



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD WORK SESSION

Thursday, September 06, 2018 – 7:00 p.m. – Town Hall Conference Room

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

Staff Present: Mark Fougere - Consultant

Chair Gerome opened the Planning Board work session 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. Library Update

Ron Lamarre, Lavallee Brensinger Architects, addressed the Board. Also present was Craig McLaughlin, Weeks Library Building Committee Chairman, and Marcia McLaughlin, Weeks Library Trustee Chairman. R. Lamarre updated the Board that after meeting with the Board of Selectmen and the Planning Board, the Library Trustees reviewed the size of the Library; it has been reduced. With the reduction, the Library addition will be approximately 8,400 sq. ft. R. Lamarre stated it didn't change the location of the addition or how it sits. The chambers of the subsurface system will still be under the four parking spaces, and the drainage system will continue to wrap the building. In making the building smaller, they had to also look at the inside of the building; the door exiting the rear of the Library has been removed (R. Lamarre pointed out the door locations). On one side of the building, there is now 10' from the property line to the building; there is just over 24' on the other side. The back distance doesn't change. Plans had to be redone based on the changes to the footprint of the building.

Plans should be submitted to DES on Friday, September 07, 2018. The Planning Board will receive a standard set for site plan review; it will also be emailed to the Planning Board Engineer.

R. Winsor asked if the 10' setback was on the back of the property. R. Lamarre responded that the back of the property remains the same, which is 8' 9" from the property line. The side closest to the abutter is 10', making the total distance between the Library and the side of the barn 41'. There is 24' 4" between the Library and the Parish House. The total square footage of the building, existing and addition, will be 10,800 sq. ft. There will be three parking spaces plus a handicap space on top of the septic system on the side of the property. The Parish House septic will continue to tie into the existing.

There is an updated Letter of Agreement, which DES requested, between the Parish House and the Library Trustees. DES requested an updated agreement (previous LOA was done in 2014) since the septic was being redone. The Library is on City water.

P. Sanderson asked if they would be ready to make their presentation in October; R. Lamarre felt they would be ready. The date was tentatively set for Thursday, October 18, 2018. P. Sanderson requested a

copy of the Letter of Agreement as well as the full plan set and any other information Underwood Engineers would be presenting to back up calculations. M. McLaughlin noted that included in the Letter of Agreement was a statement from the Church acknowledging that their septic currently is on Library property; that had not been in the previous agreement.

D. Moore clarified that parking would be on top of the chambered system. R. Lamarre stated it would be H-20 Loading so trucks could park on top. J. McDevitt preferred to wait for the Planning Board Engineer's report, adding that he would be looking for parking and traffic flow. Referring to the letter from the Building Inspector dated September 05, 2018 (copy on file), he asked for responses to some of his concerns. R. Lamarre responded to those concerns:

1. Lot Loading: The septic is sized okay for the lot.
2. Design Summary: The Building Inspector is concerned that the Parish House is based on meter readings. Underwood Engineers will address this item. DES had mentioned it; it can be done, they have the capacity in the system. Architectural drawings indicate an occupant load of 205 for the Library: The Building Inspector was referring to egress occupancy and that is a completely different code. They use a different loading for the septic design; they are using DES regulations for a transient building which is different from an office building or school.
3. Local Regulations: Requirement does not apply for this project. Design follows nitrate setbacks: R. Lamarre thought Underwood Engineers had responded directly to the Building Inspector.
4. Incorporation of Infiltration Trenches for Stormwater Drainage Management: This will be on the drawings. R. Lamarre stated the Building Inspector was asking them to dig a couple more test pits. The construction manager wanted to dig a hole against the existing foundation to look at the outside of the building before construction begins.

All of the Building Inspector's concerns will be addressed in the plans for the Board and Planning Board Engineer.

