



**PLANNING BOARD**  
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**MINUTES OF THE PLANNING BOARD MEETING**

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Thursday, October 17, 2019 – 7:00 p.m. – Town Hall Conference Room

Members Present: Frank Catapano, Stu Gerome, Steve Gerrato, John McDevitt, David Moore, Rich Winsor, Bob Dion (Alternate), Steve Smith (Selectmen’s Rep)

Members Absent: Catie Medeiros (Alternate), Vaughan Morgan (Alternate)

Staff Present: Mark Fougere - Consultant

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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.

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 applicant, addressed the Board. The proposal was to tear down a portion of the house and rebuild a smaller addition. The area will be less pervious than the existing. Lot loading calculations have been done with the existing well; a new septic system has been designed with advance treatment (SeptiTech). The result is a two bedroom septic design rather than a three bedroom due to the well radius.

The Board had questioned the drainage. They have added stone drip edges around the building. Stone drip edges are also proposed to allow infiltration of stormwater from the roof. An eco-paver style patio is planned. The blocks may vary but the stone will be able to accept the stormwater.

J. Coronati explained the septic system and pointed out its location. There will be two tanks: one for the septic tank and one for the SeptiTech treatment portion. The house and driveway layout are the same as the original plan. The only changes are the patio treatment (eco-pavers), adding the septic and the stone drip edge. There was a request to have a loamy or humus area added to the riprap so vegetation would grow above the high water line. Part of the riprap area will have loam and plants, allowing it to be vegetated; the riprap will be underneath to help support the steep embankment.

The plans were sent to Eric Weinreib, Altus Engineering and Planning Board Engineer; a review was not available at this meeting.

## DRAFT – SUBJECT TO CHANGE

Chair Winsor opened the hearing to public comment. There being none, he closed the public hearing and returned to the Board. Chair Winsor stated the Board could approve the application contingent upon review by the Planning Board Engineer; if there were any concerns, it would come back to the Board. M. Fougere recommended if the Planning Board Engineer or Planning Board Consultant felt changes were outside what was previously seen, the applicant must return to the Planning Board. The site did not lend itself to major changes. Outstanding permits include septic and wetlands.

MOTION: S. Gerrato moved to approve the Conditional Use Permit for 19 Birch Point with the following conditions: all State approvals and permits must be received. This approval is contingent upon plan review by the Planning Board Engineer. If any significant changes are noted by the Building Inspector, Planning Board Engineer or Planning Board Consultant, the applicant must return to the Planning Board. Second – B. Dion; all in favor. MOTION CARRIED

S. Gerrato questioned J. Coronati about the SeptiTech system. J. Coronati felt this system was a good model. Great Bay has nitrate issues; the SeptiTech system takes care of nitrates. It's a good product that's made in Maine. There is a yearly contract with the company; they will maintain it every annually. The system should be above the flood plain. There are re-circulating pumps and filter media in the second tank; J. Coronati explained how the SeptiTech system works.

3. Site Plan Review: 1440 Greenland Road [Map R21, 44A]  
Owner/Applicant: Lowe's Home Centers, LLC  
The owner/applicant is requesting a reduction of 83 parking spaces. Section V – Design and Construction Requirements, Subsection 5.11.2 – Require Spaces, of the Site Plan Review Regulations requires one space per 200 sq. ft. of gross floor area. The additional spaces will be used for outdoor storage.

M. Fougere informed the Board that Lowe's Home Centers, LLC, had withdrawn their application. A letter was submitted requesting to withdraw; no Board action was required. M. Fougere stated there was a new CEO with the company; they're in flux and don't want to come to the Board until they have an idea what they want to do.

4. Subdivision of Land: 125 Dearborn Road (Map R12, 12)  
Owner: Martel Realty Trust  
Applicant: Greg DuBois, Jr.  
The owner and applicant are proposing to subdivide a 1.38 acre house lot for a single family residence from a 23.5 acre parcel with frontage on Dearborn Road.

Greg DuBois, Jr., applicant, addressed the Board. G. DuBois was proposing to subdivide an existing 23.5 acre lot to build a single family home. He requested a waiver so he does not have to survey the entire property. M. Fougere stated the parcel to be subdivided is on the edge of the property.

