

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
FEBRUARY 12, 2014

MINUTES OF MEETING

PRESENT; Board members Fred McGarry, Kate Hartnett, Lisa Wolford, Peter Schibbelhute (arrived at 7:15PM), Selectmen's Representative Richard Pitman (arrived at 7:10PM). Also present Planning Consultant Gerald Coogan and secretary Jane Boucher.

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

APPROVAL OF MINUTES

Kate Hartnett moved and Lisa Wolford seconded to approve the minutes of October 9, 2013.

The following corrections were made to the minutes.
Page 1 Paragraph 7: Add "Lisa Wolford questioned the Board's authority as to requiring property owners to be free of violations."
Page 2 Paragraph 8 Correct to read "..that she would like Mr. Stevens to do something..."

Chair McGarry called for a vote on the motion. Voted in favor as amended.

Kate Hartnett moved and Lisa Wolford seconded to approve the minutes of October 23, 2013.

Proposed changes submitted by Lisa Wolford (attached to these minutes) were approved.

Chair McGarry called for a vote on the motion. Voted in favor as amended.

Kate Hartnett moved and Fred McGarry seconded to approve the minutes of January 6, 2014. Voted in favor.

Kate Hartnett moved and Fred McGarry seconded to approve the minutes of January 21, 2014.

The following corrections were made to the minutes.
Page 1 Paragraph 3: Correct to read "..Bill Von Hassel..."
Page 2 Paragraph 3 Correct to read ". Registration of Home Business is invasive."
Page 2 Paragraph 3: Correct to read"..or display of materials or products could be an issue."
Page 4 paragraph 3: Correct to read"...can assess a fine."

Chair McGarry called for a vote on the motion. Voted in favor as amended with Lisa Wolford abstaining.

7:15PM James Deely; Trails Plan

Mr. Deely said he was here to discuss the Trails Plan and Trails Club, which they would like to organize. The purpose was to connect trails from Northwood Meadows to Pawtuckaway and Bear Brook and encourage people to get out and use the trails and maintain the trails.

Mr. Deely noted that he had met with the Conservation Commission to discuss this and they felt the Planning Board should also be involved. He asked the Planning Board how they would like to proceed.

Fred McGarry said that the Planning Board has information regarding the trail maps in relation to the Master Plan and felt that was the function of the Board. He felt that Mr. Deely should meet with the Board of Selectmen and discuss it further with them.

Lisa Wolford agreed, saying that she questioned what authority the Planning Board had to appoint a committee.

Kate Hartnett noted that the Conservation Commission would like to coordinate and participate in the process and she felt the Planning Board should be advised of the process.

Fred McGarry commented that he did not see this as a function of the Planning Board.

Lisa Wolford said that she would be happy to check statutes to determine authority.

Mr. Deely will make an appointment with the Board of Selectmen to discuss the Trails System. Planning Board members, that are available, will also try to attend the meeting.

7:30 CONTINUATION; SITE PLAN REVIEW; JCR CONSTRUCTION; NORTH ROAD

Present Mark Jacobs, Wetland Scientist, Tobin Farwell (arrived at 8:30PM) and several abutters.

Mr. Jacobs provided revised plans for the Board's review.

Mr. Jacobs reviewed the changes made to the plan. He noted that they have requested a waiver from the requirement to pave the parking area and maintain the gravel surface. Mr. Jacobs noted that the tree line has been highlighted. He also noted the addition of # 8 on the cover sheet "The use of the helicopter is intended for normal business hours of operation. Due to the line of work of electrical line repair, emergency weekend operations might occur." He also referred to Note # 9 "This

helicopter pad is intended to be used exclusively for JCR unless in case of emergencies where medflight or any unforeseen emergency requires landing."

Mr. Jacobs referred to # 10 The helicopter that will use the pad is a MD500. No helicopter making more noise than this is allowed. He also referred to the flight path shown on the cover sheet.

