

PLANNING BOARD PUBLIC MEETING

TOWN OF LITCHFIELD

Held on October 7, 2014

Minutes approved 10/21/2014

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

MEMBERS PRESENT: Michael Caprioglio (Chair), Tom Young (Vice Chair), Russ Blanchette, Jason Guerrette (7:40), Kevin Bourque (Selectmen's Rep) and Michael Croteau

MEMBERS ABSENT: Bob Curtis

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 present

1) The plan for the following was conditionally approved on 9/16/2014. Applicant present for compliance review. K&M Developers, LLC propose to subdivide one lot into thirteen residential lots, Tax Map 10 Lot 9-2. One conventional lot is fronting Brickyard Dr. 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.

Patrick Colburn, engineer with Keach Nordstrom Associates, representing the applicant K & M Developers came in front of the Board to explain what was going on. In September a conditional approval was granted for their plans for what they call the Hamel Circle extension, they received the list of conditions and some of those conditions included

amendments to the earlier part of the subdivision. Mr. Colburn stated that he was going to start there and take the Board to the present. Pinewood Subdivision is a plan the Planning Board approved back in 2013 and was built in 2013, it is a short cul-de-sac street with 8 houses total included two with a shared driveway. All of those houses are built and many of them sold to individual homeowners. Previously the plan included a 50' stub at the end of the cul-de-sac that provided a connection to the adjacent parcel, Lot 9-2. The existing Hamel Circle is an offset cul-de-sac that was built and paved and provides driveway access to lots 77-3 and 77-2. When they came forward with plans for Hamel Circle Extension, they heard opposition from the Road Agent and the Planning Board over the land area associated with that cul-de-sac right of way. What they heard is that the Town wishes when this was approved that that was identified as an area to be extinguished should the road ever extend through to the adjacent property. What they did at that point was to prepare a plan that showed on Hamel Circle extension, that area identified as an area of right of way that the Town could accept and then basically go to Town Meeting and undedicate; the Town would accept Hamel Circle as its built and then partition the Selectmen to go to Town Meeting to vote to basically give the adjacent homeowners the land area under that pavement; the right of way. Mr. Colburn stated that that plan was not received well and together the applicants attorney and Town Counsel worked together to come up with the plan that is before the Planning Board tonight. Just before the last meeting is when the two counsels got together and figured this out, so that is what lead to their discussion at the last meeting of the approval and come back and show how you are going fix it.

Mr. Colburn presented the new plan. Using Sheet 1 of the plan Mr. Colburn pointed out what is now called the amended residential plan for Pinewood Subdivision and Sousa Realty, Robert Chartier and Teresa Greico are all listed as owners and applicants because those are the affected owners associated with this change. On sheet 1 you will note that that are of wigh of way, the bulb of the cul-de-sac is now hatched and is identified as temporary right of way; and in the notes, note 1 says that the purpose of this plan is to amend the previously approved Pinewood Subdivision which is HCRD Plan No. 37803 to properly reflect the limit of temporary right of way to be extinguished upon future road extension as requested by the Town of Litchfield which points to reference Plan no. 6 which is the Hamel Extension Plan. Thier intent here is to identify an area of temporary right of way that will basically go away and become part of 77-1, 77-2 and 77-3 upon acceptance of the extension.

Mr. Colburn stated that they wanted to be sure that anyone reading this amended plan at the registry was pointed to reference plan 6 so that they can see the whole story.

Mr. Colburn stated that he did not amend the entire plan set for Pinewood Subdivision, what he amended is the Subdivision Plans and the Topographic Subdivision plans. The

roadway because it is already built, saw no sense in amending all of the construction detail and all that sort of thing. This is an abbreviated 6 page plan that will essentially supercede the previously recorded plat.

