

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Final
April 3, 2018 at 6:30pm

Members Present: Bruce Crawford – Chair, Roberta Witham – Vice-Chair, Matt Lampron, Barbara Randall, James Scrivens, Mark Varney – Ex-Officio

Alternate Members Present: Rhoda Hardy

Alternate Members Excused: Roger Sanborn – Alternate Ex-Officio, Jeff Reardon

Others Present: Alan Hardy – Planning & Community Development Director, Kellee Jo Easler – Planning & Community Development Assistant, Katie Phelps – Recording Secretary

Chairman Crawford opened the meeting at 6:31pm.

Roll call by Katie Phelps

Rhoda Hardy will be a voting member for the meeting.

Review of Prior Meeting Minutes:

The Board reviewed meeting minutes from March 6, 2018. Request for change on Line 91 - Formally should be formerly.

Motion to approve the minutes from March 6, 2018 as amended made by Rhoda Hardy, and seconded by Barbara Randall. All in favor. None opposed.

New Business:

- **Application for 5-Lot Major Subdivision, Phase III, Map 45, Lot 29, Sublot 2**

Application presented by Joseph Wichert, Land Surveyor, on behalf of Kelly Landry, owner. Subject property is located on the west side of Knowlton Road. This will be phase three of five which will establish four new building lots on the north side of Corn Hill Road. During phase two there was discussion about what studies would be needed. The applicant provided a letter from Bruce Mayberry that stated they didn't need to do those studies. The applicant has submitted that letter with this phase three application. The property is zoned R1 and will have onsite wells and septic systems.

Mr. Wichert noted sheet 4 on the plan which shows the wetlands, well radius for each lot, and contouring. There was discussion about extending the water main to service lots but after meeting with the Water Precinct it wasn't a viable option. For an R1 zone 150ft of frontage is needed, 80,000 sq. ft. contiguous buildable area. The applicant is seeking a waiver from the Subdivision Regulations design standards for lot 29-11. Minimum contiguous buildable area is less than minimum 80,000 sq. ft. per Town regulations. The lot has over 80,000 sq. ft. of buildable area, however, it isn't contiguous.

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State Subdivision approval is pending and would be a condition of approval. Mr. Wichert has reviewed comments from Fire Chief, Ray Fisher, and Public Works Director, Dean Hollins. Mr. Hollins requested that the driveway for Lot 29-13 come off Knowlton Road instead of Corn Hill Road. Mr. Wichert says the applicant is agreeable to that request. Public Works Director, Dean Hollins, has requested to work with the builder to finalize driveway locations.

Mr. Wichert reviewed the comments from Sam Durfee and Steve Henninger from Central NH Regional Planning Commission (CNHRPC). Under the overall summary, they note that the project triggers a traffic study and a National Heritage Inventory when taking the full five phases into account. Mr. Wichert notes that he previously talked with the Board and there wasn't a desire to do a traffic study but that it's up to the Board's discretion. Mr. Wichert asserts that there was a National Heritage Inventory completed and it came back ok. The inventory is an online database used by the State to look for endangered wild life and plant life species. Typically it's applicable if you're doing a wetlands crossing and it ensures there is no environmental impact. There are no wetlands impacts for these four new building lots. The summary posed the question if it was feasible to extend the water system for phase three. Mr. Wichert doesn't think it is.

Under Conditions of Approval Checklist Requirements:

- **Checklist Item 24** – Overhead utility lines and poles are not shown for the full length of the proposed subdivision along Corn Hill Road. Mr. Wichert will review this.
- **Checklist Item 30, 31, and 34** – Location, grading, and drainage of proposed driveways are not shown on the plan, nor was there a drainage study or a driveway permit application submitted. Mr. Wichert says typically they don't know where driveways are going during the subdivision stage, however, they have been trying to meet with Dean Hollins for suggestions. Drainage studies haven't been completed because they don't know what size house could be built. Ms. Landry isn't planning to build the houses, she will just sell the lots.
- **Checklist Item 32** – Erosion control measures around the wetland areas were not shown on the plan. Mr. Wichert stated the wetlands are to the rear of the lots, he assumes most of the houses will be built towards the front of the lots. He doesn't anticipate any wetlands disturbance.
- **Checklist Item 40** – CNHRPC did not receive a copy of a Traffic Impact Study since it was not requested.
- **Checklist Item 42** – State Subdivision Approval – Pending per Mr. Wichert.
- **Checklist Item 44** – There are none of the necessary signatures on the plans. Mr. Wichert says he would have the owner sign the Mylar.
- **Number 10** – Has to do with various impact studies.

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- **Number 11** – Minor omissions and corrections
 - I. Mr. Wichert can indicate the type and size of the existing culverts crossing Knowlton Road and any proposed culverts for driveway construction.
 - II. Not shown because it is for a lot outside of this phase.
 - III. Not shown because it is for a lot outside of this phase.
 - IV. Not shown because it is for a lot outside of this phase.

