

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
JUNE 10, 2015

MINUTES OF MEETING

PRESENT: Board members Kate Hartnett, Peter Schibbelhute, William Perron, Richard Pitman . Alternate member David Doran. Planning Consultant Gerald Coogan. Secretary Jane Boucher.

Vice Chair Kate Hartnett called the meeting to order at 7:05PM and appointed David Doran a voting member in the absence of Fred McGarry.

CONTRACT RENEWAL/GERALD COOGAN

Mr. Coogan provided copies of a contract renewal for six months for the Board's review.

Vice Chair Hartnett recommended the following changes be made to Attachment A of the proposal:

- a. Provide technical assistance regarding proposed changes, update and improvements to Section 212 Commercial Industrial Overlay, Section 330 Pleasant Lake Watershed Ordinance, Deerfield Village Center, Traffic Calming and Housing Strategy
- b. Facilitate with the preparation of the Capital Improvements Program (CIP).
- d. Coordinate with the Building Inspector, Code Enforcement Officer, and Road Agent to planning issues and proposed changes to local land use regulations when the need is identified.
- i. Distribute information through the Forum and the Communicator(if existing) as appropriate. Prepare annual Calendar, prepare annual Town Report, track opportunities to Broadband.

7:15 APPLICATION FOR PUBLIC HEARING; SITE PLAN REVIEW; SHANE AND ROBIN CARTER, PARADE ROAD

Shane and Robin Carter were present along with James Raymond, Kathy Shigo
abutters John Howard, Jeff Steele and Joel Hughes were also present.

Vice Chair Hartnett read the Notice of Public Hearing by which Shane and Robin Carter, 3 Parade Road , Deerfield, NH were applying for a Site Plan Review for property located on Parade Road (identified as Map 409 Lot 5) consisting of 133.252 acres and owned by Robin E. Carter Revocable Trust of 2010. The intent of the application is to construct a private equestrian facility for horse boarding and training. The facility to consist of a 30 x 60 horse barn and 68 x 152 indoor riding arena.

Gerald Coogan provided two memorandums relative to the

application and a letter from Steve Keach KNA. Mr. Coogan stated that the applicant has identified 17 waiver requests. Steve Keach reviewed the site plan and prepared a memo dated June 9, 2015, in which he can support most, but not all of the waiver requests. KNA does not support waiver requests for: Drainage Calculations, Design and Construction Standards for Drainage and Stormwater Management facilities and detailed Erosion and Sediment Control Plan.

Copies of Mr. Coogan's memos and Mr. Keach's letter are attached to these minutes.

Richard Pitman moved and David Doran seconded to accept the application. Voted in favor.

Shane Carter noted that they purchased the property a couple of years ago and have taken great care to maintain it. He noted that this is a private facility and hope to have five or six boarders.

Mr. Carter said the proposed access is from the existing driveway.

Kate Hartnett read a letter from Road Agent Mark Young saying that he has no problem with use of the existing driveway to access the proposed barn.

Mr. Carter said that the proposed location is on a relatively flat section of existing fields. He added that there are existing stone walls and they plan to install an electric rail fence. According to Mr. Carter they do have approves for a septic plan, they are also proposing to drill a new well to service the facility.

Mr. Carter addressed manure management noting that they will follow Best Management Practices as outlined by the State. He added that they will have low bedding content and will be using composting. Mr. Carter said the manure will not be going into the ground water and creating a good organic matter through the composting process and low impact to the site.

Mr. Carter added that the primary thing to think about for the site is that it is in an area that is below the grade level and water cannot throw back into the road nor onto anyone else's property.

Shane Carter noted that there is ample parking and pointed out the proposed parking for horse trailers. They intend to leave that area as grass because the parking for trailers will be infrequent. Mr. Carter noted that the area was designed so that people can pull in and out with trailers without a problem.

David Doran questioned the location of hay storage. Mr. Carter replied that hay will be stored in an existing small barn on the property which smoking detectors will be installed.

Mr. Carter said that he believes he has sufficiently addressed drainage and does not feel he needs to submit a grading plan.

At this time Kate Hartnett read a letter from Fire Chief Mark Tibbetts in which he stated that he had no problem with the proposal.

Abutter Joel Hughes voiced support of the proposal.

