

Planning Board Oct. 24, 2013

Members Present: Barry Hantman-Chairman, Chip Current, Haeyoon Jacobus, George Manos, Chris Giordano-Selectmen's Representative,

Excused members: John Russo, Janet Denison-clerk

Others present: Charlie Zilch, Charles Cote, Tom and Dottie Billbrough, David LaPlume, Karl Dubay, Ron Peverly

Correspondence

- Supply Lines with the Source newsletter, Fall 2013 edition
- Survey from RPC, to be posted on the website
- Upcoming meetings announcement for RPC commissioners

Minutes

Minutes of October 10, 2013 were reviewed. The members present and excused were revised. Chris made and Chip seconded a **motion to approve the October 24, 2013 minutes as amended**. The motion **passed**.

The excavation permit previously approved was signed by those present during the meeting.

10 Cote Drive site plan review

The abutter list was reviewed and found to be complete. Charlie Zilch gave a brief overview of the plan. This is to construct a 6 bedroom, 2-unit dwelling on a 5+ acre lot. The lot had a mobile home with addition; these were removed. The driveway will be shared by the two new units and will be built over the existing driveway. The leach field and well will be shared by the two units. There is no need for a lot of tree cutting.

The plan is to have the two units owned by one person and rented to two different parties. Chris asked what will happen if the units are separately owned and the leach field needs to be replaced. Mr. Zilch explained a condominium plan will have to be drafted, establishing liability between the two units.

The checklist was reviewed by Mr. Zilch. He said the site plan review is more applicable to a commercial development, therefore he has requested several waivers.

Chris made and Chip seconded a **motion to accept the application**. The motion **passed** unanimously.

Mr. Zilch said the dwelling is within the setbacks and is slightly behind the existing footprint. The well is noted on the plans. An old dug well is in the back of the house and will be removed. The dug well predates 1989 and probably didn't need to apply for a waiver for its location. One state approval for the septic has been obtained. The frontage is 200'. Overhead power is noted

on the plans. The setbacks were reviewed and the structure is noted to be away from the wetlands.

There were no questions from the public at this time.

The waivers were discussed. The Board discussed ADA compliance if a builder is proposing a rental property. Compliance with this requirement seems to be more applicable to a larger apartment building. However, the builder was advised to be compliant with Federal ADA requirements if necessary. The request to waive that requirement was stricken from the application; Mr. Zilch added his initials and dated the request, noting the change

The public was asked if there were any questions at this time. There were none. Chip made and Chris seconded a **motion to grant waivers for Sections 23, 24, 26, and 31**. The motion **passed** unanimously.

The storm drainage system waiver was discussed. No drainage calculations were made for this property. Mr. Zilch reported that the State has become more stringent with their requirements and the topography of the lot is not changing. Concern was expressed for the Powwow River being close. Charles Cote said there are wetlands near the location of the dug well. It is noted on the plans that the dug well will be filled and capped. It was mentioned the septic system and the proximity to wetland were checked by the state and the local health officer. Test pits indicate well drained soils. There were no further questions from the public. Chip made a **motion to accept the waiver to Section 28**. The motion **passed** unanimously.

The waiver regarding delineating the topography of the entire parcel was discussed. It was mentioned the building inspector will verify that the building is sited outside the wetland setback. Mr. Zilch explained the site is surveyed and usually the wetlands are flagged only if they are in close proximity to the building site. There were no questions from the public. George made and Chip seconded a **motion to grant the waiver as requested**. The motion **passed** unanimously.

The waiver request regarding engineering fees was discussed. It was agreed this plan does not need to be reviewed by the engineer. Chris made and Chip seconded a **motion to grant the waiver regarding engineering fees**. The motion **passed** unanimously.

A letter from the road agent dated October 24, 2013 was presented to the Board. It states a driveway permit is not necessary. The site plan criteria were reviewed. There was a short discussion about fire suppression. A letter from Chief Woitkun, dated October 8, 2013, stating the plan will comply with the Town of Danville's fire suppression requirements was added to the file. A note on the plan will be added to reference the compliance.

There were no questions from the audience. Mr. Zilch requested conditional approval. George made a **motion to grant conditional approval subject to updating note 21 stating the reference to handicapped accessibility has been removed and addition of a note on plan stating compliance with the Town's fire suppression requirement**. The motion **passed** unanimously.

The applicant was advised that if this ceases to be rental property, the applicant will need to return to the Planning Board for a discussion.

Hoyt-Clydesdale Drive subdivision review

Mr. Zilch explained the two lot subdivision has all local and state approvals. How quickly the gravel pit operates is contingent on the market for gravel. The Board discussed granting conditional approval. The Board agreed that conditional approval will not be granted at this time. Barry would like the Board to review prior minutes to determine that all conditions have been met. A compilation of these can be kept with the plans for easy reference later.

