



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD PUBLIC HEARING

Thursday, September 15, 2016 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Chip Hussey, David Moore, Rich Winsor, Steve Gerrato - Alternate

Members Absent: Courtney Homer, Jamie Connelly – Alternate, John McDevitt - Selectmen's Rep

Late Arrival: Scott Baker (7:46 p.m.)

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. Projects of Regional Impact

There were no projects of regional impact to discuss.

2. Subdivision of Land: 340 Breakfast Hill Road [R1, 13]

Owner: Elmer M. Sewall Rev. Trust of 1996 & Barbara E. Sewall Rev. Trust of 1996

Applicant: Matt Fagginger-Auger, Doucet Survey, Inc.

The owner and applicant are proposing a 1-lot residential subdivision at 340 Breakfast Hill Road. The proposed lot will be 5 acres in size, with 494.31' of frontage; the remaining lot will be 165+/- acres in size with 835.34' of frontage.

Matt Fagginger-Auger, Doucet Survey, Inc., addressed the Board. Also present were Christian Smith, Beals Associates; Elmer Sewall, land owner; and Janet and Robert Tibbetts, future home owners. The owner is proposing to subdivide off a 5 acre parcel with 494.31' of frontage. The remaining lot will be approximately 165 acres with 835.34' of frontage. There will be an on-site well and septic on the lot; test pits have been completed and are on file. Wetlands were delineated by Gove Environmental Services. Three waivers were being requested. M. Fagginger-Auger has met with M. Fougere.

M. Fagginger-Auger reviewed the Staff Report from M. Fougere (copy on file). Item 2: Three pins are proposed; the front will be bounds. All will be noted on the recorded plan. Item 3: NHDOT Driveway Permit has been submitted by Beals Associates; a copy of the application is on file. The approval number will be noted on the plan. Item 4: The parent lot (existing) will remain 340 Breakfast Hill Road. Item 5: The new lot will be numbered by the Police Chief and 911. Item 6 – a, b: Will be on the recorded plan. Item 6 c: Will discuss with Beals Associates the placement of the silt fence. Item 6d: The plan scale has been corrected. Item 6e: A note pertaining to stumps buried on site will be added to the recorded plan.

Chair Gerome asked that it be noted on the plan that granite markers would be used in the front. M. Fagginger-Auger added that 5/8" rebar with his license number will be used in the back. The front will be four standard granite bounds with a magnetic plug. It will be noted on the plan.

The water issue on the parcel was discussed. C. Smith stated that all parties were aware of the water concerns, and it would be in the Tibbetts' best interest to have their water tested regularly. In addition, the parcel is located far away from the current expanded groundwater management zone. C. Smith updated the Board on the water issue.

Chair Jerome opened the meeting to public comment. There being none, he returned to the Board for discussion on the waivers. R. Winsor noted that the waivers are for the parent lot and the proposed development. M. Fougere added that the waivers are only applicable for this project and the five acre parcel to be subdivided off meets the criteria.

MOTION: C. Hussey moved to approve the request for a waiver from Subdivision Regulations Section III – Data Required for Submission of a Subdivision, Article 3.3 – Required Exhibits, Section 3.3.1 – Existing Conditions Plan, Item (B) – Wetlands, Soils, Etc. Second – S. Gerrato; all in favor. MOTION CARRIED

MOTION: D. Moore moved to approve the request for a waiver from Subdivision Regulations Section III – Data Required for Submission of a Subdivision, Article 3.3 – Required Exhibits, Section 3.3.1 – Existing Conditions Plan, Item (C) – Existing Contours. Second – C. Hussey; all in favor. MOTION CARRIED

MOTION: D. Moore moved to approve the request for a waiver from Subdivision Regulations Section III – Data Required for Submission of a Subdivision, Article 3.3 – Required Exhibits, Section 3.3.1 – Existing Conditions Plan, Item (D) – Exterior Property Lines. Second – C. Hussey; all in favor. MOTION CARRIED

There being no further discussion or questions, the Board approved the Subdivision of Land with conditions.

