

**PLANNING BOARD MEETING
TOWN OF LITCHFIELD**

Held on February 5, 2013

approved 3/26/2013

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, February 5, 2013 at 7:00 p.m.

MEMBERS PRESENT: Russ Blanchette (Chair), Bob Curtis (Vice), Thomas Young, Frank Byron, Selectmen's Rep., Michael Croteau, Joel Kapelson, Steve Perry (Alternate) and Mike Caprioglio (Alternate), Leon Barry

ALSO PRESENT: Joan McKibben (Admin. Assistant), Jen Czysz (NRPC Senior Planner),

CALL TO ORDER

Mr. Blanchette called the meeting to order at 7:00 p.m. and joined the Board in the Pledge of Allegiance.

1. Consideration of an application by Konis Corporation and Sousa Realty & Development to subdivide one lot into eight single family residential lots at Tax Map 10, Lot 77, 9 Nesenkeag Drive

Jen started out by telling the Board that the first thing they need to do is completeness review, confirm that the application is complete and if the Board deems that it is complete then you may accept the application at which point then the Board can begin to hear the application. Jen stated that as a staff completeness review she has not noticed that anything is missing.

Jen stated that there were a couple of things to check with Joan about. Joan stated that all the abutters have been notified and the fees have been paid.

Jen stated that Joan has confirmed that all abutters have been notified, fees have been paid on the copies of the application and plans have their seals, stamps and signatures. Mr. Byron asked if an escrow has been established. Joan stated that it has. Russ stated that he sees that there has been no request for waivers at this time. Jen stated that there are a couple of things once they get into application review that she has flagged for discussion.

Mr. Perry asked Jen at what point when we pass an open space ordinance; at what point does that come up in the application or in the approval. Jen stated that the open space ordinance was a 20 acre minimum. Mr. Perry stated that he only asked because he thought it was a 10 acre minimum.

Mr. Blanchette asked Mr. Perry to be a voting member of the Board tonight.

Mr. Blanchette stated that at this point there seems to be nothing stopping the Board from accepting the application.

Mr. Byron mentioned to Russ that they should explain to the public the acceptance. Mr. Byron stated to the public that when an application comes in, the Planning Board is required to look at the application and determine that it is complete, does the applicant provide to the Planning Board all of the necessary information in order to make a decision. The first stage you will see the Planning Board go through is called acceptance of the application; which means that the Planning Board now makes a formal determination that yes all of the information is here, the application is complete. This doesn't mean that the subdivision is approved. After the Planning Board determines that the application is complete, then what happens is that it goes under consideration. Under consideration the Planning Board and the Applicant will present to the Board their idea of the subdivision, what they want to do. They will be provided time during that period for questions for the public that will come to the Chair and the Chair will make sure the questions get answered. Based upon all of that, the Planning Board will make a decision if the decision will get approved or not.

Motion: *by Mr. Curtis for Konis Corporation, Case Number: 1301 LIT SD M10L77, Project Pinewood Subdivision complete and moves that the Planning Board accepts the application.*

Second: by Mr. Young

Vote: 7-0-0 to accept the application.

Motion: *by Mr. Byron that after it is a finding of the Planning Board that the application of the Konis Corporation, Case Number: 1301 LIT SD M10L77 has no regional impact.*

Second: by Mr. Perry

Vote: 7-0-0

Mr. Joel Kapelson is now present. Mr. Perry will no longer be a voting member of the Board.

Jen went over the Staff review: the application is approximately a 14.6 acre parcel that is proposed to be subdivided into 8 single family lots ranging in size from approximately 43,591 to 88,324 square feet. Access to the lots is via two new cul-de-sacs both branching off Nesenkeag Drive. Wetland areas are isolated to 2 of the proposed lots, Jen showed the members of the public on the Map where these wetlands are. Jen stated that the application does fall within the Aquifer protection district; it does not fall within the 100 year flood plain or the Merrimack River Local River Advisory Commissions area. Jen stated that a State permit is required for a subdivision. Drainage and slope easements are proposed along the proposed roadway segments. The proposed subdivision abuts a PSNH easement.

Jen stated that in terms of well and septic for adjacent lots, the adjacent lots are all on public water, so wells do not need to be delineated, however many of the neighboring septic locations were not identified and wanted to make sure they went to Kevin and went through all the means to identify those. Jen stated that locations for snow storage and debris removal should be noted on the plans. Jen stated that looking at the way the lots are located and the areas reserved for future septic location as well as looking at that in relation to the proposed driveways are, in some cases the two intercept and overlap and based on this subdivision regulations that is not permissible. It is only permitted over a leach field if a chamber or other appropriate system is

utilized.

