

Planning Board
Jan. 12, 2017
7:30 pm

Members Present:

Barry Hantman-chairman, Chip Current-vice chairman, Jim Castine, David Cogswell, Chris Smith, Roger Whitehouse, Chris Giordano-Selectmen's rep, Janet Denison

Others Present:

Carol Baird, Walter Baird, Chris Stafford, Wayne Morrill, Timothy Tanner, Tom Waters

Minutes

Chip made and Chris G. seconded a **motion to approve the December 8, 2016 minutes as amended**. Roger and Chris S. abstained. The motion **passed**.

Other Business

Barry reminded everyone that there are two positions on the ballot for Planning Board. Roger's and Chip's terms are expiring and they, and other members of the public, were encouraged to put their names on the ballot. An alternate position is also open. This requires a letter of interest be submitted to the Board.

Correspondence

- The Source newsletter from the NHDES
- Notices from Bedford, Londonderry, and Fremont regarding cell towers.
- From the Heritage Commission regarding the Tuckertown Road project. This will be reviewed later in the meeting during that discussion.
- Draft letters from the Danville Fire Department, Conservation Commission, and Forestry Committee expressing their support for a permanent crossing to be installed under the powerlines north of Tuckertown Road. These will be given to Wayne Morrill for submittal to the NHDES in conjunction with work in the area.
- Copy of a Stop Work order to Richard Moussa. Barry explained this is in regards to a duplex that the owner is wishing to turn into a condominium. The owner has spoken with the Board regarding what needs to be done but has continued with work heedless of the town regulations.
- From RPC regarding the long term plans for projects in southern New Hampshire.

Zoning Ordinance Warrant Article Public Hearing

Chip made and Chris G. seconded a **motion to waive reading the entire proposed warrant article**. The motion **passed** unanimously. Barry opened the public hearing.

I. Accessory Dwelling Units

To see if the Town will vote to amend the Town of Danville Zoning Ordinance to update the section related to Extended Family Accessory Living Units to bring it into conformance with recent changes to New Hampshire State Law. Specifically, this would make the following changes to the ordinance:

Add a new Article II.C as follows and renumber existing paragraphs II.C through II.II:

II.C Accessory Dwelling Unit - A residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

Replace Article IV.A.4 with the following:

4. Accessory Uses: Accessory Dwelling Unit (also known as Extended Family Accessory Living Unit)

a. The objectives of this ordinance are to:

- 1) Empower families with a tool to provide housing opportunities to extended family members, caregivers, and others while affording all parties the necessary privacy and living arrangement conducive to harmonious habitation in a single residential structure.
- 2) Preserve the aesthetics of single-family housing. This ordinance places strict physical limitations on size and access to the accessory living unit.
- 3) Protect the residential character of a neighborhood.
- 4) Provide for Accessory Dwelling Units in accordance with RSA 674:72.

b. The following restrictions shall apply to all Accessory Dwelling Units (formerly known as Extended Family Accessory Living Units).

- 1) An Accessory Dwelling Unit shall be allowed in residential zones only by Special Exception from the Zoning Board of Adjustment as permitted by RSA 674:72. The specific Special Exception criteria that must be met are listed below in section c.
- 2) Only one Accessory Dwelling Unit shall be permitted per lot.
- 3) The accessory living unit shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the existing single-family dwelling.
- 4) Any and all construction shall be in accordance with the building standards of the Town of Danville in effect at the time of construction and a permanent internal access between the two units shall be maintained per RSA 674:72-III.
- 5) In accordance with the standards of the Town and the standards of the New Hampshire Water Supply and Pollution Control Division, the septic facilities shall be adequate to service both the main dwelling unit and the accessory dwelling unit. If the existing septic design is inadequate, a new or upgraded septic system conforming to the most recent state and local standards shall be required.
- 6) In the event the property is sold, the Special Exception shall expire.
- 7) Detached Accessory Dwelling Units are not permitted.

c. To grant the Special Exception, the Zoning Board of Adjustment (ZBA) must find that:

- 1) The proposal meets the objectives outlined in ARTICLE IV.A.4.a, the restrictions as specified in ARTICLE IV.A.4.b, and is in conformance with RSA 674:72.
- 2) The applicant shall have presented to the ZBA a construction plan approved by the Building Inspector of the proposed accessory use with sufficient detail to enable the ZBA to determine adherence to the Special Exception criteria.

