comments, Chair Gerome closed the public hearing and returned to the Board. J. Chagnon asked the Board to consider a drainage analysis waiver. The consensus was to see the wetlands and how the corner lot gets graded out. There is a culvert at the corner of Newington Road and Portsmouth Avenue in addition to the culvert that drains onto the lot just south of McShane.

5. Request for Subdivision Approval Extension: Beals Associates – Seavey Way

Christian Smith, Beals Associates, requested an extension of the subdivision approval for Seavey Way. They are negotiating with the Rye Water District for water.

MOTION: *M. Sodini moved to grant the subdivision approval extension for Seavey Way to September 2015. The applicant is actively pursuing the development; the delay is caused by external forces. Second – P. Sanderson; all in favor. MOTION CARRIED*

6. Approval of Minutes: Thursday, September 04, 2014

MOTION: *C. Hussey moved to approve the minutes of Thursday, September 04, 2014. Second – S. Gerrato; five in favor, one abstain (M. Sodini). MOTION CARRIED*

7. Topics for the Work Session: Thursday, October 02, 2014

Topics for the work session will include Age Restricted Housing revisions, density bonuses (Conservation Commission), Altus Engineering Proposal for Civil Engineering Services, any ordinance work.

8. Other Business

- Growth management: The Budget Committee has requested a meeting with the Boards regarding growth management in Town. P. Sanderson stated that growth management is in place and data needs to be collected. The only issue was implementing impact fees, which cannot be done without the data and a CIP in place. The five year survey of surrounding towns, excluding Stratham, needs to be done. A member of the Board of Selectmen will request it from the Building Inspector.
- Phasing: There is an ordinance for phasing.
- RPC: M. Sodini told the Board that the Selectmen would like input on a planner. The options were staying with RPC, hiring a consultant, or hiring a part-time employee. The Town Administrator will do an RFQ if the Board would like to hire a consultant. G. Greenwood told the Board that RPC was in the interview process. Several members were concerned with RPC hiring a consultant and his/her ability to interface within that setting if not hired as an employee of RPC. G. Greenwood stated that there would be office space available, but not an office dedicated to the consultant; the consultant would probably be at RPC a couple days per week and not be a full-time employee. RPC no longer has the capability to hire an employee. The Board discussed the options available. Continuity with a consultant was a concern vs. a part-time employee accountable to the Town. G. Greenwood told the Board that the consultant would be cost out to the Town at the rate the Commission would be charging; he will speak with Cliff to verify. P. Sanderson felt a part-time employee for the Town could not only serve the Planning Board, but also the ZBA and the Building Inspector, providing a much more comprehensive support system. G. Greenwood added that Greenland is seeing a lot of

activity and was busy enough to hire a planner. Several members didn't want to see the Town hire another employee. M. Sodini stated that the Selectmen would not make any decisions without the support of the Planning Board.

MOTION: C. Hussey moved to have the Town Administrator post an RFQ for a consultant. Second – S. Gerrato

DISCUSSION: There was further discussion of Town employee vs. consultant. It was suggested that the RFQ be written to include providing Planning Board and ZBA services as well as support for the Building Inspector and Board secretary.

MOTION: C. Hussey moved to have the Town Administrator post an RFQ for a consultant. Second – S. Gerrato; four in favor, two against (P. Sanderson, M. Sodini). **MOTION CARRIED**

9. Adjournment

MOTION: C. Hussey moved to adjourn at 9:25 p.m. Second – S. Gerrato; all in favor. **MOTION CARRIED**

NEXT MEETING

Thursday, October 02, 2014 – 7:00 p.m., Town Hall Conference Room, Work Session

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Accepted: Thursday, October 02, 2014