



PLANNING BOARD

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MINUTES OF THE PLANNING BOARD PUBLIC HEARING

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

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

Members Absent: David Moore

Staff Present: Glenn Coppelman – RPC Consultant

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 Modification: 1440 Greenland Road [R21, 44A]
Owner: Lowe's Home Centers LLC
Applicant: John Hession, EBI Consulting
The owner and applicant are requesting a modification to their site plan. They are proposing to utilize a portion of the existing parking spaces for outdoor storage and display.

John Hession, EBI Consulting, addressed the Board. Also present was Charles Sturdivant, Lowe's Home Centers. J. Hession reminded the Board they were here in October to modify Lowe's site plan to allow for additional outdoor storage and display areas. The Board had a number of concerns that J. Hession believed were addressed. The storage on the left side of the store has been reduced by 20 parking spaces and is concurrent with the front wall of the existing store. There is a 10' area in the rear of the building that will be striped and delineated as a "no storage of combustible materials" area. A note has been added that outside third party vending is not allowed. Hours of operation are per the original site plan approval and have been documented on the new site plan. There was discussion as to how the changes would be managed. Lowe's has spoken to the store manager: the site plan and any approval document with additional conditions from the Planning Board would be provided to the store manager and kept in his office.

An abutting resident had a concern about the removal of stockpiled snow. J. Hession stated they confirmed that snow plowing and removal is handled by the overall property owner; Lowe's does not control that directly. The information and concerns have been directed to the property owner who has contacted their snow removal contractor. They have been informed that the removal of snow would have to adhere to the same hours as the delivery hours (documented under the hours of operation on the site plan).

A waiver has been submitted from the parking requirement; the original waiver was for 100 spaces. With the reduction of the storage and display area by 20 spaces, they are requesting a waiver for 80 spaces.

Chair Gerome had concerns about the section for outdoor storage and display area located between Lowe's and Target, adjacent to the existing Garden Center. He felt it could be a safety issue if there is a display area and people backing out of parking spaces 8' away at Target. He stated that area should be limited to storage only. J. Hession responded that on the site plan it was labeled outdoor storage and display. The intended use was for the overflow of Garden Center materials for storage. He felt they could agree to limit that to outdoor storage for the Garden Center and no display.

P. Sanderson stated the site plan should be recorded. R. Winsor asked for clarity with snow removal, adding the word "snow". By doing that, interpretation by code enforcement would be easier. J. Hession clarified that if it snows, snow plowing will need to occur; snow removal would be the actual removal of stockpiled material.

MOTION: *M. Sodini moved to accept the application of 1440 Greenland, Lowe's Home Center, as complete. Second – P. Sanderson; all in favor. MOTION CARRIED*

Chair Gerome opened the meeting to public comments. Mary McDonough, 71 Portsmouth Avenue: Arrived late; J. Hession reviewed the snow removal issue, which can only be done during permitted delivery hours: 6 a.m. to 8 p.m., Monday through Saturday; and 7 a.m. to 8 p.m. on Sunday. M. McDonough asked that it apply to the entire complex, not just Lowe's. P. Sanderson stated it can be added as a condition that it apply to all.

There being no further public comment, Chair Gerome closed the public hearing and returned to the Board for discussion. Discussing the waiver, P. Sanderson stated the request would not have a significant impact on the site and it was seasonal.

MOTION: *M. Sodini moved to grant the waiver to Site Plan Review Regulations 5.11.2 – Required Spaces, to reduce the parking by 80 spaces from the required 614 spaces to provide outdoor storage and display areas. Second – R. Winsor; all in favor. MOTION CARRIED*

MOTION: *R. Winsor moved to approve the applicant's request for a site plan modification for 1440 Greenland Road, Lowe's Home Centers [Map R21, Lot 44A] in accordance with the plan by EBI Consulting dated September 24, 2014, with the following conditions. Second – M. Sodini; all in favor. MOTION CARRIED*

- *The storage notated on the east side of the building is to be limited to storage only and not display.*
- *Snow removal is to be added to the Hours of Operation as its own entity and in accordance with loading and delivery hours (6 a.m. to 8 p.m., Monday through Saturday; and 7 a.m. to 8 p.m. on Sunday). This will apply to the entire complex.*
- *No outside third party vendors.*
- *Plan must be recorded.*
- *Any waivers must be keyed to the plan.*

2. Boundary Line Adjustment: 408 & 416 Great Bay Road [Map R12, 43 & R12, 46]

Owners: Robert & Audrey Garcia, David O'Neill

Applicant: Peter Agrodnia, North Easterly Surveying, Inc.