Mr. Colburn moved on to the Hamel Circle Extension. Mr. Colburn stated that those changes affect the current plan. Mr. Colburn went on the master subdivision plan. The conditions of approval state that what they need to do is amend Pinewood Subdivision and then carry those changes through Hamel Circle extension, so the Board will note on this plan a very similar hatch area with a temporary cul-de-sac to be extinguished and it is identified here as temporary right of way to be extinguished upon future extension of Hamel Circle and completion per Town road specifications. Mr. Colburn explained that they are getting wordy because this is the language that was essentially agreed upon between the two counsels. Mr. Colburn mentioned that he has a series of notes; notes 1, 2 and 3. Mr. Colburn stated that those notes are there basically to tell the story of what is going on there. Essentially they are performing a lot line adjustment between Lot 77-3 and the parent parcel lot 9-2 and then they are taking the new lot 9-2 and subdividing it to create 12 open space lots, the Hamel Circle right of way, 1 conventional lot with frontage on Brickyard Drive and then the non building open space lot. Note No. 2 tells that the purpose of this plan is also to show the resultant lot areas for lot 77-1 which is still owned by Sousa, 77-2 and 77-3 after the temporary right of way is extinguished, so what they are doing is setting new bounds which right now is pavement but will not be when the road is carried through. They are setting new bounds that afford all three of those lots that represent 150' of road frontage after you extinguish that existing right of way. Mr. Colburn stated that some things to note are that all of the lot owners affected are now offered a signature block on both the Pinewood plan and this plan. Mr. Colburn stated that should he hear from this Board tonight that they have met the intent of last meeting conditions, their plan is to host a neighborhood meeting or host individual meetings with these affected parties to explain what is going on, explain what the Town requested of them and then confirm their understanding with the signature on the plat, because they are affected parties they need to be party to this application. Mr. Colburn stated that the rest of this plan is very much the same. Jen stated to him the other day that since the beginning of this project, really nothing has changed from the start of Hamel Circle to the extension to the end. The discussion has truly revolved around this existing Hamel Circle. Engineering wise, after you get through the subdivision plan, nothing has changed. Mr. Colburn mentioned that their client, K&M Developers has retained Brad Westgate as their legal counsel and Brad is working with this revised set of drawings to provide notes that meet Town Counsel's request, so that will be in Jen's staff report that they are still working on some of the language on the plat. Brad is also tasked with writing all the easements. Last month, several of the easement in the old Hamel plan need to be either amended or released because of the changes proposed here, as well as all of the new easements for Hamel Circle extension.

Outstanding conditions are the Planning Board's approval of conditions tonight so they can seek review from the abutting landowners, Town Counsel's review of Attorney Westgate's easement documents, new and old and then they did receive their Joint Use Agreement between them and PSNH, which Town Counsel has reviewed and approved. Mr. Colburn stated that tonight is the last time he will be here to present this plan assuming that the Planning Board understands and agrees with what he has done and then he will work with staff and Counsel from here forward to get this finalized and recorded.

Mr. Caprioglio asked if there was a bond on this yet. Joan stated no, not yet. Mr. Colburn stated that Mr. Caron is working on this, they had their pre-construction meeting on the 22nd of September and at that meeting Lou asked him for some data which he provided to him. Mr. Caprioglio asked if that was something that could be done with just staff and not Planning Board approval. Jen stated yes.

Regarding easements C and D Mr. Colburn wanted to point out (on the roadway plan), easement C is on Lot 77-3 and easement D is on Lot 77-2. Right now those easement chase the bulb of the existing cul-de-sac right of way. They are there because in that area you will find existing roadside swales for stormwater conveyance and driveway culverts under 77-2 and 77-3's driveway. These easements need to stay; maybe be amended, because of the release cul-de-sac area right of way, but that easement area needs to remain because those driveway culverts and swales remain.

Mr. Caprioglio also mentioned that they had a comment that the plan notes do not mention that the open space land is open to the public. Mr. Colburn explained that what he did for that was on the same sheet, point to the 10'x5' paved out aprons, he also in parenthesis state public access to open space, what he can do is where he discusses the open space on sheet 1, he can add a simple statement that states "open space is open to the public", but the open space documents also state that. The note is on Sheet 12 but can add a statement to the note on sheet 1 (note #21) which states this area is open to the public.

