

## Minutes

### Planning Board Meeting

August 5, 2010

Members of the Planning Board in attendance were Charles Moreno, Chairman, James Graham, Don Rhodes, and Mark Whitcher. Lynn Sweet joined the meeting about 8:15 PM.

The Chairman called the public meeting to order at 7:40 PM and announced the members present. The closing date for applications to appear on the agenda for the September 2010 regular meeting will be 5 p.m., Tuesday, August 17, 2010. The Chairman reminded the audience that the Board has a policy setting time limits for meetings and that the Board will not consider any new business after 10:30 PM. Board members briefly reviewed the minutes from last month. After noting a minor correction for the July minutes, Jim Graham then made a motion, seconded by Mark Whitcher, to accept the minutes as presented with one minor correction. There was no further discussion and the minutes were accepted by unanimous vote of the members present. Jim Graham then made a motion, seconded by Mark Whitcher, to accept and approve the minutes for the work session. There was no further discussion and the vote was unanimous in the affirmative.

The first order of continuing business was the application of HERBERT SCRIBNER for Modification of an Approved 2-lot Subdivision approved at the May 2, 2008 meeting for land located on Parker Mountain Road and NH Route 126 (Tax Map 11, Lots 89 and 89-3). Randy Orvis of Géomètres Blue Hills presented revised plans showing items requested by the Board at the last meeting. It was noted that NH DOT Division Six has reviewed the plans and requested revisions, but has agreed not to issue final approval until the Planning Board has finished review so that DOT approval is keyed to the final plan set. Don Rhodes then advised the Board that Mr. Orvis has recently contacted Norway Plains about work in Barrington, and advised that he would therefore excuse himself from further consideration of this application. The Chairman noted that Mr. Rhodes's knowledge as an engineer is critical to the Board and his input important. Mr. Rhodes agreed that he would be happy to offer comment, but would abstain from voting, if all parties agreed to this. Mr. Whitcher, noting the new plan sets presented to the Board, asked why the Board should be considering the plans at this time, since the plans had not been given to the Board to review before the meeting. He then asked about the revised waiver list requested by the Board. Mr. Orvis indicated that he had drafted a revised letter and then distributed copies to the Board. He then reviewed the items he was presenting to the Board this evening: an itemized waiver letter; a copy of the deed for the DOT ROW, which he interpreted as granting NH DOT a drainage easement only for the construction phase; revised plans showing revisions as requested by DOT. The revised plans address the Board's concern with the pipe under Route 126 by moving the intersection to the south as requested by DOT. Mr. Orvis again suggested that the idea that there is a drainage easement on the property is incorrect, stating that he believes that the wording of the recorded deed and easement refers only to construction and maintenance during construction. Two plan notes were added at the request of the Board; it was noted that spelling needs to be corrected. Discussion then turned to the waivers list. Don Rhodes advised that the K value waiver was not so critical in this case because the area is at the intersection so speeds would be slow. Mark Whitcher noted concern for the continued upkeep of the road, noting that the homeowners often disagree. Steve Leighton, Selectman, who was present in the audience, then addressed the Board, stating that the town is having problems with private roads due to the maintenance issue, and said that he feels that no waivers should be granted for private roads because of this problem. He said that private roads should be built to full town specifications so that they can be taken over at any time. Mr. Orvis noted that the applicant had said from the beginning that they just wanted to build the road to driveway specifications. There followed a general discussion of other possible strategies for subdividing this property, including the original lot line adjustment, or applying for a variance to frontage requirements. The Chairman noted that Mr. Leighton's comments about the town's problems with private roads were new information to the Board. Mr. Leighton noted legal differences between a private road designed to create frontage and a driveway. It was noted that DOT's request to move the access point southward has created a situation where the most southerly lot would need the private road for frontage, even if it was possible to revisit the lot line adjustment.

Don Rhodes then suggested that Mr. Orvis create a new Sheet 4, showing the road designed to full town specifications. This would allow the Board to compare the two plans. He noted that the Board has granted some waivers on previous occasions, so there is some basis for granting waivers again in this location. It was agreed that aesthetics are an important issue here. Mr. Rhodes noted that the applicant is requesting substantial waivers, but also noted that there are degrees of waiver that might be appropriate. An on-site review to compare the two street construction plans, was suggested. Discussion of the possibilities for resolution continued. Mr. Leighton then asked why they needed so much road, since only a few feet of frontage are needed. He asked why the applicant could not build a simple spur area off Route 126, with the

driveways coming off the spur. Board members agreed that this would be sufficient and might solve many of the problems with the private road design, but suggested that the spur should be built to town standards. Finally it was agreed that Mr. Orvis will design the spur and provide two sets of plans—one to full town specifications, and one to reflect any waivers requested. The Board will gather at 7 PM prior to the next regular Planning Board meeting on September 2<sup>nd</sup> on site. Further discussion will take place at the next meeting.

The final order of continuing business was the application of ROBERT, ELAINE, and REBECCA WHITE for Non-Residential Site Plan Review for the Whitehouse Early Learning Center, 352 Province Road (Tax Map 8, Lot 75). Ted White had dropped of some additional information, including a small plan indicating the location of the existing parking, play yard, and outdoor lighting. Board members agreed to contact the Whites to say that the new plan is a good base map. It was suggested that parking spots and future parking areas should be added, as well as fencing, and a legend and title should be added to the plan. Paul Eaton noted concern for sight distance on the steep hill. It was also agreed that the parking situation is dependent on the center continuing as a day care, rather than serving as a school, because drop-off and pick-up times are staggered. Finally, it was agreed to double-check the septic capacity to be sure that the septic is adequate for the expanded center. Further discussion will be continued.

Board members then turned to several long-range planning projects. Board members reviewed a map showing tax parcels with 30%, 40% and 50% agricultural soils, prepared by SRPC. The Board has been considering using percentage of agricultural soils to define the agricultural soils overlay district. The mapping showed the result, and Board members agreed that they were not satisfied. Board members agreed to work on drafting a different solution to defining the overlay district. A work session will be scheduled in September to continue the project.

The Board has also submitted an application to the Piscataqua Region Estuaries Partnership (PREP) for a technical assistance grant in order to work on stormwater management and erosion and siltation control regulations. The Board had originally hoped to work on stormwater regulations with SRPC, but ARRA grant monies have run out. Noting that the Board hopes to draft stormwater regulations for inclusion in the subdivision and site plan regulations, which are adopted by the Board after public hearing, Board members unanimously agreed that they looked forward to working to draft some workable regulations. Lynn Sweet then made a motion, seconded by Mark Whitcher, that the Board go on record in support of implementing any regulations drafted as a result of the technical assistance project. There were no further comments and the vote was unanimous in the affirmative with no opposition. It was noted that this approved motion is the final piece of the Board's application to PREP.

Board members then reviewed recent correspondence. There being no further business before the Board, it was moved, seconded and voted to adjourn at 9:45 pm.

