



# PLANNING BOARD

Town of Greenland • Greenland, NH 03840  
575 Portsmouth Avenue • PO Box 100  
Phone: 603.431.7111 • Fax: 603.430.3761  
Website: greenland-nh.com

## MINUTES OF THE PLANNING BOARD PUBLIC HEARING

Thursday, October 15, 2015 – 7:00 p.m. – Town Hall Conference Room

*Members Present:* Chair Stu Gerome, Courtney Homer, Chip Hussey, David Moore, John McDevitt - Selectmen's Rep, James Connelly – Alternate

*Members Absent:* Scott Baker, Rich Winsor, Steve Gerrato - Alternate

*Staff Present:* Mark Fougere - 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 Modification: 1533 Greenland Road [Map R21, Lots 55 & 55A]  
Owner: Clan Murphy Limited Partnership  
Applicant: Richard Landry, Thurloe Kensington Development  
*The owner and applicant are proposing to make minor adjustments to the site plan approved in September 2014 and modified in April 2015 to accommodate tenant requests.*

Patrick Crimmins, Tighe & Bond and representing the applicant, addressed the Board. Richard Landry, Thurloe Kensington Development, was also present. P. Crimmins reminded the Board they last appeared at the September 17, 2015 meeting with a Site Plan Modification. It was his understanding that the Town Engineer needed to review and comment on the proposed plans. A letter from the Town Engineer, dated September 25, 2015 (on file), noted that the modifications are reasonable and do not impact the basis of the permanent approval.

M. Fougere did not have any comments to add, and agreed that the Board was waiting for comments from the Town Engineer. M. Fougere had spoken to the Town Engineer late in the day. The route of the water main had changed; the City of Portsmouth Water Department asked that a note be added to the plan that any driveways impacted by the water line extension upgrade be repaired in kind by the applicant. The applicant was in agreement with the request. They had met with NHDOT and the City of Portsmouth last week to review the water line changes; revisions have been submitted to NHDOT.

C. Hussey questioned the name "Port City Plaza". R. Landry assured him it would not be on the final sign; he didn't put names on his plazas. J. McDevitt questioned M. Fougere regarding the traffic flow around Aroma Joe's; M. Fougere was comfortable with it and stated things had been tightened up.

Chair Gerome opened the meeting to public comments. There being none, he closed the public hearing and returned to the Board. There were no other Board comments.

**MOTION:** D. Moore moved to approve the applicant's request for a Site Plan Modification, Map R21 Lots 55 & 55A, in accordance with the plan by Tighe & Bond, revised plan set dated August 26, 2015, for the

property located at 1533 Greenland Road, with the following conditions. Second – J. McDevitt; all in favor. MOTION CARRIED

*In addition to the Site Plan Application Checklist and subject to the following conditions:*

- *If driveways are impacted during any water line extension work, they will be repaired in kind by the applicant.*
- *“NO OVERNIGHT TRUCK PARKING” must be keyed to the plan and a sign posted.*
- *All waivers, Conditional Use Permits, Conditions of Approval, Conditions Preceding (prior to final signing of mylar and recording of plans), Unique to the Site Plan Application and Conditions Subsequent granted on September 18, 2015 and April 16, 2015, apply.*
- *An erosion control bond shall be established. The specific amount shall be approved by the Town Engineer.*
- *No building permit shall be issued until security is posted and an agreement is signed.*
- *Any and all State and/or federal permits shall be obtained and made part of the file.*
- *Any and all fees due to the Town of Greenland and its consultants must be paid before the mylar is signed and recorded.*
- *The applicant must post financial security before the mylar is signed. Applicant is to submit a cost estimate to be verified by the Town Engineer.*
- *A pre-construction meeting must be held with the Building Inspector prior to any building permits being issued.*
- *A post-construction meeting must be held with the Building Inspector prior to any occupancy permits being issued.*
- *Boundary Monumentation must be included in the construction costs.*
- *A stamped Certificate of Monumentation must be received before the mylar is signed and recorded.*
- *The applicant must submit two full sets (22”x34”) of the final plan for the Planning Board file.*
- *The applicant must submit a digital copy (CD Rom, thumb drive or PDF) of the final full plan set as part of the Planning Board file.*