Motion: by Mr. Blanchette for the Planning Board to give conditional approval to the Hamel Circle Extension Subdivision Case No. 1406 LIT SD K-9-2 with the following conditions:

- ***Plan Copies with professional seals and signatures***
- ***Original mylar with professional seals and signatures***
- ***Electronic submission per regulations (As-builts as required)***
- ***All fees paid, and escrow maintained as required***
- ***Bond estimate (where applicable)***
- ***Non-Point Discharge Elimination System (NPDES) Notice of Intent (NOI) (EPA Permit)***
- ***State Permits - Subdivision (Subsurface/Septic) and Alteration of Terrain***

- ***Edit plan annotation on both the Hamel Circle and Pinewood Subdivision regarding temporary cul-de-sac removal to address counsel's concern relative to adding detail about process to do so***
- ***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.***
- ***Add to note 21 on sheet 1 that the Open space is open to the public***
- ***Favorable review of all easements by Town Counsel***
- ***Plan revision date to be updated to include most recent revision date***
- ***Edit note 3 to address counsels concern relative to clarity***

Second: by Mr. Young

Vote: passes 5-0-0

Motion: by Mr. Blanchette to allow Counsel and Administrative staff to move forward with any further items regarding this without Planning Board review.

Second: by Mr. Bourque

Vote Passes: 5-0-0

Approve Minutes of September 16, 2014

Motion: by Mr. Bourque to approve the minutes of September 16, 2014

Second: by Mr. Young

Vote Passes: 5-0-0

Mr. Caprioglio mentioned that the next Planning Board meeting will fall on election day and wanted to see if the other member of the Board were fine with having the meeting on Monday, November 3. The first meeting in November of the Planning Board will be moved from Tuesday November 4th to Monday, November 3rd.

2) The Board will continue review of a plan by Theroux Properties, LLC at Tax Map 20 Lot 29, 16 Colby Road. The plan was accepted for consideration on 9/16/2014. 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.

Mr. Tobin Farwell from Farwell Engineering Services came in front of the Board to represent Theroux Properties. Mr. Farwell stated that since the last meeting they made some changes to the plan per Lou Caron and the NRPC review and they received some

additional comments and would like to go through those comments and talk about them.

Mr. Farwell started with Lou's comments:

Site Plan (Sheet C-1)

- The note regarding the water supply well is stated two times. - *one of the annotations will be removed.*
- There is a finished grade contour that surrounds the building. - *The finished grade elevation is 104' and will be noted on the plan*
- The area behind the building, and beyond the proposed limit of site grading (see the silt fence line) may include areas that remain "disturbed". Consider adding a note to this plan sheet allowing the contractor to properly restore the "disturbed" surface if it extends beyond the silt fence line as shown on the plans. The intent of the site work is to result in a finished landscaped surface on the site following completion of the building construction. - *Mr. Farwell stated that a few years ago there was a garage on this site, and provided an aerial photo that shows garage and the site was actually pretty clear (this photo is approximately 4-5 years old) It was very easy to walk around back there. Mr. Farwell goes on to say that when he came to site to do his survey work it was thick and you could not get through, there were briars and it was impossible so they had to have an excavator go on site and knock the brush down, there were no real substantial trees, they stopped at the tree line, there were some evergreens there and they knew they didn't want to come close to it but they needed to do their work. One of the excavators got a little over going and made a pile of loam. The Town went out there to inspect it and they noticed it was disturbed and that is when Lou's comments that the size of the disturbed provide 1' contour, so he could determine what is going on, move the silt fence out so it includes that area that has been disturbed. Mr. Farwell stated that this site grows back quickly, you can go back there now and it is completely green. Mr. Farwell stated he just wanted to give the Board the background about that.*
- The drainage swale along the south has been revised. I recommend this swale to be extended about 50' northerly behind the building, parallel to and offset about 6' - 7' from the silt fence. It would then daylight at the 102 contour line. A longer swale will provide an additional treatment of the stormwater runoff. - *Mr. Farewell stated that they added this drainage swale as he wanted. Mr. Farwell stated that the roof pitches this way (pointing to the map) so the runoff will go into the swale and go into the direction of the brook.*
- The proposed finished grade 104 contour line in the south-west corner of the building crosses an existing 105' contour line near the existing tree line at the property line. Please revise the proposed 104' contour line to encompass the small pile of dirt represented by the 105' existing ground contour or add a 105' finished grade line at this location. - *Mr. Farwell stated that they will add this.*