MOTION: J. McDevitt moved to accept the application for 125 Dearborn Road (Map R12, 12) as complete. Second – S. Gerrato; all in favor. MOTION CARRIED

There is a house on the existing parcel. Two test pits have been done on the parcel being subdivided. Test pits went down 72"; there was no water table or ledge. M. Fougere stated the only other issue he saw on the plan was that the elevations were assumed; Greenland's regulations require 2 ft. contours. He continued that it is a flat piece of property. S. Gerome and F. Catapano both agreed they would like to see the topo's on the plan.

## DRAFT – SUBJECT TO CHANGE

Chair Winsor opened the hearing to public comment. There being none, he closed the public hearing and returned to the Board. Chair Winsor stated that the Board would like to see topo's added to the plan.

MOTION: S. Gerome moved to grant the waiver to Subdivision Regulations Section III - Data Required for Submission of a Subdivision, Subsection 3.3.2 (A), requiring the survey only of the new lot, to the plan presented by Adam Fogg, dated February 2019, Project No. 19106. Second – D. Moore; all in favor. MOTION CARRIED

MOTION: F. Catapano moved to grant the Subdivision of Land at 125 Dearborn Road, Map R12, 12, in accordance with the plan submitted by Adam Fogg, dated February 2019, Project No. 19106, with the following conditions: all waivers must be noted on the plan; lot corner pins for the new lot shall be set prior to plan recording; correct property address on the plan (the existing home is 125 Dearborn Road); a wetland scientist shall certify that no wetlands exist on the new lot; NHDES subdivision approval shall be obtained and submitted for the file; a 2 ft. contour survey shall be done; and the applicant shall submit a digital file with three hard copies of the plan and one copy of the recording mylar. Second – S. Gerrato; all in favor.

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| <p>5. Boundary Line Adjustment: 10 Seavey Way (Map R1, 10A)<br/>Owners/Applicants: Robert and Deborah Huebner<br/>Lot line relocation between 10 Seavey Way (Map R1, 10A) and 2 Seavey Way (Map R1, 10)</p> |
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Maria Pyburn, Chinburg Builders and representing the owners, addressed the Board. A pool was installed at 10 Seavey Way and is approximately 6.5 ft. over the property line. They were looking for a lot line relocation to bring the pool into compliance. The pool was installed by Northern Pool and Spa. Chinburg Builders owns the adjoining lot (Map R1, 10).

MOTION: S. Gerrato moved to accept the application for a lot line adjustment between 10 Seavey Way (Map R1, 10A) and 2 Seavey Way (Map R1, 10) as complete. Second – F. Catapano; all in favor. MOTION CARRIED

Chair Winsor opened the hearing to public comment. There being none, he closed the public hearing and returned to the Board.

MOTION: F. Catapano moved to approve the lot line adjustment between 10 Seavey Way (Map R1, 10A) and 2 Seavey Way (Map R1, 10) with the following conditions: lot corner pins associated with the lot line plan along the common boundary shall be set prior to plan recording; the applicant shall submit a digital file along with three hard copies of the plan and one copy of the recording mylar; correct property addresses shall be added to the plan: Lot 10 is 2 Seavey Way, Lot 10A is 10 Seavey Way. Second – S. Gerrato; all in favor. MOTION CARRIED

### 6. Residential-Commercial-Industrial Mixed Use (RCIM) Overlay District

The Board reviewed the Residential-Commercial-Industrial Mixed Use (RCIM) District as proposed by M. Fougere (copy on file). The Board had discussed creating a RCIM Overlay District in the non-residential area along Rt. 33. Maps depicting the areas were distributed: the map for Mixed Use North showed impact to Commercial B and C as well as the Industrial Zone (northeast corner); Mixed Use East (off Breakfast Hill Road) includes Town property, the Bethany Church property, and the lot on Rt. 1 as well as the two adjacent lots. In order for an applicant to obtain approval of a use in the RCIM District, the Planning Board must grant a Conditional Use Permit within the provisions outlined in the Ordinance. J.

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McDevitt questioned if there were any historic restrictions on Map R1, 6 (Breakfast Hill Park). M. Fougere stated any development would have to go around it.