Jen stated that one concern that she had was comparing the plans submitted with the GIS data they have, looking at water bodies and streams, we did have noted that there is a stream that would come down across lot 77-4 and turn and then come down through 77-5 approximately. Just something Jen wanted to clarify and possibly have the Board go on a site visit. Jen stated that in the detail sheets for contours, there was a question about how the existing grade would join up with the proposed road improvement at the location of the ditch line and it looked like either a culvert was needed or something to show what was happening at that intersection point. Jen stated that subdivision regulation section 4-14 has provisions for regular shaped lots and that's based on a ratio of perimeter to area, by and large all of the lots met the requirement except for the one flag lot and so she wanted to look at whether this was the most ideal configuration for lots and also just generally when talking about the lot configuration, making sure it is intuitive to future land owners as to where their property boundaries are. Jen stated that when talking to the code enforcement officer, his suggestion was that he would almost rather see an application for a variance from the frontage requirements than have an irregular property bound just to meet the requirement. Jen stated that her last comment was for the center to the cul-de-sac; she was just curious what the intended treatment would be for the centers of the cul-de-sacs, whether that was intended to be paved or something pervious and her staff recommendation would be to go with something pervious as opposed to paving the entire width of the cul-de-sac.

Lou Caron of L.C. Engineering shared his comments about the subdivision plan.

Lou stated that the ditch in question, he checked it out this afternoon and it does appear to be an irrigation ditch about a foot or foot and a half deep, without a drop of water in it. No indication that there is any kind of drain.

Mr. Caron stated that he wrote his comments based on the plan sheets. **On plan sheet 2, the Subdivision Plan**; there is a 50' wide future right of way shown at the end of Nesenkeag Drive. If this is intended to be a future right of way then he recommends this right of way be clearly shown on the plan as a separate right of way and not as part of Lot 77-6. Lou further recommends that the future extension of Nesenkeag Drive be developed with a plan and profile up to the abutting property line.

Plan Sheet 3. Subdivision Plan:

- Lou had a question if there has been a consideration made to provide for the future extension of Hamel Circle to the abutting property line.

Plan Sheet 4. Easement Legal Description Plan:

- Just a reminder to prepare and submit a description of the rights associated with each type of easement. This needs to be prepared and submitted to the Town for their approval.

Plan Sheet 7. Hamel Circle Plan and Profile:

- Lou stated that the edges of pavement radii are shown at 25' and the regulations require 35'. One of the sheets mentions that the datum, the vertical elevation is assumed. There should be some temporary benchmarks.

Mr. Perry made a recommendation to the Chairman to let the Developer makes his pitch first so that they would all have plans in front of them so that when Lou is going through it, they can actually reference what Lou's comments are.

Mr. Anthony Basso, from Keach-Nordstrom Associates, Representative for Konis Corporation and Soucy Development handed out plans to the Board and members of the Public.

Mr. Basso started out by explaining that the parcel of land is Map 10 Lot 77 which is a 14.6 acre tract of land located off of Nesenkeag Drive. They are proposing an 8 lot subdivision ranging in size from 1 acre to larger, in two cul-de-sac locations an extension of Nesenkeag. Right now Nesenkeag turns into Nakomo and they would extend that right of way into their property. The other one is that there is a gap between the residences on Nesenkeag that was left open years ago when Konis Corporations predecessor subdivided this whole 300 acre tract. Mr. Basso stated that they would be coming in doing a Cul-de-sac (Hamel Circle) and that would have 6 lots and the extension of Nesenkeag would have 2 more lots for a total of 8 lots. They are on Town water and are proposing a septic system, the storm water would be carried down these roads and into storm water management areas on these lots, and we comply with the regulations of storm water maintenance and treatment. Mr. Basso stated that they have proposed one fire hydrant on each cul-de-sac. They have submitted to the Fire Department for their comment, but have not heard back as of yet. They have submitted their plans to Pennichuck and got a letter back saying they can hook them up. Mr. Basso stated that they do need a NHDES subdivision approval which has been submitted as pending, we do not need an alteration of terrain (AOT) permit because they are disturbing less than 100,000, they do need an NPDES because they are disturbing over an acre.

