

Town of Epsom
Planning Board
8/12/09

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

Also in Attendance: Kathy Bailey, Hooksett Banner; Marilyn Key; Rhonda & Harold Estabrook; Rachel Clement; Stewart Yeaton; Joe Wichert; Jeff Lewis; Seth Bostock; Russ Bartlett; Vichelle, Stephen & Lauren Naugle; Robert Elliott; David Vincent

6:35 PM Administrative Session

Phil made a motion to approve the minutes as written. Jay seconded the motion. All in favor.

Jay noted that in reference to our last meeting, Dan Weldon still has not paid his taxes or filed the Mylar. Joseph Downey has removed the signs from his party. Jay spoke to the owner of the property where Ken Archambault lives, and he agreed to clean up the scattered equipment on his property.

Mail was reviewed.

There was a road safety audit done by Gordon Ellis & Dave Fiorentino (at the request of the Planning Board), in the area of the day care center on Goboro Road, to evaluate if it would be appropriate to decrease the speed limit in that area. It was determined that there was not enough evidence to support lowering the speed limit in that area.

A Dredge & Fill Application has been received for the repair of the bridge on the Epsom Deerfield Town Line on Route 107.

A notice from Epsom Farms has been received that they are beginning the road work on U6-19. Keith noted that more money will need to be deposited into their escrow account.

6:55 PM Hazard Mitigation List

Phil reviewed in detail the Evaluation and Implementation of Action Report as part of the Hazard Mitigation Plan. There are 37 areas that need to be addressed. There was a brief discussion about the items that the Planning Board is directly responsible for. Phil suggested that we review zoning regulations at our meeting on September 23 and October 28, which will be exclusively for this purpose.

7:20 PM Public Hearing / Towle Farm Estates / R13-36-1 / Goboro Road

Phil made a motion to reopen the continued Public Hearing. Jay seconded the motion. All in favor.

Chief Stewart Yeaton is in attendance, at the request of the Planning Board. Dan asked Chief Yeaton about the Fire Department's recommendation to install a cistern before any C.O.'s are issued. Chief Yeaton said that because of the location of the development, it is crucial to have water on site in case of a fire. He said they have had problems in the past with developments that have a condition to install the cistern after 5 C.O.'s are issued – but if 4 homes are occupied and it is several years before the 5th one is occupied...then it is years that a development is

unprotected. The recommendation is a 30,000 gallon cistern. He said on average there are 6 fires annually. Russell Bartlett said that in our regulations it states that cisterns may be required for developments of 10 or more lots, but it is vague as to the time line of when it should be built. Although he appreciates fire safety concerns, he feels this is a large expense to incur upon occupancy of the first house. He would like the Planning Board to consider past decisions when making its decision. Joe Wichert referenced some past developments and asked that the Planning Board and Fire Chief to be flexible in its requirements for the installation of the cistern. Jay asked Chief Yeaton if the FD would be satisfied with sprinklers in the first couple of homes before the cistern is installed. Chief Yeaton replied that previous discussions with the board have steered away from sprinklers due to homeowners not having them inspected, the tanks being emptied, etc.

Keith verified with Chief Yeaton the style and proposed area for the first cistern in this development. Keith also noted that our subdivision regulations say that cisterns can be required at the determination of the board for developments under 10 lots.

Stewart Yeaton said this is a public water source, so it can be used when there are fires in the area – not just in this development. There is also a benefit to area homes, as insurance rates are often reduced when there is a cistern installed in the immediate area.

Sharon Burnston thought that perhaps the neighbors who have been in opposition of this development may appreciate the extra safety measures that are being taken by the developer, which may directly benefit them.

Joe Wichert strongly requested that they be allowed to work with the Fire Chief to come to a different decision. It was decided that if the Fire Chief comes to a different decision, he can come back before the board with his recommendation.

Phil made a motion to support the FD recommendation of installation of the cistern upon issuance of the first CO, if the development is approved. John Dodge seconded the motion. All in favor.

Russell Bartlett has prepared a list of proposed off-site improvements, which he would be willing to pay 100%.

*Right turn lane on Route 28 \$35K

*Signage @ corner of Goboro Road \$2

*Solar light at intersection of Goboro Road & Lemuel Lane \$Unknown

*Cut Road, reconstruct road & ditch on north side from corner west toward bridge \$15K

*Cut Road, reconstruct road & ditch on south side from corner west toward bridge \$15K

*Overlay pavement from corner west toward bridge \$25K

Dan noted that none of the items listed above were items recommended by either the Chichester or Epsom Road Agent.

Joe presented their phasing plan, which calls for 6 phases, and will likely be 5 lots per year.

Phase 1 = 2 lots

Phase 2 = 5 lots

Phase 3 = 8 lots

Phase 4 = 4 lots

Phase 5 = 7 lots

Phase 6 = 14 lots

Joe explained the build-out of the road and stated that upon completion of Phase 3, perhaps the road could be roughed through the rest of the development and at the board's discretion could have a gate installed to prevent thru traffic, but would be there for emergency access use. However with the gate installed, it would not be plowed in the winter. Seth Bostock explained their proposal for a rolling bond for the road. Keith said he would not be supportive of the rolling bond as described. If they want only part to be bonded per phase, then he would want to approve the subdivision in phases as well.

Russ said he'd like to be able to reconsider the phasing so that both he & the Planning Board will be satisfied. He understands that the Planning Board wants a guarantee on the full build-out on the road. Phil stated his opinion that he wants the entire road bonded, because if the project ends after Phase 3, it becomes cul-de-sacs. Seth does not agree that this project would result in cul-de-sacs because the project could be sold and the road would be completed. Russ stated that bonding the entire road would be an extreme financial burden.

