



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

Thursday, May 19, 2022 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bob Dion, Stu Gerome, Steve Gerrato, John McDevitt, Catie Medeiros, David Moore, Richard Winsor (Selectmen's Rep)

Members Absent: Frank Catapano (Alternate)

Staff Present: Mark Fougere

Also Present: Jeffrey Dirk – Vanasse and Associates; Danna Truslow – Truslow Resource Consulting, LLC; Attorney Timothy Phoenix – Hoefle, Phoenix, Gormley & Roberts

D. Moore opened the Planning Board public hearing at 6:30 p.m. He announced a quorum was present and the meeting was being recorded.

1. Projects of Regional Impact

There were no projects of regional impact to discuss. J. McDevitt questioned if the proposed 138 condominium units at the former Stratham Community College on Portsmouth Avenue would be considered a project of regional impact, especially on Rt. 33. M. Fougere responded that the Stratham Planning Board had to make that determination. M. Fougere will contact the Stratham Planning Board.

2. Site Plan Review, Boundary Line Adjustment, Voluntary Merger, Conditional Use Permit

Address: Off Tower Place/Maple Drive; Vicinity of Magnolia Lane, Sunnyside Drive
(R7, 3 – Zones: Residential, Wetlands Conservation, Aquifer Protection)

Owners: Community Congregational Church (R7, 3), Homewood Farm Realty Trust (R8, 16), Philbrick-Vickery Tower (R8, 17), Elaine Grover (Easement - R7, 61), Margaret Bell (Easement -R7, 61), Linda McGurin (Easement - R7, 57), Rebecca Eastman (Easement – R7, 57)

Applicant: Joseph Falzone

The owners and applicant are proposing an age-restricted development: 47 units, club house, and approximately 3,100 ft. of new road.

S. Gerome recused himself from this portion of the meeting.

Vanasse and Associates - Traffic Review: At the request of the Planning Board, Vanasse and Associates did a peer review of the Pernaw traffic study. Jeffrey Dirk, Vanasse and Associates, reviewed his report with the Board (copy on file). J. Dirk explained that their review of the site plan dealt with transportation. They looked at the roadway design and slope of the roadway, as well as pedestrian and vehicle access and circulation.

DRAFT: SUBJECT TO CHANGE

J. Dirk stated that they looked at how the documents were prepared. He stated that the materials were prepared in accordance with professional standards. NHDOT standards as well standards of the profession were followed as they relate to the accepted Traffic Engineering and Transportation Planning practices.

The project is proposed for 50 age-restricted units and is a low traffic generator and will not generate a significant amount of traffic. They looked at the project in the context of where it is located and its connectivity to the adjacent neighborhood. If the project were located directly on Breakfast Hill Road, it would still be a relatively low traffic generator. Low traffic volumes are around 24 to 28 vehicles over the course of an hour; it would be less than one additional vehicle every three minutes during peak hours. On Breakfast Hill Road, the activity is not significant in terms of added traffic that would result in delays or back up at Rt. 151, Sunnyside Drive or coming off Magnolia Lane or Maple Drive.

The context of the project Vanasse Associates evaluated is not the impact on Breakfast Hill Road or Rt. 151, but how the project impacts the neighborhood. They asked the applicant to look at how the added traffic interacted with the residential neighborhood relative to pedestrian and bicycle accommodations and safety for the general circulation of the neighborhood.

Looking at the site plan, all those accommodations were accounted for within the project. J. Dirk noted there were no sidewalks as the project site was exited. Comments from Vanasse and Associates: the applicant was asked to review how the development interacts with Magnolia Lane, Maple Drive and Sunnyside Drive; proper site distance at the intersections; the curvature and alignment of the roads; the width of the roadway and pedestrian traffic. J. Dirk noted the speed on the roadways: residents in the proposed development would be living a longer distance from Breakfast Hill Road. Vanasse and Associates have asked the applicant to look at things that could be done to improve the neighborhood streets for safety.

Comments from Vanasse and Associates from the traffic analysis suggested they looked at the neighborhood in a holistic prospective and provided recommendations to the Board to consider in terms of what improvements might be made to moderate traffic and address safety issues and pedestrian activity.