Mr. Basso stated that as far as septic on town abutter's lots, we have not shown those because they cannot trespass on people's properties to locate them, they comply with the rules for what they need to upon their site, they meet the minimum requirements and that is pretty much what he can do there. As far as stumps and debris removal; that would be disposed of offsite, so there will be a note on the plan to that effect. The 4k area is very different than a septic system, the 4k area is a state thing for a subdivision where you show 4,000 square feet that is suitable for a septic system, we are not proposing any septic systems underneath the driveways, and we are showing that this whole area is suitable under the state requirements. The lot configuration for 7-72 is a perimeter calculation, and what hurts them is the shape of the left over properties, these are not the plot lines they created, these exist today. When you total up that perimeter there is nothing he can do, he has tried all different shapes.

Mr. Basso stated that as far as the cul-de-sac's go, they are proposing the center to be not paved and there is apparently a requirement that they pitch inward; they would actually like to pitch them outward so, they need to talk to the road agent about that, which may need to be a waiver. Mr. Basso stated he will have that built out before the next meeting. Mr. Perry stated that they usually do everything pitched away from houses, why would you try to pitch it back towards the property. Mr. Basso stated that he has ditches in the front to collect everything, so it would pitch

into the ditches and take it where it needs to go. Mr. Perry stated that all it takes is a pipe under the road.

Mr. Barry asked Mr. Basso that if you want to pitch it out and you have ditches, where are your ditches. Mr. Basso stated that they are right along the road side. Mr. Basso explained that he has designed them both ways with them pitched into the middle and pitched out, the piping does not affect them, they are not trying to do something to cheapen the product, what happens when you have a normal crown and you come into the cul-de-sac and all of a sudden we have to reverse it, you create a flat spot and a twist in the pavement and it is an odd transition, so if the normal crown continues all around and the water sheds, it is just cleaner to him, than having that transition at the cul-de-sac where you create a flat spot where the crown goes from normal to reverse. Mr. Perry asked that if you're going to leave a hollow center what is going to happen with all the snow that gets put in there, it is just going to be a pond until it melts. Mr. Basso stated that he wants it to be higher up so it flows down the cul-de-sac into the ditch. Mr. Perry stated that you can pitch it out, but you're still going to have a hole in the center. Mr. Basso stated that the whole thing would be higher, the whole cul-de-sac would crown so the water would shoot from the center out. Mr. Basso stated that if the Board does not want him to have that waiver, then he won't do it. He will be happy to do what the Board wants. Mr. Croteau asked when you say you have to go through the EPA; what's that all about. Mr. Basso stated that they prepare what is called a storm water pollution prevention plan, and file electronically a permit and it comes back with a number and you are good to go. The storm water pollution prevention plan is part of all of the storm water stuff they do. Mr. Basso stated that Lou Caron brought up one thing that he would like to address and that is the extension into the 60 acres that Konis owns. Konis has frontage on a street called Brickyard and he asked for one access for this; the reason we did it as a future access easement, because he doesn't know if it will be a right of way for public road, the seller wanted reservation on some sort of an easement. Because the buyer has frontage there, Mr. Sousa didn't want to also give another access on Hamel. He will leave this up to the Planning Board on how they want this done, but he does not know what Konis's plans are for this and he already does have another access on Brickyard, so this isn't something that is an isolated thing.

Jen stated that as far as the 4K's her concern is and she understands that it is the reserve area and the leachfield will be significantly smaller, her concern is that we make sure that it is reasonable feasible for that leachfield to be sited within that reserve area once the driveways are in place. In some of those instances the driveways look like they would completely bisect that 4K reserve area. Mr. Perry had a couple of questions for Mr. Basso; 1. The Nesenkeag drive extension, you only have a 50' right of way there, is that all that there is or is there any wiggle room to do anything. Mr. Basso stated that is all there is. Mr. Perry's concern is that it is going to be tough especially from a fire department standard, and was wondering if they had room to clip it over more to Nakomo. The second question Mr. Perry had was what made them go to 2 small cul-de-sacs instead of doing a loop road to connect the two. Mr. Basso stated that building a loop does not increase the number of lots; it increases the amount of road to maintain. It is not going to get you any more density.