- 3) No more than one (1) accessory dwelling unit shall be allowed per main dwelling. The accessory living unit shall be included in said main dwelling and shall not be permitted within detached accessory structures located on the same lot as the single-family dwelling.
- 4) The main/principal dwelling or the attached accessory dwelling unit shall be owner-occupied. The owner shall demonstrate that one of the units is his or her principal place of residence and the special exception shall expire if the property is no longer the principal residence of the owner.
- 5) The accessory dwelling unit and any related changes to the property shall be designed so that the appearance remains that of a single family residence and is consistent with the single family character of the principal residence.
- 6) The accessory living unit shall have a convenient and direct permanent, internal access to the principal dwelling unit without the necessity of going outside of the principal structure or through a garage in accordance with RSA 674:72-III.
- 7) The accessory living unit shall be no more than seven hundred fifty square feet (750 ft²) in size and shall be clearly an accessory living unit to the principal dwelling.
- 8) Appropriate off-street parking is provided for the Accessory Dwelling Unit in conformance with article IV.A.1.d.1).d).
- 9) No more than two (2) persons unrelated to the owner may occupy the Accessory Dwelling Unit.

d. Failure To Comply

If an owner fails to comply with the requirements of this section, the use of the accessory dwelling unit shall be terminated within 6 months of the date of notice from the Town of Danville. The owner shall be subject to penalty under RSA 676:17 for each day the accessory dwelling unit fails to comply with the requirements of this section after March 31, 2017

e. Existing Non-Conforming Accessory Dwelling Units

Accessory dwelling units (formerly known as Extended Family Accessory Living Unit) previously constructed which do not have either a building permit, certificate of occupancy, or special exception previously granted by the Zoning Board of Adjustment (ZBA) shall apply to the ZBA for a special exception within 60 days of passage of this ordinance.

- 1) The ZBA shall have the authority to grant a temporary exception, not to exceed 180 days, during the period in which the special exception is under review.
- 2) In granting a special exception for a previously existing non-approved accessory dwelling unit, the ZBA may require that the existing primary and accessory dwelling units be brought into compliance with this ordinance within specific timeframes established by the ZBA.

- 3) In granting a special exception for a previously existing non-approved accessory dwelling unit, the ZBA may consider the requirements that were in place when the accessory dwelling unit (formerly known as Extended Family Accessory Living Unit) was established when determining conditions of approval. The ZBA, however, is under no obligation to grant the special exception based on prior requirements.

It was explained that state law is changing what is and is not allowed and the Town needs to bring its Zoning Ordinance into compliance. Chris Stafford, Chairman of the Zoning Board of Adjustment, had some questions about the septic designs. Section 4.b.5 will take care of those concerns.

There was also a discussion with the ZBA regarding maintaining the look of a single family home. The Planning Board had discussed this in a prior meeting and concluded that the town should not tell people what their homes should look like. However, section C.5 addresses that the accessory unit addition should conform to the style already there as the primary unit. Chris Stafford said that the ZBA has to review whether or not a proposed use or addition will affect the character of the neighborhood.

Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously. Chip made and Chris G. made a **motion to put this to the town warrant**. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to add the words, “Recommended by the Planning Board” with a vote of 7-0**. The motion **passed** unanimously.

2. Boundaries of the Mobile Home/Manufactured Homes Zone

To see if the Town of Danville will vote to amend the Danville Zoning Ordinance to correct the boundaries of the Mobile Home/Manufactured Homes zone by replacing Article III.D. to read:

Mobile Homes/Manufactures Homes

The location of said Districts are delineated and named on the map entitled “Official Zoning Map, Town of Danville.”

