



**PLANNING BOARD**  
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**MINUTES OF THE PLANNING BOARD PUBLIC HEARING**

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Thursday, December 21, 2017 – 7:00 p.m. – Town Hall Conference Room

*Members Present:* Stu Gerome, John McDevitt, David Moore, Rich Winsor, James Connelly (Alternate), Steve Gerrato (Alternate), Catie Medeiros (Alternate), Paul Sanderson (Selectmen's Rep)

*Members Absent:* Scott Baker, Courtney Homer

*Staff Absent:* Mark Fougere - Consultant

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Chair Gerome opened the Planning Board public hearing 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. Projects of Regional Impact

Projects of regional impact were continued to the next public hearing on Thursday, January 18, 2018.

1. Subdivision of Land: 78-80 Maple Drive [Map R7, 2Q]

Owner: New England Acquisition LLC

Applicant: James Sacco, New England Acquisition LLC

The owner and applicant are proposing to convert an existing two story duplex residential building to condominiums.

Brenda Kolbow, MSC Engineering and representing the applicant, addressed the Board and distributed a color copy of the plan (on file). The building is currently a two-story duplex; they were proposing to convert it into two condo units. In addition, they will be splitting the shed on the back of the property for each of the units for Limited Common Area; the remaining area will be Common Area. The units are served by an existing well and septic system that is located in the Common Area. The septic design is under review at DES; DES has requested two additional test pits. A waiver has been requested from the construction plan requirement: there is no proposed construction on the site. The lot is the only one in the subdivision that is not a condo.

Responding to question from Chair Gerome regarding the septic, B. Kolbow explained that DES couldn't locate paperwork for the previous test pits and required new test pit data for their records. The existing septic was designed in the 1980's. R. Winsor suggested any approval be contingent upon DES septic authorization. Chair Gerome voiced concern that it be approved as a four bedroom septic. J. McDevitt was inclined to do a conditional approval due to septic. The number of bedrooms will not be increased, and there will be no interior construction. S. Gerrato noted that the existing septic system was over 35 years old, and stated he would like to see a separate septic for each side.

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

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

MOTION: J. McDevitt moved to approve the waiver request from Subdivision Regulation Section 3.3.3 – Construction Plan. Second – P. Sanderson; all in favor. MOTION CARRIED

MOTION: P. Sanderson moved to approve the subdivision of Map R7, 2Q into a total of two lots in accordance with the condominium plan by MSC Engineers dated November 22, 2017, Project No. 47828. The Limited Common Area for Unit A will be 3,646 sq. ft.; Limited Common Area for Unit B is 3,410 sq. ft. Subject to the following conditions: receipt of NHDES Subdivision Approval for a four bedroom septic system; plan title should denote a condo subdivision and not a site plan; set all missing lot bounds prior to recording; all waivers must be on the plan; applicant must submit a final full plan set (22"x34") and an 11"x17" plan as part of the Planning Board file; applicant must submit a digital copy of the final plan set as part of the Planning Board file. Second – J. McDevitt; all in favor. MOTION CARRIED

2. Conditional Use Permit: 1407 Greenland Road [Map R21, 45]

Owner: National Propane LP

Applicant: Robert Shummricks, Unitil Corporation

This project involves the installation of above ground piping that will facilitate the installation and retrieval of cleaning/inspection devices that are inserted into the natural gas mains.

Rob McSorley, Sebago Technics and representing the applicant, explained that the project was an L&R (launch and retrieval) facility. It will be used to maintain and test the existing gas line in that area; there is a federal requirement to document inspections and ensure the gas main is in good operating condition. A device is sent down the line that will test and record any imperfections detected on the outside of the main.

R. McSorley pointed out the location where the gas line will transition from 8" to 10", and where the L&R facility will be located. It's an above ground facility, and will be Cromwell green. They will be in a smaller wetland area; the total impact is 7,000 sq. ft. and 5,000 sq. ft. is located in Greenland. The Town/City line with Portsmouth is crossed. The gravel driveway is the impervious area; the area of the facility will be an open core stone (1/2" to 3/4") to allow water to seep back into the ground for recharge. There will also be an area of hard surface gravel. The remaining impact will be a temporary slope and restoration impacts.