Abutter Jeff Steele questioned future expansion. Board members noted that any future expansion will require another site plan.

Peter Schibbelhute moved to continue the public hearing for Shane and Robin Carter to June 24, 2015 at 8PM.

8PM APPLICATION FOR PUBLIC HEARING; LOT LINE ADJUSTMENT; PETER LION/ROBERT GRAVES/JESSICA BELAIR; MOUNT DELIGHT ROAD
Peter Lion, Peter Menard, Robert Graves, Jessica Belair and James Franklin were present.

Vice Chair Kate Hartnett read the Notice of Public Hearing by which Peter Lion, P O Box 150, Deerfield, NH and Jessica Belair and Robert Graves, 137 Mount Delight Road, Deerfield, NH. Properties are identified as Tax Map 405 Lot 28 consisting of 128 acres and owned by Peter Lion Trust and Tax Map 411 Lot 46 consisting of 89 acres and owned by Jessica Belair and Robert Graves. The intent of the application to transfer 70 +- acres from Map 411 Lot 46 to Map 405 Lot 28. Map 411 Lot 28 would consist of 250 +- acres and Map 411 Lot 46 would consist of 22 +- acres.

Richard Pitman moved and Peter Schibbelhute seconded to accept the application. Voted in favor.

Vice Chair Kate Hartnett read a letter signed by Jessica Belair and Robert Graves concurring with the application.

Gerald Coogan reviewed a memorandum noting that two waiver requests"

- . Full boundary review of Lot 28 and Lot 36
- . Plan scale at 1 inch = 100 foot.

James Franklin noted that the northwest portion of the Browns Mill area is a survey that he completed. The existing lot line to be eliminated was surveyed by David Sidmore. He added that Lot 28 has been surveyed and the plan is on file at the

Registry of Deeds. Mr. Franklin noted that plans for a boundary line agreement between Lots 32 and 51 are also on file at the Registry of Deeds and were surveyed by David Sidmore.

David Doran moved to grant a waiver request for a full boundary survey of Lot 28 and Lot 46. William Perron seconded. Voted in favor.

Peter Schibbelhute moved and William Perron seconded to grant a waiver for a plan scale at 1 inch = 100 foot. Voted in favor.

Peter Schibbelhute moved and William Perron seconded to approve the application for a Lot Line Adjustment for Peter Lion and Jessica Belair and Robert Graves. Voted in favor.

8:50PM ROLLINS EXCAVATION SITE

Steve Rollins and Kathy Shigo were present.

Board members were provided copies of a draft of a letter to Nellie Rollins with revisions by Fred McGarry reflecting the position of the Planning Board as the "Regulator."

Vice Chair Hartnett noted that the Planning Board does not have a lot of experience in resolving this situation.

Steve Rollins questioned the violations and asked what are the violations.

Gerald Coogan advised that he had met with Mr. Rollins and drafted a letter which he sent to Mr. Rollins. Mr. Coogan said Fred McGarry has made additional comments to his letter. He added that in his letter he identified two potential violations

- .Work outside the permitted area and
- .Access Road

Kate Hartnett read a memo to Fred McGarry from Kernan Brandon, DES, regarding water testing. A copy is attached to these minutes.

Board members agreed that they would like more time to review information sent by Chair McGarry before discussing the Rollins Excavation site further.

The Planning Board will hold a Work Session on Wednesday, June 17, 2015 at 7PM to discuss the excavation site.

CONTRACT RENEWAL/GERALD COOGAN

Peter Schibbelhute moved and William Perron seconded to approve a six month contract for Gerald Coogan as amended. Voted in favor.

PLANNING BOARD 6/10/15

The meeting was adjourned at 9:15PM.

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

MEMO

June 10, 2015

TO: Deerfield Planning Board

FR: Gerald Coogan

RE: Carter Site Plan – Equestrian facility

Sequence of events

G. Coogan to provide an overview and summary; S. Carter to provide additional details

Waiver Requests:

The applicant has identified 17 waiver requests. Steve Keach, P.E., reviewed the site plan and my earlier Memo and prepared a Memo dated June 9, 2015, in which he can support most, but not all waiver requests. KNA does not support waiver requests for: Drainage Calculations (Section III-3, E 3 b 15), Design & Construction Standards for Drainage and Stormwater Management facilities (Section IV-4) and detailed Erosion and Sediment Control Plan. (Section III-3, E 3 b 10). The Board should consider the waiver requests using the criteria in Section I-6 of the DSPRRS:

- A. Strict conformity would pose an unnecessary hardship to the applicant and the granting of such waiver would not be contrary to the spirit and intent of these Regulations; or
- B. Specific circumstances relative to the site plan, or conditions of the land indicate that the waiver will properly carry out the spirit and intent of these Regulations

Act on the waiver requests

Accept the application as complete

Open the Public Hearing – accept comments from abutters and the public.

