

Town of Epsom
Planning Board
6/10/09

In Attendance: Dan McGuire, Chairman; Phil Demeritt, Vice Chairman; John Keane, John Dodge, Jay Hickey; Betsy Bosiak, Alternate; Keith Cota, Selectman's Representative

Not in Attendance: Norm Gentry

Also in Attendance: Sharon Burnston; Deirdre Davis; Ronald Pinard; Jana Pinard; Brenda Lee Grant; Michael Hoisington; Marilyn Key; Roger Bennett; David Copson; Jim Wood; Richard Olson; Dick Gibson; Judith Gibson; Russell Bartlett; Vichelle Naugle; Stephen Naugle; Lee & Herb Bartlett; Dan Verville; Karen Hunt; Ray Dumont; Seth Bostock; Jeff Lewis; Joe Wichert; David Tucker; Lee Ransom; Amy Nichols; Jim Breagy; Neil English; Dan Weldon

6:40 PM Administrative Session

The minutes of May 30 were reviewed and amended. Betsy made a motion to approve the minutes as amended. Phil seconded the motion. All in favor.

The minutes of May 27 were reviewed and amended. Phil made a motion to approve the minutes as amended. John seconded the motion. All in favor.

Mail was reviewed. A letter soliciting interest in certain projects was received from CNHRPC. After a brief discussion it was decided that Dan will send a letter showing interest in a bike path on Black Hall Road. This is merely a letter of interest at this time.

We received a notice from DES that David Pelletier has applied for a permit to install a culvert crossing a roadside ditch to access a SF residence R2-56 New Rye Road.

7:00 PM Continued Public Hearing / Towle Farm Estates / 40 Lot Subdivision / Goboro Road / R13-36-1

A letter from Gordon Ellis was received with his comments, and was read. A letter was received from the Town of Chichester dated May 13 and was read. One of the concerns of Chichester is the traffic and they request more traffic counts. Their letter was slightly ambiguous and not clear if CNHRPC was doing the additional travel counts. Joe Wichert indicated that they were not notified of this being on the Chichester Planning Board agenda – and if they were – they would have had the opportunity to ask more questions. Dan will call Sharon at CNHRPC to see if they will be doing those additional traffic counts and when.

The latest plans that the applicant has provided tonight have very few changes from the previous plans.

Keith asked a question about the ditched area at the end of Lemuel Lane. Jeff Lewis stated that drainage issue has been resolved, and is reflected on the new drainage report dated May 15.

Karen Hunt expressed her concern about ice buildup on the road last winter.

Keith asked if any more water will be leaving the site after development than leaves the site now. Jeff Lewis replied no.

Judy Gibson asked if all the trees are removed, will all of the water run into the river. Jeff Lewis replied that only enough trees for construction will be removed. The excess water will be

collected in treatment basins before it's released into the wetlands. She asked who will maintain the basins and Jeff replied that these will be town roads so they will be maintained by the town. Approximately 13.5% of the vegetation will be removed for development. Judy Gibson doesn't believe the land is all build able.

Dave Copson asked if there are any zoning regulations that require more than one point of access. Dan McGuire replied that this is treated as a cul-de-sac and so there is nothing requiring a second entrance / exit to the development. Dan Copson asked if the set back requirements stay the same in a cluster subdivision as in a conventional subdivision. Dan McGuire replied yes. Dan Copson asked if the common land is open to the residents of Epsom. Betsy replied that yes it is open to the residents; however the board still needs to address the access point.

Jay asked who they met with at DES – Jeff Lewis replied they met with Bill Thomas & Mark Kerns. Jay asked if all driveways will meet our driveway regulations. Jeff said he'll have to review our regulations again to be sure, but he knows their intent was to meet our regulations. Betsy and Jay expressed their opinion that no waivers should be granted for driveways on this subdivision. After a brief review, Jeff stated he does not have a copy of our current driveway regulations. Dan provided him with a copy and Jeff said he'd have to revise the plans.

