

Brentwood Planning Board

Minutes

May 17, 2018

Members Present: Bruce Stevens, Chairman Kevin Johnston, Vice Chair
Mark Kennedy Lorraine Wells, Alternate
David Menter, BOS rep Brian West, alternate
Circuit Rider Planner Glenn Greenwood

Also present: town engineer Steve Cummings

Open

Chairman Stevens opened the meeting at 7:00 pm.

7:00 pm: Continued Hearing: 2 Lot Subdivision – Hayward Realty Investments tax map 217.026

Dennis Hamel of Cammett Engineering and property owner Dennis Hayward were present for tonight's hearing. There were no abutters present.

Hamel said that they redid the well radius to the required 75 feet, (previous plan showed 100-foot radius). He said this meets the zoning regulations, so there is no action required by the Zoning Board of Adjustment. Greenwood's comment letter was discussed and Hamel said they would satisfy any outstanding issues. Greenwood's item 7 indicated that town counsel needs to review the easement for the driveway, and St. Hilaire said that counsel has indicated that they only need to review documents that have interests the town would have, and not for the general protection of the public. Members agree that the easement does not need counsel review.

Motion made by Kennedy, 2nd by Johnston to give Wells and West voting rights: all were in favor.

Motion made by Johnston, 2nd by Wells to grant a 120-day conditional approval (to September 20, 2018), contingent upon the following:

1. Satisfy any outstanding comments of Cummings and Greenwood
2. Receipt of any state permits

The motion carried by unanimous vote. Hamel and Hayward thanked the Board for their time this evening.

7:00 pm: New Hearing: Cutting Trees on Scenic Road - Eversource

Ian Farley, an arborist from Eversource was present to explain their Enhanced Tree Trimming program, a reliability-based project. The focus of the ETT program is to protect the main power source of each of the electric circuits, and went on to say that the main source of power outages are tree related. This hearing is to get permission to do this work on Pickpocket Road, a designated scenic road. He said that they had started the trimming and were unaware it was a scenic road and stopped immediately once they found out. He said this circuit serves about 636 customers. Kennedy asked how they determined what was in the ROW or private land, and Farley said they speak with each home owner.

Motion made by Stevens, 2nd by Wells to grant Eversource permission to do the cutting, and send a letter to the BOS to confirm: the motion carried with Kennedy voting no. Farley thanked the Board.

Resident Bob Sanborn was in to speak the Board regarding the new development on Wilson Way. He said that there are 6 driveways (including the community center) there that have been paved, and they are higher than

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the road, and any water from those driveways will run into the road, said the sub-base is too high, and that does not follow our regulations. Town Engineer Steve Cummings was present and said that he will check on this and went on to say that he was never notified that they will be paving, and that is required in our regulations. Sanborn thanked the Board.

Stevens declared a break at 7:45, and the Board reconvened at 8:05. Greenwood arrived at this time.

7:00 pm: Continued Hearing: Site Plan Review: Senior Housing -3 Ponds, LLC tax map 207.022

Christian Smith of Beals Associates spoke on behalf of the applicant. Applicant Joseph Falzone was also present along with attorney Mark Johnson. Also present were property owners Claire Hibbard and Cheryl Hibbard Brudzinski. There were several abutters and residents present for tonight's hearing.

Smith said they have met with the FD, and agree to install a 30,000 cistern, in addition to the buildings being sprinklered. He explained that there will be no culverts, and no wetlands impacts to this proposal. They will span where needed to eliminate any wetland impact.

They have met with the Rockingham County Commissioners and have agreed to purchase water from the county. Smith said the cul-de-sac will be able to handle a ladder truck.