J. Dirk recommended that a vehicle turning analysis be used for fire trucks and service delivery trucks. He noted the Board and Fire Department should review the turning templates. Vanasse and Associates also provided guidance on positioning the homes: there are certain critical dimensions as they relate to the proximity of housing units to the edge of the travel way. As the homes are clustered to maximize open space, the homes should not be too close to the road so vehicles are sticking out into the travel way. They provided minimum dimensions: if there is a sidewalk along one side of the road, the driveway needs to be 23 ft. long; if there is not a sidewalk, the driveways can be 21 ft. to 22 ft. long. Those minimum dimensions will set the closeness of the houses leading to the roadway. If adjustments need to be made, the layouts need to be looked at to make sure they can meet the minimum critical dimensions. J. Dirk explained how the dimensions are determined: no one parks their vehicle against the garage door. Generally, space is left to walk behind the vehicle or in front of the vehicle. The dimensions also make sure the vehicle is not in the sidewalk, if there is one.

J. Dirk stated there were some minor things, adding dimensions to the plan; however, there was nothing significant in terms of their comments. He added that traffic counts were done in 2021 and the data should be properly adjusted to reflect that COVID happened. That will affect traffic volume and patterns. Volumes are coming back but may not be the time of day as previously. All of that needs to

DRAFT: SUBJECT TO CHANGE

be considered when the traffic analysis is done. They looked at historical data pre-COVID (2018 and 2019). The applicant made the proper adjustments; DOT provides that. They have looked at peak season and accounted for impacts due to COVID.

A major concern of R. Winsor's was preserving the community. It is a younger community with children and is very active. He had significant concerns relating to the community and how the Board can mitigate traffic impact. He was not really worried about the counts but rather what traffic calming measures could be suggested that the Board might pursue to ensure the existing community was protected. J. Dirk responded that they have asked the applicant's traffic engineer to provide a list of traffic calming measures for the Board and other Town departments to review. The list could be signs or pavement markings. Depending on how Public Works, Police and Fire feel, other features could be added (speed bumps, textural pavement changes, flush elements to provide a visual to slow down, selective narrowing in certain areas). J. Dirk suggested that the Board may want the applicant to provide a fund that could be used to implement something off the list. R. Winsor asked if Vanasse and Associates would also look at that and provide a similar list to the Board. J. Dirk explained the applicant's traffic engineer would do their list; Vanasse and Associates would do an independent list. Vanasse and Associates would review, comment, and supplement, and then develop a list for the Board.

J. McDevitt was satisfied with the Vanasse and Associates review and the traffic counts once the build out was there. J. McDevitt's concern was construction vehicle traffic on the road prior to the build out and the safety element. He did not see that addressed. J. Dirk replied they could follow up on that. He recommended a construction management plan that addressed those concerns. Construction vehicles will have a much different impact on the neighborhood. There would be several aspects to consider: how does the applicant plan to build out and the duration of the build out as well as the proper route to get to the site that would be the most direct and least impactful. Vanasse and Associates could provide comments. The applicant needed to provide input and that would help Vanasse and Associates to structure a construction management plan. The Board will want to deal with the duration of the build out as well as hours of construction, time of day for trucking activities and truck routes.

R. Winsor stated that any offsite improvements or connectivity issues should be addressed after construction is complete. The Board may want to start looking at traffic calming measures and how to manage those temporarily to allow the neighborhood to thrive and survive, and at the same time keep speeds down and the neighborhood safe while construction is ongoing.

Attorney Phoenix, Hoefle Phoenix & Gormley, introduced members of their team that were present: Joe Falzone, applicant; Paul Sanderson, parcel owner; Frank Manter, Greenland Congregational Church; Steve Pernaw, Pernaw & Company, Traffic Engineer; Steve Shope, Exeter Environmental Associates (Hydrogeologist); Christian Smith, Beals Associates; Brendan Quigley, Gove Environmental Services (Wetland Scientist); Colton Gove, Gove Group Real Estate (Director, Land Development). They have not fully reviewed the reports from Vanasse and Associates or Danna Truslow. They requested the Board schedule a site walk next week and include the Conservation Commission. J. McDevitt noted that May 21st was the 65-day time limit and they would need an extension; the site walk will be addressed later in the meeting.