In addition, this will amend the official zoning map, Town of Danville, to reflect the following parcels as being included in the Mobile Home/Manufactured Home Zone:

Parcels to be included in the Mobile Home/Manufactured Home Zone

Map	Lot	Sub	Map	Lot	Sub	Map	Lot	Sub	Map	Lot	Sub
2	3	4	2	19	0	2	77	3	4	3	2
2	6	1	2	20	0	2	77	4	4	4	0
2	7	0	2	21	0	2	77	5	4	5	0
2	9	0	2	22	0	2	78	21	4	6	0
2	10	0	2	23	0	2	79	0	4	7	0
2	12	0	2	40	2	2	80	0	4	8	0
2	13	2	2	40	3	2	81	0	4	9	0
2	13	3	2	40	10	2	82	0	4	10	0
2	13	4	2	43	0	2	88	0	4	11	0
2	13	5	2	47	1	2	90	0	4	14	0
2	14	0	2	47	2	2	92	0	4	14	A
2	18	0	2	77	1	4	2	3	4	15	0

It was explained that what is proposed does not make the district larger or smaller than it currently is. The definition of that zone was reviewed and it was found that while the specific length of road is clear, there is no depth to the zone. The proposed amendment will clearly delineate the lots that by the spirit

and intent of the ordinance are part of that zone. Chip said the Board reviewed this lot by lot and indicated what lots are realistically in that zone. Tom Waters said that lot 2-16-14 is part of his mobile home park. He said he has no intention of putting mobile homes on that lot or lot 2-11. The maps were reviewed. The Board agreed that neither one of those lots were ever part of the Mobile Home District. This was explained to Mr. Waters

The Board said that either this warrant article will be forwarded as written or it will have to wait until next year if there are to be any changes to the current wording. Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously.

Barry asked the Board about putting this article as written to a public hearing this March. Chris G. made and Chip seconded a **motion to put this article to the town warrant**. It was reiterated that this is making the zone clearly defined and consistent with other zones in the town. This will clarify which lots were previously intended to be in that zone. This is not changing the current use of any of the parcels. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to add the words, "Recommended by the Planning Board" with a vote of 7-0**. The motion **passed** unanimously.

3. Impact Fees for Razed and Rebuilt Homes

To see if the Town of Danville will vote to amend the Danville Zoning Ordinance to exempt the houses that were razed and rebuilt within two (2) years from being assessed a new Impact Fee. Specifically this would replace Article XIV.B.6.e with the following:

e. New development shall not include the replacement of any existing manufactured housing unit or the reconstruction of a structure that has been destroyed and demolished within two years where there is no change in type of use that would increase the demand on capital facilities for which impact fees are assessed, or increase in square footage or number of units.

It was explained that this exempts certain homes from impact fees. Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously. Chip made and Chris G. made a **motion to put this to the town warrant**. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to add the words, "Recommended by the Planning Board" with a vote of 7-0**. The motion **passed** unanimously.

4. Correcting Date in the Historic District Ordinance

To see if the Town of Danville will vote to amend the Danville Zoning Ordinance to amend the date of the establishment of a second burial ground adjacent to the meeting house. Specifically this would amend the preface of Article XIII, last sentence of the fourth paragraph, to read as follows:

A second public burial ground was established adjacent to the meeting house, with burials dating back to 1817.

An email from Curt Springer sent December 22, 2016 was read. A letter from the Heritage Commission dated January 11, 2017 was read. Barry surmised that both parties feel strongly about the issues. He suggested that Curt meet with the Heritage Commission for a discussion. It was noted that Curt's comments were not germane to the proposed warrant article.

Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously. Chip made and Chris G. made a **motion to put this to the town warrant**. It was pointed out that a second date will need to be amended next year. The motion **passed** unanimously.

Chris G. made and Chip seconded a **motion to add the words, “Recommended by the Planning Board” with a vote of 7-0.** The motion **passed** unanimously.

5. Revision of Article VII.S Fire Protection

The Board discussed the revision necessary to Article VII.S to clarify its current state after a citizen’s petition left it in disarray. After a lengthy discussion, the following was decided as a final revision:

To see if the Town will vote to amend the Danville Zoning Ordinance to adjust the fire suppression requirements to explicitly include residential structures with three or more dwelling units and to clarify other portions of the fire protection ordinance. Specifically, to replace Article VII.S. with the following:

1. Any construction exempted from Fire Protection Standards per Federal or State laws or regulations shall be exempt from this ordinance. The developer and/or owner shall be responsible for providing documentation to the Town of Danville supporting such an exemption prior to construction, delivery, or initial occupancy. However, an exception from the installation of sprinkler systems shall not exempt the developer from installing a fire suppression water source or other alternative fire suppression system.
2. Detached sheds and other similar outbuildings shall be exempt from this provision. Residential garages that are detached to the residence, open attached porches, carports and similar structures shall also be exempt from this provision.
3. Fire Protection Specifications
 - a. Sprinkler Systems are required for residential structures with three (3) or more dwelling units and commercial buildings as follows:
 - i. An approved automatic sprinkler system shall mean a system installed in accordance with: the current edition of the National Fire Protection Association NFPA Standard 13, NFPA 13R, NFPA 13D; the provision of this ordinance; and approved by the State Fire Marshall’s Office. The system shall be subject to the Danville Fire Chief’s approval per this ordinance.
 - ii. The installer shall present a set of prints by a certified fire protection engineer showing the entire sprinkler system to the Fire Chief or his/her designee for approval. The Town of Danville reserves the right to have the plans reviewed by a third party with expenses to be paid by the developer and/or owner.
 - iii. A permit for the sprinkler system shall be obtained from the Danville Fire Chief or his/her designee before the issuance of a building permit.

The responsibility for proper installation and testing is that of the builder/owner. The Danville Fire Chief or his/her designee shall be given 48 hours’ notice and must witness and approve the test.
 - iv. All sprinkler systems installed under this ordinance shall have the following:
 - a) The water supply for the sprinkler system, refer to the current edition of NFPA 13D, Chapter 6, Section 6.1.2 and 6.1.3. If domestic water supply cannot supply demand to two activated sprinkler heads for a period of 10 minutes, a storage tank and fire pump shall be installed to fulfill these requirement.

(Example: 2 heads at 13 gpm = 26 gpm x 10 min., storage tank size minimum of 260 gallons.)

- b) The minimum acceptable operating pressure of any sprinkler shall be greater than 7 psi.
- v. The responsibility for maintaining and testing a sprinkler is that of the owner or occupant. Refer to the current edition of NFPA 13D, Section A.4.2.1 for the proper procedure.
- vi. Sprinkler Systems shall be installed in accordance with the current edition of NFPA 13R, with the following exceptions:
 - a) Sprinklers shall not be required in residential garages, open attached porches, carports and similar structures. However, ALL attached garages or those that are located under living spaces (per NFPA 101) shall be protected by sprinklers. Amended 3/13/2007
 - b) Sprinkler shall not be required in attics, crawl spaces and other concealed spaces that are not used or intended for living purposes.
- vii. Sprinkler Systems for Commercial buildings (Amended 3/11/2014)
 - a) All commercial development with square footage over 2000 sq ft, even if subdivided to smaller units, must be protected throughout by an approved automatic sprinkler system in compliance with the requirements of NFPA-13 and maintained according to NFPA-25.
 - b) All commercial development with square footage over 2000 sq ft, even if subdivided to smaller units, will be protected with a monitored Fire Alarm system in compliance with the requirements of NFPA-72.
 - c) All commercial occupancies shall have a Knox High Security Master Key Retention System approved by the Fire Chief or his designee.
- b. Fire Suppression Water Source (Cisterns)
 - i. Cistern(s) are required for any new development and/or subdivision of four (4) or more dwelling units. The Cistern(s) shall be an artificial underground water storage facility of at least 30,000 gallons of usable fire protection water supply per cistern.
 - ii. The location, design, and provisions for ownership, maintenance, and all season access to the cistern(s) and supporting facilities shall be approved by the Fire Chief, or his/her designee, and shall conform to the following specifications.
 - a) Response time from the Safety Complex (206 Main Street, Danville, NH) to the nearest cistern within the development shall conform to the current edition of NFPA 1720.
 - b) The minimum cistern capacity is to be 30,000 gallons.

- c) Underground storage tank(s) shall be constructed from one of the following materials:
 - i) Polyethylene
 - ii) Fiberglass
- d) The suction piping system is to be capable of delivering a minimum of 1,000 gallons per minutes for three quarters of the cistern capacity. (Velocity and friction losses plus static head may not exceed sixteen feet (16').)
- e) The design of the cistern is to be submitted to the Planning Board and Fire Chief or his/her designee for approval prior to construction. All plans must be signed and stamped by a professional structural engineer registered in the State of New Hampshire.
- f) Each cistern must be sited to the particular location by a registered professional engineer and approved by the Planning Board and Fire Chief or his/her designee.
- g) The entire cistern is to be rated for H-20 highway loading.
- h) The cistern must be designed so that it will not float when empty.
- i) All suction and fill pipe is to be ASTM Schedule 40 galvanized steel. All vent piping is to be ASTM Schedule 40 PVC with glued joints.
- j) All PVC piping is to have glued joints.
- k) The final suction connection is to be six inch (6") National Hose male thread. It must be capped with a hydrant cap, chain and have removable strainer.
- l) The filler pipe is to have a four inch (4") Stortz Coupling with a 90 degree elbow, cap, chain and removable strainer.
- m) A twenty inch (20") I.D manway to grade level shall be installed. Manway will have a bolted cover with a lockable three inch (3") water level inspection fitting on the manway cover.
- n) The entire cistern is to be completed and inspected by the town engineer at the developers cost before any backfilling is done. The tank may then be backfilled but not covered for a four week leak test.
- o) The completed cistern shall be guaranteed for one (1) year from the date of acceptance by the town. This guarantee includes watertightness of the tank and all appurtenances associated with the operation of the cistern. The completed cistern will be inspected for compliance by the Fire Chief or his/her designee prior to the release of the maintenance bond, and a report to that effect will be submitted to the Town.
- p) All backfill material shall be screened gravel with no stones larger than 1½ inches and shall be compacted to 95% of maximum, ASTM 1557.

Bedding for the cistern shall be a minimum of twelve inches (12") of ¾ to 1½ inch crushed, washed stone, compacted. No other fill shall be allowed under this stone.

Backfill over tank shall be:

- i) four feet (4') of fill; or

- ii) the top and highest two feet (2') of the sides of the cistern shall be insulated with a vermin resistant foam insulations, minimum two inches (2") thick, and two feet (2') of fill.

All backfill shall extend eight feet (8') beyond the edge of the cistern, then maximum 3:1 slope, loamed and seeded.

Backfilling to be witnessed by the Town Engineer at the developers cost.

- q) The filler pipe is to be thirty six inches (36") above finished grade.
 - r) The suction pipe connection is to be twenty to twenty four inches (20-24") above the level of the fire truck wheels when the cistern is in use.
 - s) six inch (6") galvanized steel heavy wall concrete filled pipe bollards are to be placed two feet (2') off each side and twelve inches (12") in front of the suction pipe for the protection of the pipe. These bollards shall be set in concrete four feet (4') below ground level and shall extend ten inches (10") above the suction pipe.
 - t) After backfilling, the tank is to be protected by large stones.
 - u) The bottom of suction pipe to pumper connection vertical distance must not exceed fourteen feet (14').
 - v) Pitch of shoulder and vehicle pad from edge of pavement to pumper connection must be 1-6% downgrade.
 - w) Shoulder and vehicle pad must be of sufficient length to permit convenient access to suction connection when pumper is set at 45 degrees to road.
 - x) All construction, backfill, and grading materials are to be in accordance with proper construction practices and acceptable to the Planning Board in accordance with the approved design.
 - y) All horizontal suction piping must slope slightly uphill (1-3%) towards the pumper connection.
 - z) Installer is responsible for completely filling cistern until accepted by the Fire Department. This includes refilling after each flow test until acceptance.
 - aa) Any and all required easements for maintenance and use shall be properly noted and recorded.
- iii. A cistern shall be located within two thousand two hundred (2,200') feet of every dwelling unit within the subdivision and within two thousand two hundred (2,200') feet from any commercial unit, as measured along the lines of the streets.
 - iv. It is the responsibility of the subdivider to bear the cost of any equipment, apparatus, construction, and/or first filling of water in the cistern(s) which may be incurred as a result of this ordinance. All land areas and equipment or apparatus may, upon completion, installation, and inspection (at developers cost) by Fire Department and Town Engineer

of such equipment and apparatus, be offered for transfer to the Town of Danville.

- v. The responsibility for proper installation and testing is that of the builder/owner. The Danville Fire Chief, or his/her designee, shall be given 48 hour notice and must witness and approve a test of the system.

c. Alternative Fire Protection Systems

Alternative Fire Protection Systems may be proposed to exempt the building from the above two requirements provided that they meet all of the following requirements and are acceptable to the Danville Fire Wards and the Planning Board. Acceptance of an alternative proposal shall be at the discretion of the Town of Danville as specified in the following paragraphs.

