

DEERFIELD PLANNING BOARD  
DEERFIELD, NEW HAMPSHIRE  
OCTOBER 12, 2011

MINUTES OF MEETING

PRESENT: Board members Fred McGarry, Lisa Wolford, William Perron, Peter Schibbelhute (arrived at 7:50PM). Also present Planning Consultant Gerald Coogan and secretary Jane Boucher.

Chair Fred McGarry called the meeting to order at 7PM.

APPROVAL OF MANIFEST

William Perron moved to approve the manifest in the amount of \$4,316.24. Lisa Wolford seconded. ( SNHPC \$2910.30, KNA 300.00 McCarron Phase III, KNA 325.00 Cady, KNA 780.84 (Tukcor), Voted in favor.

BMI REALTY TRUST

A letter was received from Steve Chabot, KNA, recommending the release of \$79,473.84 for the Browns Mill Subdivision. William Perron moved to approve the release of the bond. Fred McGarry seconded. Voted in favor.

MEETING SCHEDULE

The Planning Board will meet on November 9, and November 16, 2011.

ROLLINS EXCAVATION SITE

The Board will conduct a site visit to the Rollins Excavation Site on Saturday, October 20, 2011 at 9AM.

7:15PM APPLICATION FOR PUBLIC HEARING; LOT LINE ADJUSTMENT: DAVID SIDMORE AND PHILIP SIDMORE, KRIST AND WENDY NELSON, JAMES HUME TRUST, AND VIENS RECREATIONAL TRUST; David Sidmore, Philip Sidmore, Patricia Hume, Wendy Nelson and James Franklin were present.

Chair McGarry read the Notice of Public Hearing by which David Sidmore, Philip Sidmore, Wendy and Krist Nelson, John Hume Trust, Viens Recreational Trust are applying for a Lot Line Adjustment. The intent of the application is to annex portions of Lot 76 to Lots 47, 51 and 52.

Gerald Coogan commented that the intent is to transfer portions of Lot 76 owned by David Sidmore and Philip Sidmore and consisting of 58 +/- acres as follows: Map 207 Lot 47 (Nelson) additional area 6.934 acres; area after adjustment 11.582 acres; Map 207 Lot 51 (Hume) additional area 68,926SF; area after adjustment 87,228 SF (2.002 acres; Map 207 Lot 52 (Viens) additional area 48,010 SF; area after adjustment 63,334 SF(1.453 acres). Map 207 Lot 76 (Sidmore); area after

adjustment 27.5 acres. Mr. Coogan recommended that the Planning Board accept the application as complete.

William Perron moved to accept the application. Lisa Wolford seconded. Voted in favor.

James Franklin provided plans depicting the Lot Line Adjustment.

William Perron moved and Lisa Wolford seconded to grant conditional approval for a Lot Line Adjustment for Map 207 Lots 76, 47, 51 and 52 with the condition that boundary pins be set. Conditional approval to lapse in 90 days. (January 12, 2012). Voted in favor.

#### WORKFORCE HOUSING

The Board will present amendments for Workforce Housing as were presented to the voters in 2011. Gerald Coogan will coordinate with Lisa Wolford to work on articles to be printed in the Communicator and Forum.

7:45 APPLICATION FOR PUBLIC HEARING: MINOR SUBDIVISION: KRISTEN SHORES (IRENE SHORES REVOCABLE TRUST) GRIFFIN ROAD  
Randy Orvis and several abutters were present.

Chair McGarry read the Notice of Public Hearing by which Kristen Shores (Irene Shores Revocable Trust ) 45 Griffin Road, Deerfield, NH will make application for a Public Hearing to consider approval of a minor Subdivision for property located on Griffin Road (Identified as Tax Map 405 Lot 53) consisting of 129 acres and owned by the applicant. The intent of the application is to create one new lot consisting of 3.19 acres.

Mr. Coogan noted that the conservation deed for the Irene Shores Revocable Trust was established on December 4, 1996 and allowed for one homestead exclusion and three lots to be created from Tax Map 405 Lot 53. The Planning Board questioned if three lots have already been created. On September 14, 2011, Surveyor Randy Orvis reviewed the conservation easement and Appendix A with the Planning Board. At that meeting Mr. Orvis provided sufficient information for the Planning Board to determine that two lots Lot 51 and Lot 53 1 were created after December, 1996. As a result the applicant can create one additional and final lot.

Mr. Coogan also commented that:

1. The proposed 75 foot well radius and 4K area is distant from the proposed building area and
2. Agent seeks three waiver requests for items related to the entire parcel
  - a. location of jurisdictional wetlands; b. topographical survey

mapping and c. NGVD 29 Benchmarks.

