

Minutes

Planning Board Meeting

March 5, 2020

Members of the Planning Board in attendance were Charles Moreno, Chairman, Phil Auger, Terry Hyland, Steve Leighton, Scott Young, ex-officio member, and Don Clifford and Donald Coker, Alternate members. The Chairman then called the meeting to order at 7:34 PM and announced the members present. The closing date for applications to appear on the agenda for the April 2020 regular meeting will be 5 P.M. Tuesday, March 10, 2020; revised materials for continuing applications must be submitted by Tuesday, March 24th. The Chairman advised 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 and that the meeting will adjourn by 11:00 PM. Board members agreed to postpone consideration of the minutes until after formal business.

There were no items of new business. The first item of continuing business was the application of MANDY YOUNG for two-lot subdivision of her property located at 633 First Crown Point Road (Tax Map 19, Lot 70). Rick Turner, the surveyor for the project, has requested an additional continuation to the next meeting. The Chairman advised that further consideration of the application would be continued to the next regular meeting.

The next item of business was the application of VERTEX TOWER ASSETS LLC for Non-Residential Site Plan Review for the construction of a telecommunications tower to be located on the land of the Bertha Huckins Revocable Trust, 22 Hillside Drive, off Huckins Road (Tax Map 11, Lot 4). Fran Parisi, representing the applicants, was present. The Chairman noted that this application has been before the Board for several meetings, and last month the Planning Board and the Board of Adjustment met jointly on the application. Tomorrow, the Board of Adjustment will be meeting on the applicant's requests for variance. The Chairman then noted that he had wanted a continuation of discussion so that the Board will know the outcome of tomorrow's Zoning Board of Adjustment meeting before beginning final consideration of the site plan application, because it is possible that the decisions of the Board of Adjustment might have bearing on the site plan. He said that Atty. Roman had asked Atty. Parisi for an extension, but he was reluctant. The Chairman then advised that he had requested a continuation of discussion on this application from the Board of Selectmen in accordance with NH RSA 676:4. Scott Young advised that the Selectmen granted the extension until April 3, 2020 at their February 25, 2020 meeting. This will allow the Planning Board to take up the site plan application at their April 2nd meeting, and will not pose an issue for the overall April 10th clock on the application. He noted that any changes or questions that come up in the next month should be forwarded to Atty. Roman. The Chairman then said that he would take a motion to continue discussion of the Vertex Tower LLC site plan application forward to the April 2, 2020 meeting. Scott Young so moved. Phil Auger seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. Discussion will be continued to the next regular meeting scheduled for April 2, 2020.

The next item before the Board was to open a Public Hearing on proposed Class VI Road improvements to Pig Lane in accordance with the Town of Strafford Policy Regarding Construction on Class VI Roads regarding a request from MARK and JANET MACIVER, who recently purchased land located on Pig Lane (Tax Map 12, Lot 7). Their property is located beyond the last house on the road traveling southwest from Parker Mountain Road and abuts the conservation land along the Isinglass River. They hope to build a new home on the upper part of the lot that was logged a number of years ago. Mr. MacIver has been working on the land to remove stumps. He advised Board members that he had received three bids for work on the road to improve access to his lot, and had chosen Radford Messenger Inc., who submitted the mid-range bid, due to their familiarity with the community. The Messengers began work but stopped when this public hearing was scheduled. Matt Messenger was present on behalf of Messenger, Inc. Several abutters were present, including David Roberts and Kelly Conway and Albert and Vickie Routhier. The abutters asked about the requirements of the Policy and what Class V (maintained town road) standards would entail. Steve Leighton advised that for new roads, this would mean a 20 foot width, pavement, ditches, and shoulders. The abutters asked about the difference between a Class V and a Class VI road, and Board members explained the Policy regarding new construction on Class VI roads. Mark McIver advised that they do intend to build eventually. It was noted that the Policy includes a minimum standard for the upgrade of Class VI roads that is similar to what would be required for shared driveways. This section of the road is quite steep. Mr. Leighton said that he would like to see erosion stone in the ditch lines, and a turn-around at the Fire Chief's discretion. Board members advised Mr. MacIver that the Selectmen must give their approval under RSA 236:11 before work can be done on the road because it is still a

town road. Board members agreed that they believe that the road right-of-way is two rods. Phil Auger asked if meeting the requirements of the Class VI Road Policy would be required for only a logging operation, and both Steve Leighton and Scott Young said that it would not. Donald Coker asked, as a clarification, if a building permit had yet been issued to the MacIvers. The Building Inspector, David Copeland, said no. Mr. Copeland indicated that the Fire Chief had said that he was okay with the grade of the road but that he did want an adequate turn-around area. Phil Auger said that he is still very concerned about the steep grade. Scott Young asked about the distance from where the residents now maintain the road to the MacIver's land. Mark MacIver said that it is about 450 feet, and that you would need to improve another 50 feet or so in order to build the turn-around.

Al Routhier said that he serves as the informal "road agent" for the neighborhood as he owns equipment and does maintenance on much of the road; he said that he is concerned about his own driveway and noted that the paved apron that Mark Silberman was required to have constructed at the intersection with Parker Mountain Road is already all cracked off. Mr. Routhier said that his biggest concerns come from the issues caused by increasing traffic. Dave Roberts noted that although he grew up here, he is new on the road as a homeowner, and agreed that they depend on Mr. Routhier. Scott Young asked if the neighborhood has a written agreement so that all the homeowners pay a certain amount toward maintenance. Mr. Routhier said that they do not have a written agreement. He said that Mark Silberman and Scott Hodgdon had the Messengers work on the top of the road recently, and that Mr. Routhier works on the bottom. Terry Hyland noted that he has visited friends on the road frequently over the years and that it has always been in good shape. He said that it is similar to the informal agreements for maintenance on Ridge Farm Road where he lives. Mr. Routhier noted concern about stone that has been placed in the ditch. Mr. MacIver said that he could also do work on the road as he has his own equipment.

