

PLANNING BOARD PUBLIC MEETING

TOWN OF LITCHFIELD

Held on September 16, 2014

Minutes approved 10/7/2014

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, September 16, at 7:00 p.m.

MEMBERS PRESENT: Michael Caprioglio (Chair), Tom Young (Vice Chair), Bob Curtis, Russ Blanchette, Jason Guerrette, Kevin Bourque (Selectmen's Rep) and Michael Croteau (7:10)

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

CALL TO ORDER

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

Public Input:

No members of the public wished to speak

1) The Board will continue deliberation on an application by K&M Developers, LLC to subdivide one lot into thirteen residential lots Map10, Lot 9-2. One conventional lot is fronting on Brickyard Drive. The remaining twelve open space development lots are located at the extension of Hamel Circle. In addition there will be a plan amendment to the existing application by K&M Developers, LLC and T. Greico to include a lot line adjustment for Tax Map 10 Lot 77-3, 8 Hamel Circle.

The complete set of plans are available for review in the Litchfield Town Clerk's viewing room at 2 Liberty Way. Monday 10:00 am - 6:00 pm, Tuesday thru Friday 7:30 am - 3:00 pm. If the aforementioned applications are accepted, notice is hereby extended to application approval consideration and/or continuation(s) to a date certain as required.

Mr. Patrick Colburn from Keach Nordstrom Associates who is representing the applicants for this evening K&M Developers. Mr. Colburn mentioned that he is joined by Mr. Tony Basso from his office and Attorney Brad Westgate who is also representing their client. Mr. Colburn stated that they were here last on July 15th to discuss the subject application which entails subdividing an existing parcel with frontage on Hamel Circle and Brickyard Drive. This application creates 12 open space lots (Conservation open space ordinance) and also a 13th conventional lot with frontage on Brickyard Drive. Mr. Colburn stated that at the meeting of the 15th he presented a plan that was drawn with red lines because between the time that he had submitted and the time of the first meeting there were a series of comments received by the Towns Review Engineer as well as NRPC. That plan adjusted several of the proposed open space lots in an effort to pull the 4K areas for leach fields out of the 100 foot wetland buffer, those plans also show super elevation of the reverse curves at the beginning of the development to address concerns from the town's review engineer relative to meeting Astro Design standards; and there was also concern about proposed lot 7, which is now labeled as Lot 10-179-35, that lot was enlarged which adjusted the lines on the subsequent lots on the easterly side of the proposed Hamel Circle extension. What they did between the time of the first meeting and their recent visit to the Town was to bring those plan revisions into the formal set which is what the Board is looking at tonight. Mr. Colburn stated that after that submittal they began discussing the treatment of the existing Hamel Circle right-of-way, particularly in the location of the bulb of the existing cul-de-sac which is shown on your plan as a hatched area. What they were asked to do was to provide a plan that will allow the Town of Litchfield to discontinue or undedicate that portion of the existing right-of-way so that following the construction of Hamel Circle construction; what you would be left with is your typical 50' wide Town right-of-way through its entire length, you wouldn't have at this area of ambiguous land the question of who owns it and who maintains it and is liable for any incidents so they prepared this plan, as well they received a legal opinion from their own Town Counsel. Mr. Colburn stated that what this plan does is that it sets the Town up to achieve that goal, it shows the portion of existing right-of-way to be discontinued and it provides for a lot line adjustment on existing lot 77-3. If the Town was to discontinue that portion of existing right-of-way without that lot line adjustment, both lots 77-2 and 77-3 (which are existing lots) would be left without adequate frontage. What they did was to bring the new owner of lot 77-3 into this plan now as an applicant, you will see that she has signed this plan as an applicant and they are performing a lot line adjustment between their property and hers. That affords both lots 77-2 and 77-3 adequate frontage upon this continuance of that existing right-of-way. Mr. Colburn mentioned that what they have received since the submittal of this plan is essentially a favorable letter from the Town's review engineer, that he has satisfactorily addressed all his previous comments and in essence the same from the NRPC staff, that plan wise they have addressed all of Jens outstanding comments.