Mr. Lou Caron continued with where he left off with his comments:

Mr. Caron stated that a couple of things they are taking into account, stormwater runoff is one, having the hole in the middle of the cul-de-sac with the water draining into the hole means as compared to a hump in the middle with the water draining across the road, if you think about

the big pile of snow you are talking about; a day in the winter time when you when the snow is melting, the water goes across the road, but what happens when the sunsets, the temperature drops, the water turns to black ice. Mr. Caron stated that he has seen this over and over again and it is a dangerous situation; a little less so here because the speeds are not that high. This is one of the reasons we went pitch to the middle (the hole in the middle) and drain it out. Mr. Caron stated that if they plow it counter clockwise, all the snow ended up in the driveways, he is not sure how Jack plows them, but they can plow it counter clockwise and put more snow in the middle or split it and have less on the outside edge. Lou stated that Mr. Basso is correct about that little grade area that little v as you come into the circle, you are flipping from a -3% to a +3%, very low speed which is not an issue, you now have the trucks going around with the super elevation helping them instead of hurting them. Mr. Caron stated that they either have to get a waiver or re-design it.

Plan Sheet 7. Hamel Circle Plan and Profile:

- There is some existing catch basins that they are tying into for Hamel, they are located off the edge of the road, probably 6 or 8 feet. The first couple of hundred feet of Hamel road is proposed to be curbed so that the run off from the road is a normal crown that will collect at the curb, run down the hill and hopefully make it to the catch basins. Mr. Caron's suggestion is to have them consider on the westerly intersection, they have a 25' radius intersection curb now which need to get bigger, but if they put a 40 footer, Lou believes they can route the water in the curb line right to the basin.
- Mr. Caron asked for a station equation where the centerline matches back onto itself after going around the cul-de-sac.
- Mr. Caron stated that the detention pond proposed on each of the roadways at the end of the cul-de-sac, the detention pond calculations have an overflow weir, but it is not shown where it is supposed to be. This should be noted on the plan.

Plan Sheet 8. Nesenkeag Drive Plan and Profile:

- Please revise the Edge of Pavement radii for the intersections are at 25' they need to be 35' per Town standard.
- Please add temporary benchmark.
- Please add a station equation where the centerline matches back onto itself after going around the cul-de-sac.
- Please show the location of the Detention Pond over-flow weir on this plan sheet. If the over-flow weir is proposed as part of the Outlet Control Structure, then so note this on the plan sheet.
- As shown, the cul-de-sac roadway drains to the outside edge of pavement which is in conflict with the Litchfield Land Use Laws and Regulations, Appendix A. Please correct this or request a waiver to keep it as shown.
- The Detention Pond bottom elevation is listed as 177.50'. The drainage calculations specify a bottom elevation of 177.20'. Which is correct? In addition, the outlet pipe for that particular basin is shown to be at elevation 177.21.
- There is a proposed 15" culvert from the inside of the cul-de-sac has inverts of 177.45' for both ends. As such, the culvert simply connects the Detention Pond with the bottom of the center of the cul-de-sac. As proposed there is less than the required 3' of cover over the pipe at the lower edge of pavement. Please review this condition and correct

as necessary. (Note: if the pond bottom and culvert pipe were lowered to 177.10' the 3' cover could be achieved). This is a Town requirement.

- There are three graphical double lines with arrow heads on both ends shown in the cul-de-sac area. What do these represent? Please remove them if they are not needed.

Mr. Basso explained that they are flow arrows. The grade will be corrected to flow to the middle and that will represent what supposed to happen.

- The F181 contour line in the cul-de-sac area represents a drainage flow break line. As shown, this line does not agree with the cross sections for this area. Please correct the F181 contour line.
- The under drain reference note on the profile on this sheet specifies a 4" under drain where a 6" pipe size is required. The 6" is correctly noted on the plan view.

Plan Sheet 9. Erosion Control Plan:

- The extension of Nesenkeag, the first 150 – 200' is between two existing lots which have residences on them, in order to try to contain the contractor work. Lou recommends that an erosion control sock or similar measure be constructed in front of the proposed "Orange Construction Fence" on the Nesenkeag Drive extension portion of the project.
- Consider adding a few Stone Check Dams in the proposed side road swales. What the design intent on both of the roads; if you go out in this area, except for the first 50' or so, the place is flat. The road is about 2 ½ to 3 ½ feet above the original ground, you can't build a swale when the road is that high. They are building a berm parallel to the road that would contain the swale. Mr. Caron's concern is that when the lot owners get in there and start developing the lots, these berms may disappear. Mr. Caron explained what these berms look like.