Gerald Coogan referred to his memo of February 12, 2014 noting outstanding issues. A copy is attached to these minutes.

Chair McGarry said that the model helicopter is noted on the plan and the note should also indicate the horsepower.

Mr. Coogan noted that the applicant has requested four waivers which are outlined in Mr. Farwell's letter dated January 7, 2014. It was determined that no action has been taken by the Planning Board on the request.

Chair McGarry said that "No Fuel Storage on site" should be added to 4 G on the cover sheet. It was also agreed to require a bond or letter of credit be in place to cover cost of additional improvement.

Chair McGarry noted that pipe size and material should be noted on the plan as well as shading to identify the area that will contain snow storage.

Fred McGarry noted that the arrow showing the flight path on the cover sheet should show helicopter arrival and departure.

Kate Hartnett referred to Note # 8 on the cover sheet noting that it should indicate the requirement made by the ZBA should be included "Hours of operation for takeoff and landing 7AM to 6PM except in family or regional emergencies."

Kate Hartnett referred to information submitted by the applicant from FFA describing touch down and lift off areas, minimum dimensions of one times rotor diameter, dynamic loads, striping with h marking, final approach and take offs. She noted that these are the specifics for designing a heliport. She referred to # 5 on the memo submitted by Gerald Coogan dated October 21, 2013 "The owner will paint and "H" on the pad which is required by FAA advisor circular 150/5390-2B Heliport design." Ms. Hartnett questioned if this information should also be noted on the plan.

Lisa Wolford questioned the necessity of including this information.

Chair McGarry said that it wouldn't hurt to have the information included. Mr. Jacobs will confer with Mr. Farwell.

Lisa Wolford questioned how the board can be assured that the trees will not be cut.

Chair McGarry agreed, saying that a note be placed inside the area that is wooded indicating that this area shall remain wooded and undisturbed as a condition of this approval.

Fred McGarry asked that dimensions be added to the proposed building.

Kate Hartnett referred to Lighting # 6 on C1 "Lighting for the site shall be 2 flood lights of a maximum of 120 watts. These shall be located a maximum of 12 feet above grade and directed at the landing pad. Ms. Hartnett questioned when the lights would be on.

Lisa Wolford and Peter Schibbelhute recalled that the lights will only be on at night when the helicopter was landing. It was agreed to add this to note # 6 on C 1.

At this time Chair McGarry read a letter received from Fire Chief Mark Tibbetts supporting this site plan. A copy of the letter is attached to these minutes.

At this time Tobin Farwell arrived and confirmed that lights will only be on during emergency situations after dark.

Lisa Wolford referred to Gerald Coogan's memo dated February 12, 2014 regarding "Noise" a condition of approval is that the noise level be in the range of that observed by the Planning Board during the site visit of November 30, 2013 and reported in the Planning Board minutes of that day. She indicated that she had no recollection of the Board approving the noise levels.

Fred McGarry said he thought they had agreed that although the levels were not below the levels identified in the Commercial Industrial Overlay were mitigated.

Lisa Wolford said that landscaping does not mitigate noise. Mr. Farwell said that there was no note on the plan saying that landscaping mitigates noise.

REQUESTS FOR WAIVERS

Peter Schibbelhute moved and Lisa Wolford seconded to grant a waiver request from Section III-3 Non-residential Development-E-22 Two foot contour interval topographical survey mapping with elevation referenced to NGVD 1929 datum. Voted in favor.

Peter Schibbelhute moved and Lisa Wolford seconded to grant a waiver request from Section III-3 Non-residential development-E 11. The total area of the lot in addition the plat shall indicate the areas of the lot comprised of poorly drained soils. The applicant advises that they have delineated the soils near the subject area but have not delineated the entire site. Voted in favor.