D. Moore opened the meeting to public comments. Concerns from residents included: quality of life, traffic on Breakfast Hill Road, additional proposed developments in the Breakfast Hill Road area, traffic calming features, suitability of the site, wetlands impact, construction vehicles, speed of vehicles, benefit to the townspeople and Town, water, area wells. Density and Town growth information in the Master Plan were noted. Attorney Phoenix noted this development would not be a gated community.

DRAFT: SUBJECT TO CHANGE

Truslow Resource Consulting LLC – Hydrogeologic Review: At the request of the Planning Board, Truslow Resource Consulting LLC did a peer review of the hydrogeologic study by Exeter Environmental and the Aquifer Protection Ordinance with respect to this project. Danna Truslow, Truslow Resource Consulting LLC, reviewed her report with the Board (copy on file). D. Truslow is a professional geologist and hydrologist.

D. Truslow reviewed the report from Exeter Environmental. She walked the site with the hydrogeologist to view the well locations and get a general impression of the site. D. Truslow stated that she did have preliminary comments about the work that has been done to date and were not final. In general, the number of wells adequately characterized the area. A few supplementary wells and borings were suggested to collect additional data. In the Aquifer Protection study, she looked at impacts to the sand and gravel material which can hold a large quantity of ground water. The ground water transmits subsurface water to the downstream wetlands, to the Packer Brook/Packer Bog and beyond.

D. Truslow stated the septic system discharges the septic waste to two leach fields that are adjacent to each other in between the two tower areas. Her major concerns were the water quality from that area, how it impacts the groundwater beneath it and if it met the 10mg per liter nitrate concentration standard. A nitrate loading study was done based on some of the data collected on the site from a variety of wells. D. Truslow noted that one of her comments was the wells that were used were not specifically in the area of the leach fields. There needs to be other specific information gathered in that area. The evaluation that was done based on the hydrogeologic materials collected to date indicates that the 10mg per liter concentration would be attained 675 ft. from the downgradient edge of the septic field which is still on the property. That is usually the compliance boundary; however, because the plume of material from the leach field reaches the wetland and brook areas prior to getting to the wetland boundary, D. Truslow recommended a shorter compliance boundary be looked at: there will be less pollution and denitrification due to the shorter distance to a water feature.

D. Truslow commented on the 125-gallon per day discharge for the two-bedroom units in the over 55 development. This is acceptable by DES; however, if in the future this is not an over 55 community, the discharge rate could be double what is currently estimated. There would have to be significant changes to the septic system and should be a consideration.

D. Truslow stated the report should also note the use of fertilizer, deicing materials, landscaping chemicals, snow storage, etc. This is an area that is more susceptible to contamination. Those types of materials need to be monitored and used much more responsibly than an area that is not as close to wetlands.

If irrigation will be used, D. Truslow recommended strict water conservation measures. Water will be drawn from onsite wells; there is a limit to how much water should be used for irrigation as opposed to water supply. Impervious coverage should also be included in the report.

D. Truslow will be reviewing the well report. S. Shope sent D. Truslow a map showing additional borings and wells installed to further evaluate the hydrogeology. Board members received a copy of that map.

J. McDevitt requested further explanation of the hydraulic conductivity in the 'in-situ permeability testing.....' (page 2, last paragraph of D. Truslow's review) and why D. Truslow would make that recommendation. D. Truslow responded that the wells were installed and borings sampled. There were multiple samples analyzed for grain size distribution and were used to evaluate the hydraulic conductivity. Because the samples are no longer available, samples cannot be run from that particular

DRAFT: SUBJECT TO CHANGE

location, and D. Truslow suggested in-situ permeability. She stated that S. Shope felt the material properties were more representative of hydraulic conductivity than the in-situ testing and proposed to put in more borings and collect additional subsurface information. Responding to J. McDevitt's questions, D. Truslow stated that they were equally valid depending on the material. Since the other borings were used for hydraulic conductivity measurements, she did not have any objections.

