

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Draft
April 3, 2018 at 6:30pm

1 **Members Present:** Bruce Crawford – Chair, Roberta Witham – Vice-Chair, Matt Lampron,
2 Barbara Randall, James Scrivens, Mark Varney – Ex-Officio

3 **Alternate Members Present:** Rhoda Hardy

4 **Alternate Members Excused:** Roger Sanborn – Alternate Ex-Officio, Jeff Reardon

5 **Others Present:** Alan Hardy – Planning & Community Development Director, Kellee Jo Easler –
6 Planning & Community Development Assistant, Katie Phelps – Recording Secretary

7 Chairman Crawford opened the meeting at 6:31pm.

8 Roll call by Katie Phelps

9 Rhoda Hardy will be a voting member for the meeting.

10 **Review of Prior Meeting Minutes:**

11 The Board reviewed meeting minutes from March 6, 2018. Request for change on Line 91 -
12 Formally should be formerly.

13 **Motion to approve the minutes from March 6, 2018 as amended made by Rhoda Hardy, and**
14 **seconded by Barbara Randall. All in favor. None opposed.**

15 **New Business:**

16 • **Application for 5-Lot Major Subdivision, Phase III, Map 45, Lot 29, Sublot 2**

17 Application presented by Joseph Wichert, Land Surveyor, on behalf of Kelly Landry, owner.
18 Subject property is located on the west side of Knowlton Road. This will be phase three of five
19 which will establish four new building lots on the north side of Corn Hill Road. During phase two
20 there was discussion about what studies would be needed. The applicant provided a letter from
21 Bruce Mayberry that stated they didn't need to do those studies. The applicant has submitted
22 that letter with this phase three application. The property is zoned R1 and will have an onsite
23 wells and septic systems.

24 Mr. Wichert noted sheet 4 on the plan which shows the wetlands, well radius for each lot, and
25 contouring. There was discussion about extending the water main to service lots but after
26 meeting with the Water Precinct it wasn't a viable option. For an R1 zone 150ft of frontage is
27 needed, 80,000 sq. ft. contiguous buildable area. The applicant is seeking a waiver from the
28 Subdivision Regulations design standards for lot 29-11. Minimum contiguous buildable area is
29 less than minimum 80,000 sq. ft. per Town regulations. The lot has over 80,000 sq. ft. of
30 buildable area, however, it isn't contiguous.

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Draft
April 3, 2018 at 6:30pm

31 State Subdivision approval is pending and would be a condition of approval. Mr. Wichert has
32 reviewed comments from Fire Chief, Ray Fisher, and Public Works Director, Dean Hollins. Mr.
33 Hollins requested that the driveway for Lot 29-13 come off Knowlton Road instead of Corn Hill
34 Road. Mr. Wichert says the applicant is agreeable to that request. Public Works Director, Dean
35 Hollins, has requested to work with the builder to finalize driveway locations.

36 Mr. Wichert reviewed the comments from Sam Durfee and Steve Henninger from Central NH
37 Regional Planning Commission (CNHRPC). Under the overall summary, they note that the
38 project triggers a traffic study and a National Heritage Inventory when taking the full five
39 phases into account. Mr. Wichert notes that he previously talked with the Board and there
40 wasn't a desire to do a traffic study but that it's up to the Board's discretion. Mr. Wichert
41 asserts that there was a National Heritage Inventory completed and it came back ok. The
42 inventory is an online database used by the State to look for endangered wild life and plant life
43 species. Typically it's applicable if you're doing a wetlands crossing and it ensures there is no
44 environmental impact. There are no wetlands impacts for these four new building lots. The
45 summary posed the question if it was feasible to extend the water system for phase three. Mr.
46 Wichert doesn't think it is.