Jeffrey Dirk of Vanesse Associates addressed the Board and explained the traffic study they did for this project (on file). They measure speed, volume and crash history on North Road, the intersections of Prescott Road and North Rte 125. He said there is more than 500 feet of site distance in both directions from the proposed roadway. The Planning Board hired Stephen Pernaw and Company to do a peer review of the Vanesse study (on file). Pernaw was present and said (in part) that he agreed with everything he heard and what was written. Pernaw did suggest that they add side road signs on North Road in advance of the proposed site access road intersection. He also recommended the installation of a short section of four-inch double yellow centerline pavement markings on the proposed site access road approach to North Road to separate inbound and outbound vehicles.

Greenwood's comments were reviewed (on file) and Smith provided the elevations of the clubhouse. They will address any outstanding issues in his letter.

They have submitted a request for a Conditional Use Permit for work within the wetland buffer, in accordance with RSA 674:21.II and Brentwood's Land Use Document, Article 700.002.009.001:

Stevens read the following criteria necessary to grant the CUP:

- A. The proposed construction is essential to the productive use of the land not within the Wetlands Conservation District: all members agree
- B. Design and construction and maintenance methods will be such as to minimize detrimental impact upon the wetland and will include restoration of the site as nearly as possible to its original grade and condition: all members agree

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- C. No alternative route which does not cross a wetland or has less detrimental impact on the wetland is feasible: all members agree
- D. Stream and wetland crossings shall be avoided whenever possible. When necessary, no wetland crossing shall exceed a length of 250 lineal feet and crossings shall comply with state recommended design standards to minimize impacts to flow and animal passage (UNH Stream Crossing Guidelines; Env-Wt900): Not applicable
- E. Wetland boundary markers of a type approved by the Planning Board will be set in order to visually delineate the furthest extent of the wetland: all members agree

Motion made by Johnston, 2nd by Wells to grant the CUP: all were in favor.

They also submitted a request for a Conditional Use Permit for work within the wetland buffer within the Senior Housing Ordinance, in accordance with RSA 674:21.II and Brentwood's Land Use Document, Article 300.002.008.003 W:

Stevens read the following criteria:

1. The proposed construction is essential to the productive use of land not within the Wetlands Conservation District: all members agree.
2. Design and construction and maintenance methods will be such as to minimize detrimental impact upon the wetland and will include restoration of the site as nearly as possible to its original grade and condition: all members agree.
3. Building placement and landscaping incorporates mitigating design features and usage restrictions that serve to minimize detrimental impact on the wetland: all members agree.
4. Wetland boundary markers of a type approved by the Planning Board will be set in order to visually delineate the furthest extent of the wetland: all members agree.

Motion made by Wells, 2nd by West to grant the CUP: all were in favor.

Applicant submitted a waiver request from subdivision regulation Section 6.6 from the construction of 2 cul-de-sacs which will not have the minimum radius requirement. Smith said this is the same radius as Kennedy Circle, and a large ladder fire truck can make the turn. He did say that within the bulb of the cul-de-sac those large trucks could not pass in opposite direction. Smith said they did meet with the Fire Chief, who had no issue with this proposal.

Motion made by Johnston, 2nd by Wells to grant the waiver request. The motion carried with West voting no.

Motion made by Kennedy, 2nd by Menter to continue this hearing to June 7 at 7:00 pm: all were in favor. Smith and Falzone thanked the Board for their time this evening.

Resident Bill Dale was present and asked what the process was for making zoning changes, who has the authority. Stevens said that any one can bring their recommendations to the PB, and if the Board is in agreement they could sponsor that to put it on the March ballot as recommended by the Planning Board. He

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said that all zoning amendments are voted on by the residents at town meeting. Stevens said that if the PB didn't agree, then as a citizen Dale could write his own amendment and have 25 signatures of registered voters on the petition. Stevens said the Board starts to consider changes in the fall, and if Dale had something, he could bring it to the PB office and be put on a meeting agenda.

Motion made by Menter, 2nd by West to approve the May 3 and May 5 minutes: the motion carried with Wells abstaining as she was not present.

Motion made by Johnston, 2nd by West to adjourn at 9:20: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire
Administrative Assistant,
Brentwood Planning Board