Mr. Coogan said the Planning Board can accept the application as complete.

William Perron moved to accept the application. Lisa Wolford seconded. Voted in favor.

Mr. Orvis provided copies of the Conservation Easement and Appendix A.

William Perron moved to grant the following waivers;

1. location of jurisdictional wetlands
2. topographical survey map
3. NGVD 29 Benchmarks

Lisa Wolford seconded. Voted in favor.

Mr. Orvis presented plans noting that a 3.19 acre lot is being proposed. He added that boundary pins have not been set.

William Perron moved to grant conditional approval for a minor subdivision on Griffin Road to Kristen Shores (Irene Shores Revocable Trust) with the following conditions;

1. Subdivision # be added to plan.
2. Note that no new lots will be created
3. Boundary pins to be set.

Conditional Approval to lapse in 60 days (December 12, 2011). Lisa Wolford seconded. Voted in favor.

7:45 APPLICATION FOR PUBLIC HEARING; MARGUERITE SWAIN; SWAIN FAMILY TRUST; MINOR SUBDIVISION; NOTTINGHAM ROAD  
Marguerite Swain and Chris Hickey, Eric Mitchell Associates were present.

Chair McGarry read the notice of public hearing by which Marguerite Swain, Swain Family Trust, 75 Old Deerfield Road, Candia, NH will make application for a public hearing to consider approval of a minor subdivision for property located on Nottingham Road, Deerfield, NH (identified as Tax Map 416 Lot 41) consisting of 20.68 acres and owned by the applicant. The intent of the application is to create one new lot consisting of 10+ acres. Proposed Lot 41-1 will be used for a house lot with seven acres of conservation easement. Lot 41 is not for building purposes and is subject to the same conservation easement.

Gerald Coogan noted that the purpose of the plan is to subdivide Tax Map 416 Lot 41 (20.68 acres) into two lots. Proposed Lot 41 (10.04 acres) is subject to a conservation

easement over the entire property and is not for building purposes. Proposed Lot 41-1 (10.64 acres) is subject to a 7.37 acre conservation easement. The front 3.27 acres is designated for building purposes.

Mr. Coogan added that the agent is requesting waivers from

1. Section III.3 C(a)(a7) wetlands delineation for the conservation area.
2. Section III.3 C(b)(2) Two foot contour interval topographical mapping
3. Section III.3C (b)(4) site specific soil mapping

Mr. Coogan commented that the Board can accept the application as complete.

William Perron moved to accept the application. Lisa Wolford seconded.

William Perron moved to grant waivers requested

1. Wetlands delineation for the conservation area
2. two foot contour interval topographical mapping
3. site specific soil mapping.

Mr. Hickey presented plans depicting the proposed subdivision. He noted that boundary pins have been set.

William Perron moved and Lisa Wolford seconded to approve a minor subdivision on Nottingham Road for Marguerite Swain, Swain Family Trust. Voted in favor.

SPM APPLICATION FOR COMPLIANCE HEARING;REQUEST FOR WAIVER OF SIGHT DISTANCE;

HARRIET CADY, MEETINGHOUSE HILL ROAD

Harriet Cady was present along with Aaron Cady, Laura Cady and her husband and abutter Jason Dionne. Two other abutters were also present.

Chair Fred McGarry read the Notice of Public Hearing by which Harriet Cady is asking the Board to consider modification of No. 7 of the Conditional Approval granted by the Planning Board on July 13, 2011. The applicant requests that the Planning Board reduce the sight distance of 367 feet required by the Conditional Approval.

Gerald Coogan provided a chronology of events regarding the issue of safe sight distance for the intersection of Cady Lane and Meetinghouse Hill Road. A copy of Mr. Coogan's comments is attached to these minutes.

Mr. Coogan referred to the letter received from Jones & Beach stating that 307 feet of safe sight distance is available. He

also referred to a letter from Steve Keach that based on 307 feet of safe sight distance he fails to see how approval of the current request will fully resolve the current sight distance.

Mr. Coogan noted that the ASHTO Standard for a 30 mph speed limit is 343 feet.

Aaron Cady felt that they could not reconcile the 36 feet needed. He felt that 36 feet at a 30mph speed limit they would be losing approximately one half second reaction time. He said that they could go with signage or a mirror to increase the sight distance.

Harriet Cady said that their engineer had advised, if they used the upper driveway, they would impact the wetlands and the Army Corps of Engineers would be called in.