There are a few issues remaining to be dealt with, particularly there are some discrepancies with existing easements that were drafted, approved and recorded as part of the initial Hamel Circle plan, there are some typographical issues with the plan numbers and so forth; which they believe have resolved with Ms. Czysz and will take care of discharging easements that are no longer required and as well amending any easements that exist and require amendment. Mr. Colburn stated that there is also an outstanding Joint Use Agreement that is pending between the applicant and PSNH; they have to cross their easement with the proposed Hamel Circle and as of today Mr. Colburn is in receipt of a conditional acceptance letter from PSNH, they have not as of yet drafted the Joint Use Agreement between them and the applicant, but what they have done with this letter is approved all of the improvements that they are proposing within that area. (Mr. Colburn passed a copy of the letter out to all Board members). They state that their staff is working on the draft document now. Mr. Colburn mentioned that there was also some concern about access to the proposed open space. Mr. Colburn stated that they will have a brief discussion about the proposed open space. The conservation commission has asked that it be designated open space in accordance with the ordinance and that it remain in its natural state, but the ordinance does require public access to the conservation open space area, so they are proposing that access within the existing public service easement, which makes good sense because it is right on the length of Hamel Circle extension, there is a gravel path that the public service company uses to access their poles so it makes all sense in the world to have public access be derived there. There was also a question about an easement that was requested of them at their last public hearing: Mrs. Parent was there and described a landmark piece of property that she owns adjacent to them which is listed as lot 167. In response to her concerns, the applicant and Mrs. Margaret Parent have agreed and they are now proposing a 20' wide access easement. It splits the line between proposed lot 36 and 37 and extends all the way to her piece at lot 167. A question from NRPC came up as to whether or not that impacts the restraints that were proposed on the open space from New Hampshire Fish and Game. Mr. Colburn stated that having just received that concern this morning, he did inquire with Kim Tuttle from the Fish and Game, and she had 2 fairly simple questions; she asked if they were willing to restrict that access to a gravel surface (which they are) so the easement document will prohibit paved surfaces within the easement area, and the 2nd thing she asked was whether or not there were going to be any wetland impacts required in order to utilize the easement and as shown on the plan there are no wetlands within or adjacent to that area. Mr. Colburn stated that with those two concerns behind them he does not believe Kim is going to have any trouble agreeing to that easement as drawn, but the end of the day came before he could get an affirmative response from her. Upon receipt Mr. Colburn will forward it to Town staff for their records. Mr. Colburn stated that the only outstanding issue being the way in which they are going to handle the discontinuance of that existing

cul-de-sac at Hamel Circle, and today both the applicants counsel as well as Town's counsel have been able to communicate over the phone and via e-mail and are happy to report that they have reached a resolution, which is different than the method that we had laid out with this plan. Mr. Colburn went over how that was going to go. Mr. Colburn stated that the Board had approved what they call phase 1, Hamel Circle as it exists today. On the plan there was a stub left that provided access at the end of Hamel Circle, in frontage for the existing lot. What should of happened then was the bulb of the cul-de-sac should of been labeled as temporary, to be extinguished upon extension of Hamel Circle in the future. What they are going to do is simply amend the subdivision plan for Hamel Circle 1, to add the language to make that portion of the cul-de-sac temporary so that that plan can supersede the previously recorded plat, and then they will amend this plan set so that upon extension, approval and recording of the extension, that portion of the temporary right-of-way goes away. What happens at that point is the owner of lot 77-3's line will extend down to the point where a 50' right-of way is created by offsetting the westerly side of the right-of-way 50'; that will afford lot 77-2 and 77-3 150 which is the minimum frontage requirement for the zone and basically those two homeowners will enjoy the benefit of additional property in their front yards. Both Town Counsel and the applicants counsel agree that that is the simplest way of handling the situation, so that is how they plan to precede. Mr. Colburn explained that they are at the meeting tonight to ask that the Planning Board consider a conditional approval based on the things noted: receipt of favorable recommendation from Fish and Game on the open space and the access easement within it; the granting from Public Service of the Joint Use Agreement (JUA) (which the board has in front of them an acceptance letter of their proposed work); their dealing with the previously recorded Phase 1 plan; and the proposed Phase 2 plan to the satisfaction of Town Counsel as far as the temporary right of way and the discontinuance of same, and review and recommendation from Town Counsel of all of their legal documents; the open space documents, the homeowners association documents and all of the proposed slope and drainage documents. Mr. Colburn stated that last time he was here they discussed a conditional use permit that allowed for reduced side yard setbacks. Mr. Colburn does not believe the Board voted on that at the last meeting because it was defered to this meeting and would like to discuss the granting of that. Timing is important to the applicant because it is getting cold out and they are running out of construction season.