- The Landscape note no. 1 does not make complete sense. Please revise accordingly. Also, please specify that the area to be landscaped receive 4" of loam, seed, fertilizer and mulch. This language matches that on the Detail Sheet. - *Mr. Farwell stated that this will be done.*

Detail Plan (Sheet D-1)

- Please note that the width of the swale is 1' rather than some variable bottom width (W). - *Mr. Farwell stated that he added on his standard details "so noted."*

Next Mr. Farwell went on to the NRPC revised comments:

- *Mr. Farwell stated that they had asked for waivers for the Traffic Impact Study, the internal circulation plan and is not sure if they are in agreement or is not sure as to what the site specific soil map. Mr. Farwell mentioned this is usually done if you are going to do a subdivision, they felt they were not going to do a subdivision so they didn't need to have a wetland or soil scientist to generate a plan. They were going to use NRCS. (NRPC) 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 the purpose of erosion prevention. If the applicant still feels this waiver is necessary, the rationale should be revised to address erosion. - Mr. Farwell stated that he read it and it says site specific soil survey is required, so they are seeking a waiver for that. Mr. Farwell stated he is not clear as to what they are talking about as far as soil erosion. - Jen clarified by saying part of what she is saying here is that she does not believe they even need the waiver, she believes they have already addressed it by including your soil types and your note annotation, so while it is not labeled on the plan drawing itself, you have included what the soil types are in your plan note. Part of that is saying she doesn't even know if you really need it because you have partially addressed it anyways in your submission. Jen state that the other piece is the rationale for not providing the soil type information that you provided with your waiver, is only applicable to a subdivision application, this is a site plan application, therefore she went to the site plan regulations, pulled the applicable rationale for why the site plan regulations require soil information; this language is directly from the Town Site Plan Regulations. Obviously, you are not doing a subdivision, we do not need to know what the DES approved septic system size is going to be, not the reason you would request a waiver here for soil type. Jen stated that if they were to construct a well, justified rationale for a waiver from this provision;, you would want to include erosion as your justification, thats why the Board need what the soil types are, to make sure they do not have to worry*

about loose soils in the case of a high stormwater event end up in the brook and then into the river. - *Mr. Farwell stated that this is not a site specific soil map, let me be clear, if they require and we would like not to provide it, Mr. Farwell stated that he though a waiver was appropriate, if you just want to say it is not necessary he will take care of that to.* Jen stated that she thinks their safer bet is to still go with the waiver request, because as you said it is not soil specific level map that is being proved for the oils information; you have partially addressed the soils, and thinks the bigger concern is later down when we get to landscaping and stormwater. - *Mr. Farwell stated that now they have 150.7 (q) Drainage Plan; Mr. Farwell stated that initially they had applied for a Drainage Waiver Request, they were advised to withdraw that and request a Conditional Use Permit (CUP), that has to do with the 60% impervious, so it boils down to: they didn't want to do a drainage analysis because there is a detention pond on this site, They submitted this plan knowing full well, they submitted a waiver request stating exactly that: A waiver to 150.7 (q) which states drainage analysis due to design, analyze the 25 year storm, tell what is there now and show arrows and do a drainage analysis. Mr. Farwell stated that they know there is a minor increase in stormwater flow, but they do not think it warrants a detention pond; we go to NRPC and they say you are showing a 60% impervious area, ask for a Conditional Use Permit (DUP) and that will make your drainage plan waiver request moot, so they went forward with that. Lou Caron said he agrees there is going to be a slight, because of the onsite soils, we are going to do this swail that helps mitigate drainage issues and what not.*