The owners and applicant are proposing an adjustment to a common boundary line to allow for a proposed garage. The adjustment will result in an equal area exchange.

David O'Neill addressed the Board, explaining he was seeking a lot line adjustment in order to build a garage. The setback requires a 20' clearance to the property line, and the lot line adjustment will result in an equal exchange of property with his neighbor, Bob Garcia.

G. Coppelman told the Board that this is a straight forward, even swap of land, and the monumentation shows as it needs to. He continued that the two deeds need to be verified and the consent of the properties needs to be obtained (copies are on file). P. Sanderson noted that well locations for the properties were not on the plan; D. O'Neill pointed out the well locations, stating the exchange would not impact the wells or well radius. P. Sanderson requested the recorded plan show the well locations as well as a note that none of the land involved impacts the wetlands, ensuring that a garage is not being built on top of the jurisdictional wetlands. D. O'Neill added that he hired North Easterly Surveying because at one time the back corner of his property was designated as a flood zone. The land was surveyed and the information submitted to FEMA; it was determined that the property was no longer in a flood zone.

MOTION: *R. Winsor moved to accept the application for a boundary line adjustment at 408 & 416 Great Bay Road [Map R 12, 43 & R12, 46] as complete. Second – S. Gerrato; all in favor. MOTION CARRIED*

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

MOTION: *R. Winsor moved to approve the boundary line adjustment at 408 & 416 Great Bay Road [Map R 12, 43 & R12, 46] as presented with the following conditions. Second – M. Sodini; all in favor. MOTION CARRIED*

- *The well locations and well radius must be shown on the recorded plan.*
- *The recorded plan must include a statement that none of the land involved impacts the wetlands.*

3. Site Plan Review – Modification of Hours & Functions: 339 Breakfast Hill Road [Map R7, 19]
Owner/Applicant: Stephen Sewall, Breakfast Hill Golf Club, LLC
The owner/applicant requests to adjust the approved hours of operation as well as host non-golf functions.

R. Winsor recused himself during this case. Peter Doyle, attorney and representing the owner/applicant, addressed the Board; Stephen and Mary Anne Sewall were also present. P. Doyle explained the current hours of operation; they were seeking to extend those hours as well as expand the type of events held at the golf club during the off season. In 2012, the Town required sprinklers on the property due to the size of the club house. State regulations require sprinklers for any property hosting an event with over 100 guests. Sprinklers at this site were impossible due to an inadequate water supply. In order to keep the club house open, an agreement was reached with the Town. That agreement resulted in a three-part resolution: 1) a wall was constructed in the restaurant (event portion of the club house) creating a room for a maximum of 80 people, down from 100; 2) because of the loss of space and the difficulty of not being able to hold non-golf events, more functional hours of operation were allowed; 3) a Memorandum of Understanding was drawn up, but never signed due to the death of the Building Inspector.

No new structures are being built; the owner/applicant was seeking to modify the site plan only. P. Doyle briefly discussed the attachments included with the application (copy on file). He didn't feel modifications to the site plan would have any significant impact with the local community.

Outdoor events were addressed, with P. Doyle explaining that they are held during the golf season with weather permitting. They would like to hold function post-October through pre-May. The Board was concerned that extending the hours may expand the time frame of an outdoor event during the summer. P. Doyle told the Board that tents are used behind the club house for outdoor events which minimizes the noise somewhat. P. Sanderson stated that golf courses in Greenland are allowed in the residential zone by Special Exception from the ZBA, questioning if this would be a site plan modification or a modification to the Special Exception. He suggested that the language of the Special Exception be researched. If the hours of operation were included, the applicant would have to go the ZBA for relief.

