



PLANNING BOARD
Town of Greenland • Greenland, NH 03840
11 Town Square • PO Box 100
Phone: 603.380.7372 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE PLANNING BOARD MEETING

Thursday, June 18, 2020 – 6:30 p.m. – Virtual via Zoom

Members Present: Frank Catapano, Stu Gerome, Steve Gerrato, John McDevitt, Catie Medeiros, Bob Dion (Alternate), Steve Smith (Selectmen's Rep)

Members Absent: David Moore

Staff Present: Mark Fougere - Consultant

Chair McDevitt opened the Planning Board public hearing at 6:35 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being held virtually through Zoom and recorded by audio. A checklist to ensure meetings are compliant with the Right-to-Know Law during the State of Emergency was read into the record by Chair McDevitt.

Attendance of Planning Board members was taken by roll call: F. Catapano – aye; S. Gerome – aye; S. Gerrato – aye; J. McDevitt – aye; C. Medeiros – aye; B. Dion – aye; S. Smith – aye.

MOTION: F. Catapano moved to allow B. Dion to sit as a voting member for this meeting. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; B. Dion – yes; S. Smith – yes. All in favor; MOTION CARRIED

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| <p>1. Design Review: 177 Winnicut Road (R10, 12A)
Owners of Record: Brian and Maria Beck
Applicant: 177 Winnicut Road LLC
The owners and applicant are proposing 19 age-restricted housing units on 15.3 acres.</p> |
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Christopher Berry, Berry Surveying and Engineering and representing the owners, addressed the Board. The key issue from the meeting on Thursday, May 21, 2020, that deserved the most attention was the existing house on the site. At the Preliminary Conceptual meeting, it was discussed that it would be nice if the house was subdivided off the parcel. C. Berry explained that they would not have the land mass if the house was subdivided off. At the next Design Review meeting, it was questioned if the existing house met the intent of the ordinance. C. Berry stated a detailed analysis was done of the existing house on site, how it tied to the proposed project, how it could be further tied to the proposed project and how to make them more congruent in terms of size and architectural appeal.

Some members had asked for more information on how to tie the existing house in with the project, which can be done using visual and structural aspects. They looked at how to tie the front field into the proposed roadway and how to create a scenery they were trying to preserve: the installation of picket fencing along the front of the project, cutting back brush to line the front of the road with a streetscape appeal that states it is a cohesive project. The streetscape appeal would continue onto the proposed roadway, tying into the recreation trail along the Winnicut River to the front of the property.

C. Berry stated there are ways they can create a streetscape appeal by building a home with two fronts. Through architectural use and standard, a situation is created where it looks like one development but still remains hidden. After the May public hearing, they spoke to M. Fougere. There are ways a street could be created so the existing house would front on and take access on that street. However, it would detract from other things they are trying to create as part of the project.

C. Berry noted that when they compared the proposed housing stock to the existing housing stock, they could see from the planned use standpoint that the proposed housing stock was considerably smaller than the existing house on site. They would like to be generally similar to Bramber Green. Homes in Bramber Green were between 1,800 sq. ft. and 3,200 sq. ft. The existing home on Winnicut Road is approximately 3,200 sq. ft. to 3,300 sq. ft. in total space. The original proposal for their “small boxes” was much smaller. The number of units on site has been reduced and footprints from other projects with similar housing stock to Bramber Green have been placed on site. They can do two things: (1) make a housing stock that is similar to the existing on site; (2) they can create a housing stock that is similar to others that have been created in age restricted housing. The number of units in the proposed development has been reduced by one, which takes them a step closer to the density questions by some Board members. In addition, it frees them to look at the streetscape and landscape enhancements mentioned in Section 19.4.

In closing, C. Berry stated that improvements have been made to the plan the Board was reviewing at this meeting. Looking at the architectural standards and reviewing the architecture of the existing home, the project can be tied together much better. They felt this was the most critical of paths to take as part of the project design.