**2. Site Plan Modification: 1440-1460 Greenland Road [Map R21, Lots 44-44D]**

Owner/Applicant: PDNED Greenland, LLC

*The owner/applicant is requesting a Site Plan Modification to a previously approved plan to amend two snow removal and handling conditions.*

Paul Cincotta, representing PDNED Greenland, LLC, addressed. Also present was John Hession, EBI Consulting. PDNED Greenland are the owners and original developers of the shopping complex. They are seeking a modification to the site plan approved in 2006. One of the Conditions of Approval was that no snow was allowed to be stored on site after 72 hours; the amount of available parking was the concern at the time. The final approved plan indicated no designated snow storage area.

P. Cincotta stated they are requesting designated areas for snow storage, including the vacant pad. If approved by the Planning Board, there would still be more parking available than allocated to Lowe’s and Target. The modification to the Lowe’s site plan for outdoor storage that was approved in November 2014 slightly reduced the number of parking spaces. The entire site has in excess of 600 spaces available under the proposed snow storage plan, which is more than demand.

P. Cincotta continued that removing snow within 72 hours of a storm becomes a financial burden on the tenants. In addition, it’s an intensive operation with a great deal of equipment on site. They would prefer to do snow removal outside of normal operating hours. Further, it was understood that should a building be built on the vacant pad, the snow storage issue would have to be revisited and they would return to the Planning Board.

The proposed plan also addresses snow removal hours. P. Cincotta told the Board that the approval in November 2014 was tied to Lowe's; snow handling hours was more appropriate for the entire site. They requested that snow removal activities after a snow event be amended so that it was the same seven days per week; proposed was 6 a.m. to midnight, seven days per week.

Notes included on the proposed plan were (1) the snow storage areas of A through D; (2) should the vacant pad be built on, they would return to the Planning Board to modify snow storage areas; (3) the modified hours of snow removal; (4) all snow storage would be confined to paved areas.

John Hession, EBI Consulting, addressed the Board. Snow storage area "Exhibit A" is the vacant pad. When approved in November 2014, there was no snow storage or outdoor display proposed for Lowe's on that portion of the site. The proposed plan incorporates all the notes on the approved plan for Lowe's in November 2014. It identifies all the outdoor storage areas as well as the number of spaces set aside for outdoor storage at Lowe's. P. Cincotta added that when the Lowe's plan was modified in the fall, it did not include designated snow storage areas. J. Hession stated that only snow removal hours were addressed in the modification, which was done in response to the residential abutters behind Lowe's and Target.

There was a discussion regarding snow storage and run off from the snow. P. Cincotta stated the site was designed to handle a 100 year storm event. The basin on the left side of Lowe's does most of the volume mitigation. There was concern about the contaminants in the snow and the ability of the system to treat runoff. P. Cincotta responded that system was designed to handle all the pollutants that would fall on the asphalt. The site has been held to higher environmental standards than anything in the area. The five year monitoring program recently expired. Chair Gerome added that the system was thoroughly reviewed during the design phase, and worked better than anticipated.

Chair Gerome voiced concern about the amount of snow being stored on the vacant pad and where the runoff would flow; it would not go into the porous pavement. He felt it was a different scenario than how it was modeled. C. Hussey commented that the site has been monitored by the Winnicut River Watershed and the runoff was cleaner than the stream it's flowing into. P. Cincotta stated that snow has been stored on the vacant pad since the operation of the site, and felt there was no negative impact. He continued that storing snow on a site that's been designed to accommodate stormwater runoff is more environmentally sound than hauling it away in trucks. P. Cincotta clarified that the pad is a gravel/grass area.

J. McDevitt, aware of the high environmental standards the site was built to, stated his concern was snow removal after 8:00 p.m. Last fall, snow removal was limited to delivery hours. P. Cincotta responded that the safest and easiest time would be after the stores close, and they were trying to get as much flexibility into their operations group as possible. They would like more time on the front of the center, which doesn't close at 8:00 p.m.; clearing the rear after 8:00 p.m. is not a problem. J. McDevitt stated that abutters would still hear what was happening in the front of the building because sound travels. Chair Gerome stated that sound has been an issue since the stores opened; in November, it was modified to 8:00 p.m.