Mr. Curtis asked about a piece of language in the letter from PSNH stating that noted that the JUA will include language intended to hold PSNH harmless from damages to the proposed improvements resulting from PSNH's exercise of its rights in the performance of all maintenance and construction activities as well as emergency power restoration efforts. Hamel Circle will be a Town road, so if they damage that road with equipment, whose

responsibility is it to repair that road given it is not PSNH's responsibility. Mr. Colburn stated that his experience is that when PSNH performs work, they put the road back to the level and status that exists. Mr. Colburn stated that they will inquire with PSNH but presumes that there easement agreement here is the same as the other easement agreements in Town. Jen stated that following up on that, it is a good question (which she does not have an answer for) but the other question she had was looking at the letter from PSNH, it says that no construction activities should begin within the right-of-way before a fully executed Joint Use Agreement is received by PSNH; when do you expect that Joint Use Agreement? Mr. Colburn stated that they were writing it up this afternoon. Mr. Colburn stated that he does not think that restricts any work that is allowed by the agreement that already exists between the applicant and PSNH. The applicant has granted the easement to PSNH and their easement is very clear on what is allowed. Mr. Colburn stated that they can follow up with PSNH to make sure they are not violating any agreements. Mr. Basso stated that PSNH, when they met with them, because of the issue of damage to the road, they actually had them flatten out the shoulders in that area, they want paved driveways so that way they do not do damage when they drive off. PSNH was here first so in their letter they are gonna serve their right, that is what they do, but when they damage stuff, like put new lines, they will repair. Mr. Basso stated that PSNH actually had this discussion with them and had them design this into the plan so that way they would not damage the road when they drive off that easement.

Mr. Caprioglio stated that Mr. Caron had some concerns about the roadway horizontal and vertical alignments as well as as the proposed drainage design have not changed since the last submission: Mr. Caprioglio wanted to know if this has been changed since the last submission. Mr. Colburn stated that they have not changed, Mr Caron had asked him if they made changes to the horizontal vertical alignment or to any of the proposed drainages and the answer was no since Lou has seen it last. Mr. Caprioglio also brought up Lou's recommendation of the first 400' of the roadway to be modified, Mr. Caprioglio asked if that was something that was discussed with Lou. Mr. Colburn stated that Lou and himself have discussed this at length and here is the course of events that have transpired: when this plan was advanced and sent to the Board the first time, the reverse curves in the first 400' of the road were designed to the Towns typical crossflow 3% from center line in both directions, water would shoot off the road. Lou correctly pointed out that with 150' center line radii, according to the AASHTO design guide, those curves should be super elevated, so the plan that Mr. Colburn drew in red the evening he presented it to the Board the first time show that superelevation and this plan continues to show that superelevation. What Mr. Caron is advising is that if he adjust the horizontal line to fatten out these curves then he could potentially eliminate the superelevations and still meet the guidelines from AASHTO. He is making a recommendation in his opinion the superelevation is not necessarily the most favorable layout for that first 400' and he would prefer to see a cross slope, but he

does acknowledge the plan as proposed meets the Town and AASHTO design, so at this point we are not proposing to amend the plan further. They amended the plan so it addresses the AASHTO design guidelines and that is the plan they are proposing to stick with. Mr. Croteau asked about parking; you have public access to this path, is it going to be on the street? Mr. Colburn stated that he is not show in Litchfield how open space has been accessed in the past, they are not proposing a parking lot or even a parking area for access to the open space; mainly because Fish and Game has asked that the open space remain in an undisturbed state, and he believes the Conservation Commission is also of the opinion that the open space should remain in its natural state.