MOTION: D. Moore moved to approve the subdivision of land at 340 Breakfast Hill Road (Map R1, 13) with the following conditions. Second – C. Hussey; all in favor. MOTION CARRIED

- Waivers must be keyed to the plan.
- Any and all State and/or federal permits shall be obtained and made part of the file.
- All lot pins shall be set and noted on the plan prior to recording.
- The plan shall note that the existing lot address is 340 Breakfast Hill Road.
- The plan shall note that the new lot address on Breakfast Hill Road will be 911 compliant.
- On the plan, the existing lot will have the assessing lot number of R1, 13.
- On the plan, the new lot will have the assessing lot number of R1, 13B.
- The plan will be to scale.
- The location of stumps buried on site will be noted on the plan.
- The applicant shall submit a digital file plus three 11"x17" hard copies of the plan and recording mylar.

3. Approval of Seavey Way Extension Request

C. Smith updated that Board, stating they are very close with the water agreement and the City of Portsmouth. There could be a 12" water main stubbed at Breakfast Hill Road within a year. The line will be big enough to service all of Breakfast Hill Road. The Portsmouth Water District will own, maintain and provide the service.

All four parties are in agreement; they have a defacto approval from Portsmouth Public Works Water Department for the design, profiles, location of the main, etc. The final piece is the Rye Water District's request for a meter vault in a heated building. Once all formal approvals have been received, they will

be back before the Board with an amended site plan to remove the wells and add the water mains. They have requested a one year extension to the approval granted September 15, 2013.

MOTION: *R. Winsor moved to grant a one year extension for the Seavey Way development at 410 Breakfast Hill Road.*

DISCUSSION: C. Hussey stated that he would like to add the conditions that the water line be engineered and installed with the capability to supply water to all of Breakfast Hill Road and its neighborhoods, and that the plans are reviewed by the Town Engineer. M. Fougere added that the Board of Selectmen had stated the Town Engineer should review the plans.

MOTION: *R. Winsor moved to grant a one year extension for the Seavey Way development at 410 Breakfast Hill Road. Second – D. Moore; all in favor. MOTION CARRIED*

4. Rezoning 29 Cemetery Lane

Morgan and Elisabeth Densley, 29 Cemetery Lane, spoke to the Board regarding rezoning their property from Residential back to Commercial. After extensive research, they purchased the property with the understanding that it was zoned Commercial, and then found out it had been rezoned Residential in 2010. They were seeking the Board's support to have it rezoned.

Chair Gerome updated the Board on how the rezoning was done in 2010, explaining that the Commercial Zone was, at one time, measured in distance from Rt. 33. A portion of their lot was Commercial and the remainder was Residential; the front lot line was used rather than the rear. Their property is surrounded by Commercial; they are located on a dead end street near the entrance to the Transfer Station.

After a brief discussion, the Board was in agreement to support the rezoning of 29 Cemetery Lane to Commercial. The Planning Board will sponsor a Zoning Warrant Article to be voted on at Town Meeting in March 2017. A public hearing will be held in December.

5. Subdivision of Land: 437 Portsmouth Avenue [U4, 25]
Owner/Applicant: Chip Hussey, Chipco Realty of Greenland, LTD
The owner/applicant is proposing to establish condominium ownership lines for two separate units on a condo plan.
6. Site Plan Review: 437 Portsmouth Avenue [U4, 25]
Owner/Applicant: Chip Hussey, Chipco Realty of Greenland, LTD
The owner/applicant is proposing to remove all fuel pumps, diesel pumps and propane tanks as well as associated concrete slabs and canopy on the existing site.

MOTION: *R. Winsor moved to grant a continuance for the Subdivision of Land and Site Plan Review of 437 Portsmouth Avenue to the meeting on Thursday, October 06, 2016. Second – S. Gerrato; all in favor. MOTION CARRIED*

7. Preliminary Conceptual Consultation: 125 Ocean Road [Map R21, 51]
Owner: Harbour Links Estates, LLC
Applicant: Bill Goodison – Bluebird Self-Storage, Greenland
The owner and applicant are proposing to convert and expand the existing warehouse building at 125 Ocean Road to self-storage. Also proposed is a separate traditional single story self-storage building. Total square footage proposed is 143,800.