MOTION: *S. Gerrato moved to accept the application for Modification of Hours & Functions at 339 Breakfast Hill Road [Map R7, 19] as complete. Second – P. Sanderson; all in favor. MOTION CARRIED*

Chair Gerome opened the meeting to public comments. Carol Smith, Tuttle Lane: Questioned the one hour buffer. P. Doyle explained the morning time would remain the same; the evening hours would change from closing at 8:30 to 10:00 and include the hour buffer until 11:00. R. Winsor, 48 Windsor Green: He was fully supportive of the hours of operation being extended. However, he requested that there be a hard stop at 10:00 p.m., giving the entertainment time to wind down. The applicant agreed to a 10:00 p.m. hard stop. Maria Emery, 4 Stone Meadow: Concerned about the decibel levels. The Board explained that the golf club would be bound by Town regulations. Joe Leddy, 18 Windsor Green: Was also in favor of the expansion of hours and agreed with R. Winsor's comments. P. Sanderson noted that Site Plan Review Regulations Section 5.9 – Noise Emissions addresses the decibel level and that it can't exceed 60 decibels.

There being no further public comments, Chair Gerome closed the public hearing and returned to the Board for discussion.

MOTION: *S. Gerrato moved to approve the modification of hours & functions at 339 Breakfast Hill Road [Map R7, 19] as requested, with the following conditions. Second – M. Sodini; all in favor. MOTION CARRIED*

- *Contingent upon the ZBA not setting the hours of operation in the Special Exception.*
- *Not to exceed the decibel level of 60, per Site Plan Review Regulations Section 5.9 – Noise Emissions.*

The plan is not required to be recorded; a Notice of Decision will be on file in the Town Hall.

4. Subdivision of Land, Conditional Use Permit: 239 Bayside Road [Map R16, 7]

Owner: Henry and Michelle Cowles

Applicant: Greenland Acres, LLC

The owner and applicant are proposing a five lot residential subdivision with approximately 600' of roadway on approximately 20 acres of land.

Joel Nichols, Beals Associates and representing the applicant, addressed the Board. A site walk was done by members of the Board and Conservation Commission on October 28, 2014. Driveway access for the existing structure is on Bayside Road; they are in discussions to remove the barn to allow the driveway to be on the proposed road. They are trying to contact one of the abutter's about moving his driveway to the proposed road. Kevin Russell, NHDOT District 6, verified that Bayside Road is under the jurisdiction of the Town. Abutting septic and well locations have been added to the plan.

The comments by the planning consultant (copy on file) were reviewed; comments received from the Town Engineer (copy on file) dated November 18, 2014, will be reviewed at the next meeting.

The Conditional Use Permit may change based on comments from the Town Engineer. Lots 3 and 5 meet the current requirements in the Town regulations. Questioned about the wetlands setback and the location of a residence on Lot 5, J. Nichols stated that there is a buildable envelope even though the 4,000 sq. ft. reserve area takes up a considerable amount of room. They plan to use enviro-septic systems, 11.5' x 30' wide. The existing drainage pipe will be looked at for a possible upgrade; it's located under the driveway portion and not the proposed road. The driveway for Lot 2 will be off the proposed road with the demolition of the barn. The proposed road is located near the abutter they are hoping to negotiate with to move his driveway. The side yard setback will not be in effect because it will be a right-of-way. If they moved the road over for setback purposes, there would be a small sliver of land that would not be useable. There was a note on the plan set that waivers had been granted; J. Nichols noted that none had been granted. There are no easements on the property; there are no catch basins on site; the existing drainage structure is a RCP drainage culvert that will be looked at for the driveway over to Lot 4; there is no sewer or water off Bayside Road; currently there is an overhead utility to the existing house: underground utilities are proposed. The flood hazard zone is labeled.

It was requested that proposed building locations be shown on the plans. S. Gerrato was concerned there are no hydric soils located in the entire area. The purpose of the Conditional Use Permit: buffers (which may change slightly), the location of the cul-de-sac, and road and shoulders. There are no wetlands impacts, but there will be buffer impacts. Potential driveway locations are shown on the plans, and will be part of the Conditional Use Permit. The driveway location for Lot 1, which is currently on a curve, is the existing driveway. P. Sanderson recommended they look carefully at that driveway location; they plan on looking at the site distances.