- i. The proposed Fire Protection Systems/Alternative must meet all applicable NFPA, Federal, and State standards.
- ii. In the unanimous written opinion of the Danville Fire Wards and Fire Chief, the proposed Fire Protection Systems/Alternative provides greater overall protection to the structure and any current or future occupants.
- iii. In the unanimous written opinion of the Danville Fire Wards and Fire Chief, the proposed Fire Protection Systems/Alternative is not detrimental to public safety, health or welfare, or injurious to other property and promotes the public interest.
- iv. If subject to subdivision and/or site plan review, the proposed Fire Protection System/Alternate shall be acceptable to the Town of Danville Planning Board. The Planning Board shall be under no obligation to accept alternative proposals.

Barry explained that several years ago the state law changed and, based on that, a citizen's petition was put forward which left the Zoning Ordinance in a strange and disconnected state with missing paragraphs. The proposed update was discussed with the Fire Chief and will clean up the deficiencies that were left after the citizen's petition. Chip pointed out that none of what is currently proposed is contrary to the spirit of the citizen's petition.

The public hearing was opened. There were no comments so Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously.

Chris S. explained that the proposed amendments clarify that sprinklers can be required in 3+ family homes. The remainder explains how that is to be done. The section regarding cisterns is still largely intact. The specifications were replaced that had been removed. Chip made and Chris G. made a **motion to put this to the town warrant**. It was pointed out that a second date will need to be amended next year. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to add the words, "Recommended by the Planning Board" with a vote of 7-0**. The motion **passed** unanimously.

Tuckertown Road

Barry reminded the Board about the court case regarding Tuckertown Road and Terry Realty. An agreement was made between the town and Terra Realty. After several years, Terra has informed the

town they would like to move forward with their plans for the property. The Selectmen have asked the Planning Board to review the agreement and make recommendations to the Board.

New Plans were given to those in attendance. It was noted that the agreement was added as notes to the plan. Barry had a question forwarded to Wayne Morrill of Jones and Beach Engineers and incorporated as note 28. It was stated that the property lines will be delineated by iron pipes already. Those will be flagged and blazed and every 150' a wooden stake will be placed. Chris Stafford, who owns three lots that abut the road, said this is acceptable.

Comments from the Heritage Commission were addressed. It was asked if the height or the circumference of the trees that are being considered. Carol passed out copies of RSA 231:158 which says the trees can be taken down only by permission after the owner is notified. Chris Stafford said that he is the owner of the 24" tree shown on the plans. He said the tree is on a steep hill and it is not clear where the road is or if the tree is in the right-of-way or on his property. Mr. Morrill and Timothy Tanner, attorney for Terra Realty, said this will be figured out when the property lines are delineated.

It was concluded that the property owner will have to be notified, whether that's the Staffords or the town. The Selectmen can grant permission on behalf of the town. The Town engineer, Dennis Quintal, can monitor compliance. The engineer will do a preconstruction walk to establish current conditions. There was a discussion about the gravel overlay. Crushed stone will be on the low areas of the road so there will be no erosion. This is in two areas and delineated by stations on the plans. This is not filling in wetlands. Chip explained there is an area of the road that is generally dry, but in the low areas, there should not be gravel added there because this will let the water sheet over the road. Gravel or crushed stone will prevent sheeting and runoff directly into wetlands.

Mr. Morrill explained that super elevation means there is no longer a crown in the road. He explained that if some areas were still crowned, it would cause erosion to one side of the road as the water will rut at the side nearer a higher elevation. Crushed gravel, approximately ¾" in size, will be used for shimming and grading. This is explained in the detail sheet. A minimal amount of crushed stone will be applied to the road throughout the length. All of this is shown on the plans.

There was a short discussion about the northern maintenance crossing. It is proposed that this be a permanent crossing.

A reclamation plan was submitted with the original application. The plan being reviewed tonight is a traversal plan.

There are no plans for the gates that are already there at the easement and the entrance off of Route 111. These are supposed to be locked.