They will also have to meet with the City of Portsmouth; they have met with the Technical Advisory Committee, Conservation Commission and Board of Adjustment. They will be meeting with the Technical Advisory Committee again, and have received approval from the Conservation Commission with some modifications: replanting of upland vegetation due to the impact on the slope. In the outfall, they will be cleaning out an additional wetland area and replanting with wetland specific species to improve the water quality that flows from Rt. 33.

The Technical Advisory Committee in Portsmouth has asked them to screen the device. R. McSorley stated they didn't like to put trees around it because they like to have it seen by police. They plan to use a green laminate fence with privacy slats on three sides of the enclosure. The Advisory Committee was concerned about the potential of a mishap or accident that might compromise the facility. The State DOT requirement is nine meters from the edge of the travel lane; they are back from the right-of-way line. There will be a guard rail on the front side of the enclosure.

MOTION: R. Winsor moved to accept the plan as complete. Second – D. Moore; all in favor. MOTION CARRIED

The septic force main will be relocated around the outside of the facility. The existing septic serves Ameri-Gas only. There is currently a marginal wetland impact. The phragmites and other exotics will be

removed and replanted with wetland specific species. The existing main and pipeline are buried and marked.

There was a lengthy discussion about the proposed fence. It will be a green laminate chain link fence with privacy slats. Chain link is used for security purposes rather than vegetation. There also isn't much room off the right-of-way for plantings. P. Sanderson added that vegetation wouldn't survive because of the salt. The fence will be 6' high with a foot of barbed wire across the top.

There will not be any security lighting; a weekly inspection will be done during daylight hours. Access to the facility will be from the Ameri-Gas driveway; no privacy slats on the driveway side. An in-line inspection is mandated every seven years. The pipe is coated carbon steel.

Chair Gerome stated that the plan was well done and well thought out. The major issue for the Board was the screening. They spent a great deal of time on the Ameri-Gas project and the proposed fence may detract. The Board would like the screening to be more aesthetically pleasing.

R. Winsor stated he would like more information on the wetlands impact. They have tried to relocate the device to another location with lesser impact to the wetlands. The wetlands they're in is smaller, but is impacted by runoff from Rt. 33 and phragmites. Based on their meeting with the Portsmouth Conservation Commission, plans were revised. Members of the Planning Board felt the Portsmouth Conservation Commission looked at the project very thoroughly. C. Medeiros pointed out there was more impact to the wetlands in Greenland.

Chair Gerome opened the hearing to public comment. There being none, he closed the public hearing and returned to the Board. P. Sanderson noted that this project does not impact the Ameri-Gas site plan. He also suggested the fencing be color coordinated with the Ameri-Gas building so it looks like part of their facility. Chair Gerome suggested they look at other alternatives for security screening. P. Sanderson added it will screen the Ameri-Gas tanks better. R. McSorley suggested they could add some type of element on the corners and mid-fence. J. McDevitt stated there was a diversity of opinion on the Board; he didn't have a major problem with chain link fence. He looked at the facility as a critical infrastructure, and was very concerned about the security. P. Sanderson was in agreement. R. Winsor stated he didn't want it look like an industrial plumbing site. S. Gerrato noted he was not in favor of impacting the wetlands.

The Greenland Conservation Commission will review the project at their meeting on Wednesday, January 10, 2018.

MOTION: R. Winsor moved to continue the application to the public hearing on Thursday, January 18, 2018. Second - S. Gerrato; all in favor. MOTION CARRIED

3. Subdivision of Land: 2 Bayridge Road [Map R12, 26F]  
Owners/Applicants: Anthony and Mildred Brackett  
The owners and applicants are proposing a two lot subdivision. The parent parcel consists of 20 acres; the subdivided lot will be 2 acres, leaving the parent lot with 18 acres.

Christopher Berry, Berry Surveying and Engineering and representing the applicants, addressed the Board. Also present were Anthony Brackett and his son-in-law. The applicants were proposing to subdivide their 20 acre lot located on the corner of Dearborn Road and Bayridge Road. There is an existing house, well and septic system on the lot. They would like to subdivide off a minimum lot size around the existing house, leaving room for a possible back lot. The remainder of the frontage would be open as well as other development zones within the parcel.

Stoney Ridge Environmental has delineated the jurisdictional wetlands around the brook which runs through the project site. The existing conditions plan with 2' topography and full wetlands analysis around the brook was reviewed. Test pits have been done on the lot with the existing and the remaining parcel to prove out buildability. State subdivision approval is required. If an effluent disposable field was needed in the future, there is ample area on the lot; they wouldn't need to go to the Conservation Commission or ZBA for relief. A moderately sized house and 4,000 sq. ft. leaching area were shown on the 18 acre lot and is not exclusive to the location indicated. A well with the 75' well radius is also indicated. The abutter's well radius extends onto the applicant's property; they would respect the abutter's well radius with any effluent disposal field.