Peter Schibbelhute moved and Lisa Wolford seconded to grant a waiver from Section III-3 Non-residential development - E 5. All boundaries of each subject parcel defined by metes and bounds. The applicant advises that because the parcel is over 90 acres and they are proposing to develop approximately 2 acres, they are requesting a waiver to this requirement. Voted in favor.

Peter Schibbelhute moved and Lisa Wolford seconded to grant a waiver from Section IV 2.D.2 of the site plan review regulations requiring parking spaces to be paved. The applicant noting that this is not open to the public and will not require a paved surface for ease of access. Voted in favor.

Lisa Wolford asked if the Board could review the sound decibels recorded on November 30, 2013.

Chair McGarry referred to the minutes of 11/30/13 noting what the minutes reflected were measured. A copy of the November 30, 2013 minutes is attached.

Chair McGarry asked if any abutters would like to speak.

Karry Linkler voiced concern that the noise levels have not been demonstrated to comply with the Zoning Ordinance 212 21 Noise.

Jackie Linkler asked if this would be a primary residence noting that the ordinance states that a special exception is required for "Aircraft Take Offs and Landing Strips as an accessory use.

Jackie Linkler stressed the importance of the fact that the decibel levels are over what is stated in the ordinance.

Lisa Wolford stated that what the ZBA did, based on the ordinance, made it impossible for this applicant to comply. She noted that the ZBA could have approved the special exception without referring to the ordinance.

Kate Hartnett noted that she was comfortable with the application and the overall benefits to the Town seem to

outweigh transient intermittent noise which is less noise than traffic going by.

Joanne Devlin said that a helicopter flying on October 10, 2013 was extremely loud. Chair McGarry said that they could not identify that helicopter as owned by JCR.

Peter Devlin spoke regarding the noise and the effect it will have on abutters. He said the application is not acceptable.

Peter Schibbelhute said the Board is trying to cover every aspect of this application and if the applicant does not follow the conditions, if granted, he will be held in default.

Kate Hartnett noted that she lives in a quiet area of Town and during the last few summers she has had aircraft doing air maneuvers over her house. She said the Board was trying to strike a balance with this applicant as it would be beneficial to the Town.

Fred McGarry said the Board was trying to get everything in writing to enable them to correct any violation that occurs.

Kate Hartnett said the concept of the Commercial Overlay District is to allow the applicant provide mitigating practices and strike a balance and be objective.

Joanne Devlin questioned why the Board bothered to conduct a test for noise levels.

Peter Schibbelhute said the Board needs a base line to be objective.

Peter Schibbelhute moved to grant conditional approval for JCR Construction for a Site Plan Review for property on 27 North Road. Conditional approval to lapse in 30 days (3/12/14) with the following conditions stated earlier in the meeting:

1. Horsepower of helicopter model on # 8 on cover sheet.
2. Add 'No aviation fuel storage to 4 G on cover sheet.
3. Bond or letter or credit in place for future improvement.
4. Show pipe size and material on plan
5. Show where snow will be stored
6. Add to # 8 Cover Sheet "Hours of operation for take off and landing 7AM to 6PM except in family or regional emergencies" This statement from the ZBA approval.
7. Add FAA specifications to design heliport
8. Note to inside area that is wooded "This area shall remain wooded and undisturbed as a condition of this approval"
9. Add dimensions of proposed building
10. Add to # 6 C1: Lights on only at night when helicopter is landing.

11. Add signature block to Cover Sheet.

Richard Pitman seconded.

Chair McGarry called for a vote on the motion. Motion carries four to one with Lisa Wolford opposed.

Richard Pitman left the meeting at this time.

APPROVAL OF MANIFEST

Peter Schibbelhute moved to approve the manifest in the amount of \$6,550.00 (Jack Mettee \$4,650.00 and \$800.00, Allen Drake \$1,200.00 and a time sheet for Jane Boucher 26 1/2 hours).

Lisa Wolford seconded. Voted in favor.