Joan McKibben from the Conservation Commission asked on the Declaration of Covenants and Restrictions; no. 5 talks about recreation activity and Patrick and Joan talked about that a little bit today, is that a plan to take that paragraph out? Patrick stated yes, upon further review today, there is fairly loose language in paragraph 5 that discusses potentially small out building, may establish play areas, walkways, paths, trails and other similar recreation facilities in open space provided that the same shall not be used for commercial purposes and further that the same can not include permanent structures and installations other than necessary. The Conservation Commission does not feel that it is appropriate for play areas, ballfields, walkways etc., in that area because there are 4 or 5 endangered species out there. Mr. Colburn stated that he agrees that that is contrary to the desire of the Fish and Game to keep the area undisturbed and natural, so he told Joan that they would just strike that paragraph.

Mr Caprioglio asked when would the cul-de-sac be removed and the road extended down to Hamel Circle, when would the work be complete in terms of the current landowners 77-2 and 77-3? Mr. Colburn believes that work will be done this year.

Jen stated that going back to what they have called undedication/discontinuance, she just wants to make sure they got annotation correct on the plan set and believes in terms of the whole conversation that has occurred between the Attorneys today and yesterday, was that discontinuance is not what is happening here and not the proper term. Mr. Basso stated that you can't discontinue something that has not been accepted so they will get rid of the term. Jen stated that there are a few points where there is annotation on the plan set that refers to future right of way following discontinuance by the Town of Litchfield; those sorts of things need to be corrected. Mr. Basso stated that this will be corrected. Jen also mentioned that they need to label the portion that is being removed as a "temporary cul-de-sac to be removed."

Mr. Caron had a question as far as parcel B that is on this plan; will that eventually become part of the new right of way? Mr. Colburn stated yes.

Mr. Croteau asked about emergency access to the development during construction. Mr.

Colburn stated that you have your existing Hamel Circle and they are going to extend Hamel Circle with a new public way. Access to the end of the cul-de-sac will be unrestricted and the removal of the existing turn around will come subsequent to the construction of a new turn around so once emergency vehicles enter they always have a way to get back out without backing their way out.

Mr. Caprioglio asked Mr. Caron if he had any questions in regards to removing the cul-de-sac.. Mr. Caron stated that everything looks pretty straight forward, and is assuming the cul-de-sac is the last thing to go once the road is completed they will come in and remove the pavement, put in the new driveways, landscape, etc.

Mr. Caprioglio read some of the conditions:

- one of the conditions they were talking about was correcting the instances of plan notations “following the discontinuance by the Town of Litchfield” it should read instead “following temporary cul-de-sac removal.”
- Access of open drainage, easement filed subsequent to approval of Pinewood Subdivision to be released and rescinded. Mr. Colburn stated that he would recommend that that should simply state “easement documents recorded as part of the original Hamel Circle will be re-reviewed, revised or basically as released as necessary in accordance with the recommendation of the Town engineer. Open space to include public access.
- Plans need to be revised to include public access path along the existing PSNH easement and using existing walking paths.
- Easement access to 10-167 be restricted to gravel access way, no pavement, and there be no wetland impacts
- Pinewood Subdivision (Hamel Circle 1) to be amended to label the cul-de-sac as temporary, then subsequently amend the plans before the Board today, and ensure lot 77-2 and 77-3 have the minimum frontage required. Full frontage area of lot 77-1 should be shown on plans
- Receipt and review of by Town Counsel of Joint Use Agreement with PSNH
- Favorable review of all easements, covenants, and homeowner association documents by Town Counsel.
- Strike paragraph 5 Recreation Activities from the Declaration of Covenants and Restrictions
- Plan revision date to be updated to include most recent revision date.

The Board reviewed the request for conditional use permit.

Public Input

No members of the public wished to speak

Motion: by Mr. Young to reduce the the side setbacks from 20' to 10'

Second: by Mr. Blanchette

The Board deliberated.

Vote: 6-1-0

Mr. Caprioglio asked the Board their comments on conditional approval. The Board discussed their thoughts. The applicant agreed to come back to the next Planning Board meeting.

Motion: by Mr. Curtis in regards to Hamel Circle Extension Case No. 1406 LIT SD K-9-2 to provide conditional approval on the conditions as specified.

