

Planning Board  
August 13, 2020  
7:30pm

Members present: Barry Hantman, Chip Current, Gail Turilli

Members present via Zoom: Chris Smith, Jennifer Heywood, Roger Whitehouse

Others present via Zoom: Lindsey Ditunno for Life Storage

Others present: Charlie Zilch, Carsten Springer, Bobby Loree, Jim Macomber, Devon Boling, Brendan Daly, Cathy Smith, David Smith, David Acheson, Dan & Lee Bezanson, Phil & Tina Cote, Elizabeth Laroca(Eversource), Catie Burns(Eversource), Jeremy Fennell(Eversource), Chase Bernier(SWCA), Leo Traverse, Robert King, David Roberts, Carleen Preble, Cynthia Lavash, Diane Sarsfield

Barry read Governor Sununu's order regarding Covid-19 precautions, specifically for public meetings.

Chip stated there were minor typos with the last meeting minutes. Barry made a **motion to accept the minutes as amended**, Chip 2<sup>nd</sup> the motion. All in favor with Chip abstaining, minutes accepted as amended.

First order of business, final approval for Life Storage mylars for signature pending 3 outstanding conditions have been met. Barry stated there were 3 conditions: 1. Protect pedestrians from falling ice and snow, note 7, sheet 5. 2. Signature block on sheets 1-11. Barry questioned how many sheets are being recorded. Lindsey stated there are 3 sheets accepted by the Registry, but also provided paper copies of complete plan. Chip confirmed 3 mylars for recording complete with signatures. 3. Recording fees have been received. Gail confirmed fee's received.

Barry asked if the Board was satisfied that conditions that were laid out on 6/27/2019 have been met. Unanimous yes. Barry entertained a **motion** to grant final approval. Chip **motioned** and Chris 2<sup>nd</sup> to grant final approval. All in favor, motion carries, plan approved. Barry signed application.

Issue of impact fee's discussed. Barry stated it would fall under the Industrial Warehouse Storage and Transportation category. .04 per sq ft for Police Department, .35 per sq ft for Fire Department for a total of .39 per sq ft. Structure is 15,800 ft which was confirmed with Lindsey. Total impact fee's \$6,162.00. Chip **motioned and Roger 2<sup>nd</sup>**, to impose a \$6,162 impact fee for Life Storage building. All in favor, motion carries. Chip advised Lindsey, impact fee's are payable before occupancy permit is issued. Barry suggested to sign mylars at the end of the meeting.

**Olde Road and Main Street:**

47 Barry stated this is an Amended Site Plan Application. Plan came before the board a little over a  
48 year ago, was approved and is a plan of record. Developer has come back for a change to the  
49 plan, which will be reviewed tonight and future evenings if needed. Barry questioned if all  
50 abutters have been noticed, Chip confirmed that they had been. A member of the audience  
51 objected and asked to see a list of all abutters, as he was not properly noticed. Barry stated if the  
52 property changed hands, owner of record that the town has may have been noticed. Chip read  
53 the list of abutters to which same audience member stated Norman and Diane Crocker are not on  
54 record as being abutters, should have been Devon and Vanessa Boling. Barry questioned where  
55 abutters list came from. Charlie Zilch stated he supplied it based on town record at the time of  
56 submittal of Amended Site Plan. Audience member stated there were many abutters not notified.  
57 Barry explained an abutter as directly abutting or across the street from property. Just because  
58 you live on the street does not necessarily mean you are an abutter, but you may be impacted.  
59 Notices are sent to abutters per state RSA's. First thing to be corrected on the plans is the  
60 abutter's list.

61  
62 Audience member questioned if state property was notified. Barry explained that state's  
63 ownership is the road and state permitting is done separately. Audience member also stated that  
64 state DOT has no driveway permit on record and where the old post office stood, is state  
65 property and the turnout is going onto state property. Again, Barry stated that state roads are  
66 handled differently. Barry emphasized that all abutters were either noticed or are here tonight.  
67 Charlie Zilch stated he met with district 6 and they don't notice that as state property or part of  
68 state right of way. Audience member stated when original plan was submitted, this was  
69 discussed and determined that it was state property, per map 4-190. Carsten stated it was a small  
70 easement entered in error by a surveyor about 25 years ago. Note on the plan that states existing  
71 maintenance easement erroneously shown to be extinguished. Barry reiterated, ownership of  
72 land like that is a civil issue not a Planning Board issue. Barry asked that Gail look at lot 4-190  
73 in town records. It is not shown on the plan but is indicated on town map, and we need to  
74 establish ownership/existence of that lot.