Chair McDevitt stated that he asked M. Fougere to do a complete review of the issues raised by Board members at the public hearing on Thursday, May 21, 2020. M. Fougere was also asked to review with the Town Attorney the Board’s authority and responsibilities under Article XIX. M. Fougere stated that the engineer was not fully in favor of the design and has concerns with the design. M. Fougere researched the ordinance in depth and tried to understand the Board’s concerns relative to how the existing home fit into the property. M. Fougere referred to the following in the Age Restricted Housing Ordinance (Article XIX): (1) Purpose Statement, Section 19.1; (2) Active Adult Community, Section 19.2 (members had questioned if the existing home was built to those standards); (3) Independent Living Facilities, Section 19.2 (the previous design had some issues meeting that requirement); (4) General Standards, Section 19.3, Item C – Uses; (5) Design and Architectural Specifications, Section 19.4. The Board was concerned that the previous design did not meet those specifications.

The new design tries to incorporate the development with the existing home which is a larger home than the proposed units. However, it is much closer to what the Board was looking for. The main problem was that the wetland impact associated with the project increases; there is a wetland directly off the road near the existing driveway that would be filled in—it is not a huge wetland but would have to be filled. There would also be a wetland crossing down below. The access would be allowed under the Wetlands Ordinance (Article XVIII) with a Conditional Use Permit. However, it is specifically stated that the goal should be to minimize to the maximum extent possible the impact to wetlands. The Board would have to overcome that standard.

F. Catapano: Appreciated the creativity in the letter from C. Berry. He was concerned why the trees were being cut down along the abutting property and replanted with buffer trees; there are a lot of old existing trees. He felt they should be maximizing what is there. He continued that the redesign did not minimize wetland impact. He saw the connectivity between the existing house and the other units; he did not think it was a viable plan to cross the brook twice and impact the wetland on a site he

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considered to be very highly environmentally sensitive. He noted the previous plan had the existing house and cul-de-sac separate and felt the house had to be absolutely split off. Even though the new plan was designed well, the house does not belong—his opinion has not changed. If the redesign did not have two wetland crossings, he felt it would accomplish the goal more. He did not see any attempt to protect the environmentally sensitive piece; the Board has a responsibility to say that the density is too high in an area with a brook running through it and abutting the Winnicut River. He suggested the applicant build four to six single family houses with a small cul-de-sac rather than trying maximize/force something that does not fit on the site.

S. Gerome: As a co-author of the Age Restricted Housing Ordinance, he felt the residence should not be included. The density of a very sensitive area needed to be considered by the Planning Board as part of the permit. He felt it was classic conservation subdivision. The Board was there to determine the best use with the developer. He stated that personally it was a very sensitive area and an overuse. If it was attached to any greenways, it would add to the situation; it should be used as adding onto the greenways. Addressing M. Fougere, S. Gerome suggested the Board should analyze where Greenland was with senior units compared to surrounding towns.

S. Gerrato: Did not think the test pits were taken on site; there should be “humps” in the field where they were taken and wanted to review the previous Building Inspector’s notes. He also felt there was more ledge on the site than was realized. He was concerned about moving forward on the house due to jealousy within the condo subdivision (paying condo dues, access, etc.).

C. Medeiros: Questioned if they have taken stormwater runoff into consideration with landscaping and the type of vegetation (plants and trees) they planned; she asked for more detailed plans. She felt the second plan could possibly work but did not like the two wetland crossings. If the driveway to the existing house was used, creating only one wetland crossing, and the cul-de-sac was at the end of that neighborhood, they might lose some density but it may not be bad for the project. She continued that the existing house did not fit. On the original plan, the existing house was located on one-third of the total acreage. If there were going to be that many units, they should be incorporating more than just one house on that portion of the parcel.

B. Dion: Was still very concerned about the density of the housing units and required number of septic systems. He wanted much stronger assurances that the septic waste was not going to harm the river, stream and environment and create a different set of problems. He felt there were other ways to cross the wetlands with one access road; there was potential to lay out the development other ways. He did not like the predominance of the existing house taking up such a large area; the units should be spread out more.