- ***Plan Copies with professional seals & Signatures***
- ***original mylar with professional seals and signatures***
- ***Electronic submissions per regulations (as-builts as required)***
- ***All fees paid, and escrow maintained as required***
- ***Bond Estimate (where applicable)***
- ***NPDES NOI***
- ***State Permits - Subdivision and Alteration of Terrain***
- ***Subdivision and Alteration of Terrain***
- ***Correct Instances of Plan annotation that states "...following discontinuance by the Town of Litchfield." Annotation should instead state "...following temporary cul-de-sac removal."***
- ***All easements filed subsequent to approval of pinewood subdivision to be reviewed and revised as necessary or released/rescinded where the roadway will be constructed. Applicant will need to work with the Board of Selectmen to do so and receive favorable review from Town Counsel.***
- ***Open space to include public access. Plans need to be revised to include a public access path along the existing PSNH easement and using existing walking paths.***
- ***Easement access to lot 10-167 be restricted to gravel access way, no pavement, and there be no wetland impacts.***
- ***Pinewood Subdivision (Hamel Circle 1) to be amended to label the cul-de-sac as temporary, then subsequently amend the plans before the Board today, and ensure Lot 77-2 and 77-3 have the minimum frontage required. Full frontage area of lot 77-2 should be shown on plans.***
- ***Receipt and favorable review by Town Counsel of Joint Use Agreement with PSNH.***
- ***Favorable review of all easements, covenants, and homeowner association documents by Town Counsel.***
- ***Strike Paragraph 5 Recreation Activities from the Declaration of Covenants***

and Restrictions

- ***Plan revision date to be updated to include most recent revision date.***
- ***Applicant return at a subsequent board meeting to provide a compliance update.***

Second: by Mr. Young

Vote Passes: 7-0-0

The next Planning Board Meeting is on October 7, 2014.

2) The Board will review for acceptance a plan by Theroux Properties, LLC at Tax Map 20 Lot 29, 16 Colby Road. The applicant seeks site plan approval for a 60' x 80' storage building to store building supplies for Optimum Building Systems located on the adjacent lot.

The complete set of plans are available for review in the Litchfield Town Clerk's viewing room at 2 Liberty Way. Monday 10:00 am - 6:00 pm, Tuesday thru Friday 7:30 am - 3:00 pm. If the aforementioned applications are accepted, notice is hereby extended to application approval consideration and/or continuation(s) to a date certain as required.

Mr. Caprioglio asked Joan if everything was complete. Joan stated that all fees have been paid.

Motion: by Mr. Guerrette to accept the application

Second: Kevin Bourque

Vote Passes: 7-0-0

Mr. Tobin Farwell from Farwell Engineering Services came in front of the Board to represent Theroux Properties. 16 Colby road which is in the northern commercial district, and are looking to build a storage facility, there will be no heat, water or sewer for this building. Mr. Farwell stated that they looked at the zoning regulations and storage is not allowed in the northern commercial district so they had an appointment with the Zoning Board and moved forward with them and applied for a variance to allow storage. The variance request was granted. They also moved forward in delineating the wetlands because this parcel is surrounded by Colby Brook, Colby Brook goes around it and the associated wetlands adjacent to it was delineated and the parcel was surveyed. Based on the setbacks and regulations (75' from wetlands) they saw what size storage building they could put there which is a 60'x80' storage facility. Next they moved forward with their site plan application and did have a couple of waivers they requested; Traffic circulation was

one of them also a soil survey because they are not applying to subdivide this so they did not feel a soil survey was necessary. Mr. Farwell stated that regarding the traffic impact studies; this is a low use building; what is really happening is that the existing building "optimum Building Solutions and Management" is going to utilize this building for storage of Acoustic Ceiling Tiles. It is a low hazard, non-combustible material that will be stored in this building. It is going to be a single story metal building with a monolithic roof, the roof is going to shed to the rear of the site. There is an existing residence on the lot with it's own septic system and well, but again this building will not require any water or sewer. There was discussion with NRPC regarding how they should also move forward in regard to impervious area, they are proposing 37% impervious area; we are not allowed to go above 15% unless they request a conditional use permit, which they have applied for which would allow them to go up to 60% impervious providing that they meet the requirements of stormwater management and the in ground water quality standards; no animal manure in the area and no regulated substances. Mr. Farwell stated that they can conform to those requirements and therefore have swapped out their waiver request which is a zoning regulation with their CUP request. Jen stated that it needs to be officially submitted to the Board. Mr. Farwell handed out copies to the Board.