Close the Public Hearing and discuss the proposed site plan.

Proposed Motion

Move to conditionally approve “Site Plan for Parade Hill Farm, Land of Robin Carter Trust of 2010” with the following conditions:

1. Submission of information related to Drainage Calculations;¹
2. Design & Construction of appropriate drainage and stormwater management facilities;
3. Erosion and Sediment Control Plan;
4. Limit the number of horses to be boarded to a total of eight (8);
5. Limit the facility to boarding and indoor and outdoor riding of horses and not to be used for horse shows and the like which attract members of the general public; and

¹ A Low Impact Design (LID) approach for drainage, stormwater management and erosion / sediment control is appropriate in the applicant.

6. Applicant to comply with the appropriate building code and National Fire Protection Association code, if applicable;

an expanded use – see Town Road agent.

Waiver Requests:

1. Signed certification Sealed by a NH Licensed Land Surveyor – plan prepared based on “Boundary and Topographic Plan” by Brown Engineering
2. Complete boundary survey
3. Width of adjoining street
4. Areas of Poorly and Very Poorly drained soil – construction area does not include these soil types
5. Site specific soil survey
6. Existing site features – surveyed by Brown Engineering
7. Erosion and Sedimentation Plan – minimal land disturbance
8. Construction details of all site improvements
9. Site grading plan
10. Drainage calculations
11. Location of fire protection

Observations:

1. The 10,336 SF riding arena is a large building.

2. The equestrian facility will be the dominant use on the property.
3. **NH RSA 672:1 Declaration of Purpose** states in part: "III-b. Agriculture makes vital and significant contributions to the food supply, the economy, the environment and the aesthetic features of the state of New Hampshire, and the tradition of using the land resource for agricultural production is an essential factor in providing for the favorable quality of life in the state. Natural features, terrain and the pattern of geography of the state frequently place agricultural land in close proximity to other forms of development and commonly in small parcels. Agricultural activities are a beneficial and worthwhile feature of the New Hampshire landscape and shall not be unreasonably limited by use of municipal planning and zoning powers or by the unreasonable interpretation of such powers;"
4. The Planning Board needs to balance the DSPRR requirements with the proposed agricultural use.

Recommendations:

1. Request comments from the Town's Fire Chief and Road Agent
2. Review architectural elevations
3. Limit to a total of eight (8) horses to be boarded, two (2) of which belong to residents of the property.
4. If practical, surveyor to complete the complete the work that would allow him to sign the Site Plan.



Memo

To: Mr. Frederick J. McGarry, P.E.; Chairman - Deerfield Planning Board

From: Steven B. Keach, P.E.

Date: June 09, 2015

Subject: Site Plan Review Application - Parade Hill Farm
3 Parade Road (Map 409 – Lot 5); Deerfield, New Hampshire
KNA Project No. 15-0609-2

At the request of Town Planning Consultant Gerald Coogan received earlier today we have completed a cursory review of a site plan application submitted to your Board by or on behalf of the owners of the subject premises. To date, we acknowledge receipt of copies of the following information, which was the subject of our review:

- A single site plan drawing dated May 14, 2015; and
- A narrative with several corresponding photographs prepared by the applicant on April 29, 2015.