75  
76 Barry then asked that Charlie Zilch give an overview of the Amended plan. Charlie Zilch of  
77 S.E.C. associates, here on behalf of Old Dog Realty and Jim Macomber, who is the property  
78 owner and present this evening to discuss Amended Site Plan for Tax Map 4 Lot 191-1, located  
79 at the corner of Olde road and 111A, across from Danville Chenille. Charlie pointed out that  
80 site plan approval was obtained last year, for construction of 9600 sq ft commercial contractors  
81 equipment storage office and repair building supporting Jim's business. The Plan combined 2  
82 lots into 1 with an access point on Olde Road. Driveway is approved just to the west side of  
83 proposed building where foundation is going in now. It is intended for employee, customer,  
84 truck and equipment access to the parking area in and around proposed building. Since approval,  
85 Jim has been working on constructing the site, per approved plans. He has found that the  
86 entrance at Olde Road and Main Street is somewhat inadequate for use, and is exploring different  
87 options. Proposing a stand-alone access near where the old well is on Main Street, south of  
88 Chenille parking area. A conceptual plan was submitted to NH DOT and District 6 in Durham.  
89 In support of the application, met with District 6 and it was suggested to improve entrance at  
90 Main Street and Olde Road rather than add a separate application for separate driveway for 111A  
91 and to reconsider original application and consider making improvements to Olde Road.

Proposal is to improve south side of Olde Road, widen and add flair to allow Jim's trucks to enter site at intersection rather than traverse down Olde Road to main entrance. The widened access is mostly within the same footprint as the old roadway when the post office was there, pavement still remains. All improvements fall within town and state right of way. From widened access, proposing 20 ft wide driveway, that would take Jim's trucks to the parking area of the building. Adding additional pavement, gravel to the site, a 2<sup>nd</sup> infiltration basin to catch all additional stormwater flow and treated on site. By adding additional pavement, will allow truck turning radiuses coming in off Main Street rather than going down Olde Road to his approved driveway. The plan has been reviewed by the town engineer who addressed his initial concerns and had one outstanding comment left. Plan has also been reviewed by the town Road Agent who is satisfied with proposed changes. Improvements to intersection not only benefits Jim, but the other properties on Olde Road. As far as ease of access, it's awkward, there's a catch basin that sits a little bit low providing a bump. Access as you come in will be raised and supported.

Barry explained there are 2 steps for applications: 1. Acceptance which starts the review, and 2. Technical details. Barry asked if anyone had any questions about the application before accepting. Audience member asked if an application can be accepted before abutters are notified. Chip stated it can be submitted, but not accepted. Chip then asked if the audience member if he was notified to which he stated he was not properly noticed. Chip also asked how he was present if not notified to which he stated he heard from a neighbor.

Review of application is complete except for one abutter not properly noticed. Application not accepted as not all abutters were properly noticed. September 10 will be next meeting date. Issues with existing construction and means of enforcement should be brought to the attention of the Selectmen. Change in use would require return to planning board. The plan that was submitted last year was approved and is in compliance with state laws.

#### **PSNH as Eversource:**

Barry stated a Conditional Use Permit was accepted at the last Planning Board meeting, now ready to enter details. Jeremy Fennel (Licensing & Permitting Specialist for Eversource), and Chase Bernier (Environmental Specialist with SWCA) approached table representing Eversource. Catie Burns (Project Manager) and Elizabeth Laroca (Community Relations Specialist with Eversource) are also present as audience members. Jeremy stated permit is for J147 line maintenance, a 150KV line going through the town of Danville. Proposal is to replace 9 wooden structures and reset one due to environmental and wildlife damage. Barry stated he was told this would need to be done once every 10 years but yet it's being done every couple of years for this issue. Jeremy explained the need to inspect transmission system and every line isn't necessarily inspected every year. Inspections are done on a yearly basis to locate structures that are in need of replacement, and these 9 structures were found to be in need along with structures all over the state. Barry's concern is the disturbance of wetlands as it seems to be maintenance being done every 2 years. Jeremy explained the V103 is a newer line and some work was done on the 363 line. May seem like Eversource is coming back doing the same structures, but actually working on different line and collecting inspection data and they try to group the work where possible. These 9 structures were identified as most in need, but along with everything

137 throughout the state. Replacing all J147 structures would be great, but doesn't make practical  
138 sense to do that all in Danville and ignore the rest of the state. Inspections are done this way.