Keith stated he would like to see which lots have no flexibility due to lack of contiguous build able area so that conditions can be placed on those lots (lot 37 is a good example of this). Joe wants to be sure that some flexibility is retained for the person who is building their home.

Amy Nichols asked if the town has a minimum lot requirement. Dan replied that new homes require 2 acres & 200' frontage, however there are special criteria for a cluster subdivision and he explained this to her.

Lee Ransom asked who pays the taxes on the common land. Seth Bostock replied that whoever owns the land (the conservation management company), and also this land will be in Current Use, so the taxes will be decreased.

Jim Breagy asked what size homes will be built. Dan replied that it will be up to the person who purchases the lots. Betsy replied that the developer may build a spec house, or he may not. The lots can be sold to the buyer and he can build his own house.

Jim Wood asked for confirmation that the common land can never be developed.

Neil English asked if on a 2 acre lot we require 1 acre contiguous build able area – what is the requirement for a 1 acre lot? Betsy replied that all lots must have one acre of contiguous build able area.

Karen Hunt asked how many building permits are issued per year by the town. Jay said last year there were 25 permits and a developer is only permitted 20% of those permits. Seth Bostock stated that they intend to build this development in phases – developing only about 7 lots per year. A phasing plan has not been presented yet. Karen asked about the road and who will maintain it until the development is complete. Seth Bostock replied that the developer is responsible for maintaining the road until it is accepted by the BOS as a town road.

Keith asked them to look at their frontages on the arc to be sure they meet the 100' requirement. Joe said they show both the arc and the chord measurements on the plan. A review of the plans show only the arc dimensions. Joe will add the chord dimensions.

Dan read a letter to the public received from Laurie Littlefield of Chichester and Roger Bennett of Epsom read a letter that he wrote to the Planning Board... both letters in opposition of the development.

Dan explained that we cannot deny an application based on abutter opinion – we must follow law & regulations and if they meet all requirements – allow the development.

Dan provided his opinion in favor of development rights. Phil wanted the public to understand that Dan's opinion is his own & not necessarily that of the board. Jay called attention to our growth ordinance which helps to control growth.

Marilyn Key asked how many more potential developments are before the board. Dan replied there are currently two – one a 3-lot subdivision, one 25-lot subdivision that have not been approved yet.

Dick Gibson asked how many more developments can be built in Epsom. Jay replied there are between 125 – 150 developable lots.

Joe Wichert stated that Russell Bartlett owns this property and it has been in his family for 120+ years. He would like any input from the board regarding off-site improvements and would like to meet with Keith next week.

Phil stated that he would like additional road signage to notify people of the approaching development, and a streetlight at the intersection. Betsy said the road inventory in the town needs to be reviewed to see where on the list Goboro Road is for improvements. She suggested that our engineer needs to ride the road, along with the Road Agent and a Planning Board member (Jay offered to do this) to compile a list of recommended improvements. Keith suggested that the Chichester Road Agent be included in this road review.

Russ Bartlett said he will put money in escrow to pay for the road review. Keith suggested that we contact SFC and ask for a scope of work to determine how much money will be required for escrow to pay for this road review.

Betsy made a motion to allow Dan to ask SFC for the escrow amount required for review of Goboro Road, Depot St., Chichester and the Rte 28 intersection. John Dodge seconded the motion. All in favor.

Phil made a motion to continue this Public Hearing to July 8. Betsy seconded the motion. All members were asked if they can be in attendance at July 8 meeting to ensure a quorum, and there will be a quorum. All in favor.

9:30 PM - 9:45 PM BREAK

9:45 PM Public Hearing / Dan Weldon / R15-2 / 304 North Road / 3-lot subdivision

Phil made a motion to open the public hearing. Jay seconded the motion. All in favor.

Dan Weldon and Ray Dumont own this property. Joe stated that this plan is to create 3 lots, each over 5 acres - one lot will retain the existing home. Mike Sereikas, (Wetlands Scientist) has met with the Conservation Commission and they have signed off on the Dredge and Fill permit, which should be received in the next month or so.