YEATON SUBDIVISION/ RITCHIE ROAD

Peter Schibbelhute moved to grant a extension for conditional approval for Joyce Yeaton to March 12, 2014. Lisa Wolford seconded. Voted in favor.

The meeting was adjourned at 10: 45PM.

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

February 8, 2014

LW's proposed changes to the October 23, 2013 minutes:

- Page 3, Para. 1 of JCR section: Change second sentence to:

Property abutters were notified. The Board did not receive written comments concerning the application.

- Page 4: insert new paragraph before current paragraph 3 (which begins, "There was considerable discussion...").

Several abutters and other interested persons commented on the application. Peter Prentice noted his objection to the noise generated by the helicopter. He pointed out that the ZBA had conditioned its approval on compliance with Article II, Section 212, Paragraph 21, the noise provision contained in the Commercial-Industrial Flexible Overlay District ordinance. Mr. Prentice said that provision number 21 was mandatory and if JCR could not comply with its requirements, that "should be the end of the inquiry."

Cathy Shigo commented that it did not matter whether the noise generated by the helicopter was intermittent or sustained, since "noise is noise." Fred McGarry recommended that the Board check with code enforcement in Raymond, where JCR is headquartered, to determine whether residents there had complaints about the noise.

- Page 4, Para. 3: change fourth sentence. It now reads, "After further discussion, the Board concluded the noise standard refers to sustained noise." This is incorrect. The sentence should read,

The Board could not come to a consensus about the meaning of the ordinance.

- Page 4: insert new paragraphs after paragraph the beginning, "There was considerable discussion..."):

An abutter named Pat asked what would happen if the helicopter crashed in Deerfield. Chief Tibbets, who was in favor of the application, responded that the emergency response to a helicopter crash would be no different than the emergency response to any other catastrophe.

The Board also discussed snow removal and landscaping. Lisa Wolford said that the plan must contain the guarantee that a landscaping buffer will be maintained, since there was otherwise no assurance that the existing trees and vegetation, while currently providing an appropriate visual buffer, would not

be removed.

MEMORANDUM

February 12, 2014

TO: Deerfield Planning Board
FR: Gerald Coogan
RE: Outstanding issues for JCR Helicopter site plan

The outstanding issues are:

- Noise --- a condition of approval is that the noise level be in the range of that observed by the Planning Board during the site visit of November 30, 2013 and reported in the Planning Board minutes of that day.
- The approval shall include a note on the plan listing the type and horsepower proposed by JCR for the helicopter, or the functional equivalent to ensure there is not a substitution of a larger more powerful helicopter in the future;
- Gravel parking spaces;
- Appropriate landscaping to mitigate noise --- There will be over 120' of wooded buffer to the road. Section B requires 15'. Particularly Number 4 under B- states

"In order to promote the preservation of mature specimen trees as part of the design and construction of new non-residential and multi-family residential site, healthy deciduous trees having a diameter of at least 8" at breast height may be preserved and used to fulfill the minimum tree planting requirements of this section."

The applicant is using this section to fulfill the requirement. The plan shall state the existing vegetation on the site between the edge of clearing and the road shall be retained. //

- Except for periodic emergency use, JCR will be the only authorized user of the site for its own take offs and landings;
- The plan shall show the approach and departure routes for the helicopter. The use of those routes shall be a condition of the approval.
- A lock box arrangement will be coordinated with the emergency responders (police, fire and rescue).
- A final sign off letter from KNA regarding compliance with the KNA review letter

- A bond or letter of credit to cover the cost of the proposed improvements.
- Other items?

If desired, the Board can easily turn these items into conditions of approval.

DEERFIELD FIRE DEPARTMENT

PO Box 90
6 Church Street
Deerfield, NH 03037



Mark A. Tibbetts, Fire Chief
Station (603) 463-7721
Cell (603) 608-8720

January 21, 2014

Deerfield Planning Board
PO Box 159
Deerfield, N.H. 03037

Fred McGarry, P.E. Chair

The Deerfield Fire and Rescue support the site plan for the proposed Landing Zone for JCR Construction at 27 North Road. This Landing Zone would be beneficial for future Med Flights for Deerfield.