139  
140 Barry explained that the company he worked for would come up with a 10 year or 20 year plan,  
141 and reiterated this maintenance project comes about every couple years. Need to understand  
142 reasoning behind that as disturbance of wetlands is concerning. Jeremy explained that  
143 inspections are done on an ongoing basis. There are still wood structures on J147. Eventually  
144 when they don't pass inspection, will need replacing, but not replacing all. All replacements  
145 could be within the next 5-25 years, that's why inspections are ongoing. Structures that are most  
146 in need throughout the state are priority.

147  
148 Barry questioned if structures are rated. Example: green- ok for now, yellow-need to watch, and  
149 red-needs replacing. He pointed out that some of the structures on the plan seen to be in yellow  
150 category and emphasized the need as to how often the wetlands are disturbed.

151  
152 Chip stated he spoke with Eversource 2 weeks ago and understands disturbance around the poles,  
153 putting in 100 x 100 matting to replace the pole. Issue is continued crossing of wetlands between  
154 the poles to get to them. Stated we have a road that Danville Forestry maintains and would allow  
155 use. Issues are the crossing from GH Carter to get to the road. Chip would prefer Eversource  
156 coming in through the ballfields but they don't have permission. Selectmen have been contacted  
157 and are procuring that. Chip thinks with maybe one exception, with one more wetland crossing,  
158 would allow Eversource to maintain entire corridor of north-south through Danville without any  
159 wetland impacts. Chip questioned if asking for a wetland impact just around poles, or traversal  
160 of wetlands to get to the poles.

161  
162 Jeremy explained it would be for traversal of wetlands to get to the poles as there is no way to  
163 get there on land otherwise on the right of way. Chip stated if given a right of way to a piece of  
164 property, they will not have that impact and also asked if the impact is solely on sheet 4 off GH  
165 Carter or another one. Jeremy explained that to come in from GH Carter would require the  
166 Select Board to grant the requested use of ballfields, as it is town property, and would enable  
167 access to structures 22 to 14. When the application was submitted, they wanted to show both  
168 directions, as they did not want to be presumptuous. Chip then asked about coming in from the  
169 north on this application. Jeremy wanted to show both options. If denied the GH Carter  
170 entrance, next least impactful option is coming in on right of way from the north to access  
171 structures 14-22.

172  
173 Barry questioned what impact happens should permission is granted from town to traverse  
174 ballfields. Jeremy stated they will still need to perform all wetland matting from GH Carter  
175 north to Structure 14. This would avoid impacts on sheet 2 around structure 8 & 9 and everything  
176 north of there. Chip stated all impacts would be just around poles themselves. Help with  
177 building a road and they would never have to impact a wetland except what's around poles, and  
178 he was willing to give permission to impact pole areas only if approval granted from Selectmen

179  
180 Chase stated on sheet 5, structure 32, goes on right of way straight across from 32, DOT road,  
181 there is an existing gate there and they are getting a temporary access permit through DOT for  
182 that entrance. Chip understands that the owner of lot 4-28 would give permission to go through

his gravel pit and be able to reach poles 32 & 36 with no impact. This would get impact down to 1500 ft. Chase explained that the DOT entrance was used when accessed previously. This is the preferred route, using the existing easement rather than another private negotiated agreement given that the construction schedule is soon.

Jeremy explained that the timeline is set by planned line outage, need time to prepare, set and install wetland matting scheduled for September. Use of the existing easement permit per DOT would be preferred route. Catie stated there is an established gravel road, relatively dry, not a significantly wet area but would still utilize matting as best practice. Chip states it is also a very well disturbed area.

Barry asked if the Board is accepting of the work around original poles. Unanimous yes. If approval is granted from Selectmen in reasonable time frame, would that be acceptable. Jeremy stated GH Carter is preferable to Sandown Road then approval would be for wetlands around structures only and subject to negotiations with Select Board. Catie stated preferred access minimizes impacts. Open to discuss temporary/permanent access agreement to avoid continued wetland impacts.

