

**Planning Board**  
**Dec. 10, 2015**  
**7:30 pm**

Members Present: Barry Hantman-Chairman, Chip Current, Haeyoon Jacobus, Chris Smith, Roger Whitehouse, Chris Giordano-Selectmen's Representative, Janet Denison-clerk

Others Present: Charlie Zilch, Doug MacGuire, Chris Tammany, Bryan Tammany, Charlie Lucas, Jackie Fitzgerald-Boyd

Minutes

The minutes from October 22 were reviewed. Chip made and Chris G. seconded a **motion to accept the October 22, 2015 minutes as amended.** The motion **passed** unanimously.

Correspondence

- Letters from Dennis Quintal dated October 26 and November 11 regarding Caleb Corners II
- Letters from Dennis Quintal dated November 11 and December 4 regarding Sapphire Woods
- Nov/Dec 2015 edition of Town and City magazine
- Printout from the NHMA Municipal Sign Ordinances Do's and Don'ts. Barry had reviewed this information and feels the town is in compliance with current law.
- Rockingham County Conservation District News, Fall 2015 edition
- 2015 Regional Master Plan draft for the RPC region. Barry said this should be reviewed to see if there is anything that should be mimicked in our Master Plan or if the town should take exception to anything in this document.
- A list of available publications from NHMA
- An email from Barry Hantman, referencing residential solar energy and potential additional assessment this may add to property values. It was mentioned that if solar panels add value to a property but they are exempt from taxes, that tax burden is shifted to everyone else in town. It was also mentioned that if someone has solar panels to reduce their energy bill but it increases their taxes, there is little incentive to use solar panels.
- A copy of an application for the construction of new or substantially modified underground storage tank system. This is from NHDES regarding the Danville Market/Sunoco gas station. It was unclear exactly what the owner is planning for the property. The owner will be asked to speak with the Planning Board.
- A letter from the Road Agent dated December 8 regarding Sapphire Woods
- A letter from the Fire Chief dated December 9 regarding Sapphire Woods

Public Hearing for 2016 Warrant Articles

Barry read the first proposed Warrant Article to amend the Zoning Ordinance:

1. To see if the Town of Danville will vote to amend the Danville Zoning Ordinance to change the maximum building height to 35' and to modify the points of measurement for building height. Specifically this will modify Articles IV.A.1.d.2, IV.A.1.e and

IV.B.3.d.2.a to read, “The height shall be measured from the average elevation of the junction between the foundation and ground level.” Also modified will be Article IV.A.5.c.4 to add the sentence, “The height shall be measured from the average elevation of the junction between the foundation and ground level.”

There were no comments from the Board members or the public. Chip made and Chris G. seconded a **motion to close the public hearing**. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to move forward this proposed amendment 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 6-0 tally**. The motion **passed** unanimously.

Barry read the second proposed Warrant Article.

2. To see if the Town of Danville will vote to amend Article IV.A.3.e.4 of the Danville Zoning Ordinance to change the density requirements for cluster/open space development. Specifically this would amend Article IV.A.3.e.4 to remove the sentence reading, “The density of the tract will not exceed that of a standard subdivision.”

There were no comments from the Board members or the public. Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to move forward this proposed amendment 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 6-0 tally**. The motion **passed** unanimously.

3. To see if the Town of Danville will vote to amend the Danville Zoning Ordinance to clarify the required width of existing right-of-ways in cluster developments by modifying section Article IV.A.3.e.2.b to remove the words, “fifty foot (50’).”

There were no comments from the Board members or the public. Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to move forward this proposed amendment 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 6-0 tally**. The motion **passed** unanimously.

Preliminary discussion with Chris Tammany regarding M&L 4-183

Mr. Tammany introduced himself and his son Bryan and said they own Petra Paving. They are interested in purchasing a property in the Highway Commercial Light Industrial zone. They are wondering about any potential issues that they would need to be aware of before they buy it and put their business there.

The property has access off of Olde Road. Mr. Tammany said the right-of-way is about 50’ wide and 135’ long. The actual measurements are unknown. Olde Road is believed to be about 20’-22’ wide and in poor condition. They are interested in putting in a 50x60 building and a detached, small office building. They understand that access off of Route 111 is obtainable but

costly. Chris said a well put-together plan, featuring office condos or a strip mall, may make it easier to acquire access off of 111.

It was noted that this type of business is an allowed use in this zone. Mr. Tammany expressed some concern that the residential abutters won't like it. It was pointed out that the town voted to make this parcel in the HCLI zone.

Barry asked if Olde Road could handle the trucks that would be coming and going. The Board cannot require off-site improvements but they have the perfect business in which to make improvements to the road. Mr. Tammany said they would use Olde Road for now, but as they are able to financially, pursue access off of 111. He said about 7-10 trucks will leave and return to the site each work day. Barry said this Board will closely review the road conditions during a site review process. It was suggested he contact the Road Agent for any other information regarding the road.

Mr. Tammany said his business also repurposes material, which entails grinding old hot top. This is stored until ready for grinding, which takes place about once per year over one to three days. He does not need a HazMat license to transport, store, or conduct this business. Barry said this Board would review the potential noise this would create. Hours of operation would also be reviewed. Mr. Tammany was told he can have preliminary discussions any time at no cost with the Board.

Public Hearing to discuss the School Impact Fee Update from Bruce Mayberry, dated September 29, 2015

The document from Bruce Mayberry was discussed briefly. Alternative #1 seemed most agreeable. There were no questions from the public or the Board. Chris G. made and Chip seconded a **motion to close the public hearing**. The motion **passed** unanimously. Chris G. made and Chip seconded a **motion to adopt the impact fees as referenced in the aforementioned report, effective tomorrow**. The motion **passed** unanimously. It was noted the impact fee schedule was kept separate from the Zoning Ordinance so that it could be amended by a public hearing with the Planning Board without having to go through a town vote.

