

Planning Board  
August 11, 2022  
7:30pm

Members present: Chip Current, Chris Smith, Roger Whitehouse, Steve Woitkun, Leo Traverse

Others present: Gail Turilli, Charlie Zilch, Carsten Springer, Jim O'Leary, Mike Fleck, Nancy & Craig Simas, Timothy Peloquin (Promised Land Survey, LLC), Joseph & Andrea Thompson, Steve Haight, Peter Zohdi

The meeting minutes from 7/14/22 were reviewed. Chip noted one line 59 to change "borrow" pools to "vernal" pools. Roger **made** and Chris 2<sup>nd</sup> a **motion to accept the minutes as amended**. All in favor, **motion passes**.

**Continuation of Map & Lot 4-1-1, Main Street, Daniel Perry Builders:**

Charlie Zilch addressed the Board. The Heritage Commission has reviewed and accepted the proposed 125' limited cut buffer around the Historic School House. A note has been added to the cover sheet of the plans stating that the limit line will be delineated by signage and that the deed will also include language referencing the restriction. The status shown of Mitchells Way has been revised, with the words "status unknown" in place of "private."

All concerns/comments by the town engineer have been addressed. Wetlands permit and Subdivision approval have been issued and are now noted on the plans. Conditional Use permit for the wetlands crossing is still outstanding.

There are no questions or comments from the Board or the public. Roger **made** and Steve 2<sup>nd</sup> a **motion to grant final approval and Conditional Use permit**. All in favor, **motion passes**. Chip stated that impact fees for the remaining lot will now be assessed. Steve **made** and Roger 2<sup>nd</sup> a **motion to assess impact fees at \$4,933.00 for school and \$1,706.00 for safety**. Total fee due at occupancy is \$6,639.00. All in favor, **motion passes**.

**567 Main Street, Wellinghall Farm, Map & Lot 1-50, Site Plan Review & Conditional Use Permit:**

**Overview:**

Roger confirms that all abutters have been noticed via certified mail. Steve Haight from Edward N Herbert Associates addresses the Board. The overall parcel is 110 acres in size. A conceptual plan was brought before the Board previously. The proposal is to put a wedding venue with access to provide that on site. A driveway permit has been filed and is pending posting of the bond. NH septic system has been filed and approved pending a well. The dredge and fill permit will be filed by Gove Environmental Services. State AOT permit has also been filed. There will be a meeting with the Conservation Commission next week. Chip asked about the overall wetland impact to which Steve Haight stated approximately 3000 ft. Chip noted a letter was

received from Wellinghall Farm authorizing representation. One waiver has been requested for the engineer fee for the conditional use permit. A \$3000 engineer fee has been obtained for the Site Plan Review. There are not questions or comments from the Board or the public. Roger made and Chris 2<sup>nd</sup> a **motion to accept the application**. All in favor, **motion carries**. **Application accepted 8/11/22**. Chip noted that the clock has changed per the state to 65 days.

### Details:

Access from the existing house will be eliminated and will come off of the new road. Gove Environmental Services is working with DES for the driveway access, essentially following the existing Woods Road. The crossing will be in essentially the same location, with retaining walls associated with that to minimize the impact to the wetlands buffer setbacks. Gove has done an extensive review on the site. Vernal pools have been identified and taken into account with the design. There are three iterations of the design in the current package. There was talk about having cabins for overnight stays but couldn't make that work due to the impact areas. Trying to localize parking as well as access and field for the wedding venue in one location at the top of the hill. Stormwater is being attenuated with treatment swales, rain gardens and wet ponds. All stormwater is being generated on site will be captured and treated on site which will reflect in the AOT permit. Documents will be sent to the town engineer, Dennis Quintal. The septic has a 250 person maximum for the building itself.

The access will be off the existing Woods Road. There was no need to flag the entire parcel. Limits that are impacted are within approximately 40 acres that are mapped. Normally, the road would be staked out for a site walk but, the road is the existing Woods Road which has been delineated. Carsten noted that it is a very well constructed road. Mr. Haight stated he would stake out for the proposed building placement. Chip stated that he would like to see the corners of the parking lot as well. There are 250 parking spaces and the density of ADA spaces have been addressed. Chip asked about the disturbance area for the conditional use permit and retaining walls. Mr. Haight confirmed that there are retaining walls. The entire road is curved, all stormwater will be captured. Guard rails will be put in place minimizing the side slopes. The existing culvert will need an upgrade and the road will be pushed up and out. The bond will be for the connection to Route 111A. He also explains that DOT will issue a draft approval pending posting of the bond instead of holding up a project. Septic does the same with wells. Once a site plan has approval, a well will be drilled, and water tested. If it meets the standards for the septic, it is approved. Carsten noted a drainage area that is steep, well defined and carries a lot of water. He suggests moving the pavilion. The wetland impact is 930 sq ft on the left side of the existing culvert on Woods Road in the back, which is also being permitted, as it was previously disturbed. Total wetlands impact is 1072 ft. The impacts to the 75 ft wetlands setback of 89,000 ft is basically for the roadway. There is no parking or buildings in the 75 ft setback. Drive aisles, driveway, and grading for stormwater is in the 75 ft setback. There will be a community well for the building, underground electric going up the route, lighting along the driveway once approved by the Board and will send to Eversource for a design.