There were no questions from the public. Chris made and Chip seconded a **motion to grant an extension of the review period for the Hoyt Clydesdale Drive Subdivision to October 23, 2014**. The motion **passed** unanimously. Charlie put this request in writing.

Preliminary Discussion with Karl Dubay—Cheney Forest subdivision

The check previously submitted to the Board with the application was returned to Mr. Dubay. Letters were sent to all abutters of the property being discussed. A letter to a Mr. Garabedian was hand delivered to him at his residence. A letter dated October 16, 2013 from Bob Griffin states Mr. Dubay can represent LER Realty to the Planning Board.

There was a short discussion of the length of the cul-de-sacs. Mr. Dubay said the total length of Meadowlark Lane is planned to be 1500'. The other planned cul-de-sac will not be longer than 1500' in length. Mr. Dubay said that connecting the two roads will take away from the open space, but can be done while still meeting regulations and have a 26 lot density. Chris suggested connecting the two proposed cul-de-sacs, expressing concern for several houses close together at the end of dead-end roads. He mentioned one tree falling on the road will cut off emergency access for the residents. Mr. Dubay said this option will be explored if that's the board's intent. Sketches will be made for discussion.

The parcel is noted on the assessing records as being 68 acres, but Mr. Dubay thinks it may be slightly more than that. There was a short discussion about access to abutting properties and rights-of-ways. The plan will have to show dedicated rights-of-ways to abutting properties. Meadowlark Lane has a deeded right-of-way leading to the parcel being discussed.

Mr. Dubay said the plan is to have a 24' wide paved road, built to town standards, with an external buffer of 150'. He said they will have double the amount of open space needed per the ordinance.

Mr. Dubay stated they've walked the property several times and have found some wetland fingers. These will be drawn on a future plan. The tree buffer will be maintained between the lots and the powerline.

There was a short discussion about leaving the loop at the end of Meadowlark Lane as a traffic calming feature and for aesthetics. Typically this is removed and the land is given back to the abutters. Barry said the pavement has been left before; an abutter preferred this rather than

blending the reclaimed road with the front yard. It was pointed out that the applicant will have to apply for a waiver if there will not be a cul-de-sac reversion.

It was mentioned that some driveways look very close to the road. Mr. Dubay said they plan to have smaller houses with shorter driveways. If the roads are connected, they may have room for more frontage, and they will do a market analysis to see what would be best to develop. There will be no manufactured homes or multi-unit structures. The foundation sizes are planned to be about 24x38.

It was pointed out that sometimes people will buy a smaller home with the idea of adding onto it later. Mr. Dubay was asked to be aware of how someone may do that and still maintain appropriate setbacks.

Mr. Dubay was told he may start an escrow account for the engineering review fees during a stage 2 or 3 application. Mr. Dubay will start with a soil survey and mentioned the open-door policy his office maintains; he is willing to speak with anyone interested in this project. Barry said that at a high level this seems to meet all requirements.

Mr. Dubay mentioned also that the property owner is willing to donate open space to the town. He was told the Conservation Commission can accept land donations without a town vote. Typically the open space is deeded proportionally to the property owners within the cluster development. Mr. Dubay said he will draw more plans based on tonight's discussion and will speak to his client about a stage 2 application.

Warrant Article review

The Warrant Articles from last year were reviewed. Chris made and George seconded a **motion to put forward to a public hearing the previously discussed warrant articles regarding amendments to the Zoning Ordinance**. The motion **passed** unanimously.

The Board briefly discussed multi-unit buildings applying for site plan review. Points were made that a triplex and quad could be deemed an apartment building and site review ensures there is proper parking, waste management, etc. Zoning gives the basics for what fits properly on a site and site plan looks at these in greater detail.

After a brief discussion, Chip made and Chris seconded a **motion to put forward to a public hearing the warrant articles regarding amendments to articles IV and VII Zoning Ordinance**. The motion **passed** unanimously.

The impact fee amendment will be incorporated into last year's warrant article. Chris made and Chip seconded a **motion to put forward to a public hearing the warrant articles regarding amendments to the impact fee ordinance**. The motion **passed** unanimously.

Chip made and George seconded a **motion to hold the first public hearing for the Warrant Article Zoning Amendments November 14th at 7:40pm**. The motion **passed** unanimously.

This will be posted at the town hall, post office, and in the newspaper. A copy will be sent to Peter Loughlin seeking his comments.

At 10:10pm Chip made and Chris seconded a **motion to adjourn**. The motion **passed** unanimously.

Respectfully submitted

Janet S. Denison

Agendas:

- Nov. 14, 2013

7:30pm Correspondence and minutes

7:45pm discussion with Sherrie Trefry—PSNH ROW expansion

8:15pm first public hearing for proposed zoning ordinance warrant articles

8:45pm discussion with Charles Cote regarding duplex site plan review previously approved