Chief Laurent, Police Department, reviewed the plan and proposed driveway location (copy on file). The proposed driveway location allows for proper sight distance up Bayridge Road to the intersection. It also allows for proper right-hand turns into the project site and left turns out of the property.

A two page plan set will be recorded. Two waivers were requested: (1) from HISS mapping of the entire parcel. Soils information from the test pits was provided as well as the NRCS Soils map. If DES approves the application, that would provide justification of the minimum lot size. (2) From a complete topographic survey. There will be a note on the plan that if there is development of the "marooned" portion of the property, it will be required.

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

P. Sanderson questioned the proposed 20' wide driveway to the area where the house may be located. He suggested they consider making it 50' wide for the potential of a Town road. C. Berry responded that his understanding of the back lot ordinance was it couldn't be wider than 20'. P. Sanderson stated there are areas that are developable. If they stayed with the 20' wide road, any other development of the property would have to come from the Dearborn Road frontage. A. Brackett responded that they would be subdividing out their house and his daughter and son-in-law would have a single family home on the remaining large parcel. There weren't any plans to further develop the parcel. R. Winsor was in agreement with P. Sanderson, adding that they didn't need a back lot because there was ample frontage. Making it 50' wide on paper now would be easier for the future; 20' might become cumbersome later.

There was a discussion about the numbering on Bayridge Road, soon to become Osprey Cove. Chief Laurent's review indicated that some numbers would have to change. If the proposed driveway was a 50' road, it wouldn't be necessary to change the numbering. P. Sanderson asked A. Brackett to consider a 50' road for the future to protect their ability to do something else.

Julie Hayes, 4 Bayridge Road, abutter: Questioned the driveway setback; the proposed driveway is on the property line. P. Sanderson stated there is no setback for a driveway. There would also be no setback requirement for a new road. Sections of the stone wall may have to be removed if a road were put in. A. Brackett stated there were no plans to move the stone wall. P. Sanderson added that monuments will be required when the project was complete; she would be able to tell where the line was to make sure any new construction didn't encroach on her property. He assured J. Hayes there would be nothing in the approval that would allow the applicant to cross over onto her property.

J. Hayes also questioned utilities to the proposed home. C. Berry stated that although it wasn't shown on the plan, underground utilities were required. Prior to the sale, the utility company may require a utility easement to access underground utilities. J. Hayes was concerned about the location of septic to the wells, and requested it be moved further away. C. Berry stated it could be moved, but wouldn't

guarantee what could be done in the future. R. Winsor pointed out the plan was not an “as built”, but a proposal showing the land could support a house.

Many Board members were in agreement that a 50’ road should be considered. C. Berry felt the applicant was clear on the 50’ road and didn’t plan any future development. P. Sanderson urged them to consider the 50’ road because of the potential development of the larger parcel in the back. There could be a frontage lot on Dearborn Road; if they didn’t reserve 50’ in, they would have difficulty accessing the other property. The configuration of the reserve lot would be changed slightly. Some of frontage on Dearborn Road could be used. A. Brackett agreed to consider the suggestion.

MOTION: P. Sanderson moved to continue the application for a subdivision at 2 Bayridge Road to the meeting on Thursday, January 18, 2018. Second – R. Winsor; all in favor. MOTION CARRIED

4. Approval of Invoices

MOTION: C. Medeiros moved to approve payment of the Altus Engineering invoice in the amount of \$2,014 from the Planning Board Escrow account. Second – R. Winsor; all in favor. MOTION CARRIED

5. Approval of Minutes

Approval of minutes was continued to the next meeting.

6. Topics for Work Session: Thursday, January 04, 2018

There will be a public hearing for proposed zoning changes at the meeting on January 04, 2018. The Library Trustees have requested to be at that meeting to update the Board.

7. Other Business

There was no other business to discuss.

8. Adjournment

MOTION: R. Winsor moved to adjourn at 8:15 p.m. Second – D. Moore; all in favor. MOTION CARRIED

NEXT MEETING
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Thursday, January 04, 2018 – 7:00 p.m., Public Hearing/Work Session, Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Thursday, January 11, 2018