Site Plan application for Cotton Farms MHP, LLC. This is to remove the two existing four-unit apartment buildings located at 41 and 42 Beatrice Street, known as Tax Map and Lots CF-H and CR-J, and construct two six-unit two-story apartment buildings within the same footprints.

Roger and Barry excused themselves from the table.

Charlie Zilch said he met with the Conservation Commission last week. Carsten will be able to get a letter to the Board later. Mr. Zilch explained that some conflicts with current zoning have been resolved with the new concept plans that were presented to the Board tonight. Building #41 has been taken completely out of the wetland buffer. It and Building 43 will be razed. Building 43 will be rebuilt on its current location. Each is currently 1.5 stories and houses four 1-bedroom apartments. The new buildings will be two stories each with a crawl space underneath, still containing four 1-bedroom units.

Mr. Zilch explained to the Board that building #47, which was razed four or five years ago and which still has a foundation in place, is being proposed as another four unit building, also two

stories. The existing slab is entirely within the wetlands. It is proposed to be moved such that 1/3+ of the structure will be outside the wetlands. It cannot be moved completely out of the wetland buffer due to the septic and leach field.

Mr. Zilch explained the parking on the north and south sides of the leach field. This adds a total of 10 parking spaces to be completely out of the buffer. There will then be 28 existing spaces; only 24 are required to support the building. This will eliminate the paving in the wetlands.

Bio retention areas, or rain gardens, will be installed to control runoff next to each building.

The question was raised whether or not the existing slab for building can be used as it has been over one year since the building was razed. While the proposal is an improvement, the question will need to be posed to Peter Loughlin.

It was clarified that 8 units are being razed and 12 are being proposed. Mr. Zilch will obtain confirmation regarding the allowed density. He asked about phasing the proposal. It was suggested that he may not need site plan review if the units 41 and 43 are outside the wetland buffer.

Barry suggested reviewing the minimum unit size requirements found in the Zoning Ordinance.

It was agreed to continue the discussion on January 14, 2016 at 7:45pm.

Barry and Roger rejoined the Board at the table.

Subdivision application for Caleb Corners II, a 10 lot single family home subdivision, off a road to be known as Rookery Lane, parcel known as Tax Map and Lot 1-45-15

Correspondence from Dennis Quintal dated November 11 was reviewed. All of Dennis's comments have been addressed. All of the state permits are in place and the driveway permit has been obtained from the Road Agent. A conditional use permit will need to be obtained from the Board of Selectmen.

Chris G. made and Chip seconded a **motion to grant conditional approval, under the conditions that a bond is accepted and a conditional use permit are granted by the Board of Selectmen.** The motion **passed** unanimously.

Barry advised that when a final approval is granted, the Board will assess impact fees and determine what active and substantial development is.

Stage 3 Subdivision application for Sapphire Woods, an open space condominium, Tax Map and Lot 4-46, off of Long Pond Road. This is a 72 acre parcel owned by LER Realty.

The letter from the Road Agent was reviewed. The 30' right-of-way is shown correctly on the plan. The land owner and agent are fine with improving the line of sight to the north of the proposed road. The land owner is fine with removing a large pine if a crane is not needed. It will be felled on his own property.

The letter from the Fire Chief was reviewed. It was agreed the easement will be redone such that when the town takes ownership of the road, the cistern will be included. This will allow the town to maintain the cistern as needed.

Dennis Quintal's letter of December 4 was reviewed. The width of the culvert pipe has been corrected and it was determined that sheets 12 and 13 will be recorded. The following are still outstanding:

1. Sheets 12 and 13 will be recorded.
2. A note is still needed to indicate that other sheets remain in the Town Hall files.
3. No waivers need to be noted. The pullout for the mail trucks will partly include the driveway of some units.
4. A soil scientist stamp will be on the plans.
5. A draft of the homeowner's association documents will be sent to Peter Loughlin.
6. There are some state permits still pending.
7. A bond will need to be determined and accepted by the Board of Selectmen.
8. A letter from Eversource is still pending.
9. The speed limit sign should indicate 25 mph.
10. A conditional use permit will need to be obtained from the Board of Selectmen.

Chip made and Chris G. seconded a **motion to grant conditional approval based on the above nine conditions**. The motion **passed** unanimously. It was mentioned that the plans cannot be changed, except for the conditions mentioned above, or a new application will need to be submitted. Conditional approval is good for one year, but an extension can be requested. When final approval is granted, the Board will assess the impact fees and determine what active and substantial development is.

At 9:40pm Chip made and Roger seconded a **motion to adjourn**. The motion **passed** unanimously.

Respectfully submitted  
Janet S. Denison

Upcoming Agenda:

- January 14, 2016  
7:30pm minutes and correspondence

7:45pm Site Plan application for Cotton Farms MHP, LLC. This is to remove the two existing four-unit apartment buildings located at 41 and 42 Beatrice Street, known as Tax Map and Lots CF-H and CR-J, and construct two six-unit two-story apartment buildings within the same footprints.--Canceled

8:15pm Unitil project along Route 111

- January 28, 2016

7:30pm minutes and correspondence

7:45pm Unutil project along Route 111

8:15pm Site Plan application for Cotton Farms MHP, LLC. This is to remove the two existing four-unit apartment buildings located at 41 and 42 Beatrice Street, known as Tax Map and Lots CF-H and CR-J, and construct two six-unit two-story apartment buildings within the same footprints.

8:45pm Lot Line Adjustment for KDRM, LLC, 79 and 97 Sandown Road, M&L 1-32 and 1-32-1