They didn't survey the right-of-way on the south side of Corn Hill Road. The Board will have to decide if the project is of Regional Impact. On page 5 of 5, it shows that phase four would not allow for phase five to become a separate, stand-alone lot due to insufficient road frontage. Mr. Wichert showed the Board the cover sheet of the plan. The frontage for phase five would be on Water Street. That is a wetlands area, however, they aren't saying that will be where the access road is. It would simply be their legal frontage.

The final item to be discussed with the Board would be a recreation impact fee. The example previously given was a multi-family with 38 units that paid \$16,000 – which was approximately \$420 per lot. For this project they're looking at 17 single family lots at approximately \$235 per lot for a total of \$4,000.

Mark Varney asked about phase five. He is concerned that the area on Water Street will be the only access point for that phase. Mr. Wichert said the goal was to leave an access on Knowlton Road and another one on Water Street. Discussion ensued.

Alan Hardy asked about the potential for having town water on those lots. Mr. Wichert said they would need to cross wetlands and obtain an easement in order to get the water there. There was also a concern over capacity. After weighing all of those things, it was decided to do onsite water and septic. Bruce Crawford said there was also a question of where the precinct boundary ended – which was never resolved.

James Scrivens asked which situation was applicable for the waiver to be considered based on our Zoning Ordinance. Mr. Wichert said they aren't complying with the Subdivision and Site Plan Regulations says it needs to be contiguous. Mr. Hardy said we couldn't grant a waiver for a zoning condition. It would have to either be a Subdivision or Site Plan regulation.

Matt Lampron asked about grading and drainage for the driveways. Mr. Wichert said they don't know the location of the driveways yet. He thinks that's a function of the building permit seeing the person who buys the lot will determine that. Mr. Wichert worked with Public Works to make sure they were comfortable. In Mr. Wichert's opinion, Lot 29-13 is the worst lot because there is a rise coming off the road. That's why Dean Hollins wanted the driveway to come off Knowlton Road for that lot. Mr. Hardy understands what Mr. Wichert is saying and also that there is a line of sight concern. Dean Hollins felt the sight distance should be fine per email.

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Public Works is doing their due diligence. Water Street is a State Road so the standards will be different. Mr. Lampron also expressed concern for water runoff from Corn Hill Road washing out the bottom lot. Rhoda Hardy expressed concern over a hill and line of sight issues on Corn Hill Road. Discussion ensued.

Chairman Crawford opened the public hearing at 7:12pm.

- Abutters in favor – none.
- Abutters opposed – none.
- Public in favor – none.
- Public opposed – Martin Boutwell – 136 Corn Hill Road. He says there are currently signs on Corn Hill Road. He stated that there needs to be a billboard that says ‘slow down’. The cars travel fast on that road. The houses they want to put in is not a good thing.

Chairman Crawford closed the public hearing at 7:14pm.

Mark Varney suggested sticking with Dean’s recommendations. People go too fast on Corn Hill Road. They have the tendency to ignore signs. Mr. Lampron wants to make sure there is adequate sight distance for the driveways. Discussion ensued. Mr. Wichert could do a line of sight profile as condition of approval.

Motion made by Mark Varney to approve the Application for 5-Lot Major Subdivision, Phase III, Map 45, Lot 29, Sublot 2 with conditions. No vote taken at this time.

Motion made by Jim Scrivens, and seconded by Mark Varney to grant a waiver to the Design Standards, Section VIII C. 6. Lots – Minimum Contiguous Buildable Area is less than minimum lot size for lot 29-11. All in favor. None opposed.

Motion made by Matt Lampron, and seconded by Rhoda Hardy, that the subdivision is not of regional impact. All in favor. None opposed.

Motion made by Rhoda Hardy, and seconded by Mark Varney, that this subdivision will be subject to the recreation donation per the notation on the plan. All in favor. None opposed.

Motion made by Rhoda Hardy, and seconded by Mark Varney, to accept the \$4,000 donation towards recreation payable upon signature of the approved plan. Payment shall be made payable to the Town of Boscawen. The recreation department will decide where the money is spent. All in favor. None opposed.

Motion made by Bruce Crawford, and seconded by James Scrivens to re-open the public hearing. All in favor. None opposed.

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Motion made by Mark Varney, and seconded by Barbara Randall, that the applicant’s representative will address omissions on final plan. All in favor. None opposed.

Motion made by Mark Varney, and seconded by Roberta Witham, to make Alan Hardy, Code Enforcement Officer, responsible for administrative review to ensure all conditions have been met. All in favor. None opposed.

Motion made by Mark Varney, and seconded by James Scrivens, to approve the Application for a 5-Lot Major Subdivision, Phase III, Map 45, Lot 29, Sublot 2 with conditions. All in favor. None opposed.

Conditions:

- 1. A line of sight profile plan shall be performed for Lots 29-10, 29-11, and 29-12 to determine adequate sight distance and be approved by the Public Works Director.**
- 2. Driveways shall be constructed with the approval of the Public Works Director to ensure adequate drainage so as not to impact the roadway.**
- 3. Subject to State Subdivision approval.**
- 4. Checklist Item 35 – The applicant’s representative will address the wording of Checklist Item 35 and put a note on the plan.**

Motion made by Matt Lampron, and seconded by Mark Varney, to close the public hearing. All in favor. None opposed.