47 Under Conditions of Approval Checklist Requirements:

- 48 • **Checklist Item 24** – Overhead utility lines and poles are not shown for the full length of
49 the proposed subdivision along Corn Hill Road. Mr. Wichert will review this.
- 50 • **Checklist Item 30, 31, and 34** – Location, grading, and drainage of proposed driveways
51 are not shown on the plan, nor was there a drainage study or, a driveway permit
52 application submitted. Mr. Wichert says typically they don't know where driveways are
53 going during the subdivision stage, however, they have been trying to meet with Dean
54 Hollins for suggestions. Drainage studies haven't been completed because they don't
55 know what size house could be built. Ms. Landry isn't planning to build the houses, she
56 will just sell the lots.
- 57 • **Checklist Item 32** – Erosion control measures around the wetland areas were not shown
58 on the plan. Mr. Wichert stated the wetlands are to the rear of the lots, he assumes
59 most of the houses will be built towards the front of the lots. He doesn't anticipate any
60 wetlands disturbance.
- 61 • **Checklist Item 40** – CNHRPC did not receive a copy of a Traffic Impact Study since it was
62 not requested.
- 63 • **Checklist Item 42** – State Subdivision Approval – Pending per Mr. Wichert.
- 64 • **Checklist Item 44** – There are none of the necessary signatures on the plans. Mr.
65 Wichert says he would have the owner sign the Mylar.
- 66 • **Number 10** – Has to do with various impact studies.

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Draft
April 3, 2018 at 6:30pm

- 67 • **Number 11** – Minor omissions and corrections
- 68 I. Mr. Wichert can indicate the type and size of the existing culverts crossing
- 69 Knowlton Road and any proposed culverts for driveway construction.
- 70 II. Not shown because it is for a lot outside of this phase.
- 71 III. Not shown because it is for a lot outside of this phase.
- 72 IV. Not shown because it is for a lot outside of this phase.

73 They didn't survey the right-of-way on the south side of Corn Hill Road. The Board will have to

74 decide if the project is of Regional Impact. On page 5 of 5, it shows that phase four would not

75 allow for phase five to become a separate, stand-alone lot due to insufficient road frontage. Mr.

76 Wichert showed the Board the cover sheet of the plan. The frontage for phase five would be on

77 Water Street. That is a wetlands area, however, they aren't saying that will be where the access

78 road is. It would simply be their legal frontage.

79 The final item to be discussed with the Board would be a recreation impact fee. The example

80 previously given was a multi-family with 38 units that paid \$16,000 – which was approximately

81 \$420 per lot. For this project they're looking at 17 single family lots at approximately \$235 per

82 lot for a total of \$4,000.

83 Mark Varney asked about phase five. He is concerned that the area on Water Street will be the

84 only access point for that phase. Mr. Wichert said the goal was to leave an access on Knowlton

85 Road and another one on Water Street. Discussion ensued.

86 Alan Hardy asked about the potential for having town water on those lots. Mr. Wichert said

87 they would need to cross wetlands and obtain an easement in order to get the water there.

88 There was also a concern over capacity. After weighing all of those things, it was decided to do

89 onsite water and septic. Bruce Crawford said there was also a question of where the precinct

90 boundary ended – which was never resolved.

91 James Scrivens asked which situation was applicable for the waiver to be considered based on

92 our Zoning Ordinance. Mr. Wichert said they aren't complying with the Subdivision and Site

93 Plan Regulations says it needs to be contiguous. Mr. Hardy said we couldn't grant a waiver for a

94 zoning condition. It would have to either be a Subdivision or Site Plan regulation.

95 Matt Lampron asked about grading and drainage for the driveways. Mr. Wichert said they don't

96 know the location of the driveways yet. He thinks that's a function of the building permit seeing

97 the person who buys the lot will determine that. Mr. Wichert worked with Public Works to

98 make sure they were comfortable. In Mr. Wichert's opinion, Lot 29-13 is the worst lot because

99 there is a rise coming off the road. That's why Dean Hollins wanted the driveway to come off

100 Knowlton Road for that lot. Mr. Hardy understands what Mr. Wichert is saying and also that

101 there is a line of sight concern. Dean Hollins felt the sight distance should be fine per email.

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Draft
April 3, 2018 at 6:30pm

102 Public Works is doing their due diligence. Water Street is a State Road so the standards will be
103 different. Mr. Lampron also expressed concern for water runoff from Corn Hill Road washing
104 out the bottom lot. Rhoda Hardy expressed concern over a hill and line of sight issues on Corn
105 Hill Road. Discussion ensued.

106 **Chairman Crawford opened the public hearing at 7:12pm.**

- 107 • Abutters in favor – none.
- 108 • Abutters opposed – none.
- 109 • Public in favor – none.
- 110 • Public opposed – Martin Boutwell – 136 Corn Hill Road. He says there are currently signs
111 on Corn Hill Road. He stated that there needs to be a billboard that says ‘slow down’.
112 The cars travel fast on that road. The houses they want to put in is not a good thing.

113 **Chairman Crawford closed the public hearing at 7:14pm.**

114 Mark Varney suggested sticking with Dean’s recommendations. People go too fast on Corn Hill
115 Road. They have the tendency to ignore signs. Mr. Lampron wants to make sure there is
116 adequate sight distance for the driveways. Discussion ensued. Mr. Wichert could do a line of
117 sight profile as condition of approval.

118 **Motion made by Mark Varney to approve the Application for 5-Lot Major Subdivision, Phase**
119 **III, Map 45, Lot 29, Sublot 2 with conditions. No vote taken at this time.**

120 **Motion made by Jim Scrivens, and seconded by Mark Varney to grant a waiver to the Design**
121 **Standards, Section VIII C. 6. Lots – Minimum Contiguous Buildable Area is less than minimum**
122 **lot size for lot 29-11. All in favor. None opposed.**

123 **Motion made by Matt Lampron, and seconded by Rhoda Hardy, that the subdivision is not of**
124 **regional impact. All in favor. None opposed.**

125 **Motion made by Rhoda Hardy, and seconded by Mark Varney, that this subdivision will be**
126 **subject to the recreation donation per the notation on the plan. All in favor. None opposed.**

127 **Motion made by Rhoda Hardy, and seconded by Mark Varney, to accept the \$4,000 donation**
128 **towards recreation payable upon signature of the approved plan. Payment shall be made**
129 **payable to the Town of Boscawen. The recreation department will decide where the money is**
130 **spent. All in favor. None opposed.**

131 **Motion made by Bruce Crawford, and seconded by James Scrivens to re-open the public**
132 **hearing. All in favor. None opposed.**

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Draft
April 3, 2018 at 6:30pm

133 **Motion made by Mark Varney, and seconded by Barbara Randall, that the applicant’s**
134 **representative will address omissions on final plan. All in favor. None opposed.**

135 **Motion made by Mark Varney, and seconded by Roberta Witham, to make Alan Hardy, Code**
136 **Enforcement Officer, responsible for administrative review to ensure all conditions have been**
137 **met. All in favor. None opposed.**

138 **Motion made by Mark Varney, and seconded by James Scrivens, to approve the Application**
139 **for a 5-Lot Major Subdivision, Phase III, Map 45, Lot 29, Sublot 2 with conditions. All in favor.**
140 **None opposed.**

141 **Conditions:**

- 142 **1. A line of sight profile plan shall be performed for Lots 29-10, 29-11, and 29-12 to**
143 **determine adequate sight distance and be approved by the Public Works Director.**
- 144 **2. Driveways shall be constructed with the approval of the Public Works Director to**
145 **ensure adequate drainage so as not to impact the roadway.**
- 146 **3. Subject to State Subdivision approval.**
- 147 **4. Checklist Item 35 – The applicant’s representative will address the wording of**
148 **Checklist Item 35 and put a note on the plan.**

149 **Motion made by Matt Lampron, and seconded by Mark Varney, to close the public hearing.**
150 **All in favor. None opposed.**

151 The Board will address additional conditions of approval or studies in future phases. Per Bruce
152 Mayberry, of BCM Planning, LLC, the scale of the project may not be large enough to mandate
153 the studies. It depends on the development potential of phase five.

154 **• Motion for Signature regarding Concord Subdivision off Elm Street:**

155 Joseph Wichert presented a Subdivision Plan for Steven J. Burris 2010 Revocable Trust. Map
156 15P, Lot 26 and Map 83, Lot 63-9. 152 Elm Street. It is a 15.16 acre lot in Concord. There is .86
157 acres in Boscawen. The City of Concord wants the Town of Boscawen to review have input on
158 the subdivision. “For informational purposes only – no subdivision in Boscawen” The Board
159 didn’t seem concerned with this application.

160 **Motion made by Rhoda Hardy, and seconded by Roberta Witham, to authorize the Chair to**
161 **sign the Mylar “For informational purposes only – no subdivision in Boscawen.” All in favor.**
162 **None opposed.**

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164

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Draft
April 3, 2018 at 6:30pm

165 • **Map 79, Lot 123 – 85 Daniel Webster Hwy – Outside Storage of Trucks and Trailers:**

166 There are storage buildings in a lot across the street from the Veteran’s Cemetery. The lot was
167 approved as a car lot, truck rental, and automobile service center. There would be a significant
168 amount of construction if that took place. The property owner says they have someone
169 interested in using that location for tractor trailers coming and going. Mr. Hardy expressed
170 concern for the location and the proximity to the Veteran’s Cemetery. It was not specifically
171 proposed for this use but it’s less intensive than the proposed use.