MOTION: *S. Gerrato moved to grant a continuance for a Preliminary Conceptual Consultation for 125 Ocean Road to the meeting on Thursday, October 20, 2016. Second – R. Winsor; all in favor. MOTION CARRIED*

8. Van Etten Drive Petition Update

M. Fougere updated the Board on the status of the Van Etten Drive petition. Residents on Van Etten Drive have asked to defer the recreation improvements required as a condition of approval. There was a brief discussion on addressing their concerns. Although a Board discussion will be limited, their concerns can be addressed under “Other Business” at a regular meeting.

S. Baker arrived at 7:46 p.m.

9. Sign Committee Update

M. Fougere told the Board that the Sign Committee should have their first draft available for review at the meeting on Thursday, October 20, 2016.

10. Stormwater Update

M. Fougere updated the Board on Stormwater Management. The Town Engineer has reviewed the Kensington model; the Board should be able to work with that format. M. Fougere and the Town Engineer will be meeting with Julie LaBranche, RPC, on Thursday, September 22, 2016 in the Town Hall Conference Room. The grant must be closed out by the end of September; the goal is to have a draft available by the end of the month. A draft should be available for Board review on Thursday, October 06, 2016.

11. CIP Update

The first Capital Improvement Program meeting was held on Wednesday, September 07, 2017. There was no representative at the meeting for the Recreation Committee or School Department. It was noted that the CIP was on the Recreation Committee and School Board agendas for discussion. C. Hussey stated the CIP was one of the most under-utilized tools by the Town. He added that the RSA does state that all departments in Town must participate.

12. 2017 Budget

There was a discussion about revisions to the Master Plan; M. Fougere will contact RPC for a price. Chair Gerome suggested a charrette for the Town center.

13. Approval of Minutes: Thursday, August 04, 2016

MOTION: *C. Hussey moved to approve the minutes of Thursday, August 04, 2016. Second – R. Winsor; four in favor, two abstain (D. Moore, Chair Gerome). MOTION CARRIED*

14. Approval of Invoices

MOTION: *R. Winsor moved to approve the payment of invoices in the amount of \$3,701.27 from the Planning Board Town Budget and \$3,469.78 from the Planning Board Escrow Account. Second – D. Moore; all in favor. MOTION CARRIED*

15. Topics for Work Session: Thursday, October 06, 2016

Topics were reviewed.

16. Other Business

S. Gerrato suggested the Commercial Zone be extended on both sides of Rt. 33 from the Greenland Town line to the Stratham line. He doesn't feel there should be residential houses on a busy road. R. Winsor responded that it was looked at when zoning was done and there isn't much to be gained. There was an extensive discussion about scaling the zoning down to create an office area to attract lease space and medical facilities. Chair Gerome suggested that as part of the Master Plan the Board could look at how to rezone that area. C. Hussey suggested looking at redeveloping the older Commercial sections first. Sewer would be a factor in rezoning Rt. 33; redeveloping Autumn Pond Park to have sewer would be more palatable. Chair Gerome added that some sections of Rt. 33 are a Residential District now; Commercial and Industrial uses should not be allowed. There was further discussion about a limited Commercial Zone or Professional Office District.

S. Baker voiced his concerns about large parcels in Town that could go up for sale. He asked the process, and Board thoughts, on increasing the square footage of a lot, which is currently 60,000 sq. ft.

17. Adjournment

MOTION: S. Baker moved to adjourn at 8:07 p.m. Second – R. Winsor; all in favor. ***MOTION CARRIED***

NEXT MEETING

Thursday, October 06, 2016 – 7:00 p.m., Public Hearing and Work Session, Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Thursday, October 06, 2016