Plan Sheet 10. Hamel Circle Cross Sections:

- Please add spot elevations to the side road ditches.
- The cross sections show the cul-de-sac roadway drains to the outside edge of pavement which is conflict with the Litchfield Land Use Laws and Regulations, Appendix A. Please correct this or request a waiver to keep as shown.
- Please extend the cross section at station (on Hamel Circle) 6+00 extend far enough to show the proposed Detention Pond

Plan Sheet 11. Nesenkeag Drive Cross Section:

- Please add spot elevations in the side road ditches.
- The cross sections show the cul-de-sac roadway drains to the outside edge of pavement which is conflict with Litchfield Land Use Laws and Regulations, Appendix A.
- Please extend the cross section at station 3+50 far enough to the right to show the proposed Detention Pond. Also, please show the proposed pipe culvert at this location.

Plan Sheet 13. Construction Details:

The Outlet Structure Detail, Mortar Rubble Masonry and Concrete Headwall Detail and Pipe Outlet to Flat area with no defined channel detail are intended to complement and cross reference each other. The opposite effect is achieved. Mr. Caron recommends that the Outlet Control

Structure Detail be prepared to clearly show the design intent and details for each of the two pond outlets. Then the other two conflicting details can be removed from the plan set. There are no head walls proposed. The 3" PVC pipe reference in the construction notes associated with these structures must be clarified to match the details shown on the plan and used in the drainage calculations.

The Meeting is now open for Public Comment:

Robert Meyers from 13 Nesenkeag – His question when they purchased their house they went down and talked to the building inspector and he told him that pretty much that Map 10 Lot 60 and Map 10 -77(2) that corner is wetland. Their concern as home owners is that their yard gets flooded in the spring time and they have sump pumps running, where is all that water going to go? Most of Lot 77-2 and lot 60 have standing water regularly.

Paul Balmer from 1 Nesenkeag – He has the same concerns about the water and also has a sump pump, and mentioned properties around them have sump pumps. He concurs that the trench does fill up and overflows almost every spring. The other concern is the drains that are on either side of Nesenkeag. Mr. Balmer stated that his sump pump goes into that drain and so does 3 Nakomo and 13 Nesenkeag. There are two drains on Nakomo and Nesenkeag.

Mr. Basso stated that there are two catch basins and Mr. Balmer is concerned that when they tie in there that they don't damage what's there. Mr. Balmer stated that the other thing is that on his property line, when the loggers were in they wiped out his property marker, which is on the other side. He is concerned that the curve of the swale may be on his property. The other thing he noticed on the map is that they show a straight edge on the end of his property, on his original map it looks like a key; it is a three point property marker at the end of that. It comes down to a point and then on the right hand side it comes in 50', his back is not really a back it is on a side, so he does not know on this line shown here, which property marker you hit. If you hit the one on the inside his property is now compromised.

Rudy/Carol Paquette from 10 Nesenkeag Drive – At the beginning at Hamel Circle there is a culvert that already exists and goes right underneath the road at this point and distributes to the drain and that drain goes all the way back to the brook, there are fish back there and he is concerned that with all this construction going on that some of the water and lime that is being used is going to kill all the fish. There are also beavers back there. The state stocks the brook with trout and they flow down his brook. He has land on both sides of the brook.

Mr. Blanchette stated that it seems that the catch basins are a primary mechanism to catch the water. Mr. Basso stated that they are intending to bring the stormwater back towards the power lines and put it into the stormwater management area that is underneath the power line and ultimately discharging it in the other direction away from the brook and residences. They are aware the water table is high. They have test pits all around. They are not going to put foundations in the water table. Litchfield has rules about that. They are going to be above the water table. They have factored this into the design. As far as stormwater goes they are providing the treatment required by this Town and meeting the standards from the state. They should not have any effect. Mr. Basso stated that as far as the property line on Nesenkeag, they don't just use monuments that they find and put lines on them; they have to look at the deed and

make sure they have the right property that was conveyed to them originally, so he personally did this deed research and was involved in the boundary survey of these properties. He is confident that the property lines shown on the plan are correct.

Mr. Perry asked if they are planning on carrying water from Nesenkeag Dr. down into your treatment areas. Mr. Basso stated no. Mr. Basso stated they have taken all the drainage they can, but they have to let some go forward.

Margie Meyers from 13 Nesenkeag – when you're talking about the water, her question is about the big lot back there, once you build something back there and that displaces the water, where is this water going to drain to? Is there going to be some kind of drainage on this piece of property to drain it this way? This land is very flat and there is no grading unless you are going to grade into the power lines. Mr. Basso stated that it has to be filled, they are not going to cut and grade it into the power lines, they are going to raise it up and then drain it around. Mrs. Meyers asked if you raise this up then we also live behind here and does not understand how building this up is going to help them not get water. Mr. Basso stated because what they do is build it up and build a swale along the back of the property and carry the stormwater down to the swale along that side. Mrs. Meyers stated that for all of us that are abutting this, essentially it is this big piece of land and your creating this long driveway into this one big piece of land, the swale is going to go where? Mr. Basso stated it is a 4 acre lot and keeping this in perspective, they are not proposing a huge apartment building, they are talking about a couple of thousand square foot house. That is going to be a little spot in here, they will fill for this house and then they will put a swale around the property to carry the stormwater from that impervious surface and bring it around to under the power lines which is where they have their stormwater system. They are not paving this whole thing; they are talking about a small building site here and then grading it with swales to bring it around.

Mr. Byron stated that your intention is to put a berm along the back of those lots. Mr. Basso stated no, they are only going to build for the area they need for the house, this is a 4 acre lot, the area you need for your house is just going to be a small spot and then your yard area and what they will do is they would berm on the side of it, not the whole property line but on that side to keep water from the impervious area and direct it on that side. Mr. Byron asked how you stop the flow of water to the north. Mr. Basso stated they are not going to stop the whole lot, because they are only going to work with the area they are developing. They will fill and a small berm and a ditch along the north side of that to direct the stormwater around the back.

Mr. Byron asked how the water is flowing; is it flowing to the north or to the south. Mr. Caron stated that if you look at the profile for Hamel, alongside the edge of the road where it goes up about three feet, they are in a cut section through there so the water does actually drain to the south at Hamel. Mr. Byron asked if there are any active positive steps you can take to move the water southward. Mr. Basso stated that he will look at that, since it has been raised as a concern here tonight. He will do the exercise that Lou has suggested and show on the plans.

Mr. Basso stated that before the next meeting they are going to grade out a house and septic system on these lots so the people can actually see what that will look like and where it will actually go. They will have notes to the affect that the intent is to keep stormwater from

increasing in that direction.

Mr. Croteau mentioned that there was mentioned an issue about the stream with habitat; how is that going to be addressed. Mr. Basso stated that these catch basins that exist today carry untreated stormwater into there from Nesenkeag. They are going to provide the treatment they need for their property, we are not going to change what is happening out here on the existing Nesenkeag, they could possible to help with that put a hood in those basins that would help with the gases and oils to help with the problem that would be there today. They are not proposing to do anything that would create a problem in that direction.

Mr. Byron had a question concerning the drainage swales that are shown on Hamel Circle; and they go down each side of the road, and I guess you are going to use something like a cape cod berm, the first x number of feet, would it be possible or have you considered the use of underground drainage at the catch basins the length of the road. Mr. Basso stated that because of the water table, it either forces the roadway up, which means he would have to send more drainage back toward Nesenkeag, and because he is bringing fill in, because of the depth of pipe cover, he is forced to raise everything in order to get the water to go that way, so the swales keep us a little bit lower and what they attempted to do here is limit the driveway. Mr. Basso stated that it didn't seem productive to raise that up higher to put those drainages in. Mr. Byron asked if there was anything that Mr. Basso could show on your plans to make sure that when the plan gets approved that it is noted on there that those swales are not to be filled in as was suggested earlier. Mr. Basso stated that they can absolutely do that and also they have created public drain easements all along there, so that if somebody did fill it the Town could with enforcement and go back to the home owner to make them pay for it. Mr. Basso stated that he would put a note and that will go on the record plan so that it would be part of the deed.

Robert Meyers of 13 Nesenkeag: concerned with everything going back to the power lines because he walks the dog back there, and the power lines have standing water and is already saturated. He wants to make sure the water is not coming back his way. Mr. Basso stated that they will evaluate that carefully and make sure that it is not coming Mr. Meyers way.

Mr. Byron told Mr. Meyers that the applicant has agreed that they are going to take a look at what they can do and present that to the Planning Board the next time they come in.