172 Another development is that the equipment has ended up at the Route 3 and 4 split on the
173 former Plaisted property. The owner of the property rented it. If we don’t want to see it at the
174 Route 3 and 4 split for an unintended use then the same would be true for the lot across from
175 the Veteran’s Cemetery. There may be less impact by the Veteran’s Cemetery than there would
176 be at the Route 3 and 4 split. Neither location was approved for that purpose.

177 Modification of approved Site Plan would allow the Board to discuss where the best place is.
178 Mark Varney thought that would be a smart idea. Abutters, including the Veteran’s Cemetery,
179 would have input. Use of land and use of buildings are two separate issues per Mr. Hardy. He
180 doesn’t expect to see any occupancy in the building without going through the process of
181 getting them approved.

182 **Motion made by Mark Varney, and seconded by Barbara Randall, that the use come before**
183 **the Board for modification of existing Site Plan. All in favor. None opposed.**

184 • **Sweatt Subdivision – Never Recorded:**

185 The subdivision was never recorded at the Merrimack County Registry of Deeds and it has
186 lapsed. They would like to come back to the Board but are requesting that the Board waive the
187 Subdivision fee of \$250 and Lot Line Adjustment fee of \$100. Nothing has changed with the
188 subdivision. They will still have to pay to print certified letters, notice fees, etc.

189 **Motion made by Rhoda Hardy, and seconded by Matt Lampron, to waive the Subdivision and**
190 **Lot Line Adjustment application fees for this applicant. All in favor. None opposed.**

191 **Old Business:**

192 • **Public Hearing (continued from 03.06.18) – Master Plan Update:**

- 193 ○ Transportation – Corrections made.
- 194 ○ Energy – Corrections made.
- 195 ○ Demographics - Corrections made.

Town of Boscawen
Planning Board
Boscawen Municipal Complex – Draft
April 3, 2018 at 6:30pm

196 This will be an evergreen document per Mr. Hardy. We have the ability to make changes on an
197 ongoing basis.

198 **Motion made by Rhoda Hardy, and seconded by Mark Varney, to accept the Master Plan**
199 **Updates as final. All in favor. None opposed.**

200 **Motion made by Rhoda Hardy, and seconded by Mark Varney, to close the public hearing. All**
201 **in favor. None opposed.**

202 • **Amendments to Site Plan and Subdivision Regulations (continued hearing)**

203 Bruce Crawford mentioned that Brian Fleury did all the work on it. Mr. Hardy wanted to know
204 the purpose and intent of what was started. The Board didn't request that the document be
205 gone through thoroughly. Mr. Hardy recommends that all Planning Board members, staff, and
206 CNHRPC have the ability to review the documents in their entirety for continuity between the
207 two documents.

208 **Motion made by Matt Lampron, and seconded by Mark Varney, to have the Planning Board**
209 **members, staff, and CNHRPC review the Site Plan and Subdivision Regulations for continuity.**
210 **All in favor. None opposed.**

211 • **Election of Chair and Vice-Chair:**

212 Chairman Crawford's term on the Planning Board ends in April. He doesn't want to be
213 Chairman, however, he would like to continue to be a member should the Board of Selectmen
214 re-appoint him. He provided a listing of advice for anyone considering the role of Chair.

215 **Motion made by Mark Varney, and seconded by Barbara Randall, to table the election of the**
216 **Chair and Vice-Chair to the next meeting. All in favor. None opposed.**

217 **Future Business:**

- 218 • 24th Annual Spring Planning & Zoning Conference
- 219 ○ Saturday, April 28, 2018 – Grappone Conference Center

220 **Motion to adjourn the meeting made by Matt Lampron, and seconded by Rhoda Hardy. All in**
221 **favor. None opposed.**

222 The meeting adjourned at 8:46pm.

223 The next Planning Board meeting is scheduled for May 1, 2018.

224 *Minutes respectfully submitted by Katie Phelps*