Mr. Curtis asked if this was going to be a concrete slab. Mr. Farwell stated yes a concrete slab with a steel frame and sheet building. Low sloped roof, the maximum height is 35'. Mr. Farwell mentioned that it has 11000 sq.ft of impact, and are proposing gravel around it, there will be no direct access to Colby Road, it is a one way. The Fire Department requested a 12' gravel access that will support fire truck weight around the building. As far as Storm Water Management; Lou Caron the Town's Engineer had a few comments regarding that and thinks they can accommodate him.. Mr. Caron is looking for a little more detail of where the storm water is going to flow. Mr. Croteau asked if this was going to affect the Brook. Mr. Farwell stated that the stormwater will get to the brook, they have quite a large buffer between them and the brook and feels the vegetation, flat terrain. Mr. Croteau asked if this will affect the ecosystem in the brook. Mr. Farwell stated that as far as stormwater, they are proposing adding impervious surface, so there will be an increase in flow, it will be very slight, but again they feel that the vegetation there will remove the pollutant floating. This is not a parking lot, vehicles will not be sitting in here, it is a closed building, no drains.

Mr. Caprioglio asked Mr. Caron if he had any concerns over the stormwater drainage. Mr. Caron stated that they are showing some swales but the work for the drainage is not going to be on the sil fence, and thinks they just need a better handle on it; things are pretty flat out there, so typically there is not going to be a lot of water, it is going to be clean water, not polluted water and should be flat enough from the water quality standpoint so Lou is not too concerned about the water quality but the detail is lacking.

Joan stated that they do have a letter from the Fire Chief. There was just a concern about rubbish dumpsters which should not be stored in buildings or placed within 10' of the building accordance with NFPA. The 12 foot gravel gravel path around the building must be acceptable to the Litchfield Fire Department to accommodate their apparatus. Their largest truck weighs 60,000 pounds. The street addresses shall be acquired from the Fire Department before issuance of a building permit.

Mr. Croteau asked if this project was going to have any regional impact at all. Mr. Farwell stated that there will be no regional impact. This is not a residence, it is a storage building that is going to store acoustic ceiling tiles.

Mr. Guerrette asked if there were sprinklers in the building. Mr. Theroux stated that there was not, the building is tied in with their existing fire alarm.

Motion: by Mr. Blanchette that this plan does not have any regional impact

Second: by Mr. Young

Vote Passes: 7-0-0

Mr. Caron went over his comments for the Theroux Properties, LLC - Site Plan, letter dated September 5th.

Overall Plan (Sheet O-1):

- Note 17 on the plan mentioned future expansion or change of use as requiring Planning Board review. This should be revised to require Planning Board Approval.

Site Plan (Sheet C-1):

- There are existing mature trees on the property that are not shown. These are adjacent to the house. Consider adding these to the site plan.
- The area around the building, looking at the rear of the lot, it appears that there have been fill places there, there was irregular terrain. Lou stated that when he looks at that and the 2' contours on the plan he couldn't tell if it was going to drain properly or not if you didn't do any work beyond the silt fence that is shown on the plans. Between where the silt fence is shown and the tree line, he would consider it a disturbed area. Lou's recommendation is to get 1' contours in there so he can get a better idea as to what is really going on. Lou stated that the area between the Silt fence line and the tree line to the north should be graded and landscaped to promote the stormwater sheet flow intention.
- As proposed, there are two swales located along the south side of the building, between the building and the house, and as shown on the plan, the high point between the two swales is right in the middle of the new building, so the proposal is

for some of the run off to go to the north or the east and some of it to the wet. Lou's recommendation is to extend the swale towards the parking lot and picking up as much of the runoff as possible and routing it towards the brook, to minimize the amount of water that is possible going to flow across the parking lot. It will also provide a little more treatment for stormwater runoff with this flat ditch going towards the brook.

- Add a note to the plan as to the status of the pine tree outside the building footprint. Is the 2nd one to be saved or removed, there is no notation.

Mr. Caprioglio asked Mr. Farwell if that is the intent. Mr. Farwell stated that it will be because they are both pine and pretty rough.