Dan Weldon removed an evergreen bush and limbed a couple of trees that were obstructing the line of sight on North Road. Per the board's request, the driveway width was increased to 14' and the pipe size has been increased for a 50 year storm. There are a couple of large pine

trees that are obstructing the view as well, and Dan Weldon has offered to remove those. He has provided driveway profiles for the two new lots.

Phil asked if the 2 new lots can have a shared driveway. This is also a question from Gordon Ellis. The applicant does not want to have a shared driveway, as he feels it's less marketable. He is willing to move the driveway closer to lot 2-1, however it will incur a larger wetlands crossing. Joe also stated that the two driveways as proposed do meet our regulations. Keith feels the Board needs to be provided with the plan-o-metric picture of the driveway profile of lot 2-2.

Keith also noted that on lot 2-1 it shows a 0% grade. Joe said he would correct that.

Phil feels that the traffic travels too fast in that area, and it reduces line of sight with the driveway on lot 2-2. Neil English said that he was on the Planning Board when the development on North Road was built. The current Hoisington driveway was supposed to be built off Ox Lane – however there were a lot of problems with the plans and not all conditions were followed. He also noted that an existing rock wall obstructs the line of sight as well.

Keith wonders if the existing driveway will meet our regulations; even though it is existing, it is part of this subdivision and this would be an opportune time to correct a safety issue.

Test pits have been done on all 3 lots. Jay asked if they would show a septic design – but Joe stated that they have indicated a 4K area and a test pit that indicates a system can be placed there. Keith feels that a replacement system should be designed for the existing house lot, or place a condition that if the existing system fails then the replacement systems should be built in that designated 4K area.

Betsy asked if any of the existing buildings will be removed. Dan Weldon replied that they may remove the old shed, but he is not going to tear down any of the other buildings.

Ron Pinard, abutter, likes the idea of the shared driveway. He doesn't like the driveway on lot 2-2 being near Little Bear Brook, as he feels it will add too much water to Little Bear Brook.

Lee Ransom is concerned about traffic – as he feels it is very unsafe as it is, and adding two new homes is going to make it worse. He is also concerned about a driveway that gets washed out during normal rainfall and will these two new lots make it worse. Joe replied that they have provided designs that meet town regulations. He said the change in water is nominal.

Jay made a motion to require a shared driveway between lots 2-1 and 2-2 for these reasons:

- *most appropriate use of land

- *Promote health & safety

- *Conserve natural resources

Phil seconded the motion.

Discussion on the motion:

Betsy is concerned that this would affect property values. If it were a very short driveway she wouldn't be so concerned. This driveway is 150' long, so she is concerned about it.

Dan Weldon is very much opposed to a shared driveway. Joe also stated that Phil's opinion is that the problem is people are exceeding the speed limit in that area, not necessarily that the line of sight isn't there.

There was a discussion about how this will affect property values. Several people stated their opinion about shared driveways.

Keith feels that Jay's motion is premature. The applicant will be providing this board with additional information about the driveway, and perhaps we should wait to see that additional information before making such a condition. Betsy agrees.

Jay withdrew his motion. Phil withdrew his second to the motion.

Betsy would like to see some vegetation planted between the driveway and the property line.

Michael Hoisington said currently, when it rains, his front lawn floods and wants to be sure that when the new driveway is designed on 2-2 it will not increase flooding.

Phil made a motion to continue this public hearing to June 24. Betsy seconded the motion. All in favor.

10:55 PM Old/New Business

The Medical Center will be inspected by SFC on Thursday, June 11. There was a brief discussion regarding their advertised opening date.

Keith stated that the BOS has encountered several issues with driveways, so they asked Tony Soltani to draft some Driveway Regulations, which he has provided to this board tonight, and would like the members to review & provide feedback. After all feedback is filtered it will be brought back to the Planning Board for adoption. Once the Planning Board adopts these regulations, they would be added to our ordinances. (Driveways RSA 236:13)

The BOS will also be asking us to adopt an ordinance relative to Gravel Pits (RSA 155E).

11:10 PM Phil made a motion to adjourn. Jay seconded the motion. All in favor.