MOTION: *P. Sanderson moved to accept the application for the Subdivision of Land and Conditional Use Permit for 239 Bayside Road [Map R16, 7] as complete. Second: M. Sodini; all in favor. MOTION CARRIED*

Chair Gerome moved to open the meeting to public comments. Steve Hobbs, 112 Post Road: Concerned about road width. P. Sanderson explained the 50' right-of-way. Warren Brown, 197 Bayside Road: Asked about the well shield on Lot 2 under the highway. J. Nichols stated that it's protected by the access through the road so leach fields can't be built in that area, which accepted by NHDES because it's protected. Salting of the road should not interfere with the well; it's drilled, and is sealed and grouted down to the bedrock. If the well was installed correctly, it should not be a problem. The development meets Town requirements; they will not be asking for any Variances only waivers. Robert Paul, 223 Bayside Road: Asked that the frontage on Lot 1 be verified at 200'; J. Nichols did verify the frontage. R. Paul asked about the philosophy of putting in a development when the Town would be taking over the road, which could be looked at as the Town subsidizing the developer. J. Nichols responded by explaining the road acceptance policy by the Town. J. McDevitt, 291 Bayside Road: His property abuts Lot 5. J. Nichols explained the enviro-septic system and stated they would take his well into consideration when doing designs. Because the well was done after 1989, it was considered non-conforming and there should be a well release form that was recorded. It would state that the well radius was not deemed acceptable at the property line. J. McDevitt also mentioned removing the Douglas firs that had been discussed at the Design Review and during the site walk. There is an easement from Bayside Road to Allen Farm Road. The Town needs to consider connecting those roads. His biggest concern was the septic system on Lot 5 next to his property. W. Brown: J. Nichols assured him that his well was over 600' away with a vast wetlands system and a 75' buffer. His well would be well-protected. Kevin Lucey, 62 Meadow Lane: Expressed his concern to the Board regarding the total

wetland buffers (impact of 23,000 sq. ft.). He reminded the Board that in 2013 the Town voted to increase protections for wetland buffers.

There being no further comments, Chair Gerome closed the public hearing and returned to the Board for discussion. Waivers were continued to the December meeting, to be reviewed after the resubmission.

MOTION: *C. Hussey moved to continue the Subdivision of Land and Conditional Use Permit for 239 Bayside Road [Map R16, 7] to the meeting Thursday, December 18, 2014. Second – S. Gerrato; all in favor. MOTION CARRIED*

5. Design Review: 75 Bramber Valley Drive [Map U7, 10]

Owner: Edward H. Fillmore, Jade Realty Corporation

Applicant: Richard Green, Green and Company

The owner and applicant are proposing an age restricted housing project consisting of 73 single family condominium units with a proposed roadway connecting Bramber Valley Drive to Post Road.

Chair Gerome noted for the audience that this was a Design Review and comments from the Board would be non-binding. Joe Coronati, Jones and Beach Engineer and representing Green and Company, addressed the Board. Also present were Michael Green, Janet Green, John O'Neil and Scott O'Neil. J. Coronati gave a brief history of Bramber Valley Golf Course. Zoning for the property is Commercial A, which allows residential, commercial, duplexes, and age restricted housing. Some survey work has been done but is not complete. The density of the property allows 96 units. Housing will be single family units, typically two stories and predominantly first floor master bedrooms. The location is excellent: there is access on Post Road with the main entrance on Portsmouth Avenue. It's located in the heart of Town, there's a police station and the Town Hall, and the Commons is across from the Post Road access point. There will be connectivity to the sidewalks on Portsmouth Avenue, creating a pedestrian walkway.

Amenities on site include the clubhouse, driving range and putting greens. They tried to save some of the fairway areas for other recreational activities. There is approximately 51% open space; of that, 36% is recreationally used open space. There is city water and hydrants; each lot will have its own septic system using small fields. The road will be private with a sidewalk network and granite curbing. Parking requirements: two spaces per unit plus a visitor; their plan will accommodate four per unit—two in the garage and enough room in the driveway for two additional vehicles. In addition, there will be a parking lot in the complex. Even though the density is for 96 units, they are proposing 73 units. They are required to have a 25' buffer around the perimeter of the property; it will be well-buffered from the neighboring properties. The building style will be traditional New England, front load garages, and the roofs will be shingled and peaked.