- Please add a note that floor drains are not permitted within the building unless connected to a holding tank.
- There is no mention of proposed landscaping. Please add landscaping details to the plan.
- The plan notes that the existing septic system is "to be relocated as necessary." A drainage swale is proposed to be constructed over the septic system. Please determine where the septic system actually is and then determine if it requires relocation or not.

Mr. Farwell stated that they staked out the building, you can not tell where the septic system is. He has a copy of what information is available at the Town, so they wanted to come to the Board to see how it shakes out to see if they need to relocate that septic system.

Mr. Caprioglio asked if they were going to consider landscaping. Mr. Farwell stated that they are doing loam and seed for greenery, they are talking about putting up a privacy fence between the residence and storage facility. Mr. Farwell stated that is all they are proposing for a landscaping plan.

Lou stated that he thinks they need to define where the septic system is, do not leave it up in the air.

Mr. Curtis asked what protects limited use that the building has now from changing six months down the road to something that is being stored there that may not be as acceptable as the current proposed use, what protects us from that? Lou Caron stated that it would be Code Enforcement. Mr. Curtis asked if there was something on the note that use is limited, no storage of hazardous material or chemicals. Lou stated that it is on there on sheet C1 note 2. Mr. Caron stated that the note limits it to a low hazard building material. Jen stated that it says "the intent" so perhaps that language should be changed to say "it is to be limited" to low to no hazard in compliance with The Aqua Protection district. Mr. Croteau asked if there were going to be any signs, Mr. Farwell stated no because it is

part of the existing business that is there now.

Joan Mckibben stated that she can not talk for the conservation commission, but she did go out there last week with the Code Enforcement Agent. Joan stated that she was a little disturbed about the condition of the tree line going to the brook, it has obviously been bulldozed from this parcel towards the brook with all kinds of debris, not in the brook, but relatively close. Joan asked if this was going to be cleaned up. Mr. Theroux stated yes. Joan wanted to follow up on Lou's comment about stormwater and runoff, there is no vegetation in this 50' area of setbacks, the non-disturbance area, it is pretty much bulldozed to the tree line, so she feels something needs to be done there to treat stormwater. Mr. Farwell stated that he doesn't know how many years ago, but there was a garage there and believes it was removed about 4 or 5 years ago, so the vegetation just grew back in and the intent was to clear it, but that material was already there. Mr. Theroux stated that it will be cleaned up. Mr. Farwell stated that their intent would be to have grass around it so you can see for vandalism, and that type of grass cover provides good treatment for it. Mr. Caron stated that when they go ahead and revise their plan to show grading within that area (the silt fence), you should probably push back to the tree line. Mr. Croteau asked if they were going to have any big vehicles or trucks parked near the facility or would there be heavy traffic on that road in terms of vehicles coming in to service the facility. Mr. Farwell stated that it is his understanding that it is just typically a box truck that would come, unload and leave. Mr. Croteau asked about how many trips a day. Mr. Theroux stated that it may be a trip a week, no more than currently now.

Jen went through her comments on:

1) Submitting Waivers

- The ¼ mile merrimack river buffer bisects the site so the application needs to be forwarded to The Lower Merrimack River Local Advisory Committee for their review and comment and was not certain if it had been forwarded to them yet at this time.
- Waivers should reference the actual section of the regulation to be waived rather than the checklist item.
- Traffic impact study should be corrected to reference section 1201 (a). It is understood there will be no additional traffic from employees. How will supplies be stored in the warehouse, be delivered to and from the warehouse? What will be the frequency of delivery? Size of delivery trucks.
- Internal Circulation Plan should be corrected to reference Section 1201 (b). As the public customers will not have access to the warehouse, it is understood there is no expected safety concerns from internal circulation. The Board should review how delivery and fleet vehicles will access the building and whether there is adequate turning lanes for the vehicles to navigate the site.