- A copy of the plan was forwarded to the Lower Merrimack River Local Advisory Committee for their review. LMRLAC had no comments at this time. Were they sent the original submission or the revised 9/22/2014 plan set? - *Mr. Farwell stated that they got both copies. Mr. Farwell stated that they sent an email back stating they have no issues.*
- The existing septic system location was identified and is proposed to be relocated. A septic plan has been added to the plan set (Sheet S-1) and will require a DES permit. The proposed relocated septic is outside the building footprint, gravel area, 50' no disturbance wetland setback, and well radius. However, system appears to be inside the required 100' wetland buffer for septic systems (Zoning Ordinance §1207.02). The 100' buffer needs to be added to the plans and septic system location adjusted if necessary. *Mr. Farwell showed on the map where the leach field was and the 75' setback, he showed where the existing septic tank was, it will have to be moved about 25' further back from the wetland line or they could go further.*
- The proposed site fall within the Town's Aquifer Protection District (Zoning §1250). As submitted, the application exceeds the maximum allowed impervious surface

area under the Zoning Ordinance's Aquifer Protection District (15% maximum allowed of Map 20 Lot 29 = 6,819.6 s.f.; proposed impervious = 16,892 s.f. @ 37%). The applicant has submitted a Conditional Use Permit (CUP), which can allow up to 60% impervious in the commercial district. For the CUP to be approved, the applicant must demonstrate compliance with the Performance Standards (Zoning Ordinance Section 1256) that requires a Stormwater Management Plan and additional information on the materials to be stored on the site. The NH Stormwater Manual referenced in the ordinance is available online.

The CUP letter was submitted to the Planning Board on 9/16/2014. A swale has been added to the revised Site Plan (sheet-C) and appears it is the applicant's intent that this be considered the required Stormwater Plan.

By Submitting the CUP and required Stormwater Plan, the waiver request from the Drainage Plan requirements would no longer be necessary.

- Reiterating Lou Caron's comment on the drainage swale: Currently the swale outflow points toward the brook. It is recommended that the swale be extended 50' northerly behind the building, parallel to the building and silt fence, daylight at the 102 contour line. This would provide additional treatment capacity. Additionally, the end of the swale should be redirected to ensure the outflow is directed away from the brook. Jen stated that you don't want the drainage going towards the brook, it is assumed that the nutrients will be filtered out as the water flows through that swale, you still don't want to point any pollutant in the case of a larger storm towards the brook which might be sending excessive nutrients into the brook which a direct tributary to the river.
- Section 150.7 (q)(4) further requires engineering calculations used to determine drainage requirements based upon a 25 year storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed. These calculations need to be submitted to complete the stormwater plan obligations. - *Mr. Farwell stated that he was a little confused because he thought they were beyond this and now they are heading back to it. The 25 year storm is used for sizing culverts. Mr. Farwell read aloud the regulations. After reading the regulations Mr. Farwell mentioned that they are 11,000 sq.ft. if you just consider what they had originally. It is noted that this area was disturbed and removing vegetation; they made a pile of loam out of the existing material. Also, one of the other minimum requirements is if you disturb critical areas. Critical areas is defined as within 50' of any wetlands, so now because this area has been touched*