F. Catapano questioned the soils at Test Pit 1A (chambered system location). The soils are sandy loam/friable granular; then loamy, sandy, granular and gravel; again loamy sand. F. Catapano added 'no refusal'; M. Fougere added 'no seasonal high'. Chair Gerome added 'no refusal observed at 86" '. F. Catapano asked if there was a way to make the system bigger. R. Lamarre responded "yes"; when they decreased the size of the building, they removed a chamber. DES suggested they put in an extra chamber, which they had done in the original plan. They still have one for 200 gallons for overflow. R. Lamarre stated that the Building Inspector felt the 300 gallons should be made 600 gallons. DES also recognizes the Parish House and Library as one property since the 300 was being added. The Library gallons work for the Library property as well as the Parish House. F. Catapano commented that he wouldn't want to see it designed to minimum standards; an oversize system would be better. The system will work simultaneously at both sites. R. Lamarre noted that the occupancy of both buildings is transient.

R. Lamarre was asked if there was any way to get more parking. He responded they didn't want to touch the road as discussed previously. The Parish House may be considering coming to the Board to talk about additional parking on their property. There will be shared parking at the School.

R. Winsor asked if in the letter from the Parish House regarding the septic they discussed surrendering, or expressly surrendered, any right to construct a septic on their site. R. Lamarre didn't think they had surrendered the right. R. Winsor responded that if they do that, the Library site won't work and asked if the site would handle the load. R. Lamarre responded if they built their own septic on Parish House property, they would disconnect the pipe to the Library septic. The Library system would be designed to

accommodate the Parish House, be significantly oversized and under using the capacity. R. Winsor asked the maximum load per day the Library lot could sustain. C. McLaughlin responded the lot could handle 750 gallons per day; that was the design for the Library side. R. Winsor wanted to make sure that in the future the Parish House could never build a septic system because it would change the calculation. R. Lamarre stated that DES wasn't concerned about what was built but rather the site load. The 1/3 acre can handle the Library.

C. Medeiros asked if landscaping was being done for the stormwater runoff. R. Lamarre responded that right now they are doing gravel and porous pavers for the walkway out the doors. They have discussed putting up a fence with the neighbor. C. Medeiros noted there was a slope on the other side that runs into the abutting property and the water may flow that way. R. Lamarre added they would discuss it with Underwood Engineers. C. Medeiros asked if they had discussed with the Parish House their plans for the future; was there any expansion planned that might affect the Library. R. Lamarre responded that was a private entity on a non-conforming site; they would be subject to the local Ordinances. He stated that expanding may be out of the question unless they acquire property.

S. Gerrato stated this was the tail end of a huge gravel pit that runs down Post Road. There wouldn't be any worries or problems with drainage. Underwood Engineers thought the same. J. McDevitt asked if the Parish House would be sharing any of the costs for the septic system buildout or were the taxpayers paying. M. McLaughlin stated that because the Library was, in essence, destroying the relatively new septic system, the Library has agreed to pay for the replacement of it in their agreement. J. McDevitt asked if they would be sharing the cost of maintenance. M. McLaughlin responded it would be included in a Joint Use Agreement. C. McLaughlin clarified that the existing system belongs to the Church; they pay for the maintenance. As recommended by the Town Attorney, in the future there should be a Joint Use Agreement. The concept in principle has been discussed with the Church Trustees but is not in place.

Chair Gerome opened the meeting to public comments. Chip Hussey, Winnicut Road: Recommended pumping the system in April rather than October to prevent freezing. There being no further comments, Chair Gerome closed the public hearing and returned to Board. The Board had no further comments or questions.

2. CIP Update

C. Hussey stated that a CIP Committee needed to be appointed. P. Sanderson responded that the Planning Board was the committee. Department Heads will be asked to provide information for the CIP with their budgets. P. Sanderson stated that if it's not submitted, it won't be included in the plan and not presented to the Budget Committee. R. Winsor stated that the Planning Board has asked the Board of Selectmen to request CIP information from Department Heads. Budgets and CIP requests are due to the Town Administrator no later than Friday, September 21, 2018. P. Sanderson suggested the CIP could be worked on at the October Planning Board meetings. S. Gerrato commented that C. Hussey has done a great job in the past on the CIP.