Phil Auger noted that the Planning Board has to think long-term and look into the future beyond the current residents, noting concern about liability about uses of these roads, and the concern for example, about access for school buses and safety vehicles if there were special needs children in any of the homes, etc. Scott Young noted that the Town has allowed building on Class VI roads as long as the roads were brought up to standards and the Fire Chief approved the work. Donald Coker agreed, but came back to the issue of steepness/grade and noted his concern about stormwater runoff, given proximity to the river. Matt Messenger said that they are planning on using erosion stone starting at the Routhier's, but on the Roberts side of the road. Phil Auger said that aggressive ditching would be needed because these are Paxton soils and making another cut will be an issue. Charles Moreno said that he is concerned about equal treatment for all applicants. The MacIvers said that they do not intend to build any bridges and will access their land from the top end where the logging access was located. Mr. Moreno said that he is concerned that the minimum standards spelled out in the Policy will not be enough here and that he is concerned about the tax base of the town from a liability perspective. Scott Young advised that state law does not allow the town to spend money on Class VI roads.

The Fire Chief arrived and advised the Board that he had spoken with Greg Messenger, and that the Messengers plan to cut out the existing hump in the road by the MacIver land. Mr. Whitehouse said that he thinks that the grade of the road is not significantly steeper than parts of Whig Hill Road and said that there is space for a turn-out in the area that was used as a log landing when the MacIver land was cut a number of years ago. He said that he feels with these improvements that he can successfully navigate with a fire truck or ambulance, although he agreed that the road probably needs better drainage and surface. Matt Messenger noted that they had only worked two days on the road before stopping to allow the hearing to go forward on the proposal for new construction off the road. Scott Young said that he feels that the town needs to trust Greg Messenger, in his capacity as Road Agent, to decide if the minimum standards are enough or whether the road needs to be upgraded to a higher standard. There followed a general discussion of comparable situations. Matt Messenger said that they were planning on a travel width of 16 feet with two foot shoulders. Charles Moreno noted a concern about the depth of gravel, and noted that regular Town Standards require a certain depth of gravel although the minimum standards in the Policy do not. He said that he feels requiring the construction of a standard road base would be appropriate here given the grade. Steve Leighton said that they are going to have to put in 12 inches of bank-run gravel. Phil Auger advised that the gravel allows the road to drain underneath. Steve Leighton agreed that the Board has no authority to require certain standards, but that the Board makes recommendations. The Building Inspector suggested that the certificate of occupancy for any building be conditional upon the Road Agent and the Fire Chief being satisfied with the condition of the road. Scott Young asked the MacIvers when they propose to build, and they said in the next 2 to 3 years, but that they would like to get the road in now. Dave Roberts asked how maintenance would be assured. Board members suggested that the Pig Lane residents consider drawing up a written agreement. Mr. Roberts then asked what happens next. Scott Young explained that the next step is the Selectmen; the Selectmen will want the Fire Chief to be on board and will want to be sure that the road

will be built to the standards that the Road Agent feels is best for the road. Charles Moreno said that he wants to be sure that the requirements here are consistent with what was required for a gravel base when the Chadwicks were required to upgrade a section of Roberts Road. Donald Coker said that he is still concerned about runoff and drainage issues. Board members agreed that the steepness of the hill is a major concern. Issues with Whig Hill Road were noted. Phil Auger said that it is important that the ditches and erosion stone are in place in order to make sure that runoff does not get to Huckins Brook. Steve Leighton said that they should use 6 inch ledge pack for the base road. Phil Auger asked if a geotextile layer would help. Finally, Mr. Moreno advised the MacIvers and Pig Lane residents that despite their investments, they need to understand that the public way must remain open to the public. Al Routhier asked if they could have 'mud season' signs. All agreed that spring is coming earlier and that traditional mud season signs should be posted earlier than usual this year. Finally Dave Roberts asked if there is any conflict of interest issue between Radford Messenger, Inc. and the fact that Greg Messenger is Road Agent. Phil Auger noted that Strafford is one of the few towns left where the maintenance of the roads is contracted out. The financial benefits to the Town were noted, and Mr. Auger advised that Greg Messenger is one of the most respected Road Agents.

Scott Young advised that he would pass on that the Planning Board has suggested that the road needs to be built up more the minimum standards. He said that he would take the concerns of the Planning Board to the Board of Selectmen. Mark MacIver asked what he should do next. Mr. Young said that he should write a letter to the Selectmen asking for a permit to do work on the road; he suggested waiting until after mud season, so probably in three weeks or so. It was agreed that all of the items listed on the first page of the Policy application list should be included in his letter to the Board of Selectmen. Phil Auger then made a motion to close the public hearing. Steve Leighton seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative.

Board members then turned to the minutes of past meetings. Phil Auger made a motion to approve the minutes for the February joint meeting as presented. Scott Young seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. Phil Auger then made a motion to approve the minutes of the January meeting as presented. Terry Hyland seconded the motion, there was no further discussion, and the vote was again unanimous in the affirmative. Phil Auger then moved to adjourn the meeting. Scott Young seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. The meeting adjourned at 10:00 PM.