There is a concern that the road from Portsmouth Avenue to Post could become a through way, and will be discussed with the Board at a later date. They would like to see pedestrian access on both entrances. The proposed roads are a through road, cul-de-sac and loop. The entrance into the development will be lit up to the club house and then only the intersections. Condo style living is planned, with full lawn maintenance and plowing. Drainage studies have not been done.

There are no lot lines and homes will be 35' apart. P. Sanderson was uncomfortable with a private road system and felt it should be public. A DOT permit will be needed for the Post Road entrance. He was very concerned with the development in the aquifer protection zone. He stated the Board would need significant proof from a hydrogeological study that it would be safe. He continued that he was skeptical

73 units could be built in that area. Looking at drainage, P. Sanderson suggested LID type technology as part of the MS4 and MPDES regulations. P. Sanderson mentioned the possibility of TIF, which may be a way to pay for sewer rather than individual septs. He suggested the developer discuss the possibility with the Selectmen.

The requirement for curbing would make it difficult not to have catch basins. J. Coronati asked if the Board would prefer less curbing and more LID's. They would still infiltrate with the stormwater, which is a requirement of the aquifer zone. He felt they could have the curbing and ponds, and still have the same result as the smaller rain gardens. P. Sanderson felt they could minimize curbing, having it where necessary.

M. Sodini asked if there could be an age restricted housing zone on a public road. P. Sanderson stated there are federal regulations about age restricted housing for other purposes, but not about the roadway serving it. M. Sodini clarified that the Town could restrict the housing on a public way to be age restricted; P. Sanderson stated yes, in accordance with federal regulations. He continued that there is no guarantee a private road would state private; it could be petitioned to become public. The access on Portsmouth Avenue is variable width. S. Gerrato was concerned with the size of the houses. Putting large in houses in may invite problems with larger families moving in. C. Hussey commented that Vernita Drive abuts the property, and suggested that they may want to continue the road over and use that as an access way rather than the Post Office. He mentioned the low water pressure in the Vernita Drive area. He also suggested they check on the mailbox location with the Post Office. G. Coppelman was unsure if this would qualify as a development of regional impact. A Conditional Use Permit will also be required. It's very compact, with a lot of septs on the aquifer. He calculated the number of bedrooms around 192. It's nearly a mile of new roadway. M. Sodini was advocating connecting sewer with the City of Portsmouth to take the burden off the aquifer.

There being no other Board comments, Chair Gerome opened the meeting to public comments. There were many members of the audience who voiced concern that the houses were too big and that the development was too big for Greenland. Also of concern was the traffic; some suggested a traffic study been done. The traffic pattern on Post Road would not handle the additional traffic with the school located approximately 1,200' down the road and the Maloney fields nearby. The entrance on Portsmouth Avenue was a concern for parents whose children walk to school or ride their bikes. Four cars for each unit would create a great deal of additional traffic (an additional 292 cars). Sewer was somewhat of a concern; P. Sanderson explained how the TIF would apply.

There being no further public comments, Chair Gerome closed the public hearing and returned to the Board. The Board told the audience that this will be a long process and reminded them that this was only the Design Review stage. In closing, J. Coronati stated that he felt the development would be an asset to the Town.

6. Subdivision of Land, Conditional Use Permit: 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 owner, addressed the Board. Also present was Lorna Boucher, Trustee, and Colby Gamester, representing the Paterson Trust. Previously in for Design Review, he briefly described the proposed project. He distributed revised materials based on comments from the planner and Conservation Commission.

The parcel consists of 10.9 acres. The property is burdened by an easement from PSNH that is 300' wide; there are no overhead wires, and is on paper only. The portion of Portsmouth Avenue where the corner lot is located is on a Town road. Noted on the plans was the high intensity soil survey; there are wetlands primarily under the easement area. There was a drain installed under that road; it's a State highway drain that exits on the west side of the property.

Lots 1 and 2 have 200' of frontage; Lot 3 is a back lot with 20' of frontage on Newington Road; and Lot 4 has frontage on Newington Road and Portsmouth Avenue. Test pits have been done and each lot has an area that is suitable for a septic system. The plan shows a large buildable area on each lot. There will be three driveways for four lots: Lots 1 and 2 will share a driveway, the drive for Lot 3 will be at the panhandle, and Lot 4 will have a driveway off Portsmouth Avenue. A Conditional Use Permit will be required, and was submitted with the application. There will be a joint curb cut on Lots 1 and 2 along the boundary line. There is an area of the wetlands to the northeast which has a 50' buffer. The buffer line is bifurcated by driveway and fill areas for those lots.