P. Sanderson explained that the CIP is a Capital Improvement Plan and is not the same as a Capital Reserve Fund. With a CRF, money is saved over a number of years for a large purchase (example: fire truck). In the CIP, each department looks five or ten years out for what would be potentially needed for capital improvements (example: new fire station). If a town has a CIP, other Ordinances can be enacted (example: if a large development was approved, the number of students may impact the school; the developer can be charged an Impact Fee). Chair Gerome added, a CIP allows money to be allocated yearly. P. Sanderson further explained that warrant articles are included each year as part of the budget

process to put money into a CRF. The CIP is what is needed; the CRF is how it's paid for. S. Gerrato added you can't have an Impact Fee without a CIP. Appropriations happen at Town Meeting.

3. PDA/Project of Regional Impact Update

M. Fougere updated the Board he found an attorney who doesn't have a conflict with the PDA: Greg Michael with Bernstein Shur. M. Fougere rewrote letters to the PDA from the Board of Selectmen and Planning Board; a draft editorial has also been written.

M. Fougere has also contacted Vanasse and Associates regarding the traffic study; they are a very good consulting company. A proposal was included in the packet for the Board's review. The Planning Board used Vanasse and Associates for the peer review of Lowe's/Target, and they are very familiar with the area and corridor as well as what's happening at Pease. They will do a peer review of the traffic study done by Tighe and Bond, look at the level of service at the key signalized intersections, and queue lengths at peak times. Two meetings are included in their proposal for presentations.

Chair Gerome asked if the PDA should be informed that Greenland will be doing a traffic study. M. Fougere told the Board there was a TAC review meeting in Portsmouth for the Lonza project on Tuesday, September 04, 2018. He has contacted the Portsmouth Planning Director about where the project goes next. M. Fougere suggested Portsmouth should be informed that the Planning Board has some serious concerns and would like to know the schedule in order to make a presentation. They should also be put on notice that the Board has engaged the services of an engineer and would like to make a presentation. Chair Gerome stated Portsmouth should know that the Town is moving forward with its concerns and has hired a firm to review their traffic study and would be doing a traffic study. R. Winsor was in agreement it needed to be on record, noting several letters had been sent about regional impact.

M. Fougere told the Board he had spoken to Eric Weinreib earlier in the day. E. Weinreib has reviewed the plans for Lonza and has concerns about drainage that he raised to the Committee. Their response was "they would pass it along to the PDA". M. Fougere has also spoken to RPC; they are willing to help. If Portsmouth or the PDA declares it a project of regional impact, it's automatically sent for notification and review by RPC. The Statute reads it's regional impact if there is any doubt. M. Fougere suggested getting the attorney involved and arguing the case in front of the Portsmouth Planning Board. The ZBA or Planning Board is supposed to make a determination for regional impact; they haven't done that. P. Sanderson noted it wasn't about one project; it was about their whole process. Once the traffic data is received, it could significantly impact how the Board handles the Master Plan.

R. Winsor commented that Greenland needs to help Portsmouth understand the rule set of projects of regional impact; they've clearly demonstrated they don't understand. M. Fougere added the counsel for Portsmouth doesn't understand.

C. Hussey noted that the Board of Selectmen moved the editorial forward for release. The Board of Selectmen and Planning Board will sign the editorial, and it will be sent to all papers.

MOTION: J. McDevitt moved that the Planning Board be co-signatories of the Board of Selectmen on the editorial as drafted by the Planning Board Consultant. Second – R. Winsor; all in favor. MOTION CARRIED

The public hearing for residents to express their concerns about traffic was discussed. R. Winsor asked the time frame for the Lonza project to be approved; Chair Gerome and M. Fougere responded it will

move quickly. *(Update: Lonza is scheduled at the Portsmouth Planning Board on Thursday, September 20, 2018.)* R. Winsor stated the joint meeting can't happen fast enough and citizens need to be mobilized to attend the meeting. Chair Gerome recommended having the attorney at the Portsmouth Planning Board meeting to make a legal case for the issue. M. Fougere was hoping that when it got to the Portsmouth Planning Board that Vanasse will be done with the traffic study and the attorney would have the traffic study available to him. M. Fougere will contact the attorney.