Chip asked about signage on the road. Mr. Haight stated that is undecided at this time. Chip noted that this will need to be a part of this site plan and there are requirements in the Village District. Lighting will be at the entrance and security lighting up around the building and all

LED. Roger asked how far the actual nearest neighbor is to the site. Carsten noted he is very familiar with this property. The Town Forest is to the South and West except for two houses. The closest row of houses is on Sandown Road. Chris asked about the use of the sugar shack. Mr. Haight stated that it exists now and will remain in use along with the wedding venue. Signage was discussed for the sugar shack but, is undecided at this time. Steve Woitkun asked about the size of the venue building. Mr. Haight stated it is 5700 sq ft, one floor, and 35 ft in height. Steve Woitkun mentioned that on the previous plans, the cupolas extended beyond the 35 ft height limit and asked about the existing farm house and cabins being incorporated in the plan. Mr. Haight explained that the existing farm house is not part of the venue but will remain on the property. The 10 cabins that were previously mentioned, are not in this plan set but that may change in the future. Proposed floor plans, lighting and signage are needed per Chip. Carsten questioned the height of the cupolas and if the height requirement is driven by the height of ladders. Steve Woitkun confirmed. Carsten stated if the cupolas are not going to have people in them but, are there for the presentation of the property, would there be the same level of concern from the Fire Department. Steve Woitkun noted that when he first met with Peter to discuss this, the cupolas were essential to the ambiance to the design of the building. He questioned if the cupolas could be designed as a smoke exhaust system, therefore, not endangering firefighters, evacuating smoke, and people in the venue can make a safe exit. Per talks with Peter, this would be feasible and will work on it in the future. Steve is not against going above the height limit if the cupolas are used in this manner.

The building will need sprinklers, no cistern, as this is commercial. Steve mentioned that the plans can be sent to a fire protection engineer for review. The plans will then be sent to the Fire Department with a stamp and be approved. Mr. Haight stated that fire suppression will be designed. Chris asked if the proposed pavilion will be an open-air structure. Mr. Haight confirmed and added that the thought behind that was that it is a place to take pictures. Roger questioned the waiver request. Chip explained that \$3000 has already been paid for the engineer fee on the site plan and that they are asking for a waive for the \$1000 fee for the conditional use permit.

Carsten mentioned that the last time this plan was brought in, about a year and a half ago, a waiver was requested relative to wetlands setbacks in exchange for a piece of property at the back that abuts the town forest with a question of ownership. It was advised that the Selectmen would need to be consulted. He asks for clarification that this is not part of this proposal. Mr. Haight confirms this. He stated that there are a lot more wetland impacts for proposed roads, buildings, etc. In this proposal, there are no buildings or parking lots in any of the buffer setbacks. All are 75 ft or more except for driveways, access ways, grading and drainage. There are no comments from the public. Roger **made** and Chris 2<sup>nd</sup> a **motion to waive the \$1000 engineer fee for the conditional use permit**. All in favor, **motion carries**.

A site walk was discussed. Chip stated he would like the Conservation Commission to be a part of that. He would like to see the first round of comments from the town engineer prior to the site walk as it gives the Planning Board things to look at. The next scheduled meeting will be on 9/8/22 and Chip mentioned he will be out of the country. Mr. Haight stated that 9/22/22 may be a more reasonable date for the next meeting to ensure that the engineers comments are received, site walk completed and meeting with Conservation has taken place. Carsten noted that Chips

involvement at the site walk is needed. Chip mentioned that he could do a site walk on his own if necessary. A proposed site walk has been scheduled for Saturday, September 10 at 8am. Carsten stated that if the town engineer's comments are received prior to that, he and Chip could walk the site. Continuance of this proposal has been scheduled for September 8 at 7:45pm. Mr. Haight mentioned that the AOT is under review now.

#### **Lot Line Adjustment and Subdivision for 63 & 75 Walker Road and 18 Lamb's Way:**

Chip recused himself as he is an abutter. Chris will be the acting chairman for this proposal. Roger confirmed that all of the abutters have been noticed. Chris asked if a letter was received for Tim Peloquin to speak on their behalf. The resident at 63 Walker Road. Joseph Thompson is present and Chris asked that he put something in writing. Chip mentioned that the resident at 18 Lamb's Way will also need to provide something in writing and will reach out to him by phone.