in order to remove vegetation, they are under the jurisdiction of this requirement. This was certainly not their intent and feels that they are getting trapped into these requirement, they came in with 11,000 (they pulled everything back beyond the 50' no disturbance area). On the other hand, they went out and did a site visit and saw the clearing of the vegetation in order for them to do a boundary survey (which is required), wetlands flags (because of the canopy, you can't do this with GPS, you have to clear it, you have to see those flags. It was a thicket, so they had it cleared. Now technically they are exceeding the 15,000 sq.ft and believes that is why the NRPC is pulling this in and that is the biggest things he wants to talk about, because he is trying to keep this project simple. Mr. Croteau stated that looking at this he believes what the Board is trying to do is basically because of the issue of the brook and the river, they want to make sure that those areas are being protected. Mr. Croteau said he understands Mr. Farwell's frustration but at the same time they want to be able to look at the bigger picture and look at the area. Jen stated that the issue that makes this a specific concern on this site is that it is a smaller lot and the proposed impervious surface area exceeds what is allowed under the Zoning Ordinance. To make this application compliant with zoning, in order for the board to be able to move forward on it, you have to clear the hurdles of the Conditional Use Permit. If you can not clear the hurdles of the Conditional Use Permit, this is not compliant with zoning and the Board does not have the authority to approve the application. Part of the CUP that is required under the aquifer protection district is the completion of a stormwater plan. Jen told Mr. Farwell that she apologizes if he misunderstood that the drainage plan would be moot and you would not to complete it, the issue is you need to complete the CUP which may include the need to do those drainage calculations or to show that there is not potential degradation to the water quality to due the increased potential for stormwater that comes with the increased impervious surface above and beyond the 15% that is allowed. *Mr. Farwell stated that there are four things; a stormwater plan that is approved by the Planning Board which the Planning Board has a lot of leeway in his opinion. Mr. Farwell believes that because the neighboring site was also approved, it is much more impervious. This is a much greener site, it is clean runoff; looking at the map Mr. Farwell showed that this was a parking area, there is no parking proposed on site, the majority of this is what is considered clean runoff, which is runoff from a roof, yes it is impervious surface, this gravel access is merely for emergency use only, this is not going to be used day to day, guys are not going to drive around this storage building. The backside is really clean water and in his mind it does not make sense to create a stormwater detention basin with an outlet controlled structure and all the maintenance that goes with it. Mr. Farwell stated that it just seems that there is going to be more*

impact to the adjacent to the Brook and they would just like to keep this a green space, it grows back so quickly and so thick, and would like to make it all grass. This is the stormwater management plan that he proposed to the Board, which could work and would ask that the Board accept that. The others are to prove that the groundwater quality standards are met; Mr. Farwell stated that he does not know what to say about that; animal manure will not be used and there will be no regulated substances. The only thing they store in there is Acoustic Tile. Mr. Farwell stated that the Town does have large buffers to the wetland, which is why they pulled everything back. There is not going to be parking on this site, this is not a big parking area or auto body repair shop, etc, It is as low impact storage as it gets. There was some discussion amongst the Board members. Mr. Caprioglio asked if any member of the Board would like to have a site walk. Most members of the Board stated that they have already seen the area. Mr. Farwell will send pictures to Mr. Croteau for him to look at. Mr. Farwell would like to formally put back on their waiver request for 150.7 (q)(4) that was withdrawn from their previous plan but is now back on.

Jen mentioned that for her the bottom line is that she would agree with all of Lou Caron's comments, she thinks if you extend that swale, add some landscaping and look to minimize your fertilizer use, to her this plan should not be difficult. Given some consideration to those elements would address her concerns for the stormwater plan, she is looking at the drainage calculations as either give us a little bit more on the landscaping side to feel confident that what is being proposed is adequate or give us some calculations to know that it is adequate. Jen and Mr. Farwell ensued discussion regarding this matter. Jen stated that the bottom line is that they are asking to do something that is not permissible under zoning without the Conditional Use Permit, you need to fulfill the conditions of the Conditional Use Permit. Mr. Farwell stated that he has presented a stormwater management plan for the Board to approve. Jen told Mr. Farwell that he should at least put Stormwater Management Plan on the title. *Mr. Farwell stated that he will do that.*

Mr. Caprioglio wanted to go over a couple of the waivers.

Section 120.1 (a) - Traffic Impact Study

Motion: by Mr. Blanchette that the Planning board accept the waiver for section 120.1(a) Traffic Impact Study.

Second: by Mr. Caprioglio

Vote Passes: 6-0-0

Motion: by Mr. Blanchette that the Planning Board accept the waiver for section 120.1(b) Internal Circulation Plan.

Second: by Mr. K. Bourque

Vote Passes: 6-0-0

Motion: by Mr. Blanchette that the Planning Board accept the waiver for section 155.4.1 Site Specific soil map for the site.

Second: by Mr. Bourque

Vote Passes: 5-1-0

Mr. Farwell stated that he was given a letter stating that he is not in compliance with **Section 150.7 (q)(4)** which is the submission requirements, which stated that you should do a 25 year drainage analysis.