There's an area off the road where the highway drain is in a large hole. There isn't a proper exit to the drain; that area has to fill up with water and spill over to exit. They have talked to NHDOT and are proposing to give them an easement to maintain the culvert in a more appropriate manner. DOT has been asked to put in a proper swale. They would have a permanent easement at the headwall to do maintenance and a temporary easement to put in the swale. The driveway would then be constructed in a proper culvert and placed to maintain the flow. They are working with DOT to improve drainage along Newington Road.

The construction on the road is within a 50' buffer, it will require a Conditional Use Permit. They have met with the Conservation Commission and made plan revisions based on their comments. J. Chagnon reviewed those revisions with the Board, showing the driveway plan for Lot 3 off Newington Road and Lot 4 on the corner of Portsmouth Avenue. There is a drain pipe that runs across the flooding parcel and exits to a ditch on the southwest corner of the lot. A culvert will be put in under the driveway to maintain the flow.

Comments from the planner were reviewed (copy on file). Subdivision approval has been received; septic approval is for 600 gallons per day (four bedroom lot). Town requirements are that two test pits must meet all criteria for a four bedroom lot. Lot 4 has two test pits in the 4K area that have been approved by the State; however, the back test pit has a depth to ledge 1" deviant to the standard required. According to the ordinance and the Building Inspector's review, that lot is allowed three bedrooms. The plan notes that homes will be single family, in keeping with the neighborhood. Lots 1 through 3 will be four bedrooms; Lot 4 will be three bedrooms.

Waivers have been requested for the plan scale and vicinity sketch. J. Chagnon felt the backlot requirements were met. All other lots meet the frontage and area requirements. During Design Review, the backlot was discussed. At that time, the Board noted that the frontage was in excess of 20'. Years ago, a lot line revision was approved to clean up a setback issue with the garage on the property located at Map R22, Lot 18 (owned by Lorna Boucher). They are proposing to straighten the line, making the 20' requirement comply with the backlot regulations. 525 sq. ft. would be deeded from the parent tract to the property at Map R22, Lot 18. Meets and bounds are also included on the plan. Structures are shown; the area is served by Portsmouth water.

The planner pointed out that a drainage study should be discussed by the Board; existing roads do not require a drainage study. At the meeting with the Conservation Commission, an abutter (Christine Marchulaitis) represented by counsel voiced their concern about drainage problems. They met with the

abutter to walk the property; a report has been submitted to the Board (copy on file). J. Chagnon reviewed those comments for the Board. Joe Mulledy, Ambit Engineering, met with the property owner on November 13, 2014. The Marchulaitis home sits significantly higher than the Paterson property. The homeowner reported finding water in three shallow depressions near the house; it was J. Mulledy's opinion that it was not connected to the drainage that runs from this subdivision to the culverts. J. Chagnon pointed out where the property was higher and that there was general sloping to north and west and then to the south; it drains to where there is an inlet to a pipe along the front of the property into a swale and exits out in a southwesterly direction. The wetlands along the Paterson/Marchulaitis property line are very flat wetlands and large waterways (approximately 140' wide and 1,270' long). J. Mulledy did a quick hydro-cad analysis (copies are on file) based on 5,000 sq. ft. of development on each lot (a single family residence with a driveway). A two year storm would be .5 CSF; a 100 year storm would be 1 CSF. That should not be a measurable increase in runoff to the adjacent property.

The Conservation Commission requested they shorten the driveway by pulling it back to try to minimize the impact to the wetland buffer, which was 1,693 sq. ft. A revised Conditional Use Permit plan was submitted to the Planning Board based on that revision. The change resulted in a reduction to the impact area down to 993 sq. ft. There was also a question from the Conservation Commission regarding vernal pools on the property; a letter was submitted from Joel Noel stating he observed no amphibians or vernal pool indicators in April (copy on file).

Several members of the Board preferred the plan with the higher impact on the buffer, which was the original plan submitted to the Planning Board, due to safety concerns and sight issues on Newington Road. Based on the revised plan, there would be stacking room of 30'; the original plan would give stacking room of 40'. J. Chagnon stated that NHDOT was fairly certain there was good sight distance along the Newington Road corridor.

Responding to a comment from C. Hussey about impermeable structures in the easement, Colby Gamester stated they have been discussing restrictions and limitations on the property, but have not addressed the PSNH easement. There are no plans for structures in that part of the easement. There are large tracts of wetlands and buffer impacts on the property, and they are trying to place the least amount of restrictions on prospective owners. In addition, the new owner would have to deal with PSNH for anything done within that easement. C. Hussey also requested that the legend be expanded to include an explanation of the "dots" and "dashes".

Dennis Pratt, 128 Portsmouth Avenue: Showed the Board pictures of a test pit on Lot 4 that was iced over because the water doesn't drain. He stated it was a "dip" that was used as a test pit and is clay, and it drains towards his property. He was concerned that if the lot was sold, it could be filled in.

S. Gerrato left the meeting at 10:30 p.m.

J. Chagnon explained that there is an area that is lower than the surrounding area, and fills with water during storms. A test pit was done at the urging of the Building Inspector because it is not a jurisdictional wetland. The pit was done to make sure it wasn't going to map out as something that would be jurisdictional. Because it's not, it can be filled; it's an area of soil and not wetlands. It drains enough so that wetland plants don't grow there. The abutter is rightly concerned. J. Chagnon suggested there should be a condition that any building on Lot 4 would have to address drainage before a building permit was issued. Drainage should be directed away from the abutting lot. Chair Gerome added that a note should be made on the plan that grading and drainage needed to be dealt with.

Mrs. Hagan, 31 Newington Road: Was concerned about the location of the shared driveway for Lots 1 and 2. It will be a little offset from McShane. She requested some trees be removed to open it up more for safety concerns. Christine Marchulaitis, 90 Portsmouth Avenue: Requested a drainage study be done and that the Board not take jurisdiction at this meeting. D. Pratt: Questioned the size of the pipe to be run in the ditch. J. Chagnon responded that the pipe in front of his house was 12"; a 12" pipe was proposed.

K. Lucey stated that at the Conservation Commission meeting he learned that subdivisions on existing roads don't require drainage analysis. What they're hearing from J. Chagnon is that the next increase under the 100 year condition is 1 CSF. He continued that they hear about net increases, but not the total volume. Are the culverts that will flow in front of Lot 4 and ultimately go under Newington Road adequate in size so they don't get flooded out under the 25, 50 or 100 year conditions? He also addressed the character of the neighborhood, stating the proposed subdivision was not in keeping with that. C. Marchulaitis stated she had requested that it be added to the deed that nothing could be built on the PSNH easement.

J. Chagnon noted hydrographs were prepared looking at the watershed. Based on 5,000 sq. ft. with a house and driveway, flow and increase in a 2 year storm: the existing runoff is 7.9 CSF; the proposed is 8.5 CSF. The magnitude is probably 7.95 to 8.5.

MOTION: *P. Sanderson moved to accept the application for the Subdivision of Land and Conditional Use Permit at 34 Newington Road [Map R22, 23] as complete, and referred the application to the Town Engineer for review. A notation will be included requesting the Board be notified if further drainage analysis is required. Second – M. Sodini; all in favor. MOTION CARRIED*

MOTION: *M. Sodini moved to continue the application for the Subdivision of Land and Conditional Use Permit at 34 Newington Road [Map R22, 23] to the meeting on Thursday, December 18, 2014. Second – R. Winsor; all in favor. MOTION CARRIED*

J. Chagnon requested that the decision from the Town Engineer regarding the need for a drainage study be made in a timely manner. If one is required, they would like to do it prior to the next meeting.

7. Topics for Work Session: Thursday, December 04, 2014

Not reviewed due to the lateness of the meeting.

8. Other Business

9. Adjournment

MOTION: *R. Winsor moved to adjourn at 10:52 p.m. Second – M. Sodini; all in favor. MOTION CARRIED*

NEXT MEETING

Thursday, December 04, 2014 – 7:00 p.m., Town Hall Conference Room, Public Hearing & Work Session

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Thursday, December 04, 2014