#### **Overview:**

Dennis Quintal sent a review with comments prior to this meeting. Revised plans were brought in and given to the Board. Tim Peloquin from Promised Land Survey, addresses the Board. This proposal is for a 2 lot subdivision and 2 lot line adjustments. Mr. Thompson has been working on this with his neighbors regarding the back lot line. He has an agreement with Steve & Renee Pelechowicz of 18 Lamb's Way and also has an agreement with Robert and Christine Collins of 75 Walker Road to create a lot line adjustment between 2 parcels. As a result of the 2 lot line adjustments, Mr. Thompson will not have greater than 4 acres of land and enough frontage to subdivide. There is one new house being proposed on the new lot that will sit in the back. Chip noted that Robert Collins sent a text message authorizing Mr. Peloquin to speak on his behalf. There are no questions regarding the application. Roger **made** and Steve 2<sup>nd</sup> a **motion to accept the application**. All in favor, **motion carries**. **Application accepted 8/11/22**.

#### **Detail:**

18 Lamb's Way is currently 5 acres and will be 4  $\frac{3}{4}$  acres after the lot line adjustment which is to the rear of the parcel. The septic design for the new lot is pending submission. The revised plan shows the addressed comments from the town engineer. Monuments need to be set prior to final approval. Steve questioned the length of the driveway for the new lot. Tim stated it is approximately 500 ft. Chris asked about the frontage for lot 21-5 (middle lot). Tim stated that it is approximately 234 ft and the new lot will have exactly 200 ft. The town engineer had 12 comments which the Board reviewed and the current outstanding issues are: signature block needed on the cover page, update to the total frontage on the center lot, and all bounds need to be set prior to final approval. Steve will provide turning radius requirements. A new tax map ID is needed for the new lot and our town assessor will be contacted. Chip questioned the utilities stating the requirement is to have them underground. Chris noted that is only if the subdivision is greater than 2 lots. Chip confirmed this per subdivision regulations section 5.g.1. A permit is needed for the driveway from the road agent. There are no other questions or comments from the board or the public. Outstanding comments will need to be addressed. This proposal will be continued to September 8 at 8:30pm. Chris relieves his chairmanship and Chip returns.

### **Long Pond Dam:**

Michael Fleck who resides at 277 Long Pond Road addresses the Board. He states that he formed a non-profit 501C3 for the Long Pond Dam. The dam is located in Kingston and Bob Griffin, who resides at 68 Danville Road in Kingston, will do the majority of the repairs needed and is working through the permitting process. There is no deed for the dam but there is a deed for the sawmill on site which is in disrepair. Mr. Fleck is looking for guidance as to how to plan for the future in order to maintain the dam and will need permission for access. He suggests that the town could buy it as the Kingston Selectmen are not interested. The non-profit could also take it over. The goal is to maintain the dam. Mr. Fleck has done some research and found that a Village District could be created for the impoundment of water and provided the Board with documentation. Chris asked for clarification on the Village District, not speaking of the Village District in zoning but, creating a specific Village District for long term maintenance of the Long Pond Dam. Mr. Fleck confirmed. Chip stated this would need to be brought up to the Selectmen as the Planning Board has no jurisdiction and a warrant article will need to be crafted.

### **Other Business:**

Chip mentions that the state legislature/governor made a lot of changes that will affect this Board. NH HB 1661, section 71: All land use fees need to be posted in a public place or we are not allowed to charge them. This needs to be done by 8/23/22. Zoning Board and Heritage Commission fees will need to be added at the bottom of this list. A note will be added per Carol Baird's suggestion which she sent in an email. Section 72: Incentives. If we offer any kind of incentive to build senior housing there is a one year limit to make adjustments to it and it automatically also applies to work force housing. We can't have a differential. The goal of senior housing is to offer people to move to town and not have kids in our school system. We need to take a hard look at our zoning to see if we want to make changes to that section to make sure it has the intent that we want. This will need to be addressed at the next town meeting. Written Findings: Example; the Planning Board just approved a subdivision tonight. The rules to inform the applicant that they have approval have changed and there is more paperwork involved. Structures for religious purposes: The rules have changed around how much these buildings can ignore zoning that we need to be aware of. Rules need to be followed but, there are a lot of them that do not. Leo noted that  $\frac{3}{4}$  of the town is already zoned for this.

Steve made and Roger 2<sup>nd</sup> a motion to adjourn. All in favor, motion carries. Meeting adjourned at 9:50pm

### **Agenda for next meeting:**

1. Continuance of Wellinghall Farm Site Plan, Map & Lot 1-50
2. Continuance of 63 7 75 Walker Road & 18 Lamb's Way Lot Line Adjustment and Subdivision
3. Preliminary discussion for a possible lot line adjustment at 16 Ward Way
4. Route 111 access (Frye Road)

Respectfully

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