



PLANNING BOARD
Town of Greenland • Greenland, NH 03840
11 Town Square • PO Box 100
Phone: 603.431.3070 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE PLANNING BOARD MEETING

Thursday, June 20, 2019 – 7:00 p.m. – Town Hall Conference Room

Members Present: Frank Catapano, Stu Gerome, Steve Gerrato, David Moore, Rich Winsor, Catie Medeiros (Alternate), Vaughan Morgan (Alternate), Steve Smith (Selectmen’s Rep)

Members Absent: John McDevitt, Bob Dion (Alternate)

Staff Absent: Mark Fougere – Consultant

Also Present: Laura Byergo – Conservation Commission Chairman

Chair Winsor opened the Planning Board public hearing at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Projects of Regional Impact

There were no projects of regional impact to discuss.

2. Conditional Use Permit: 19 Birch Point [Map R14, 4 – Residential Zone]

Owner/Applicant: Porat Family Trust – Thomas Porat, Trustee

Demolish a portion of the existing single family home and build an addition within 100’ of the upland tidal buffer zone and Town wetland setback. A reinforced sea wall will also be constructed.

Joe Coronati, Jones and Beach Engineers and representing the Porat Family Trust, addressed the Board. Also present were Tom and Deb Porat, owners/applicants; and Rob Carty, TMS Architects. The property is located on the very tip of Birch Point on Great Bay. The property is surrounded by water, very steep in places and retaining walls that were built over 100 years ago. It’s a historic property that’s been added onto many times. The Porat’s are proposing to remove the old house, decks and patios. The part of the house built in 1972 will stay; an addition will be built.

The Conservation Commission reviewed the NHDES Wetlands Permit Application at their meeting on Wednesday, June 12, 2019, and supported the application. The entire lot is in the Town’s 100’ tidal marsh buffer and the State’s 100’ upland tidal buffer. The property has been walked with Eben Lewis, NHDES. He was comfortable with the proposed changes; they have not received the Wetlands Permit. The plan is to stabilize some of the banks of the property. It’s extremely steep down to the water and is heavily eroded. E. Lewis agreed to the use of riprap in this location because of the ice and wave action.

J. Coronati reviewed the plan with the Board. All the impervious area was accounted for; there was a reduction in the impervious area on the lot. It’s approximately 750 sq. ft.; they are also moving back from the edge of the water. The separation to Great Bay is being increased. The house will remain on septic and well. There is no work being proposed to the other structure on the property.

DRAFT – SUBJECT TO CHANGE

MOTION: F. Catapano moved to accept the Conditional Use Permit application for 19 Birch Point as complete. Second – S. Gerrato; all in favor. MOTION CARRIED

They are currently not proposing any alterations with the walkway out to the water. They will be going back to DES for a dock; it was recommended to split up the applications. L. Byergo stated that the Conservation Commission did approve the Wetlands Permit Application. They also questioned the riprap as well as other alternatives. She continued that riprap diverts the energy to other parts. It's less likely to be eating in on the ledge side. The applicant is pulling back slightly and has reduced the impervious surface. The Conservation Commission didn't ask about the septic system. L. Byergo stated it was a difficult site.

J. Coronati explained that the septic was in front of the house. T. Porat noted that was the proposed rebuild of the system and pointed out the present location of the tank on the plan. There is also a leach field; however, T. Porat did not know that location. The well is located at the edge of the property.

Chair Winsor questioned the amount of vegetated damage or destruction that will result in the shoreline work and the proposed remediation plans. J. Coronati responded there a couple of large trees on top of the property. They will be removing an 18" maple located on the edge of the construction; the rest will remain. There is access down to the shoreline and a paved boat ramp. Equipment will have access from below and was preferred by Eben Lewis. Some brush (undercutting) is starting to fall into the water. J. Coronati continued they can discuss options for above the line of the wave action with E. Lewis. Loam could be added to allow vegetation in the area above the wave action; the area below is continually hit by waves. The area on top is nice lawn; the slope is so steep, it's unusable.