Walter Baird asked about the grading and if everything on the plan is a result of suggestions from Dennis Quintal. Chip said he's not sure it all came from Dennis as there are standards that need to be met for the equipment to safely traverse the road.

The plans call for the removal of one large boulder. This will probably be brought to the pit. The permit allows triaxle trucks. These can carry no more than 23 tons or 18-20 cubic tons per truck. It is unclear if they can carry that much on that specific road.

It was clarified that the tree size mentioned is the diameter as measured 36" from the ground. Super-elevation was explained again, that it was a 2% grade across the road rather than a crown. This brings the water to one side of the road. This is proposed in specific areas where it would otherwise have a negative impact to one side of the road.

Silt socks will be used to keep the gravel from going into the wetlands.

Chris Stafford said the plans do not show on the left side, next to a 12" birch, a dug well and a concrete well cover about 16" in size. It appears the well is partly on the road and partly on private property. He said a stake lines up with the far left post of the ATV entrance. If someone eyeballs this, the well cover is on the road. He said this is not an active well.

Chip said this was noticed on the site walk with Dennis Quintal but it didn't look like it was on the road. Chris Stafford said he can walk the property with them to point it out. The Board said the well should be noted on the plans and it should be ensured that this will not be a hazard. A separate letter from the engineer can be drafted rather than redrafting the plans.

Carol said there was a blacksmith shop on the south corner. The Sanborn Tavern was also there on the north side. She asked if that section has to be redone or moved to the north, she asked that it not impinge the tavern site. Chris Stafford said he'd prefer the pull-off area to be on the south side. Mr. Morrill clarified that it isn't a turn-off but more of an area that would allow two trucks that are entering and exiting, to do so at the same time safely.

Walter asked if there are any safety issues for trucks entering and exiting that would require a flagger or someone directing traffic. Mr. Morrill said it is up to the state to put up signs but they will look into the need for a flagger or putting up a construction sign on the road to warn passing vehicles.

Tom Waters asked about the road, saying he used to use the road a lot before the gate was put up. He was told he can still use it as much as he legally could in the past. During the gravel operation the gate will be unlocked during the day and locked overnight. He was told that whatever rights he has at this time will continue to be in effect. It was pointed out that Terra is allowed to use the road per the court agreement. Other uses of the road may or may not be permitted. Mr. Morrill said they do not have the right to grant anyone else use of the road.

Barry summarized the concerns that will be forwarded to the Board of Selectmen. The recommendation will be given that the traversal plan is acceptable to the Planning Board.

The concerns are as follows:

1. Location and safety regarding the dug well that's approximately at station 0 and 1.
2. Ownership of the tree slated for cutting at station 17.
3. Safety for trucks turning off route 111 and the recreation signage.
4. Note the plan should be updated to correct typos.
5. Visit the Planning Board again with the reclamation plan. It is noted that this is already approved but should be reviewed. Any changes will have to be reviewed through the Planning Board.
6. It's recommended that the Selectmen have Dennis Quintal do a pre-inspection and periodic inspections during the process and a post inspection to show conditions are met.
7. The Selectmen should establish a process to monitor the Old Meetinghouse, as noted in section 26.

It was noted also that Terra Realty should not be held responsible for any monitoring that's over and above the established agreement. Walter reminded the Board about the timeframe for tree cutting as stated in the court agreement.

Chris Stafford asked if the Selectmen will have a public hearing regarding this project. He was told that the agreement has already been established, so no public hearing will be held. There is not set start date

for this project. Chip made and Chris G. seconded a **motion to forward the seven concerns as listed above to the Board of Selectmen**. The motion **passed** unanimously.

Mr. Morrill asked about the Selectmen's schedule. He also said he'd like the letters regarding the northern permanent crossing to add to the application that is going to the state. Those will be supplied to them when the appropriate signatures are on them.

Cotton Farms-Beatrice Street project

The Board signed the mylar for Cotton Farms. It is not known if paper copies were supplied to the town.

At 9:25pm, Chip made and Chris G. seconded a **motion to adjourn**. The motion **passed** unanimously.

Upcoming Agendas:

Jan. 26, 2017

7:30pm Minutes and Correspondence
7:40pm preliminary discussion with Josh Verrill

Feb. 9, 2017

7:30pm Minutes and Correspondence