S. Smith: Reiterated the same points made by S. Gerome. S. Smith felt it was an overuse of the property and the existing house should not be included. He preferred to see more single-family units. He questioned if at some point the 55 and older units would be repurposed to a younger family with children. He agreed with the cutting of the trees and the buffer zone; he wanted to see a better detailed plan. Were they planning to keep the older trees along the buffer and what would be planted to replace what was removed? Well radius was a concern as well as the pumping factor of the well. He mentioned the letter from the abutter across the street and how their shallow well may be impacted.

Chair McDevitt: Has serious concerns about the stand-alone house. He noted that the abutter across the street had to find her well head when asked if she wanted to participate. He suggested that they needed to reach out to the abutters for concerns about their wells; an abutter should not have to dig to

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find their well head that was underground. They needed to find a way to accomplish that by themselves: a hold harmless agreement or something similar.

Chair McDevitt opened the meeting to public comments. Leonard Schwab, owner of 176 Winnicut Road: Requirement in Article XIX for facilities that supports senior services. M. Fougere stated a club house was not proposed at this time and was a recommendation but not required. Other on-site amenities were being proposed; the Board does not dictate the type of amenities. There was a discussion about the plan showing a second driveway; that was part of an alternative design and will be posted on the website. L. Schwab noted that if the second roadway comes to fruition, there are two driveways across the street, both of which already have difficult visibility to the south. It would be difficult to watch north, south and east; it would turn into a major intersection. M. Fougere responded that a State driveway permit would be required.

There being no further comments, Chair McDevitt closed the public comments and returned to the Board. M. Fougere stated that if the revised plan was something the Board wanted to consider, it should be looked at to mitigate or reduce the wetland impacts. Access will have to be vetted by DOT. Based on Board comments, they did not support the original plan. Alternatives were a total new plan of single-family homes or trying to stay with the proposed use with a redesign of lower density more in line with the memo plan vs. the original plan.

Chair McDevitt asked members if they were willing to move forward with the original plan and stand-alone house: was it viable or suitable and did it meet the spirit of the ordinance. F. Catapano: The house should be taken out. Chair McDevitt clarified that if the house was taken out the applicant would not meet the minimum acreage for age restricted housing (15.3 acres). He added that the land can be developed by the owner as long as it is vetted through the Board. S. Gerome: Would not be in favor of granting the permit based on his prior comments. S. Gerrato: Not in favor; there are too many problems. C. Medeiros: Not in favor of the plan; it is too impactful. B. Dion: Not in favor; not a good use of the land; it does not fit the intent of the ordinance and should not go forward. S. Smith: Without the house, there is no way to further the plan; it is an overuse and over density of the parcel. Chair McDevitt: Agreed with the opinion of the Board.

M. Fougere stated that C. Berry had a sense of the Board's opinion. He suggested the Board comment on the redesign; should it be further vetted? C. Medeiros suggested going with the cul-de-sac. Chair McDevitt asked if the current owner of the existing home would be getting rid of the two bedrooms on the second floor. C. Berry responded "Yes, the applicant was looking to convert it to a retirement home; the kids are out of the house".

C. Berry stated that they did not look critically at the design before the Board. They looked at other ways to develop the site that physically connected the house to a roadway system. They know the plan needs improvement. They would like to know if the Board wanted them to move forward with a similar plan using the age restricted housing ordinance, critically looking at density. Chair McDevitt responded it would be their decision. He cautioned them to listen to what Board members stated; for him there is the issue of crossing two wetlands, he did not like the density (refer to Section 19.3, Item C). It was too high on the environmentally sensitive parcel. If they moved forward with age restricted housing, he would have to see a lot of changes. S. Gerrato: They should move on to something different; there was too much there. S. Gerome: It does not meet the acreage for an ARH development, and the house should not be there. He appreciated what they tried to do to make it work. Part of the Board's role was to help people and get them into what works for the Town. He felt it was the wrong use at the wrong location. F. Catapano: Agreed; they could put in a small cul-de-sac through one wetland crossing. He was not in favor of more than one wetland crossing. He felt it was more of a conventional style