R. Winsor was concerned about the relative location to Packer Bog and how the plume may impact a relatively sensitive wetland. He questioned how the Board ensured they were protecting and not impacting the Bog. R. Winsor has expressed to the applicant his reservations with the density of the project and the proposal may be over-developed. D. Truslow responded that the Board needed to look at how the waste from that area is travelling and if it was travelling towards the Bog and wetlands. As it travels, it becomes diluted from precipitation and other less contaminated groundwater entering the area. The distance between the end of the leach field and where it becomes part of the surface water, the compliance boundary is the critical piece that needs to be considered. Nitrate is used at the benchmark because it has a drinking water standard of 10mg per liter. There are other things in the leach field that may or may not enter the groundwater; those are not regulated. An estimate can be determined for the concentration of the effluent by looking at the overall groundwater flow and those mechanics.

R. Winsor stated there is an ongoing discussion about the Coakley Landfill and the potential impact from additional water draw from Coakley. He had strong reservations about putting in a large well and pulling a large amount of water from that aquifer. Was there a way to know if there will be an impact that would hasten the migration of pollutants from Coakley to that area? D. Truslow responded there is a large distance between Coakley and the proposed development. The groundwater flow direction is different. Because of the geology between locations, there should not be a connection in the sand and gravel material. Those two areas are distinct from each other. The pumping rates of the community well should not be great enough to draw water from that distance. There was further discussion about the flow from Coakley; D. Truslow commented that it was very complex. She offered to bring diagrams of the distances and subsurface area to the next meeting.

Responding to a question from D. Moore, D. Truslow stated she did not look at wetland impacts. She did mention earlier her concern about the use of chemicals. A bridge crossing is a place where deicing materials would have to be used. Within the development practices should be used that minimize the use of salts, etc. Limiting the amount of salt is important. Green Sno Pro is a program conducted by UNH to help municipalities and landscapers do a better job applying and keeping track of the salt used so there is less impact from deicing materials.

D. Moore asked if the impact of the community wells on neighborhood wells had been reviewed. D. Truslow has not reviewed that information. J. Falzone stated that the State has been on the site and suggested one of their representatives be present at the next meeting. There have been several tests for Coakley and the conclusions were the same: it does not flow in the direction of the proposed development. J. Falzone, responding to D. Moore, stated that the State mandated that any well within 1,000 ft. be tested. Reports have been generated; the Board has not received that information. M. Fougere requested that D. Truslow and the Board receive the report prior to the meeting.

R. Winsor stated he would like both groups to work together to resolve any issues. When the reports comes to the Board, most of the issues should be worked out before experts are brought in.

DRAFT: SUBJECT TO CHANGE

R. Winsor requested recommendations from D. Truslow on what should the Board be looking for in the best practices that could be implemented to ensure the area was not damaged.

The site walk was scheduled for Thursday, May 26, 2022, at 4:30 pm, meeting at the Tower Place access road. The Conservation Commission will be notified. The Board would like the wetlands, septic and center line staked. The well head is in. They would also like to see the bridge crossing and distance between driveways.

Christian Smith, Beals and Associates, reviewed the major changes. Two of the most major changes, based on comments from Altus Engineering (copy on file), include revising the culvert that allows the little pond into the wetlands to a bottomless box. It is effectively a bridge and the natural channel will remain. All housekeeping comments have been addressed. Fire truck/ladder truck movement has been provided from Magnolia Lane to the clubhouse parking lot and returning. There were no major changes to drainage design or roadway grading, etc.