It was noted that the City of Portsmouth has never declared any projects of regional impact. M. Fougere has forwarded information to the attorney. The PDA was created through statute; under Land Use Controls the statute specifically states abutters can appeal under the provisions of RSA 677. They are not exempt; it was originally thought they might be exempt, similar to the Port Authority.

S. Gerrato suggested using publicinput.com for public input. He recommended discussing it with Dave Walker at RPC; J. Connelly suggested contacting the SAU for their database. C. Hussey suggested reaching out to surrounding towns with the Board's concerns. R. Winsor asked if it would "muddy the waters", would it enhance our capabilities or does it detract? P. Sanderson responded that if there's an argument about regional impact, if more than one town says "yes, it's having an impact", that would help with the case. They may not want to get involved in the same way as Greenland. To the extent that Greenland can show there is a regionalized impact from this project, it would help. R. Winsor questioned if the Planning Board should draft a letter to the Planning Boards in surrounding towns explaining the Board's position and concerns as well as letting them know a traffic study was being done in Greenland to analyze the impact of Pease developments on the Rt. 33 corridor and having the Lonza project declared as regional impact. M. Fougere will forward the PDA letter to neighboring towns to see if there is any interest. R. Winsor suggested inviting Greenland's neighbors to the joint meeting.

MOTION: R. Winsor moved to appropriate \$8,300 to Vanasse and Associates for the traffic study proposal dated August 28, 2018 for the analysis of Rt. 33. Second – D. Moore; eight in favor, one against (S. Gerrato). MOTION CARRIED

MOTION: R. Winsor moved to allow Mark Fougere to engage legal counsel in preparation for presentations to the City of Portsmouth regarding regional impact. Second – J. McDevitt; all in favor. MOTION CARRIED

P. Sanderson requested that funding go through the Town Administrator; invoices will be on the manifests signed by the Board of Selectmen. The Board was in agreement. M. Fougere sent G. Michael all the correspondence he has received as well as the statute.

4. Joint Meeting with Board of Selectmen Update

C. Hussey told the Board that the Selectmen did not set a date for a joint meeting. R. Winsor suggested combining it with the Library. P. Sanderson stated it would be a larger room with more people and this is an important issue. D. Moore suggested the traffic study be first on the agenda followed by the Library. P. Sanderson recommended the meeting be held prior to the election because it is a political problem, adding it would be great if the potential representatives would take a position on the matter. The meeting was tentatively scheduled for Thursday, October 18, 2018. The meeting date is dependent on the Portsmouth Planning Board hearing date.

5. 2019 Budget

The 2019 budget was reviewed. The Consultant line was increased to \$5,000. P. Sanderson asked if Master Plan chapters needed to be done; it hasn't been done in several years. M. Fougere will review the existing Master Plan.

6. Topics for the Public Hearing: Thursday, September 20, 2018

There were no topics scheduled. Ordinance work was discussed: Mandatory Open Space, Ordinance for Breakfast Hill Road due to the possible water line and an Impact Fee Ordinance were suggested. S. Gerrato suggested an Ordinance for no new roads over wetlands. Chair Gerome will take it under advisement.

7. Approval of Minutes

MOTION: R. Winsor moved to approve the minutes of Thursday, August 16, 2018. Second - J. McDevitt; seven in favor, two abstain (F. Catapano, D. Moore). MOTION CARRIED

8. Payment of Invoices

MOTION: F. Catapano moved to approve payment of the following invoices: from the Planning Board Town Budget – Fougere Planning & Development in the amount of \$1,041.93; from the Planning Board Escrow Account – Altus Engineering in the amount of \$3,270.19. Second – R. Winsor; all in favor. MOTION CARRIED

9. Other Business

There was no other business to discuss.

10. Adjournment

MOTION: R. Winsor moved to adjourn at 8:25 p.m. Second – D. Moore; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, September 20, 2018 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Thursday, September 20, 2018