Susan Fuller of 19 Nesenkeag: She was hoping the plan was not to go into the woods and just cut everything down, and do they have any knowledge that they would be leaving trees, will there be a buffer zone of any sort and what size houses are you talking about that you are going to build. Mr. Basso stated that the builder is going to build 2,000 to 2,200 square foot homes. Mr. Basso also stated that as far as the clearing goes, they are going to clear what is necessary for the driveway, house, septic and a reasonable size yard. They are not going to go out there and clear any more than is necessary. Mr. Basso wanted to make clear that Mr. Sousa does not just go out and whack the property lines; they are going to clear what they need for home sites and leave as many trees as possible.

Mr. Balmer of 1 Nesenkeag: What is your impact on additional mosquitos? The other concern Mr. Balmer had was that he sees there is an extension of Nesenkeag, what are the house lot

numbers, what are the two houses that are going to be on Nesenkeag. Mr. Basso stated that he is going to find out from the Fire Department and they are trying to figure that out, they are not going to renumber the whole street. They will meet with the Fire Department on that. Mr. Basso stated that as far as the mosquitos, right now when you have pocketing water in places, they are going to fill house sites and direct water to a stormwater area and does not know that they are going to increase a problem that already exists but certainly he has no way to address what the mosquito population will be.

Pamela Klaft of 21 Nesenkeag Drive: At the end of the map where they are going to extend Nesenkeag, where that water is and it crosses over, there is a lot of deer over there. If she could propose that they at least put a deer crossing sign there. Mr. Byron stated that that is something the Town would take care of.

No one else from the public wished to speak.

Public comment is now closed.

Mr. Byron stated that the applicant needs to address Jen's and Lou's comments. The applicant has already agreed to come back prepared to discuss what type of positive steps they can take to try to keep the water moving to the south. Mr. Byron said the only other thing is to probably do a site walk. Mr. Perry stated that they should wait until after the next meeting when the Board see's the new proposals or any proposals he could make with new drainage, so they can get a better scope. Mr. Basso agreed.

Mr. Croteau stated that he saw on the application a check mark for wetlands and didn't know if this was something that the Conservation Commission wants to comment on. Joan stated they are discussing it this week as far as the aquifer protection district. Joan did not feel that the applicant needed to attend the meeting because they are not impacting any of the wetlands.

The next hearing will be on March 19th.

Motion: by Mr. Curtis for consideration of the Application of Konis Corporation, Pinewood subdivision, Case Number 1301 LIT SD M10L77 to continue the meeting to March 19th at 7:00 pm.

Second: by Mr. Young

Vote: 7-0-0

2. Road Acceptance Procedures – deferred to next meeting of February 19th.

Jen did mention that she has draft revision posted on the Google site as well as a crosswalk to say this is what the current procedures are and here is the section that applies and here is what has changed.

3. How survey results relate to the Master Plan – deferred to next meeting.

Jen did want to mention that she loaded an excel spreadsheet to the Google site for the Board to review and proposed that the Board gives her a couple of days to migrate this onto survey monkey.

- 4. **Update on Impact Fee Status** - Mr. Blanchette stated that at this time he does not have an update.
- 5. **Approve 1/22/2013 Minutes** -

Motion: *by Mr. Young to accept the minutes of 1/22/2013*

Second: by Mr. Curtis

Vote: 6-0-1 (Mr. Barry abstained)

6. Any Other Business

Jen stated that she sent the Grant application to NH Housing for their informal preliminary review, the response back was that they thought it was a very strong application and much approved over the initial submission for round one. They had 2 recommendations. One was a correction where Jen had misinterpreted one requirement; the piece of the budget where they talk about the total expenditures on outreach to marginalize on disadvantaged populations; where it said 5% has to go towards that, Jen assumed that it was 5% of the total request and that could be comprised of Grant funds or match. It is 5% of the grant funds themselves. The second was a suggestion for our outreach strategy; where they mention that outreach to marginalize under represented populations: they suggested that they also include in those groups that they have is to identify low income populations potentially affected by zoning changes as well as seasonal farm laborers. Jen has added all these changes in.

Motion: *by Mr. Barry to adjourn.*

Second: by Mr. Young

Vote: 7-0-0

There being no further business before the Board, the meeting adjourned at 9:15 p.m.

The next Planning Board meeting will be held on February 19, 2013.

Russell Blanchette, Chairman

Bob Curtis, Vice Chairman

Frank Byron, Selectman

Michael Croteau

Thomas R. Young

Leon Barry

Joel Kapelson

Minutes taken by: *Donna Baril*