Jeremy stated they are looking to start work next week and needs to be squared away by August 24<sup>th</sup>. Chip stated the next Planning Board meeting is on 9/10/2020. Barry questioned what would Planning Board and Conservation need to do if permission is granted by Selectmen. Chip stated if access is granted, it removes impacts on sheet 2 entirely, sheet 3 except around pole 14. Removes all traversal impacts until sheet 5. Accept wetland impacts for traversal and pole replacement on sheets 5,6, and 7. Barry asked if this was acceptable to Eversource. Chase and Jeremy are in agreement.

Chip stated on sheet 3 between pole 18 & 19, shows a tiny shaded area. There is a road which is a town forestry road. If it is not sufficient for equipment, will work with Eversource to improve it. Would prefer to see road improved rather than temporary matting going down. Carsten explained this is not just for the access of selective cutting, but for the Police and Fire Departments if someone is injured. If there is an emergency, unable to get there unless matting is brought in. Would like the availability to get there whenever the need. Chip stated if there is an outage on that line or an emergency, would prefer no impact on wetlands to get to these things in the long run.

Barry asked, with the exception of incidental type things, is this acceptable. Jeremy is in agreement assuming access granted by Selectmen. Elizabeth stated, need to have temporary access agreement next week in order to keep to the schedule. Barry stated if access is not granted by Selectmen, the alternative proposed is the plan given to the Planning Board. Jeremy is in agreement as it's the next least impactful option. The wetland near GH Carter coming across right of way is very extensive, doesn't make logical sense. If GH Carter access isn't granted, coming in from property on Sandown Road from the north in marking those wetland crossings with matting, temporary matting would be the next option.

Barry asked if that needs to happen, would Board make any changes to proposal. Chip stated there is no other option, other than denying it. These 2 wetland crossings are significant, sheet 2 between poles 7 & 9 and 13 & 14. 2 Northern crossings coming in from the Peaslee tap have

significant amount of standing water all the time, even when dry. Summertime work is concerning. Barry stated one impact is 4252 sq ft and the other is 2227 sq ft. Chip stated he would not be as concerned if it were winter but, during summer there is mud, and it's messy, would defer to Conservation. Barry asked Conservation if no approval from Selectmen and had to come in from the north, would Conservation have any recommendations to change or improve plan to lessen impacts of the 2 wetland crossings.

Carsten stated, if coming from the north, crossing major wetland which is what we are trying to fix. Would want to see matting at the northern crossing and have plans to have it permanently erased as a problem and properly done. Conservation have established access points through the entire town so that there are 0 impacts on the wetlands. Temporary wetland impacts should not be done every couple of years. Issue is 3 sets of lines, variety of repair and maintenance issues, and all rely on same access route. Suggest fixing the access route. Chip stated the only one we have control over is 14 on town property, the one between 8 & 9 is on private property. Chris asked if Carsten could explain impacts of the mats and recovery time after removal. Carsten stated the power company should address that issue as they may have different techniques than seen in the past. Usually have 16 ft long timbers used in 8 x 8 sections that are brought in and dragged out.

Jeremy explained timber mats are 16 ft long x 4 ft wide. They are brought in by something similar to a logging truck and place them with machinery or an excavator. Described it as stepping stone type of work. As far as rebound, some effect to soils and vegetation. If removed during growing season, vegetation comes back, have to balance putting in gravel and culverts segmenting the wetlands, as opposed to bringing in matting every so often. This is the accepted utility bmp (best management practice) used all over the country.

Barry stated if the town wanted something more permanent north of structure 14, would Eversource be willing to accommodate. Jeremy stated Eversource is willing to aid town in some way. Permitting takes 5 months and they would be responsible for maintaining an isolated wetland crossing that we would need to make other crossing to get to. 8 & 9, 11 & 12, 13 & 14, looking at significant wetland crossings. No guarantee DES would accept request as it is not routine practice for power companies. There is a lot of transmission infrastructure, they are not setup to maintain culverts in rural areas off right of way.