Chair Winsor asked if the buffer would be returned to natural or if there would be riprap. T. Porat explained they lose land if the winter is hard. The brush breaks away when the dirt collapses. Chair Winsor asked L. Byergo if the Conservation Commission looked at that aspect and the infiltration leaving the site. L. Byergo stated if fertilizer and pesticides are used, there are no buffers. The Conservation Commission would recommend they dramatically reduce, or not use, either. They did discuss the buffer and offered some suggestions. J. Coronati stated it's not necessarily riprap; they'll be using large boulders to match the existing retaining walls. If the slope was stepped, trees would have to be cut down; they're trying to save the trees, save the area that was undermined and build out.

Has the existing septic been tested and evaluated? The site plan was done before the Porat's purchased the property. The Porat's had the septic looked at when it was pumped. Chair Winsor recommended having the septic tested at the same time the site was disturbed. S. Gerome stated he would like to see a proposed new system. Test pits have not been done. J. Coronati pointed out a proposed location for a new system, which would be within the well radius. The State doesn't require a septic design; S. Gerome stated it would be important for him to understand the site with a new system. J. Coronati stated a pocket plan would have to be done if they were expanding the house. The State doesn't require a plan because they're contracting the house. He felt a waiver from the State's rules may be required for the setback from the water or the well radius. Because the property is on the water, there should have been a site assessment as well as an evaluation of the septic. They will provide documentation to the Board.

S. Gerome's concerns were: what would a replacement system be like and is there a way to manage the stormwater coming off the site. J. Coronati responded the house is the closest thing to the water; they have roof runoff; the driveway is away from the water; a row of hedges is proposed along the top of the bank to provide a little buffer; there will be a landscaped area with a little less lawn; there's a retaining

DRAFT – SUBJECT TO CHANGE

wall because of the terraced situation. They will look at the roof water in the areas that are landscaped going to a stone drip edge to try to infiltrate the water and capture it.

F. Catapano was fine with the project: they were reducing the impact area and trying to take care of the slope. He was also concerned about the septic. C. Medeiros asked how much land they've lost since living there; T. Porat estimated 2.5'. C. Medeiros was also concerned about the septic, adding it was a tough lot. S. Gerrato was in agreement about the septic and felt it should be dealt with first. He thought it may end up being a raised system and should blend the house with the system. He asked how much of the wetlands were being impacted. J. Coronati stated technically none; they were technically working above the high tide line (the upland tidal buffer zone, the 100' buffer from the highest tide line which is controlled by DES).

Chair Winsor opened the hearing to public comment. There being none, he closed the public hearing and returned to the Board. Chair Winsor stated he would like to see some data come back on the septic as well as the approved Wetlands Permit. He also wanted the Planning Board Engineer to review the project and verify the results. The Board also wanted a plan for roof water capture and retention. S. Gerome would like to see the site assessment. J. Coronati clarified that the Board wanted additional information on containing the roof water capture and retention, what could be done to slow down the runoff and the treatment of water in the front spot with the boulders, details about the septic and an evaluation of the existing. The Board may also ask for an alternative plan for the septic.

MOTION: S. Gerome moved to continue the Conditional Use Permit to Thursday, July 18, 2019. Second – F. Catapano; all in favor. MOTION CARRIED

3. Preliminary Conceptual Consultation: 705 Post Road [Map R3, 7]
Owners: Richard and Ronald Henderson
Applicant: Ambit Engineering, Inc.
Subdivision of one lot into two; one two-family home to be built on each lot.

Don Cook, DD Cook Builders, addressed the Board. He has an option on the property at 705 Post Road. Also present was Paul Dobberstein, Ambit Engineering. The parcel is approximately 5.8 acres, located across the street from Sanderson Pond. There is 385' of frontage, shy of the 400' needed for two traditional lots. D. Cook is proposing two lots for more affordable housing by creating two conforming duplex lots. They are planning to raze the existing house.