I requesting that a Knox Box be installed at the gate and that a switch be available outside to turn the lights on for the LZ.

If you have any questions feel free to call me at 608-8720.

Yours in Fire Protection

A handwritten signature in black ink that reads "Mark A. Tibbetts". The signature is written in a cursive style with a large initial "M".

Mark A. Tibbetts
Fire Chief

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
November 30, 2013

MINUTES OF MEETING

PRESENT: Board members Kate Hartnett, Fred McGarry, Alan O'Neal, and Lisa Wolford
Others present: Tobin Farwell, P.E., engineer for JCR Construction, Matt Reed with JCR Construction, Diana Young, Jackie and Karry Linker, and Jeanne Menard.

9:00 AM Board members met at the site of the proposed JCR helicopter landing pad adjacent to and immediately east of North Road, Map 210, Lot 54. The sky was clear and the temperature was in the range of 10 to 20°F. Members discussed the locations of the proposed sound measurements which are planned to be taken when the helicopter lands and then takes off from the location of the proposed helicopter pad.

Ms. Young asked about possible sound measurements on Mountain Road close to the power lines. The Board did not identify that location for sound measurements at the Board's meeting on November 20.

Mr. Farwell noted that his sound meter was reading 4 decibels low.

Sound measurements were taken by Alan O'Neal of traffic on Route 107 from about 10 to 15 feet off the edge of pavement. A car was recorded at 73.8 db and a pickup truck was recorded at 78.8 db. Mr. O'Neal noted that the literature shows the noise level for busy city traffic at 85 db.

The helicopter arrived at the site around 9:34 AM. It circled to the north and then to the west of the site and then came in to land from the northwest. The helicopter landed at 9:36. From a location 15 feet off the edge of pavement of Route 107 at the entrance to the site, the sound level for the helicopter recorded by Alan O'Neal was 86 db. The height of the helicopter above the ground was about 300 feet. The sound level of the helicopter once landed and idling was 66 to 67 db. Mr. Farwell was on the property line between Lots 56 and 54 and at the edge of the Public Service right-of-way. He recorded a sound level of 80 db at that location.

The next round of noise measurements were to be taken at 23 Mountain Road and 31 Mountain Road. Mr. Farwell would be at 23 Mountain Road and Mr. O'Neal would be at 31 Mountain Road. Noise readings would be taken at takeoff.

9:35 everyone with the exception of Mr. McGarry left for Mountain Road to witness the sound levels upon takeoff.

Mr. McGarry noted that at a point 15 feet off the edge of pavement of Route 107 that traffic noise drowned out the noise from the idling helicopter. It wasn't until he moved to the property line of the site, about 30' from the edge of pavement, did the helicopter idling noise equal the traffic noise.

9:45 the helicopter took off from the site and headed south to the JCR site in Raymond. Mr. McGarry noted that the noise level at takeoff increased when it was about 15' off the ground.

Mr. O'Neal, Mr. Farwell and Mr. Reed returned to the site. Mr. Farwell recorded a noise level at 23 Mountain Road (Mr. and Mrs. Linker) on the deck attached to the house at 57 db. Mr. O'Neal had positioned himself on the driveway to 31 Mountain Road (Mr. and Mrs. Winski), about half way between Mountain Road and the house. He recorded a reading of 59.8 db. He noted that a box truck driving up Mountain Road had a reading of 89 db.

There was discussion that because of the temperature, which was in the range of 10 to 20°F, that the sound levels would be higher than at warmer temperatures since sound waves travel better in colder temperatures.

Everyone left the site at 10:09.

Minutes prepared and submitted by F. McGarry

Minutes approved by the Planning Board on December 18, 2013.