J. McDevitt questioned the comment from Altus Engineering the end of the Town right-of-way and the cul-de-sac (General Comments, Item 2). C. Smith responded that was a Subdivision Regulation and noted the end of the public right-of-way and public turn-around on the plan. He did not feel a cul-de-sac could be designed in close proximity (pointed out on the plan) with the slope. C. Smith asked the Board if they would prefer an 'L' turnout. He also stated a cul-de-sac could be designed that would work in that location. M. Fougere stated he would prefer less pavement and wanted a place for Town trucks to turn around. C. Smith noted a cul-de-sac will add 350 ft. of roadway at Town standards. The Board's primary concern was safety. Attorney Phoenix stated liability issues could be dealt with through releases, hold harmless, etc. if a turn-around was not built and the property was accessed, noting emergency vehicles would have access. R. Winsor wanted clear delineation of where the road ended.

M. Fougere clarified that all roads in the development would be private. The only portion that is public is the stub off Magnolia Lane. R. Winsor questioned if the rest of the road could be made public at some point. M. Fougere: as conveyed to the Board several years ago by former Town Attorney Peter Loughlin, any 'way' can be petitioned by the voters and go to Town Meeting to accept the road. R. Winsor stated that if there was ever the possibility of the road being petitioned to be come a Town road, it will be built to Town standards with Town setbacks.

M. Fougere noted that a 25-foot landscape buffer is required around the perimeter of the property. The buffer goes through some of the limited common areas (pointed out on the plan). M. Fougere explained he considered a buffer to be open space. C. Smith stated they could trim the LCA at the 25-foot setback to address M. Fougere's concern.

The Alteration of Terrain has not been submitted. When Gove Environmental provides the DES Wetlands Bureau with their application for the crossing, they will have to go through the National Heritage Bureau (provides a database of threatened or endangered species). If there is a 'hit' in the database, a wildlife habitat assessment will need to be done. When the AOT package is submitted, it will also be submitted to the Natural Heritage Bureau, Fish and Game, and Alteration of Terrain. M. Fougere added that when the wetlands application is permitted, it will go to the Conservation Commission for their input.

M. Fougere noted that a percentage of land in this type of project must be set aside for recreation and was noted on the plan. The top area on the plan was an island and set aside for recreation. J. Falzone commented that there is a trail to that area. C. Smith noted there was a narrow section of poorly

DRAFT: SUBJECT TO CHANGE

drained soil and should be walkable during dry periods of the year as well as during the winter. M. Fougere stated the area should be accessible year-round.

D. Moore noted there were multiple houses using the same driveway. M. Fougere stated that when more issues are resolved, Eric Weinrieb, Altus Engineering, should attend a meeting. The Board asked he attend the June public hearing.

Attorney Phoenix requested a 65-day extension.

MOTION: R. Winsor moved to accept the applicant's request for a 65-day extension (Tower Place). Second – S. Gerrato; all in favor. MOTION CARRIED

M. Fougere explained that under State statute, once the Board accepts an application as complete, they must approve the project, or not, within 65-days. He continued they are making progress and the applicant must grant the extension. If the applicant did not agree to the extension, the Board would have been forced to decide. R. Winsor added that with a project of this magnitude, it would be unusual not to extend a couple of times.

The Board received a copy of the landscaper's response to some issues that were raised. The architect felt there would be enough tree coverage along the southern edge to mitigate the noise.

D. Moore opened the hearing to public comment. L. Byergo stated, within the context of Packer Bog, that the applicant would be developing one of the largest areas of upland. Upland areas are important to wildlife habitat. The two islands, instead of being focused on meeting a human need for recreation, should focus on leaving it as upland and not cross the water land. Deal with the recreation areas in the parts that are already impacted by the towers and leave the islands as less impacted areas. R. Winsor stated he has seen the migration changes in that area. He asked L. Byergo to provide the Conservation Commission's perspective on the issue.

David Bellantone had concerns about enforcing the use of low-level nitrates; M. Fougere stated it could be a stipulation of approval and be included in the condominium documents. R. Winsor stated there could be a requirement for an annual evaluation or a report must be filed with the Town annual stating what was used and what the runoff was; different were available. C. Smith stated that the benefit of a condo association was that homeowners were not taking care of their own lawns. There is a management company that handles with the mowing and fertilization. They opted to wait for a response from D. Truslow.

Kathleen Reardon, Sunnyside Drive, stated they have not been contacted as an abutter. R. Winsor stated it would be looked into. She was also concerned about nitrogen levels from dog waste at the dog park and its impact. K. Reardon continued it was the wrong development for the neighborhood.