The current driveway location is unsafe and will be eliminated with the subdivision of the lot. D. Cook has met with Kerry Locke, NHDOT and walked the property. They were in agreement that if allowed to create two lots, there would be a shared driveway located at the top of the knoll. There would be a significant line of sight from there, with 600' to 800' in either direction. The plan calls for single car garages in an effort to get away from the lineal look. By adding landscaping and fencing, it will soften the look of the duplex.

There is still a significant amount of work to be done, and D. Cook was hoping to get a consensus from the Board about the back lot option. They would like to subdivide the property under the back lot ordinance. The current flood line is through the middle of the lot, which may be inaccurate. The high water mark is not near the existing line.

P. Dobberstein stated that a major area of concern during his discussions with the Planner was the flood line. It's located in Zone A, which has no base flood elevation. There are preliminary maps out; that map significantly reduces the extent of the flood zone by following the brook much closer. The

DRAFT – SUBJECT TO CHANGE

Mother's Day flood was at approximately 52.1'. Ambit Engineering is working on a flood study. They will then apply for a Letter of Map Amendment from FEMA in order to remove significant portions of the property from the flood zone. Any development in that area would not require compliance with the flood plain development. They were able to get three good test pits on both lots. P. Dobberstein also mentioned that the sight distance at the current driveway is not good. Moving the driveway allows a high point going both ways. There is an existing easement to the back property.

V. Morgan asked D. Cook what he considered affordable housing. D. Cook responded it would be the lost priced house that could be built.

D. Cook pointed out that the back lot requires a 20' access; they were proposing a 50' access. They would like to keep the trees between the proposed access and Maya Way, creating a significant buffer. Chair Winsor was unsure if the Planning Board had the authority to do that. There was a discussion about the 50' access. F. Catapano stated he was more concerned about the sight distance. S. Gerrato stated the topo's may be incorrect.

The stream is in the Winnicut River Watershed and flows under I-95. They don't anticipate any challenges with the setbacks/buffers; there is no proposed impact. They have 60,000 sq. ft. of uplands; 90,000 sq. ft. total for duplexes. Lot 1 is projected at 90,000 sq. ft.; Lot 2 is 163,800 sq. ft. with 76,000 sq. ft. of uplands; Lot 1 has 79,000 sq. ft. of uplands.

The State has reviewed the sight distance. D. Cook hasn't made a formal application; however, the site has been reviewed by District 6. D. Cook would like the consensus of the Board regarding the back lot before moving forward.

Chair Winsor recommended getting the 20' access through engineering. The Board didn't see any issues with the proposed project. Chair Winsor didn't think the Board would have the ability to grant a 70' access; they would have to go the ZBA, but would verify that. He suggested putting a little corner on the existing house lot, adding an extra 50' to 60' of land, and reducing the frontage down to 20' at the entrance point. They could increase it to 70' immediately upon entering; right by the road would be impacted. M. Fougere will be asked for his opinion.

The Board had no further questions.

4. Master Plan Survey Update

The Board was given a brief update on the Master Plan Survey results; members received a copy of the results.

5. Approval of Minutes

MOTION: S. Gerome moved to approve the minutes of Thursday, June 06, 2019. Second – S. Smith; six in favor, two abstain (D. Moore, V. Morgan). MOTION CARRIED

6. Approval of Invoices

There were no invoices to approve.

DRAFT – SUBJECT TO CHANGE

7. Other Business

F. Catapano noted the 20' regulation discussed for 705 Post Road in part of the Subdivision Regulations and can be waived by the Planning Board. D. Cook will be notified.

8. Thursday, July 04, 2019 Meeting Date

There will not be a meeting due to the holiday. The next meeting will be a public hearing on Thursday, July 18, 2019.

9. Adjournment

MOTION: F. Catapano moved to adjourn at 7:57 p.m. Second – S. Gerrato; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, July 18, 2019 – 7 p.m., Public Hearing, Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Administrative Assistant

Approved: _____