Chair Winsor was in favor of the Residential-Commercial-Industrial Mixed Use Overlay District and thought it was a great way to provide flexibility to some of those locations. It would allow the Planning Board and Town to maximize the tax revenue and, possibly, bring needed services into Town. The focus would initially be on the Rt. 33 corridor, using the RCIM District as leverage for sewer and water.

Chair Winsor also had reservations about the Planning Board effectively applying the RCIM District and maintain the spirit of what the Board was trying to accomplish; he felt there was a lot of latitude. He was very fortunate to serve on the Planning Board for a long period of time; some great things have happened over the years. He was willing to take a risk with the RCIM District but wanted members to be comfortable with it also. Applications would involve discussion, conceptual review, design review, and higher level planning.

S. Gerrato, referring to the Town property behind the Bethany Church, stated there were a lot of opportunities to build something similar to Autumn Pond Park. He suggested developing it as a town, with a lease and tax coming to the Town. S. Gerrato explained that the land would be leased to a developer and that person would pay the lease; the building would be taxed after it was built. Chair Winsor stated it was a great idea but it was more of a Selectmen's issue than the Planning Board. M. Fougere suggested it could also be sold out right to get it back on the tax rolls. F. Catapano stated the Board had accomplished its goal of keeping the district on two sides of Town.

J. McDevitt's liked the overlay district; however, was concerned that it was 'wide open'. It would depend on the Board at the time and what they would allow. He questioned if it exposed the Board legally if they denied an application. M. Fougere responded it would be up to the Board to decide if the purpose and intent of the Ordinance had been met.

Chair Winsor encouraged Board members to consider if goals were defined enough and should other factors be included. S. Gerome, referring to what was worked on for the Village District, suggested it should be tougher. M. Fougere stated the architectural standards were good; this would not be the Village District. If the district was expanded to the Village District, he would recommend increasing the design standards.

Chair Winsor stated one of his goals was to get sewer. One of the keys to the proposal was to expand services in that area of Town. S. Gerome stated it was unrealistic; nothing could possibly happen on a 3 or 5 acre parcel. Something bigger would be needed to bring in sewer. He suggested more flexibility.

S. Gerrato asked M. Fougere about the definition of 'mixed use development' in the Ordinance. M. Fougere's response: that had to be deleted once the RCIM District Ordinance was adopted. S. Gerome felt it should stay and the RCIM District Ordinance would override it.

Further discussion on the Residential-Commercial-Industrial Mixed Use (RCIM) Overlay District was continued to the work session on Thursday, November 07, 2019.

### 7. CIP Review and Ranking

The Board reviewed and ranked CIP submissions from the Board of Selectmen and School Department. M. Fougere informed the Board that he had spoken to the Town Administrator regarding Recreation. He noted that Recreation is under the guise of the Selectmen and it was complicated. M. Fougere

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explained that Recreation reports to the Selectmen and they are on land that belongs to the Cemetery Trustees and leased by them—the lease expired eight years ago. Rec requests will be ranked “R”.

### Rating system:

- “U” – Urgent: cannot be delayed; needed for health or safety.
- “C” – Committed: part of an existing contractual agreement or otherwise legally required.
- “N” – Necessary: needed to maintain existing level and quality of community services.
- “D” – Desirable: needed to improve quality or level of services.
- “F” – Deferrable: can be placed on hold until after 7-year period but supports community development goals.
- “R” – Research: pending results of ongoing research, planning, and coordination; the project may be important, but the CIP Committee lacks all the information to make a definitive decision.
- “I”: Inconsistent: conflicts with an alternative project/solution recommended by the CIP; the project is contrary to land use planning or established community development goals.