In addition, we acknowledge receipt of a copy of a staff report prepared by Mr. Coogan on June 09, 2015. As identified in text presented on the site plan, we understand the applicant seeks as many seventeen waivers from specific requirements of the Site Plan Review Regulations under this application. Since Mr. Coogan has provided the Board with discussion and recommendations in regard to many of these waiver requests in his cited staff report we elected not to duplicate that effort in this memorandum. Rather, we offer the following comments and recommendations for your consideration:

1. Article I – Section I-6 of the Site Plan Review Regulations provides specific guidance in regard to the matter of waiver requests that is largely derived from statute (RSA 674:44). Although we understand the current application involves what is predominantly intended as an agricultural use, which if not but for the applicant's intent to board horses and permit the use of on-site equestrian facilities by others for a fee, might not otherwise be subject to site plan review, we recommend your Board carefully consider those criteria pre-requisite to the granting of waiver requests provided in Section I-6. Based on the limited text provided in support of each of those waiver requests provided on the site plan drawing it appears several are genuine and easily justifiable given the limited non-residential use of the premises intended by the applicant (i.e. "Specific circumstances relative to the site plan ..."). However, upon reading the limited

Civil Engineering

Land Surveying

Landscape Architecture

justification offered in support of several other requests it appears their genesis represents little more than convenience on the part of the applicant. If the Board agrees this application for site plan approval is properly within its purview pursuant to the provisions of Article I - Section I-4 of the Site Plan Review Regulations, we recommend your Board carefully consider each waiver request in the context of RSA 674:44, III (e) and Section I-6 of the Site Plan Review Regulations prior to acting on the same.

2. Article III – Sections III-3.E(3)(b)(13) and III-3.E(3)(b)(15) of the Regulations respectively require preparation and submission of both a “detailed grading plan” as well as “drainage calculations prepared and sealed by a Licensed Professional Engineer together with design plans and details for all stormwater management improvements.” That applicant has requested waivers from each of these requirements. Given the extent of site grading required to prepare the site of the proposed riding arena (the site plan shows a difference in existing grade of approximately six feet over the length of the arena) and other site improvements we cannot recommend that your Board waive the requirement for a detailed grading plan. Similarly, based on roof top dimensions reported on the site plan, an estimated 12,976 square feet of impervious roof surface will be added to the site. When coupled with the addition of semi-pervious gravel surfaced driveway and parking surfaces and miscellaneous improvements depicted on the site plan we anticipate a minimum of 25,000 to 30,000 square feet of new impervious surface will have been added to the site at full build-out of all proposed improvements. This is not insignificant and if not properly managed could result in adverse future drainage conditions both on and off site. Correspondingly, we are unable to recommend approval of the applicant’s proposal to waive the requirement for proper analysis and design of drainage improvements otherwise required to satisfy both Sections III-3.E(3)(b)(15) and IV-4 of the Regulations. Similarly, we are unable to support the applicant’s request that the Board waive the requirements of Section III-3.E(3)(b)(10) of the Regulations which requires preparation and submission of a detailed erosion and sedimentation control plan.
3. Again, while we are not opposed to your Board providing the applicant with reasonable relief in terms of compliance with several requirements of the Site Plan Review Regulations whose primary focus pertains to traditional commercial sites, given the extent of site alteration and building improvements currently planned we are compelled to recommend your Board require this applicant cause an appropriate level of basic site engineering information to be prepared and submitted under the current application. If your Board concurs and appropriate plans and supporting information is ultimately submitted we could then offer meaningful comment on the merits of this proposal as well as compliance with applicable requirements of the Site Plan Review Regulations.

McGarry, Frederick

From: Kernen, Brandon
Sent: Tuesday, May 19, 2015 10:33 AM
To: McGarry, Frederick
Cc: Rydel, Paul
Subject: Deerfield Sampling Results

Hi Fred – here are the results of samples collected from private wells near the blasting site.

I plan to sample 23 Parade Road and 29 Parade Road again this Thursday.

I did collect a VOC sample from 29 Parade road and all results were ND.

All of the samples below were also analyzed for nitrite and ammonia. All results were ND except for one in which ammonia was detected just above the reporting limit.

23 Parade has a point of use RO unit that has not been maintained as shown by the results below. They are replacing the filters this week and I will collect a post-treatment sample Thursday.

			Nitrate (mg/L)
23 Parade Road - Post Treatment	4/30/2015		6.5
23 Parade Road	4/23/2015		6.4
23 Parade Road	4/30/2015		7.5
23 Parade Road	5/8/2015		6.6
27 Parade Road	4/30/2015		<0.050
28 Parade Road	4/30/2015		0.053
29 Parade Road	4/23/2015		6.2
29 Parade Road	4/30/2015		6.3
29 Parade Road	4/30/2015		6.0
32 Parade Road	4/30/2015		<0.25