

Planning Board
September 28, 2017
7:30 pm

Members present: Barry Hantman, Chip Current, David Cogswell, Jim Castine, Scott Borucki-Selectmen's rep.

Excused members: Chris Smith, Roger Whitehouse

Others Present: Jim Hanley, Charlie Zilch, Chet Sullivan

Correspondence:

- Notice from NHDES regarding the subdivision application on tonight's agenda
- A wetland permit application: it was agreed to send DES a letter stating we have received the application but are unfamiliar with their intention and it is recommended that the Danville ordinances and regulations be reviewed to ensure that any applicable hearings can proceed.

Minutes:

Chip and Scott seconded a **motion to approve the September 14, 2017 minutes as written**. The motion **passed** unanimously.

Subdivision application for property owned by C.M.S. Sullivan, Inc., Danville Tax Map and Lot 3-140 and Sandown Tax Map and Lot 25-74, located off of Route 121A in Sandown. The proposal is for 11 lots in Danville and one lot in Sandown:

Chet Sullivan, the property owner, said that Charlie Zilch can represent him for these hearings. Charlie explained that the frontage for this lot is entirely in Sandown, off of 121A, across from Angle Pond. There is 4.3 acres in Sandown and 283' of frontage. The two tracts in Danville comprise 51.8 acres. A home was built on this lot in 2011.

There are seasonal wetlands in the northwest corner and some smaller pockets of wetlands to the south and west, with the majority of the wet area on the east side. The water eventually runs into Bartlett Brook. None of the property is in a floodplain and there is no shoreland protection. There are slight to moderate slopes and poorly drained soils throughout the property.

The owner wishes to subdivide this into 12 lots, including the existing home. One lot will be in Sandown. Charlie pointed out that this parcel could support up to 22 lots per the cluster calculations. He said that Mr. Sullivan just finished a cluster development in Plaistow and found there is less flexibility with the types of homes that can be constructed on smaller lots. This development may have handicapped accessible homes with in-law apartments. Barry asked if elderly housing has been considered for this parcel. The additional benefits were discussed briefly.

Charlie said that some test pits have been done and there is a lot of area for well locations. There will be one entrance from 121A. Danville has more restrictive road requirements and these will be carried through Sandown. Sandown will be asked for a conditional use permit.

All abutters were notified and the all the fees were paid. Chip made and Jim seconded a **motion to accept the application**. The motion **passed** unanimously.

It was noted that no connection to abutting lots is on the plans. Charlie said that the areas around this parcel are mostly undevelopable. Cotton Farm is to the north. He explained a prior project in which an easement was shown on the plans with a note that, if it is developed, the other lot would have some portion given to it so that the minimum acreage is maintained.

Barry pointed out that Sandown will have to approve the road access first before any building is done. Charlie said they've met with Sandown for a preliminary discussion. They've met with the fire and police chiefs and road agents for both towns. Emergency response will come from both towns and will be left to whoever arrives first. An agreement was made between the road agents that Sandown will plow this road and Danville will plow a section of a Sandown road.

The first house, which is in Sandown, is shown as having a driveway in Danville. Charlie was asked if the driveway can also be kept in Sandown. Charlie explained that they are in the process of getting a driveway permit in Chet's name. The state is ok with the test pits so far. An alteration of terrain application was submitted in the beginning of August along with a dredge and fill. Jim Hanley has put together the drainage calculations.

Chip noted the treatment swale is a long way from the road. Charlie explained a little more about the grading. There is slight grading off the main road as they are trying to follow the grade back up through the cul-de-sac. A small section of roadway discharges back to 121A and this is clean water. There are vegetated swales, all meeting DES requirements. Most of the water discharges into wetlands. Chip said that sometimes the swales are difficult to make work and moving the driveway may help.

The pond was pointed out on the plans. This is manmade. Mr. Sullivan believes it was already there when the house was built. There is very little slope at the back of the lot.

The area between lots 8 and 9 were pointed out, noting that water on the north side should sheet toward the north and the south should sheet toward the south.

The first utility pole will hopefully be retained. Other utilities will be buried. The existing barn, pond, and house will stay. Charlie will send the plans to Dennis Quintal for his review.

Mailboxes and traffic signs, including a 25 MPH sign, should be on the plans. A site walk will be scheduled after comments are received from Dennis. The Conservation Commission will be invited. Mr. Sullivan said it is ok to invite abutters as well.

The Sandown signature block can be located anywhere on the plan. They will meet with Sandown in one week and be back to Danville in two weeks. Sandown is also hoping to conduct a site walk.

Master Plan update:

The CIP letters will be sent to appropriate department heads for their input before budget season starts.

Warrant Articles:

The Board received a letter from the Heritage Commission regarding dates in the Zoning Ordinance that need to be corrected. Peter Loughlin also recommends adding an article regarding the lot that was omitted from the 2017 warrant. The Board discussed the following Warrant Articles:

1. To see if the town of Danville will vote to amend the Danville Zoning Ordinance Article III.E. to change the description of lot 2-74 to read:
Contains the Old Meeting House Cemetery; burial sites of early families and their descendants, town dignitaries and officials dating to 1817.
2. To see if the town of Danville will vote to update the Official Zoning Map, Town of Danville to include lot 4-3-1 in the Manufactured Housing Zone. This lot was inadvertently omitted from the 2017 warrant article which specified the lots in this Zone.

3. To see if the town of Danville will vote to amend the Danville Zoning Ordinance Article VII.C.1. to remove the setback restrictions of septic systems from dwellings other than to that which it servers. Specifically, to read:
 1. No cesspools, septic tank or sewerage disposal area shall be constructed or maintained less than seventy-five feet (75') from the edge of a public water body or from a well.

It was pointed out by a resident that the Zoning Ordinance prohibits the storage of hazardous material in the Village District. This will have to be revised to allow the storage of this material that is common to a household. Chip said the word “typical” is vague and the reference will need to be researched and discussed further for a correct wording.

4. To see if the town of Danville will vote to modify Article IV.B.3.g of the Danville Zoning Ordinance to clarify the intent of the hazardous materials restriction in the Danville Village District. Specifically, this would modify Article IV.B.3.g to read:
 - g. No materials defined as hazardous under 49 USC 5103 will be used or stored on the premises in association with any commercial enterprise in quantities greater than that found in the following table. <Table to be included>
5. To see if the town of Danville will vote to amend the Danville Zoning Ordinance to add paragraph III.F to specifically specify the boundary of the Residential zone. Specifically, this would add section III.F as follows:
 - F. Residential/Agricultural
The location of said district is defined to be all areas of the town not contained in the other districts/zones defined in this article.

Chip made and Jim seconded a **motion to put the above mentioned warrant articles to a public hearing**. The motion **passed** unanimously.

Other business:

An application for a lot merger was discussed briefly. A reference, such as the book and page numbers, for the recently purchased lot will need to be included on the application.

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

Respectfully submitted by
Janet Denison