### Board of Selectmen

CIP RANK	CIP ITEM INCLUDING BOS PRIORITY
U	Priority 1: Increase the “Town General Road Maintenance Capital Reserve Fund” to \$500,000.
N	Priority 2: Create a “Public Works Building Repair Capital Reserve Fund” for exterior and structural repairs estimated at \$90,000. This year’s contribution: \$30,000 (per year/3 years).
I	Priority 3: Increase the “Town Storm Expense Capital Reserve Fund” to \$150,000 (\$50,000 per year).
R	Priority 4: Change the “Police Station Maintenance Capital Reserve Fund” to “All Town Buildings Maintenance Capital Reserve Fund” adding \$15,000 to the fund. This could be used for all Town buildings, adding ADA & exterior upgrades to the change of purpose.
R	Priority 5: Discontinue “Town Equipment Capital Reserve Fund” and move funds and accumulated interest to the “Transfer Station Equipment Capital Reserve Fund”.
U	Warrant Article to replace the Town Office air conditioning and heating system estimated at \$30,000 (\$10,000 per year/3 years).
R	Create an “Outbuilding Replacement Capital Reserve Fund” for replacement of buildings such as the Gazebo, Band Stand, or Rec buildings. This year’s contribution \$10,000.

There was a discussion about the pros and cons of combining Town building maintenance into one general capital reserve fund. Chair Winsor was not opposed to having separate accounts; buildings would be significantly earmarked. He did not feel the Selectmen provided enough clarification. F. Catapano preferred separate accounts so the goals were known every year. M. Fougere stated separate accounts helped clarify where the money was going; however, if there was an emergency in another account, the money would not be available. The Board wanted a clear understanding of the objectives and preferred individual accounts.

The following were submitted by not prioritized by the Board of Selectmen and not ranked by the Planning Board:

- 2024: New fire station bonded when two bonds are paid.
- Hold for Cost Estimate: Create a “Municipal Parking Lot Capital Reserve Fund” for engineering and construction of a parking lot that would serve the community, improve safety at intersections and improve drainage; estimated cost: \$350,000. This year’s contribution \$117,000 (per year/3 years).

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- Hold: Create a “Pedestrian Engineering Expense Capital Reserve Fund” to cover the engineering expenses for repair and upgrade of the older sidewalks, creation of new sidewalk connecting the old system to the crosswalk at Rt. 33 and Rt. 151, and pedestrian bridge on Rt. 33 over the Winnicut River estimated at \$225,000. This year’s contribution \$45,000 (5 years).
- Expansion or reconfiguring of Town Office/present fire station in the event the school does not allow voting while school is in session.

### School District

CIP RANK	CIP ITEM
F	Adding a wall in media center to create an additional classroom, electrical work, outfitting classroom
N	2004 section of roof likely to need replacement
D	Replace vanities in 1965 section of the building (8 rooms) due to age, wear/tear
R	Wall removal in Room 105 (formerly teacher’s room) to be able to create an additional classroom
N	Sand, paint, replace vents on metal roof on gym near playground

M. Fougere has contacted the School Department for current enrollment figures. It was recommended that funding for the wall removal, work on the metal roof of the gym, vanities and roof replacement be done over two years.

CIP rankings will be available for final review at the meeting on Thursday, November 07, 2019.

### 8. Master Plan Vision Statement

A Housing/Population Chapter will be ready for the meeting on Thursday, November 07, 2019 as well as a paragraph on Work Force Housing.

*D. Moore left the meeting at 8:20 p.m.*

### 9. Approval of Minutes

MOTION: S. Gerome moved to approve the minutes of Thursday, October 03, 2019. Second – F. Catapano; all in favor. MOTION CARRIED

### 10. Approval of Invoices

There were no invoices to approve.

### 11. Other Business

J. McDevitt would like to see something for satellite parking in the area of Target; Chair Winsor suggested it could be done through the Table of Uses as a prohibited use in that zone. S. Gerome felt it could be done on a temporary basis. It was suggested temporary parking be approved through the Planning Board with a Conditional Use Permit. Satellite parking will be continued to the meeting on Thursday, November 07, 2019.

## DRAFT – SUBJECT TO CHANGE

S. Gerrato stated at the last meeting he voted not to give M. Fougere a raise and changed his vote.

### 12. Topics for Work Session: Thursday, November 07, 2019

Topics continued from this meeting: Residential-Commercial-Industrial Mixed Use Overlay District; satellite parking; CIP ranking (final review); Master Plan Vision Statement; any others that may be on the list.

### 13. Adjournment

MOTION: F. Catapano moved to adjourn at 8:28 p.m. Second – S. Gerome; all in favor. MOTION CARRIED

NEXT MEETING
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Thursday, November 07, 2019 – 7:00 p.m., Work Session, Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Administrative Assistant

Approved: