



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD PUBLIC HEARING

Thursday, December 17, 2015 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Scott Baker, Chip Hussey, John McDevitt - Selectmen's Rep, Jamie Connelly – Alternate

Members Absent: Courtney Homer, Rich Winsor, David Moore, Steve Gerrato - Alternate

Staff Present: Mark Fougere - Consultant

Chair Gerome opened the Planning Board meeting at 7:05 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Subdivision of Land: 90 Depot Road [Map R13, Lot 8]
Owner: Lynn Marsh Trust
Applicant: Michael Marsh
The owner and applicant are proposing to subdivide a 1.68 acre lot from the existing 6.6 acre parcel to create a single back lot.

The applicant has requested a continuance to the meeting on Thursday, January 21, 2016.

MOTION: *C. Hussey moved to grant the continuance for the Subdivision of Land: 90 Depot Road [Map R13, Lot 8] to the meeting on Thursday, January 21, 2016. Second – S. Baker; all in favor. MOTION CARRIED*

2. Zoning Ordinances

M. Fougere prepared language for the Conditional Use Permit for proposed Zoning Ordinance amendment Item 1: *Article III - Establishment of Districts and Uses, Section 3.6 - Table of Uses, Subsection 'E' - Medical Services: amend to allow both (2) Medical Offices and Clinics (outpatient only) and (4) Ambulatory Surgical Center as permitted uses in the Commercial C (CC) Highway District where they are currently not allowed.*

C. Hussey requested an explanation as to why those types of offices were not allowed in that district and a Conditional Use Permit would be needed. Chair Gerome stated that an ordinance was being amended as the result of something on a specific site, and the Planning Board didn't like to do things that way. If a Jackson-Gray type building were added to the site, traffic would create a considerable impact. Traffic-wise, the site is already rated "F". If medical offices were allowed, a light may be required.

After further discussion, the Board agreed to table this amendment until the work session on Thursday, January 07, 2016. It will go forward to public hearing on Thursday, January 21, 2016.

MOTION: *J. McDevitt moved to forward 2016 Proposed Zoning Ordinance Amendments – Full Text, Items 2 through 9, to ballot. Second – S. Baker; all in favor. MOTION CARRIED*

- *Article III - Establishment of Districts and Uses, Section 3.7 - Supplemental Use Provisions, Subsection - 3.7.3*
- *Article III - Establishment of Districts and Uses, Section 3.7 – Supplemental Use Provisions, Subsection 3.7.5*
- *Article III - Establishment of Districts and Uses, Section 3.7 Supplemental Use Provisions, Subsection 3.7.11*
- *Article IV - Dimensional Requirements, Section 4.1 - General Requirements, Subsection 4.1.2*
- *Article IV - Dimensional Requirements, Section 4.2 - Table of Dimensional Requirements*
- *Article IV – Dimensional Requirements, Section 4.3 - Explanatory Notes*
- *Article VI – Signs, Section 6.5 – Exceptions and Signs Not Requiring A Permit*
- *Article XII – Growth Management*

Further, to not forward Article III - Establishment of Districts and Uses, Section 3.6 - Table of Uses, Subsection ‘E’ - Medical Services, as it relates to Medical Offices and Clinics (outpatient only) and (4) Ambulatory Surgical Center, to ballot. Second – S. Baker; all in favor. MOTION CARRIED

MOTION: *J. McDevitt moved to forward Article III - Establishment of Districts and Uses, Section 3.6 - Table of Uses, Subsection ‘E’ - Medical Services, as it relates to Medical Offices and Clinics (outpatient only) and (4) Ambulatory Surgical Center, to the work session on Thursday, January 07, 2016 for discussion regarding a Conditional Use Permit. The same article will be forwarded to public hearing on Thursday, January 21, 2016. Second – S. Baker; all in favor. MOTION CARRIED*

Clarification: Item 1 of the 2016 Proposed Zoning Ordinance Amendments – Full Text – will not be moved to ballot at this time.

3. Other Business

Bramber Valley - Age Restricted Housing Development Septic Waiver Review: The Board of Selectmen requested that the Planning Board review the request from Green and Company for a waiver from the seasonal high water table. C. Hussey explained that the Selectmen approved the waiver contingent upon review by the Planning Board for their input.

John O’Neill, representing Green and Company, and Gifford Colburn, Jones and Beach Engineering, were present to answer questions. J. O’Neill gave the Board a condensed version of the approval process for the ARH development. They have decided to install SeptiTech systems in some of the homes. These are state-of-the-art systems, and the water is 94% clear. Tracy Rioux, SeptiTech, had a hearing with DES to allow a 2’ separation from the seasonal high water table for new systems in addition to replacement systems; they have given their approval. In addition, all information was reviewed by Danna Truslow,

Truslow Resource Consulting; she also gave her approval. The final step was to receive a waiver from the Board of Selectmen.

G. Colburn told the Board that the State allows a 2' separation with advance treatment systems. On regular enviro systems the State allows 30". He continued that a bad test pit means a 4' separation that would require a mound in front of the house and the house would have to be built up with a steeper driveway, more stairs, etc. This system will reduce the nitrate levels that GZA wants them to meet by approximately 10% of the value.

The Town of Greenland requires a 4' separation from seasonal high water to the bottom of the system. When a site plan is done, septic systems are not designed at the same time. J. McDevitt asked why it wasn't anticipated or discussed during the application process. J. O'Neill explained that it wasn't until they started designing the septic systems that they realized there was a 4' separation; they thought the State and Greenland required 2'. He continued that test pits were done on the entire site, but not fine-tuned. G. Colburn added that the State allows 30" separation from seasonal high water to the bottom of the pipe. Greenland is one of the towns that have their own regulations; Greenland's reference to the seasonal high water table is found in the Building Regulations and not in the Subdivision Regulations. They weren't aware until after the approval that there was a difference between the Town and State.

Asked how many units would be affected, G. Colburn responded it would be wherever they didn't have 30" of seasonal high water; he estimated 30 units on the back side of the development. The system has been installed on several units that will not require a waiver because there is a 4' separation.

There was a discussion about setting precedence. M. Fougere stated that every site would be evaluated on its own. He didn't feel it would encumber the Selectmen or Planning Board; every site, application and request is different. Each applicant should have to justify their waiver request. If 34 waivers were granted in the Aquifer District, Chair Gerome stated it wouldn't stand up in court if someone outside that district were denied. J. O'Neill noted it was allowed with a replacement system. C. Hussey added that the regulation was written when the technology was new and untested. J. O'Neill noted that the systems needed City water and very good soils.

The Town's separation requirement was amended in 2002. M. Fougere stated that moving forward the questions should be asked during the process. It was also suggested that the requirement be added to the Subdivision Regulations and/or a note included referring to the Building Regulations.

MOTION: C. Hussey moved to recommend the Board of Selectmen grant the waiver for units with an estimated seasonal high water table of 30" or less from the original grade as a guideline. Second – S. Baker; four in favor, one abstain (Chair Gerome). **MOTION CARRIED**

There was additional discussion about adding the seasonal high water table to the Subdivision Regulations. M. Fougere will have something ready for a future work session, and suggested adding it to Section 4.4.10 with a note to refer to the Building Regulations.

4. Topics for Work Session: Thursday, January 07, 2016

Stormwater revisions will be started at the work session on Thursday, January 07, 2016.

5. Approval of Minutes

Approval of minutes was continued to the meeting on Thursday, January 07, 2016.

6. Approval of Invoices

MOTION: C. Hussey moved to approve the payment to Truslow Research in the amount of \$617.50 from the Escrow Account. Second – J. McDevitt; all in favor. MOTION CARRIED

As inspectors/consultants are hired for 1533 Greenland Road, they may be added to the Escrow Account for payment.

7. Other Business

M. Fougere met earlier in the day with an appraiser about the Sanderson properties.

8. Adjournment

MOTION: C. Hussey moved to adjourn at 7:56 p.m. Second – S. Baker; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, January 07, 2016 – 7:00 p.m., Work Session, Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Thursday, January 07, 2016