Mr. Farwell stated that the submission requirements which is **Section 150** which states you need to submit stormwater drainage plan, engineering calculations used to determine stormwater drainage requirements based upon a 25 year storm frequency. If the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surface, such as building area being proposed. Mr. Farwell stated that he was previously told he should not reference these sections that he should reference the Site Plan Review Regulations. The Site Plan Review talks about it in **Section 120.4** which is drainage: Stormwater drainage based on a 25 year storm frequency utilizing on site absorption wherever practical. Closed drainage may be required. Drainage system per sites containing unpaved parking areas, driveways or walkways shall be designed on the assumption that such surfaces are to be paved. Stormwater control measurements shall comply with **Section 155**. **Section 155** talks about the applicant shall submit a stormwater management and erosion control plan to the Planning Board for any tract of land being developed or subdivided where one or more of the following conditions are proposed: 1) a cumulative disturbed area exceeding 15,000 sq.ft., 2) construction or reconstruction of a road, 3) a subdivision of more than three buildings, 4) disturbed critical areas, see definition. The definition of a critical area is within 50' which is your 50' setback.

Jen stated that it is item A that is the trigger in this particular instance; the 15,000 sq.ft. its is a cumulative disturbed are which means it is looking at your total disturbed area, so you take existing plus proposed and per note 11 on Sheet C-1, the total impervious area, which is you disturbed area in this particular application is 16,892 Sq.ft. Mr. Farwell asked Jen how she came up with that number. Jen, the Board and Mr. Farwell discussed the cumulative area. Mr. Croteau made a request to have Town Counsel review this. The Board further discussed cumulative area.

Motion: by Mr. Blanchette for the Planning Board to accept the waiver for the

Drainage Plan Section 120.4 or Subdivision Requirements 150.7(q)(4) to provide drainage calculation to determine drainage requirements for 25 year storm.

Second: by Mr. Guerrette

There was some discussion.

Vote Passes: 5-1-0

The Board and the Applicant discussed landscaping. The Board also discussed the Conditional Use Permit.

Motion: by Mr. Guerette to approve the Conditional Use Permit.

Second: by Mr. Bourque

There was some discussion.

Vote Passes: 5-1-0

Motion: by Mr. Blanchette to conditionally approve the Application with the following conditions of approval

- ***Stormwater management plan must be included in the final document***
- ***Extend swale 50' from the current line to the left***
- ***Include landscaping plan***
- ***Include Plan copies with professional seals and signatures***
- ***Original Mylar with professional seals and signatures***
- ***Electronic submission per regulations (As-builts as required)***
- ***All fees paid, and escrow maintained as required***
- ***Bond Estimate (where applicable)***
- ***Subsurface: Septic plan***

Second: by Mr. Bourque

Vote Passes: 5-1-0

A compliance follow up will be on October 21st and all documentation must be submitted to NRPC by October 14th.

Any Other Items

Mr. Mayberry will be here at the next Planning Board meeting on the 21st of October. He will have his revised draft of Phase II.

Moose Hollow Road

Mr. Caprioglio mentioned that they received an As-built plan and warranty deed affective October 6, 2014. The new bond was received on September 26, 2014. Joan stated she

had paper to give to the Board of Selectmen stating the road is 2,285 linear feet and it states the two year maintenance bond for \$35,610 was received and we recently received the as-built plan and the warranty deed. Joan states to the Board that they are good to recommend to the Selectmen and accept.

Motion: by Mr. Blanchette to accept Moose Hollow Road and recommend acceptance to the Board of Selectmen.

Second: by Mr. Bourque

Vote Passes: 6-0-0.

Mr. Caprioglio reached out to the public that they are looking for volunteers to join the Planning Board. Please feel free to stop by any of the meetings. The Board is looking for Alternates.

Motion: by Mr. Guerrette to Adjourn

Second: by Mr. Blanchette

Vote Passes: 6-0-0

The Next Planning Board meeting will be held on October 21, 2014 at 7:00 pm.

The meeting adjourned at 8:45 pm

Minutes taken by: Donna Baril