The Board will address additional conditions of approval or studies in future phases. Per Bruce Mayberry, of BCM Planning, LLC, the scale of the project may not be large enough to mandate the studies. It depends on the development potential of phase five.

- **Motion for Signature regarding Concord Subdivision off Elm Street:**

Joseph Wichert presented a Subdivision Plan for Steven J. Burriss 2010 Revocable Trust. Map 15P, Lot 26 and Map 83, Lot 63-9. 152 Elm Street. It is a 15.16 acre lot in Concord. There is .86 acres in Boscawen. The City of Concord wants the Town of Boscawen to review and have input on the subdivision. “For informational purposes only – no subdivision in Boscawen” The Board didn’t seem concerned with this application.

Motion made by Rhoda Hardy, and seconded by Roberta Witham, to authorize the Chair to sign the Mylar “For informational purposes only – no subdivision in Boscawen.” All in favor. None opposed.

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- **Map 79, Lot 123 – 85 Daniel Webster Hwy – Outside Storage of Trucks and Trailers:**

There are storage buildings in a lot across the street from the Veterans Cemetery. The lot was approved as a car lot, truck rental, and automobile service center. There would be a significant amount of construction if that took place. The property owner says they have someone interested in using that location for tractor trailers coming and going. Mr. Hardy expressed concern for the location and the proximity to the Veterans Cemetery. It was not specifically proposed for this use but it's less intensive than the proposed use.

Another development is that the equipment has ended up at the Route 3 and 4 split on the former Plaisted property. The owner of the property rented it. If we don't want to see it at the Route 3 and 4 split for an unintended use then the same would be true for the lot across from the Veteran's Cemetery. There may be less impact by the Veteran's Cemetery than there would be at the Route 3 and 4 split. Neither location was approved for that purpose.

Modification of approved Site Plan would allow the Board to discuss where the best place is. Mark Varney thought that would be a smart idea. Abutters, including the Veteran's Cemetery, would have input. Use of land and use of buildings are two separate issues per Mr. Hardy. He doesn't expect to see any occupancy in the building without going through the process of getting them approved.

Motion made by Mark Varney, and seconded by Barbara Randall, that the use come before the Board for modification of existing Site Plan. All in favor. None opposed.

- **Sweatt Subdivision – Never Recorded:**

The subdivision was never recorded at the Merrimack County Registry of Deeds and it has lapsed. They would like to come back to the Board but are requesting that the Board waive the Subdivision fee of \$250 and Lot Line Adjustment fee of \$100. Nothing has changed with the subdivision. They will still have to pay to print certified letters, notice fees, etc.

Motion made by Rhoda Hardy, and seconded by Matt Lampron, to waive the Subdivision and Lot Line Adjustment application fees for this applicant. All in favor. None opposed.

Old Business:

- **Public Hearing (continued from 03.06.18) – Master Plan Update:**
 - Transportation – Corrections made.
 - Energy – Corrections made.
 - Demographics - Corrections made.

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This will be an evergreen document per Mr. Hardy. We have the ability to make changes on an ongoing basis.

Motion made by Rhoda Hardy, and seconded by Mark Varney, to accept the Master Plan Updates as final. All in favor. None opposed.

Motion made by Rhoda Hardy, and seconded by Mark Varney, to close the public hearing. All in favor. None opposed.

- **Amendments to Site Plan and Subdivision Regulations (*continued hearing*)**

Bruce Crawford mentioned that Brian Fleury did all the work on it. Mr. Hardy wanted to know the purpose and intent of what was started. The Board didn't request that the document be gone through thoroughly. Mr. Hardy recommends that all Planning Board members, staff, and CNHRPC have the ability to review the documents in their entirety for continuity between the two documents.

Motion made by Matt Lampron, and seconded by Mark Varney, to have the Planning Board members, staff, and CNHRPC review the Site Plan and Subdivision Regulations for continuity. All in favor. None opposed.

- **Election of Chair and Vice-Chair:**

Chairman Crawford's term on the Planning Board ends in April. He doesn't want to be Chairman, however, he would like to continue to be a member should the Board of Selectmen re-appoint him. He provided a listing of advice for anyone considering the role of Chair.

Motion made by Mark Varney, and seconded by Barbara Randall, to table the election of the Chair and Vice-Chair to the next meeting. All in favor. None opposed.

Future Business:

- 24th Annual Spring Planning & Zoning Conference
 - Saturday, April 28, 2018 – Grappone Conference Center

Motion to adjourn the meeting made by Matt Lampron, and seconded by Rhoda Hardy. All in favor. None opposed.

The meeting adjourned at 8:46pm.

The next Planning Board meeting is scheduled for May 1, 2018.

Minutes respectfully submitted by Katie Phelps