

Planning Board May 23, 2013

Members Present: Barry Hantman-Chairman, Chip Current, George Manos, John Russo, Chris Giordano-Selectmen's Representative, Janet Denison-clerk

Others present: Charlie Zilch, Carsten Springer, Bob Simeone,

Minutes

The minutes of May 9th were reviewed and two corrections were made. Chip made and George seconded a **motion to approve the May 9, 2013 minutes as amended**. John abstained. The motion **passed**.

Correspondence

Note: all correspondence was regarding the Hoyt gravel pit

- Letters dated May 3 and 22, 2013 from S.E.C. and Associates, waiver requests
- Letter dated May 22, 2013 from Civil Design Consultants, Inc. regarding the outlet dimensions
- Letter dated May 23, 2013 from Civil Construction Management, Inc.
- Letter dated May 14, 2013 from Peter Loughlin

Preliminary discussion with Bob Simeone, 97 Sandown Road

Mr. Simeone introduced himself as a realtor with the Gove Group in Stratham. He was approached by the landowners for options for the property. He explained the parcel is about 25 acres with some wet areas and steep slopes. The frontage is a little less than 400'; a sibling abuts the property and can lend some frontage to the larger parcel with a minor lot line adjustment.

Mr. Simeone said an easement was made during the 1920s granting access across the property to the parcel on the southern boundary. It is nondescript and asked if there is a standard width for easements. Barry said this typically means passage for a 4-wheel drive vehicle. An easement is a right to pass only.

Barry explained the Dubay Group drew a conventional subdivision for the previous application before the board for this property. This is public information and Mr. Simeone is welcome to it. Barry said it may not accurately depict the lots with uplands, etc. as it was only preliminary.

There was a discussion of bringing in more lots with a cluster and a cul-de-sac. The right-of-way to the southern parcel can be moved if the exact location is not specified. It is sometimes easiest to locate a ROW at the end of road. The Board also spoke about multi-family units. Senior housing was also mentioned and that this allows a mixed use.

Mr. Simeone was told Buck Circle and Fawn Lane offer good examples of multi-unit dwellings in the area. He was told he may come to the Board as many times as necessary to ask opinions and for general help.

Hoyt-Clydesdale Drive subdivision & excavation/restoration, property owned by Al Hoyt and Sons, Inc., Tax Map 4, Lot 28

The letter dated May 22, 2013 from Civil Design Consultants, Inc. was reviewed. It was noted the plans are much more detailed regarding discharge.

The letter from Peter Loughlin dated May 14th was mentioned briefly. It was agreed this letter goes over some “housekeeping” items regarding the gravel pit and was noted for the record. Chris said it pertains to past history and doesn’t really pertain to this application directly.

Charlie Zilch reviewed the comments submitted in Dennis Quintal’s May 9th letter and in his letter dated May 22nd. He was asked if there is a note stating a main phase cannot be started unless the previous phase is finished. This does not pertain to sub-phases. Mr. Zilch said he will make sure this is in the plans.

It was pointed out the expected completion dates are noted on the plans. He was asked to make a note stating a valid and current graveling permit will be maintained, all in compliance with RSA 155:E.

Mr. Zilch demonstrated on the plans that all prior comments from Mr. Quintal and the Planning Board have been addressed.

There was a lengthy discussion regarding the waiver requests and the location of the buffer. Mr. Zilch changed the request to be Section 30A-5 of the Site Plan Regulations.

It was pointed out that this is an existing active gravel pit and those abutters should be aware of that fact. There are already natural buffers on all sides of the pit and anyone who removes a buffer on their own property can expect to have a clear view of the gravel pit. It seems that all abutting properties have enough room to build on their own lots without needing to be too close to the property lines. Adding more buffer width won’t seem to make a difference.

There was a short discussion of tagging trees for a “no cut” zone. Carsten Springer pointed out trees that don’t exist cannot be tagged, neither can trees on abutting properties. In the area where the waiver is granted, no tags will be required. Mr. Zilch said trees on the subject property will be tagged.

The Board reviewed the four criteria for granting a waiver. Chip made and George seconded a **motion to grant the waiver of Earth Excavation regulations 6.6 as described in the waiver request and met in the plans before the Board**. The motion **passed** unanimously.

The Board discussed how the state regulations cannot be overruled by town regulations. An applicant must comply every five years with the new regulations when they apply for a permit renewal. In addition to a state permit the Planning Board, as the regulator, issues a permit to excavate.

The Board discussed and reviewed the criteria for granting the waiver request for Site Plan Regulation section 30.A.5. Chip made and George seconded a **motion to grant the waiver request for Site Plan Regulation section 30.A.5 and as noted on the plans**. The motion **passed** unanimously.

Both granted waivers were noted on the application.

The Board reviewed whether tree tags were necessary. Upon vote of the Board, it was decided tree tags are not necessary.

Mr. Zilch asked for conditional approval. The Board agreed that there are few minor conditions outstanding, including:

1. Add a note stating: "All dates indicated on the plan set are contingent on continuous compliance with RSA 155-E including new active state and local permits."
2. Add a note regarding the phases not being permitted until previous phases are complete
3. Change to note 14
4. Change to note 16
5. Add the date the waivers were granted
6. All fees due to engineer are paid

There was a short discussion of a bond and whether there is any associated with this project. The Board discussed an appropriate bond sufficient to make the site safe, rather than finish the reclamation plan as described. The Board will establish the bond amount when the permit is issued.

Chris made and George seconded a **motion to grant conditional approval, with the aforementioned conditions, with the understanding a permit is required before excavation can continue**. The motion **passed** unanimously. The approval was noted on the application.

It was agreed the permit and subdivision plan can be discussed on June 13th. It is unknown if a template for the permit is in the file. The information needed in the permit is listed in the excavation regulations.

Other Business

The Board will meet on the second Thursday during the months of June, July, and August. The fourth Thursday meetings will convene only if necessary.

At 9:35pm Chris made and Chip seconded a **motion to adjourn**. The motion **passed** unanimously.

Respectfully submitted

Janet S. Denison

Agenda:

- June 13, 2013

7:30pm Correspondence and minutes

7:40pm Site Plan Review—Charter Brothers 27 Main Street

8:30pm Hoyt-Clydesdale Drive subdivision & excavation/restoration
property owned by Al Hoyt and Sons, Inc., Tax Map 4, Lot 28:
final approval and excavation permitting

- July 11, 2013

7:30pm Correspondence and minutes

7:40pm discussion with Betsy Sanders regarding Granger fund