Chip stated other boards/commissions would help build and town would maintain up to their standards to handle weight of vehicles for logging, as an example. Asked for permitting, planning or monetary help and the town engineer will do permitting and planning per negotiation. Elizabeth stated Eversource has several engineers and can contribute funds if they are successful in getting temporary access off GH Carter Road. Take funds and work with Selectmen if everyone is on board and apply it.

Chip proposed 2 things. Fairly nuanced approval for this Conditional Use Permit and Planning Board to write a letter of recommendation to Select Board to grant temporary use one time to come in from the ballfields pursuant to a permanent solution to easement in real estate transaction that gets the town and Eversource what they want. Elizabeth stated in speaking with Select Board will require input from Planning Board, Conservation and Forestry.

275  
276 Carsten explained the impact relative to timber mats. When done every 2-4 years, all access  
277 points are utilized by ATV's, 4 Wheelers, etc which the power company does not want. It is  
278 detrimental to the wetlands, keeps things torn up in those areas because the power company  
279 required temporary access on a regular basis. Not a direct problem caused by the power  
280 company, but a consequence of doing that due to continued temporary access it never corrects  
281 itself. Chris addressed this was also his concern.

282  
283 Carsten also pointed out that a few years back Elizabeth worked with Forestry in such a way that  
284 Forestry did the permitting for 3 wetland crossings and established these crossings that mirrors  
285 where Eversource is also building. Looking to continue that template. Northern crossing is a  
286 major wetland. At the last Conservation meeting, Eversource committed to sharing limited  
287 engineering information with the engineer we selected to help with the beginning of the  
288 permitting process. This is going to require a pair of 4 ft concrete pipes, culverts slightly buried  
289 in the ground, top cover sufficient to meet the specifications of everybody using it. That is what  
290 needs to be built. Road agent is in favor, this would also help the Fire and Police Departments.

291  
292 Elizabeth made a \$10,000 contribution in 2014 for the v103 line to help as a good faith effort.  
293 Thinking creatively and hoping with this permit, temporary access to possible and permanent  
294 access is morphed into a real estate transaction. She is willing to contribute to the town. Catie  
295 stated they try to be mindful and avoid crossing those wetlands. Looking to utilize that  
296 permanent access acquisition as a means to support Eversource's project fee's in addition to  
297 town efforts in establishing permitting. Trying to come to a point where getting something  
298 beneficial to Eversource from all perspectives.

299  
300 Chip explained 2 proposals: Nuanced approval where a letter of recommendation to Board of  
301 Selectmen has to be contingent approval. Carsten stated temporary access can be granted by  
302 Board of Selectmen in exchange for a lump sum of money. Chip explained cannot do that as  
303 Planning Board issues permits not the Board of Selectmen. Preferred alternative provided Board  
304 of Selectmen grant access, along the south through ballfields up to structure 14. There have been  
305 issues in the past and now have a padlock on the gate. Barry requested that board vote to send  
306 letter of recommendation to Board of Selectmen.

307  
308 Chip **motioned** that Planning Board send a letter of recommendation to Board of Selectmen to  
309 recommend temporary access to Eversource through GH Carter, Colby Pond Ballfields with  
310 option to gain permanent access for a monetary amount.

311  
312 **Motion carries.** Barry designated Chip to draft letter.

313  
314 Barry proposed to grand approval of the Eversource Conditional Use Permit as follows:

- 315 1. If approval can be obtained from the Danville Board of Selectmen by 24 August 2020 for a  
316 temporary or permanent access via town property off GH Carter Drive, the Board grants as  
317 follows:
- 318 • **conditional use permits for all proposed impacts south of Main Street**
  - 319 • **conditional use permits for all proposed impacts around impacted towers**
  - 320 • **conditional use permits for all incidental impacts south of structure 14**

321  
322 2. If #1 cannot be obtained, plan is approved as proposed. Eversource will provide the  
323 Planning Board with notification of which option above is selected with updated associated  
324 final plans if required.

325  
326 Chip made and Roger 2<sup>nd</sup> **motion to grant Conditional Use Permit. Motion carries.**

327  
328 Roger made and Chip 2<sup>nd</sup> **motion to adjourn.**

329  
330 Respectfully,

331  
332 Gail Turilli

333  
334  
335 At 7:50pm, Roger made and Chip seconded a **motion to adjourn.** The motion **passed**  
336 unanimously.