- Site Specific Soil Map: Please note the “Site Specific Soil Maps” are the source documentation that is to be used to identify the onsite soil types. While the soil types are not included on the site drawing, note #4 on Sheet C-1 identifies the onsite soil types. If retained, waiver should be corrected to reference the Minimum Requirements stated in Section 155.4.1 (b) that require the inclusion of soil types for purposes of erosion prevention. If the applicant still feels this waiver is necessary, the rationale should be revised to address erosion.
 - Drainage Plan was already discussed and part of the conditional use permit is that they are going to rescind the drainage plan waiver request and in turn they are submitting the Conditional Use Permit Application. They have given the Board the letter that goes with the Conditional Use Permit, but we still need to see the Stormwater Plan. Add more detail that shows how that stormwater will be treated on the site.
- 2) The proposed site falls within the Aquifer Protection District (already discussed) but, we do need to do something to address the fact that it is 37% impervious as opposed to 15 which was already addressed.
 - 3) Conditional Use Permit. Jen stated that she included in there for reference the New Hampshire Stormwater Manual from the Department of Environmental Services.
 - 4) The plan needs to be forwarded to the Lower Merrimack River Local Advisory Committee for their review.
 - 5) The well radius should be added to the onsite well to ensure an adequate distance is maintained in the event that the septic needs to be relocated during construction.
 - 6) Site plan Review Regulations does require a Landscape design to be addressed. Add more detail to the topo and stormwater. Ideas can be found online at <http://soaknh.org/>
 - 7) Note changes and corrections
 - Add Town of Litchfield Impact Fee note
 - Add a note that maximum allowed impervious surfaces allowed are 14% or as allowed by Conditional Use Permit
 - Sheet C-1, Note 7: add reference to the applicable section of the Site Plan Regulation
 - Sheet O-1, Note 15: correct waiver request section references and titles, particularly #4 where the waiver was requested for the drainage plan not calculations.

Joan asked how they will make sure that the gravel are will hold a 60,000 pound fire truck. Mr. Farwell stated that they will do a test pit out there when they are looking for the leachfield to see what kind of soil is out there, but he is not concerned. They will remove all the organics, put 12” of a good gravel base.

Jen stated that they should follow up with the Fire Chief.

Public Input: No members of the public wished to speak.

Motion: by Mr. Bourque to continue to the next Planning Board meeting of October 7th

Second: by Mr. Blanchette

Vote passes: 7-0-0

Approve Minutes of September 2, 2014

Motion: by Mr. Guerrette to approve the minutes of September 2, 2014

Second: by Mr. Blanchette

Vote Passes: 6-0-1

Any Other Items

Joan mentioned that she, Kevin Lynch and Jen went to a short talk today on Versatile Housing. This organization; Neighborworks Southern NH is a national organization, but we have the Southern NH version. Joan mentioned they did a project in Goffstown, Hooksett, Amherst and Londonderry: most recently In Amherst. They put up 5 buildings with 28 rental units in historic Amherst, income qualified and they are the managers of the project. They sell them to investors who get a 15 year tax credit, they also got federal home, Bank of Boston which is a network of private banks (\$300,000). Joan mentioned that the most interesting thing was that to qualify 100% of the area median is about \$92,000 (for homeowner), the rental is 50 to 60% of the area median income about \$50,000 (for rental). Joan stated that in Amherst they were all 2 bedroom units. This person said they would be willing to come in and talk to the Board. Jen mentioned that they also have a suite of Homeowner Education classes that they operate as well as a foreclosure program. Joan stated that they are doing a project in Londonderry as well that start out be senior housing that didn't go well and they took it over and are making it versatile not just senior housing.

Mt. Young mentioned that last wednesday he attended the law series on Impact Fees. Jason was kind enough to upload the workbook. It is available to the Planning Board. At the end of October Tom will have the powerpoint presentation which will be uploaded as well to the site.

Mr. Caprioglio mentioned that regarding Moose Hollow, the road is complete and waiting to hear on maintenance bond.

Mr. Croteau mentioned that there is a public hearing tomorrow night at the NRPC office in Merrimack at 7:00. This meeting is open to the public.

Mr. Caprioglio wanted to mention to the Public that they are looking for volunteers for alternates on the Planning Board. The next Planning Board meeting is Tuesday, October 7, 2014.

Motion: by Mr. Blanchette to Adjourn

Second: by Mr. Young

Vote Passes: 7-0-0

The Next Planning Board meeting will be held on October 7, 2014 at 7:00 pm.

The meeting adjourned at 8:50 pm

Minutes taken by: Donna Baril