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subdivision. He suggested a conservation easement protecting the Winnicut River. S. Smith: Agreed it was an overuse of property; it would be better suited for three or four single-family units. Definitely too much density. B. Dion: Big issue was the number of units and how it would affect the river (density). C. Medeiros: Agreed it was an environmentally sensitive site. She would love to see single-family homes as an alternative if that was an option for the applicant. Two wetland crossings were definitely a “no”. Suggested one wetland crossing and making the existing home a more cohesive part of the development. Also suggested the cul-de-sac on the opposite side.

MOTION: F. Catapano moved to continue the Design Review of 177 Winnicut Road to the public hearing on Thursday, July 16, 2020. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; B. Dion – yes. All in favor; MOTION CARRIED

2. Subdivision of Land: 1-3 and 9-11 Henderson Way

Owner of Record: DD Cook Builders

Applicant: Ambit Engineering, Inc.

The owner and applicant are proposing to condominiumize two duplex units.

MOTION: F. Catapano moved to accept the application for the subdivision of land for 1-3 and 9-11 Henderson Way as complete. Second – S. Gerome; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; B. Dion – yes. All in favor; MOTION CARRIED

John Chagnon, Ambit Engineering and representing the owner, addressed the Board. J. Chagnon clarified that a Letter of Map Amendment (LOMA) was received for the property. The LOMA depicted the flood zone lines more accurately; that line will be added to the plan.

Two duplex lots will be condominiumized. The Planning Board approved the subdivision of land in September 2019; the property is formerly known as 705 Post Road. J. Chagnon reviewed the condominium plans with the Board. 1-3 Henderson Way has a common septic system as does 9-11 Henderson Way; each unit will have its own septic tank. Limited Common Areas and Common Areas are depicted on the plan. Associated floor plans were included. The street name and house numbers will be added to the plans. The project received the requisite driveway permit. State subdivision has been received and has approval for the conversion to condominiums.

S. Gerrato: Disappointed with the common septic system. J. Chagnon responded there are provisions in the documents that each unit is to share in the maintenance equally.

M. Fougere: Would like to see the flood plain line on the plan. Henderson Way needs to be labeled on the plan; the NH DES Subdivision approval number needs to be added to the plan; units on Henderson Way need to be numbered properly on the plan.

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

MOTON: S. Gerome moved to approve the subdivision of land for 1-3 Henderson Way and 9-11 Henderson Way with the following conditions: (1) The flood plain line must be on the plan; (2) Henderson Way needs to be labeled on the plan; (3) NH DES Subdivision approval number needs to be added to the plan; (4) units on Henderson Way need to be numbered properly on the plan. Second – F. Catapano; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – no; J. McDevitt – yes; C. Medeiros – yes; S. Smith – abstain; B. Dion – yes. Five in favor, one against (S. Gerrato), one abstain (S. Smith); MOTION CARRIED

3. Subdivision of Land: 2A Osprey Cove

Owners/Applicants: Stephanie and Timothy Brackett

The owners/applicants are proposing to subdivide a 3.12 acre lot with frontage on Dearborn Road from the parent lot with 18.63 acres; remaining land will be 15.51 acres.

MOTION: F. Catapano moved to accept the application for the subdivision of land for 2A Osprey Cove as complete. Second – S. Gerome; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; S. Smith – yes; B. Dion – yes. All in favor; MOTION CARRIED

Christopher Berry, Berry Surveying and Engineering and representing the owners, addressed the Board. The existing house was subdivided off the larger lot in January 2018. A septic design and house construction plans have been done for the larger lot which has been given to the daughter and her husband. They would like to further subdivide the property, creating a lot on Dearborn Road.