P. Cincotta stated they can work with the morning hours as approved in November (6 a.m. Monday through Friday, and 7 a.m. on Saturday and Sunday). They were requesting evening hours between 8 p.m. and midnight. There were no snow handling hours on the original approval; it was modified in the fall to add those hours.

M. Fougere stated that he was comfortable with the original drainage design and it should be able to handle the snow piles. He had no comments on the snow removal hours.

Chair Gerome opened the meeting to public comments. Mary McDonough, 71 Portsmouth Avenue: While she understood the request to extend snow removal hours, M. McDonough stated that they put themselves in that situation by building a site that large and close to a residential area. In addition, started construction before 6:00 a.m., and they didn't adhere to delivery hours unless the police were called. Even if the front of the lot has extended snow removal hours, abutters will hear the trucks. She was concerned about giving too much leeway because they don't follow through, and they need to be respectful to abutters.

There being no further comments, Chair Gerome closed the public hearing and returned to the Board. P. Cincotta asked the Board to consider hours between 8:00 p.m. and midnight, preferring 10:00 p.m., to get them beyond the closing hours. He added that snow removal hours are a few months per year, which is different from the operational and delivery hours. He felt restricting the back of the lot to 8:00 p.m. would not be a problem and could be controlled; the front lot with customer vehicles was the concern.

After a brief discussion by the Board, the general consensus was not to extend the hours of snow removal. Chair Gerome reiterated this was not a reflection on Packard, but a difficult issue to monitor. J. McDevitt stated the Board may revisit this issue if there were safety concerns in the future.

**MOTION:** *C. Hussey moved to approve the applicant's request for Site Plan Modification for Map R21, Lots 44-44D, in accordance with the plan by Rizzo Associates, revised plan set dated September 23, 2015, for property located at 1440-1460 Greenland Road, with the following conditions. Second – D. Moore; all in favor. MOTION CARRIED*

*Subject to the following conditions and unique to the Site Plan Application:*

- *Snow storage areas to be modified as noted on the plan.*
- *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.*
- *All Conditions of Approval granted to the Site Plan Review Modification of November 20, 2014, apply.*
- *Any and all fees due the Town of Greenland and its consultants must be paid before the mylar is signed and recorded.*
- *The applicant must submit a final plan set (22" x 34") and an 11" x 17" plan copy as part of the Planning Board file.*
- *The applicant must submit a digital copy (CD Rom, thumb drive or PDF) of the final full plan set as part of the Planning Board file.*

D. Moore left the meeting at 8:00 p.m.

3. Lot Line Adjustment: 128 Portsmouth Avenue [Map R22, 21] & 132 Portsmouth Avenue [Map R22, 23C]  
Owner – 128 Portsmouth Avenue: Dennis Pratt  
Owner – 132 Portsmouth Avenue: Q & D Properties, LLC  
Applicant: John Chagnon, Ambit Engineering  
*The owners and applicant are proposing to relocate the property line between the two properties by transferring 1,556 sq. ft. from 132 Portsmouth Avenue to 128 Portsmouth Avenue.*

Alan Marshall, Ambit Engineering, addressed the Board. They are proposing to adjust the lot line in a westerly direction approximately 22' as shown on the plan. There will be a slight increase in the buffer between 128 Portsmouth Avenue and 132 Portsmouth Avenue. Dennis Pratt has been maintaining that area for a number of years.

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

**MOTION:** C. Hussey moved to accept the application as complete for a Lot Line Adjustment: 128 Portsmouth Avenue [Map R22, 21] & 132 Portsmouth Avenue [Map R22, 23C] as complete. Second – J. Connelly; all in favor. **MOTION CARRIED**

**MOTION:** J. McDevitt moved to approve the applicant's request for a lot line adjustment to Map R22, 21 (128 Portsmouth Avenue) and Map R22, 23C (132 Portsmouth Avenue), in accordance with the plan by Ambit Engineering, Inc., dated September 22, 2015, Project No. 2300.01, with the following conditions. Second – C. Homer; all in favor.

- Any and all fees due the Town of Greenland and its consultants must be paid before the mylar is signed and recorded.
- New Monumentation must be set and certified with a Certificate of Monumentation received for the file before the mylar is signed and recorded.
- The applicant must submit a final plan set (22" x 34") and an 11" x 17" plan copy as part of the Planning Board file.
- The applicant must submit a digital copy (CD Rom, thumb drive or PDF) of the final full plan set as part of the Planning Board file.

4. Conditional Use Permit: 499 Portsmouth Avenue [Map U5, Lot 4]  
Owner: Thomas A. Hayes  
Applicants: Estate of George Bates, Thomas Hayes, Paul Sanderson (Agent)  
*The owner and applicants are requesting a Conditional Use Permit to allow the construction of fill extensions for the septic system and temporary construction impacts within the wetland buffer as required by Article 18.6.1 of the Zoning Ordinance.*

Paul Sanderson, representing the owner and applicants, gave the Board a very brief background on the property. In 2010, the house became uninhabitable when the foundation failed. A Variance was recently received from the Zoning Board of Adjustment to move the septic system from its current location in the rear of the property to the side of the property. A portion of the fill extensions will fall within the 50' setback. The condition of the existing septic system is unknown; therefore, it needed to be moved out of the sensitive wetlands area and as close to the road as possible. Stormwater runoff from the roof of the structure will be brought into infiltration trenches. The garage will also be moved back to the footprint of the house, allowing parking in the driveway without encroaching on the sidewalk. The project has been heard at the Conservation Commission level as well as the ZBA.

M. Fougere stated that the approach is a significant improvement on a non-conforming lot. The septic system will be updated to a new system.

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

**MOTION:** C. Hussey moved to accept the application for a Conditional Use Permit at 499 Portsmouth Avenue [Map U5, Lot 4] as complete. Second – J. Connelly; all in favor. **MOTION CARRIED**

**MOTION:** C. Hussey moved to approve the applicant's request for a Wetland Conditional Use Permit relating to Map U5, Lot 4, in accordance with the plan by Ross Engineering, dated September 17, 2015, Project No. 14-146, for property located at 499 Portsmouth Avenue, subject to the following conditions. Second – J. Connelly; all in favor. MOTION CARRIED

- All Variances, Special Exceptions and Conditions of Approval granted by the ZBA must be added to the plan.
- The NH Department of Environmental Services permit number and date of permit must be shown on the plan.
- The applicant must submit a final plan set (22" x 34") and an 11" x 17" plan copy as part of the Planning Board file.
- The applicant must submit a digital copy (CD Rom, thumb drive or PDF) of the final full plan set as part of the Planning Board file.

5. Site Plan Review: 143 Post Road [Map U2, Lot 2]

Owner/Applicant: City of Portsmouth

*The owner/applicant is proposing to demolish the existing station and replace it with a precast concrete building. In addition, a standby propane generator will be located at the rear of the building in a weatherproof enclosure.*

Brian Goetz, Deputy Director - City of Portsmouth Public Works, addressed the Board. Also present were Albert Pratt – City of Portsmouth Water Resources Engineer, and Randy Suozzo – Design Engineer, Weston and Sampson.

B. Goetz reviewed the proposed improvements to the Greenland well. The well was designed and drilled in the 1940's. After assessing the condition of the well, it was decided to drill a replacement well, in kind, approximately 30' away. The existing well will be abandoned. Because the building and equipment are also aging, it was decided to do a complete upgrade. They have met with the Town Administrator and Town Planner as well as NHDES and the Drink Water/Groundwater Bureau. B. Goetz assured the Board that the purpose of the upgrade was to replace aging equipment, and not to drill for more water.

R. Suozzo told the Board that the existing building will be demolished. The gravel drive is over the property line of the existing driveway and will be moved back within the limits of the surveyed lines. The fence is also over the property line and will be moved back within the existing property line. The site will be improved to match the existing property lines. There will be an emergency generator in a weatherproof enclosure for power outages, a buried propane tank for the generator, and water heater and unit heater inside the building. The building size will increase slightly.

M. Fougere had no comments, but told the Board that the applicant had requested two waivers. J. McDevitt asked about the radius from the well in regards to the fields, which is 400' and minimal impact. A. Pratt responded that it was within the unmowed area of the field. Construction vehicles were discussed. The pre-cast building will be a one day event and a crane will be needed. A front loader will be used to carry the debris from the existing building to a dump truck. Clearance for trucks should not be a problem. A survey was done for lead asbestos, and PCB's; everything came back clear.

They plan to fast track this project and hope to start as early as the first of the year, being done by May. The existing well can stay in service and then they will transition over. There was a very brief discussion about the green roof that's planned.

**MOTION:** C. Hussey moved to accept the application for Site Plan Review at 143 Post Road [Map U2, Lot 2] as complete. Second – J. McDevitt; all in favor. MOTION CARRIED

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

**MOTION:** C. Hussey moved to approve the waiver request from the Site Plan Review Regulations Section IV – Application Procedures and Requirements, Subsection 4.3 – Data Required, Item 4.3.1 (b) – Existing Data: Plans require the stamp of a New Hampshire Certified Wetland Scientist. Second – J. McDevitt; all in favor. MOTION CARRIED

**MOTION:** C. Hussey moved to approve the waiver request from the Site Plan Review Regulations Section IV – Application Procedures and Requirements, Subsection 4.3 – Data Required, Item 4.3.2 (f) – Proposed Plans: Storm Drainage Plan for the retention and slow release of stormwater where necessary, together with supporting calculations. Second – J. McDevitt; all in favor. MOTION CARRIED

**MOTION:** C. Hussey moved to approve the applicant's request for Site Plan Modification, Map U2 Lot 2, in accordance with the plan by Doucet Survey, revised plan set dated May 12, 2015, Job Number 4157, for property located at 143 Post Road, with the following conditions. Second – C. Homer; all in favor. MOTION CARRIED

- Planning Board signature block to be added to the plan.
- Any and all State and/or federal permits shall be obtained and made part of the file.
- A pre-construction meeting must be held with the Building Inspector prior to any building permits being issued.
- A post-construction meeting must be held with the Building Inspector prior to any occupancy permits being issued.
- The applicant must submit a final plan set (22" x 34") and an 11" x 17" plan copy as part of the Planning Board file.
- The applicant must submit a digital copy (CD Rom, thumb drive or PDF) of the final full plan set as part of the Planning Board file.

#### 6. Topics for Work Session: Thursday, November 05, 2015

Topics were reviewed. In addition to the Zoning updates, M. Fougere will have information for the Workforce Housing ordinance available.

#### 7. Approval of Minutes

**MOTION:** C. Hussey moved to approve the minutes of Thursday, August 20, 2015. Second – J. Connelly; all in favor. MOTION CARRIED

**MOTION:** C. Hussey moved to approve the minutes of Thursday, September 03, 2015. Second – C. Homer; three in favor, two abstain (J. McDevitt, Chair Gerome). MOTION CARRIED

**MOTION:** C. Hussey moved to approve the minutes of Thursday, September 17, 2015. Second – J. McDevitt; four in favor, one abstain (C. Homer). MOTION CARRIED

**MOTION:** J. McDevitt moved to approve the minutes of Tuesday, September 27, 2015. Second – C. Hussey; four in favor, one abstain (C. Homer). MOTION CARRIED



8. Approval of Invoices

**MOTION:** C. Hussey moved to approve the payment of invoices from the Escrow Account in the amount of \$2,057.18. Second – J. McDevitt; all in favor. MOTION CARRIED

9. Other Business

M. Fougere told members that NHDOT did not approve the pedestrian crossing for Bramber Valley on the Post Road side of the development. NHDOT felt it was a mid-block crossing and does not meet their requirements. The Town Engineer suggested it may need to come back to the Planning Board to remove it from the plan. It would mean noticing the abutters as well as opening up the site plan that has been approved. The applicant has offered an in-kind contribution to the Town in the amount of \$15,000. The Board asked M. Fougere to contact NHDOT for a letter stating their reasoning for denying the crosswalk. J. McDevitt suggested moving the pedestrian crossing sign to the crosswalk at the school.

10. Adjournment

**MOTION:** C. Hussey moved to adjourn at 8:48 p.m. Second – J. McDevitt; all in favor. MOTION CARRIED

NEXT MEETING
--------------

Thursday, November 05, 2015 – 7:00 p.m., Work Session, Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Thursday, November 05, 2015