Keith asked if the road would be completed before the expiration of the wetlands permit, which expires in 2014. Our zoning regulations would require it to be complete within 4 years, but the GMO doesn't allow the project to be completed in 4 years. Keith said it would be up to the Planning Board to grant waivers and the BOS to approve the waivers.

Keith recognized the financial burden on the developer, but also noted the burden that would be placed on the town should the developer not be able to complete the project.

Keith also noted that Phase 2 is in the steepest part of the development, and this could cause some maintenance issues.

Jay stated that typically the Town doesn't accept the roads until they are completed, and Seth Bostock agreed. Betsy also referenced another development in town that the road is completed, yet the Town has not accepted the road. She also cautioned that all conditions be put in writing, and put on the plan, in case the project is ever sold. Seth Bostock agreed.

Betsy's recommendation is to bond the entire road. Joe said they'd rather adjust the phasing than be required to bond the entire road. Jay also noted that they would need to go before the ZBA for building permits above the allowed number for a developer per year. Seth agreed that they can only be issued the number of allowable building permits, they are not asking for anything beyond that.

Vichelle Naugle noted that her concern – along with many of her neighbors – is not the right turn lane turning onto Goboro Road, it's the left turn lane going south on Route 28. She is also concerned about their phasing plan; all the construction noise, etc. and the road being repaired, then heavy equipment traveling over it.

Seth noted our regulation that allows for a temporary dead end street.

Joe would like to go back and do some more work on this and then come back next month.

Seth asked the opinion of the board about bonding the Y (phase 1-3), then completing the back part of the road.

Yes – Dan

No – John D, Phil, Jay

Undecided – John K, Keith, Norm

Joe stated he has the final comments from SFC and wanted to know if Keith was in agreement with them. Keith said as long as the changes were made, then yes.

Russ asked if SFC would need to review the phasing plan. Keith said to some extent, yes. Dan also stated that they will need to put more money in their escrow account and Russ acknowledged that.

Seth asked if the Planning Board would be supportive of him meeting with Town Counsel to develop the Conservation Easements. The Board would like Seth to prepare them & send them to us to look at and forward to Conservation Commission for review.

Russ said he's planning to do a timber harvest before the end of the year. Dan Reed is the forester.

Phil made a motion to continue the Public Hearing to September 9, 2009. Keith seconded the motion. All in favor.

9:15 PM Site Plan Inquiry / Cobblestone / U8-102 / Unit D-4 / Yong Zhou, Digitex, Intl

Joe Wichert stated that this unit is potentially being sold to Digitex, which was granted a Special Exception by the ZBA last week. He is requesting that a Site Plan Review be waived. The manufacturing is done inside; there is no public traffic, just Fed-Ex deliveries. The manufacturing is assembling printer heads.

Jay said they would be complying with the established site plan, it required a Special Exception due to it being manufacturing. He does not feel a Site Plan Review is necessary.

Dan informed Joe that \$1200 is due in tax money.

Jay said once the taxes are paid, the permit is issued, then the health officer & FD will do the inspection.

Phil made a motion to concur that the use is permitted in the previous site plan, and upon receipt of taxes and approval by the Health Officer and Fire Department, and provided all ZBA conditions are met, the permit can be issued. John Keane seconded the motion. All in favor.

9:25 – 9:30 Break

9:30 PM Informational / 2-lot subdivision / Robert Elliot / U11-2-1 / Black Hall Road

David Vincent presented this subdivision plan. This is directly across from Towle Pasture Road. It is a 4 acre lot with 400' of frontage. Wetlands had been flagged, but the markers were taken down when the field was mowed. Jay stated that they need to use the wetlands delineation markers. There is an area of old pavement on the property, but the majority is open field. They propose using a driveway easement across lot 2-1A to access lot 2-1B. There are two family cemeteries located on Lot 2-1A.

Test pits have been done. They have not applied for any permits, pending Planning Board approval.

Betsy asked about contiguous build able area. David said he did not put it on the plan, but there is one acre of build able on each lot.

There was a brief discussion about whether they would use Town Water or the wells on site.

Dan asked if the line dividing the properties could be straighter, but David explained due to build able area, the line has to be jagged as shown.

Betsy said she'd like to see the deed to the property when he comes to Public Hearing.

David will bring the following to the Public Hearing:

*add buildable area

- *check 10 degree area of property line
- *wetlands placards
- *check for town water accessibility

9:50 PM Review & approval of the Lake View Road Maintenance Agreement / Harold Estabrook

The Road Maintenance Standards were presented for review & approval of the Planning Board, and then will go to the BOS for approval. Phil expressed his concern that the road is very narrow, and he had difficulty with his work truck – and said an ambulance would not be able to make it through in the winter.

Keith said this property was before the ZBA for a variance for expansion beyond 25% and a change in use from seasonal to full-time use. As part of their approval, they needed to establish a Road Maintenance Association. The road length is approx 1600' from Chestnut Pond Road to the end of the 17th lot. All 17 lot owners are members of the association. Jay asked Mrs. Estabrook to send copies of the minutes of the past couple years of annual meetings to him. Mrs. Estabrook stated she is very proud of the improvement in the road over the years. She said every year they have their water tested & it is good quality.

Phil would like to do a site walk. A site walk has been scheduled for Saturday, August 15 at 9:00 AM.

10:15 PM Phil made a motion to adjourn. John K seconded the motion. All in favor.