The wetlands analysis done for the original subdivision application has been expanded. The topographic survey has also been expanded. A parcel larger than a minimum lot size can be created; a single family home can be constructed on the lot as well as a septic system to be located outside the 75 ft. wetlands setback. The remaining land will stay with the proposed house. There is a tail of property that is outside of the development zone; a waiver for wetland features has been included.

M. Fougere: Wetland and survey stamps must be added to the plans; granite bounds are required along Dearborn Road and any Town right-of-way at all tangent corners and lot corners (each time a line changes direction, a bound must be set); given the tight area of development with the wetlands on the site, the depth of building area is 80 ft. to 90 ft., a snow fence or similar must be installed along the wetland buffer line prior to lot clearing; buffer signs must be put up along the wetland buffer after clearing; the Building Inspector is to inspect the fence prior to lot clearing; NH DES State subdivision approval is needed.

S. Gerome: Does the Board feel there should be a review by the Planning Board engineer due to the amount of wetlands. Members agreed it would be a good idea. C. Berry clarified it would be a peer review by the Planning Board Engineer. S. Gerrato suggested the wetlands scientist should review the plan again.

Chair McDevitt opened the hearing to public comments. Stephanie Brackett, property owner: Concerned about the cost for review. The wetlands were reviewed and entire property marked. Chair McDevitt explained it was going to be sent to the Planning Board Engineer for review and would be a second set of eyes. S. Gerome noted that the Board was sensitive to the costs but they are not engineers; the Board does ask for peer review of projects to ensure the project is safe and meets all the Town's guidelines.

There being no further public comments, Chair McDevitt closed the public hearing and returned to the Board. Waivers will be reviewed at the public hearing on Thursday, July 16, 2020.

MOTION: S. Gerrato moved to continue the subdivision of land for 2A Osprey Cove to the public hearing on Thursday, July 16, 2020. Second – C. Medeiros; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; S. Smith –yes; B. Dion – yes. All in favor; MOTION CARRIED

M. Fougere will coordinate the review with the Planning Board Engineer. A Wetland Soil Scientist will not be hired. S. Gerome added it will be strictly a quick peer review.

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4. Release of Escrow Funds – Dance Innovations Studio

A request for the release of landscaping funds in the amount of \$620.20 for Dance Innovations Studio was received. M. Fougere has received pictures and noted the landscaping is well-established and nothing has died. It has been a great use for the Town.

MOTION: S. Gerome moved to approve the release of escrow funds in the amount of \$620.20 to Katie Fitzpatrick, Dance Innovations Studio (64 Tide Mill Road). Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; S. Smith –yes; B. Dion – yes. All in favor; MOTION CARRIED

5. Approval of Invoices

There were no invoices to approve.

6. Approval of Minutes

MOTION: S. Gerome moved to approve the minutes of Thursday, June 04, 2020. Second – C. Medeiros; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; S. Smith –yes; B. Dion – yes. All in favor; MOTION CARRIED

7. Items for the Work Session: Thursday, July 02, 2020

Items for discussion will include: Facilities Chapter – Master Plan; Zoning changes.

8. Other Business

M. Fougere briefly updated the Board on discussions with New England Development regarding work force housing in the Target plaza. There was another group that was interested in work force housing in Greenland; M. Fougere directed them to that area.

M. Fougere will also contact Cole Haan for an update and report back to the Board.

Opening the Town Hall will be discussed at the Board of Selectmen meeting on Monday, June 22, 2020. An update will be available after that date. S. Smith noted that any opening would not happen until after Monday, July 06, 2020. The Planning Board work session will be held virtually via Zoom.

9. Adjournment

MOTION: S. Gerome moved to adjourn at 7:57 p.m. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; C. Medeiros – yes; S. Smith –yes; B. Dion – yes. All in favor; MOTION CARRIED

NEXT MEETING

Thursday, July 02, 2020 – TBA

Submitted By: Charlotte Hussey, Administrative Assistant

Approved _____