Harriet Cady commented that she did not feel it was fair that the Town is asking for a standard higher than what the State's Stopping Distance is.

Chair McGarry said that stopping distance and all season safe sight distance are two separate things.

Harriet Cady said that she is asking the Board to waive the sight distance requirement to 307 feet and request that signage and mirrors be used.

Jason Dionne commented that he is opposed to granting an easement to the applicant because of the issue of privacy.

William Perron said he would not be opposed to using signage and mirrors.

Fred McGarry noted that the applicant can petition the Board of Selectmen to change the speed limit to 25 mph. The 307 feet would not be an issue.

Gerald Coogan said that Jones and Beach should provide a formal request for a waiver signed by an engineer.

The Board felt that liability for the Town is an issue where the ASHTO standard for 25mph is 343 feet and the Town's Engineer does not feel the requirement should be reduced.

Gerald Coogan will speak with Attorney Raymond regarding liability.

Peter Schibbelhute moved to authorize the applicant to cut trees on the property. William Perron seconded. Voted in favor.

Peter Schibbelhute moved to continue the public hearing to November 9, 2011 at 7:15PM. Lisa Wolford seconded. Voted in favor.

CIP

Lisa Wolford referred to RSA 674:5, 7 and 8. There was a question as to when the Planning Board was authorized to prepare a CIP. Gerald Coogan will check with Town Clerk Kevin Barry.

APPOINTMENT SNHPC ALTERNATE

Peter Schibelhute moved and William Perron seconded to recommend the appointment of Leslie Boswack as an alternate representative for the Town of Deerfield to SNHPC. Voted in favor.

2012 BUDGET

At a recent meeting with the Board of Selectmen, Steve Barry recommended that the line item for the Planning Consultant be reduced. Chair McGarry said that he and Gerald Coogan had discussed a reduction of perhaps \$6000.00.

Chair McGarry will speak with Steve Barry .

The meeting was adjourned at 9:30PM.

Recorded and transcribed by Jane Boucher  
Pending Approval by the Planning Board

## MEMORANDUM

October 10, 2011

TO: Deerfield Planning Board (DPB)  
FR: Gerald Coogan, Planning Consultant  
RE: Cady Compliance Hearing re: safe sight distance

The following is a chronology of events regarding the issue of safe sight distance for the intersection of Cady Lane and Meetinghouse Road. The compliance hearing deals with condition # 7 as approved by the DPB at its July 13, 2011 meeting and contained in the Notice of Decision.

May 9, 2011: In the original application dated May 9, 2011, Jones and Beach Engineers (JBE) prepared thirteen (13) waiver requests. In the original application, JBE prepared waiver request # 11, which addressed the issue of sight distance, which specifically requested a deviation from the standard of 400 feet of safe sight distance. The standard practice is for the Planning Board to address and act on information as presented in the application for subdivision.

June 8, 2011: The DPB granted seven waiver requests and five were withdrawn. The one remaining waiver request addresses the issue of safe sight distance.

July 13, 2011: The DPB granted conditional approval to the Cady subdivision with condition # 7:

7. Revise the final project plans to comply with the 367-foot (ASHTO standard) of all-season safe sight distance and receipt of executed easement deeds, in a form acceptable to the Planning Board, for the conveyance of Line-of-Sight Maintenance Easements over subdivision Lot #1 and abutting Lot 209-9, with evidence satisfactory to the Planning Board that the easement is subject to no prior encumbrances;

September 14, 2011: On September 14th, the Planning Board agreed with the Town Planner Memo of the same date which states in part:

"That said, in terms of process we recommend that the Planning Board advise Mrs. Cady to: (a) File a written request for a compliance hearing for the purposes of seeking modification of Condition No. 7 of her July 13<sup>th</sup> approval to the extent the required measure of intersection sight distance specified in the text of that condition (367-foot) would be reduced to a dimension equal to that calculated for the 30 MPH design speed under applicable AASHTO Policy; (b) submit that written request together with technical information prepared by her consultant documenting the modified sight distance dimension sought, an abutters list, payment of applicable notification fees and a written waiver request for reduction of required sight distance from 400-feet to the "new" distance calculated by her engineer. Upon receipt of all of the above, a public hearing for consideration of her request can be lawfully conducted.

September 23, 2011 (attached): JBE letter to DPB states 307 feet of safe sight distance is available for vehicles making a left hand turn onto to Meetinghouse. At present, it is unclear what action the agent, JBE, is requesting of the DPB at this time.

October 6, 2011: KNA review letter attached.