J. McDevitt reminded those present that the Planning Board does not create the Ordinance; they are voted on by the townspeople. Residents voted in the early 2000's to allow age-restricted housing developments in every zone. The Planning Board is obligated to follow what the townspeople tell them; however, the Board has leeway and is trying to provide strong oversight on this project. R. Winsor stated the Board does not have latitude outside the Ordinance book. The Board wants to protect the existing community; however, as property owners they have the right to develop. The Board wants to make it the best it can possibly be, adding when this is done there will be changes to the plan and there will probably be a development in that location. The prospect that nothing happens is not viable. The

DRAFT: SUBJECT TO CHANGE

Board will do its best to make sure the community is protected, traffic calming measures are in place to protect the children and preserve the community. K. Reardon had concerns about it being a private development as well as traffic. Peter Strebel, Sunnyside Drive, state the extension should be shut down to traffic, citing Falls Way as an example.

Responding to a resident's concern about the walls of the bridge disturbing the wetlands, C. Smith stated there would be some disturbance. R. Winsor added there will be a permit issued by DES and they will oversee that portion to ensure it is done properly. The State supersedes that Town. C. Smith added that the Army Corps of Engineers will look at the location and make a determination. The affected area will be just under 3,000 sq. ft.

John Balboni, Sunnyside Drive, clarified that it would be one well drawing the water for all the units. C. Smith stated there will be one community well. His major concern was the impact on neighboring wells and, if there was an impact, how could the development be considered without piping water in. D. Moore responded that D. Truslow would be researching that issue.

D. Moore closed the public comments and returned to the Board.

MOTION: R. Winsor moved to continue the Site Plan Review for Off Tower Place/Maple Drive to the public hearing on Thursday, June 16, 2022. Second – J. McDevitt; all in favor. MOTION CARRIED

S. Gerome rejoined the Board.

3. Preliminary Conceptual - 69 Tide Mill Road (R17, 65 – Commercial District A)
Owner: Sarah Greenshields, River Tweed Properties
Applicant: Ambit Engineering for Little Tree Education
The owner and applicant are proposing redevelopment of the site to a Montessori School for infants to 1st Grade, with some supportive residential housing.

This portion of the meeting could not be accessed through the recording.

4. Approval of Minutes

MOTION: R. Winsor moved to approve the minutes of Thursday, April 21, 2022. Second – B. Dion; six in favor, one abstained (J. McDevitt). MOTION CARRIED

5. Approval of Invoices

MOTION: R. Winsor moved to approve payment of the invoice from Fougere Planning and Development in the amount of \$1,545.82 from the Planning Board Town budget. Second – J. McDevitt; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to approve payment of the invoice from Fougere Planning and Development in the amount of \$275 from the Planning Board Escrow Account. Second – J. McDevitt; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to approve payment of the invoice from Altus Engineering in the amount of \$8,148.71 from the Planning Board Escrow Account. Second – J. McDevitt; all in favor. MOTION CARRIED

DRAFT: SUBJECT TO CHANGE

MOTION: R. Winsor moved to approve payment of the invoice from Donahue, Tucker & Ciandella in the amount of \$129.50 from the Planning Board Town Budget. Second – J. McDevitt; all in favor. MOTION CARRIED

R. Winsor suggested a consent agenda be used going forward and explained it to the Board. The Board agreed to using a consent agenda.

6. Other Business

There was no 'Other Business' to discuss.

7. Topics for Work Session: Thursday, June 02, 2022

Members were asked to attend the work session on Thursday, June 02nd. The Planning Board Attorney, Sharon Somers, would be called for a discussion of age-restricted housing developments. Van Etten Drive would also be discussed: Attorney Ducharme and representatives from the HOA would be present. Time permitting, amendments to the Subdivision and Site Plan Review Regulations would be reviewed.

8. Adjournment

MOTION: S. Gerome moved to adjourn at 8:55 p.m. Second – D. Moore; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, June 02, 2022 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant