

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
DECEMBER 9, 2015

MINUTES OF MEETING

PRESENT: Board members Fred McGarry, Kate Hartnett, Peter Schibbelhute, Selectmen's Representative Rebecca Hutchinson. Alternate member David Doran. Secretary Jane Boucher.

7:05PM Chair Fred McGarry called the meeting to order and appointed David Doran as a voting member in the absence of William Perron.

APPROVAL OF MINUTES

Kate Hartnett moved to approve the minutes of September 23, 2015. Peter Schibbelhute seconded.

The following corrections were made to the minutes:

Page 2 Paragraph 7: Correct to read: "...is that the land on which the cistern is located would become...."

Page 3 Paragraph 5: Correct to read ; "...and had no problem..."

Page 5: Last Paragraph: Correct to read : "..that they call..."

Page 5: Last Paragraph: Correct to read: "...RSA 674:41..." "Mr. Farwell said.."

Chair McGarry called for a vote on the motion. Motion carries with Rebecca Hutchinson abstaining.

It was noted that Page 2 was missing from the minutes of November 18, 2015, which had been mailed to the Board.

The following correction were made to the minutes:

Page 4 Paragraph 3: Correct to read: "...was based on a citizen's petition..." "...circumventing a citizen's petition..."

Page 4 Paragraph 4: Correct to read "...a fourth column to the Table on in the Subdivision Regulations..."

Copies of Page 2 of the November 18, meeting will be mailed to the Board and Approval of the minutes will be on the December 16, 2015 agenda.

PLANNING BOARD BUDGET

Chair McGarry noted that the MBC has accepted the 2016 Budget for the Planning Board. He added that there are funds available to purchase another tube file.

Kate Hartnett moved and David Doran seconded to authorize the Chair to purchase a tube file. Voted in favor.

IMPACT FEE

Chair McGarry noted that the Town of Chester assesses an Impact Fee to cover Fire and Police Departments. He said that he has spoken with SNHPC, who will provide information to the Board regarding this.

REQUEST FOR EXTENSION

A request for a 60 day extension for conditional approval for her subdivision on Griffin Road was received from Shelley Tetrault.

Peter Schibbelhute moved and David Doran seconded to approve a 60 day extension for Shelley Tetrault. Conditional approval to expire on February 14, 2016. Voted in favor.

Ms. Tetrault also submitted a Homeowners Agreement which will be sent to Attorney James Raymond for review.

APPROVAL OF MANIFEST

Peter Schibbelhute moved and David Doran seconded to approve the manifest for two time sheets for Jane Boucher. (23 Hours and 14 1/2 hours). Voted in favor.

7:25PM CONTINUATION; PUBLIC HEARING; OPEN SPACE SUBDIVISION;
DAVID PELLETIER MIDDLE ROAD

David Pelletier and Scott Frankiewicz LLS, Brown Engineering were present.

Mr. Frankiewicz said that State Subdivision Approval has been received and comments by Steve Keach, KNA, have been addressed. (A copy of Mr. Keach's letter is attached to these minutes).

Mr. Frankiewicz submitted a waiver request to allow the installation of all utilities overhead . He also submitted information on the Homeowner's Association and bond amount, which will be reviewed by Town Counsel.

Mr. Frankiewicz advised that property lines have been flagged.

Chair McGarry questioned the dotted line shown on Sheet 5. Mr. Frankiewicz replied that that was the 100 foot setback.

Kate Hartnett referred to Page 11 and the seasonal water table. Mr. Frankiewicz said that test pits have been done and there was no bedrock.

Board members were asked to vote on a waiver request to allow the installation of overhead utilities.

David Doran said that the concern is loss of power when tree limbs fall down. He noted that the poles will be on the road and all lines to homes will be underground. He said that he is

comfortable with the request.

Peter Schibbelhute agreed noting that they are estimating the installation of three poles.

Peter Schibbelhute moved and David Doran seconded to grant a waiver for (Section IV-7 A,B Subdivision Regulations) above ground utilities coming in from Middle Road to service Fieldstone Drive and underground lines from each individual home.

Rebecca Hutchinson questioned if this would set a precedent for future applications.

Chair McGarry said that this was the first application requesting such a waiver since the regulation has been in place. The reason for the request is that the location of the poles and the length of the subdivision road.

Chair McGarry called for a vote to grant a waiver from Subdivision IV-7 A,B Design and Construction Standards for Utilities requiring underground installation noting that all power to individual homes will be underground with an estimate of poles located on Middle Road. Voted in favor.

Peter Schibbelhute moved and David Doran seconded to grant conditional approval to David Pelletier for an Open Space Subdivision on Middle Road. Conditional Approval to lapse in 60 days (February 9, 2016). With the following conditions:
.Street name to be approved by the Board of Selectmen
.Letter of Credit to be reviewed by Town Counsel
.Homeowners document to be reviewed by Town Counsel.
.Cistern Design approved by Fire Chief and KNA
.Strike utility trench sheet Show detail going to homes
.Show distance on vicinity map from corner to Thurston Pond Road
Voted in favor.

8:10PM APPLICATION FOR PUBLIC HEARING MINOR SUBDIVISION;
WILLIAM AND ROBERTA SIMONEAU; MOUNT DELIGHT ROAD
William Simoneau, James Franklin and abutter Edward Cross were present.

Chair McGarry read the Notice of Public Hearing by which William and Roberta Simoneau, 60 Mount Delight Road, Deerfield, NH are making application for a Public Hearing for a Minor Subdivision for property located on Mount Delight Road (identified as Tax Map 410 Lot 21)consisting of 45 +- acres and owned by the applicants. The intent of the application is to create one new lot consisting of 5.061 acres.

Peter Schibbelhute moved to accept the application. David Doran seconded. Voted in favor.

A memo was received from Town Planner Gerald Coogan. A copy is attached to these minutes. Mr. Coogan noted, in his memo, that it is possible that lot 21 could have less than the 32 acres noted on the plan.

James Franklin , Land Surveyor, noted one of Mr. Coogan's comments ie number 2: A drilled hole is placed on a flat rock with the following note"LL57.D Lane 1854 Sept.22" Recommend that this rock inscription be preserved.

Mr. Franklin said that when they last met with the Board, they recommended that the proposed driveway be shown. He said that the Road Agent looked at the site and had no problem with location of driveway. Mr. Franklin said when they did the survey work, they found at the location of the proposed driveway , as shown on L3, a flat rock . It measures 12 inches tall by 18 inches wide.

Kate Hartnett asked Mr. Simoneau if he knew that rock was there. He replied he did not.

Mr. Franklin suggested, in view of the rock being preserved, that the driveway be widened on the easterly side.

Mr. Franklin said that they are proposing a 5.01 acre lot with high point of elevation 16 and drops down to elevation 5.60. He noted that it is well drained with no tree lines or wetlands.

Mr. Franklin requested seven waivers and noted that the deed indicated 45+- acres by deed and listed as 32 acres by the assessors. They are looking to create a 5.061+-acre lot. and he indicated on the plan that Lot 21 will be between 27 and 40 acres.

Chair McGarry said that if they were looking at a plan showing the remaining acreage to be 7 or 8 acres it may be a reason to look at a full topographic survey .

Chair McGarry asked that the Board vote on the requested waivers:

1. Section III-2 Minor Subdivision C-3-b-1 Full Boundary Survey Reason: large parcel with one 5 acre lot being subdivided. Substantial Surveying of surrounding lots; Remaining lot will be at least 32 acres.

Peter Schibbelhute moved and David Doran seconded to grant the waiver. Voted in favor.

2. Section III-3 Minor subdivision C-3 B-2 Topography plan showing 2 foot contours. Reason: Area Sufficient; one five acre lot being subdivided with 10 foot contours.

Peter Schibbelhute move and David Doran seconded to grant the waiver. Voted in favor.;

3. Section III-III c C 3 B-3 Bench marks. Reason: Only required when construction of a road or other infrastructure. No need for bench marks.

David Doran moved and Peter Schibbelhute seconded to grant the waiver. Voted in favor.

4. Section III-3 C-3 b-4 Site Specific soil mapping. Reason: NCRS soil mapping is indicated on the drawing and shows that soil is well drained.

Peter Schibbelhute moved and Kate Hartnett seconded to grant the waiver. Voted in favor.

5. Section III-3 C-3-b-6 Test pits. Reason Given the large area of land there is plenty of room for a septic in a well drained area. A test pit will be performed with the septic design.

David Doran moved to grant the waiver. Peter Schibbelhute seconded. Voted in favor.

6. Section III C-3 b-9 Existing tree lines. Reason: The site is fully

wooded; a tree line will provide little usable information.

Peter Schibbelhute moved and David Doran seconded to grant the waiver. Voted in favor.

7. Section III-3 C-3-b-10 Ledge outcrops. Reason: Ledge outcrops required for Major subdivisions and no ledge outcrops have been observed. David Doran moved and Peter Schibbelhute seconded to grant the waiver. Voted in favor.

Mr. Cross, an abutter, commented that he had no objections to the application.

Peter Schibbelhute moved and David Doran seconded to grant conditional approval for a Minor Subdivision for William and Roberta Simoneau on Mount Delight Road (approval to lapse in 30 days January 9, 2016, with the following conditions:

- .Re-bars or drill holes to be set
- .Flag line to be set
- .Flat rock to be shown on plan with no disturbance within 10 feet of historic marker.
- . Driveway to be constructed at least 10 feet to the east of L 3

Voted in favor.

PROPOSED ZONING AMENDMENTS/2016

PLEASANT LAKE WATERSHED SECTION 330;6

It was agreed to amend the proposal to read Paragraph F " The proposed plans shall ensure effective management...." Also amend to read "...erosion and sedimentation plans proposed by the applicant...."

Amend 210.3A Add Vernal pools.

Amend Section 325 Open Space Subdivision

Purpose: Reference Town of Deerfield Open Space Plan into design

DEERFIELD OVERLAY DISTRICT; SECTION 212

Kate Hartnett felt that information provided was insufficient.

Fred McGarry commented that requirements now are that if it becomes a more intensive use with a lot of traffic, it requires a larger lot size. He noted that, as it stands currently, doesn't take that into consideration.

Peter Schibbelhute stressed the importance of having any applicant come to the Planning Board to discuss their proposal.

Kate Hartnett referred to # 4 Review and Approval Process and said the process, as printed, was not clear.

It was agreed that these amendments to Section 212 not be accepted at the Public Hearing until questions posed by the Board can be addressed.

PROPOSED AMENDMENT TO SECTION 207.1

The Board reviewed the information and agreed that several comments were not well explained and needed additional information. Such as: Item # 3 the road shall provide adequate access to each lot served by the same in a manner consistent with State Building Code and State Fire Code Requirements. Chair McGarry commented that he, personally, would not be able to address those requirements.

A Public Hearing will be held on December 16, 2015 to discuss amendments to the following:

Section 330: Pleasant Lake Watershed Protection Ordinance
Section 207: Dimensional Requirements (aka Smith Ordinance)
Section 212: Deerfield Business Overlay District

The meeting was adjourned at 10PM.

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

December 03, 2015

Mr. Frederick McGarry, P.E.; Chair
Deerfield Planning Board
Post Office Box 159
Deerfield, New Hampshire 03034

Subject: **Proposed Subdivision of the Land of David Pelletier Construction Co., Inc.
232 Middle Road (Map 415 – Lot 17); Deerfield, New Hampshire**
KNA Project No. 15-0908-2

Dear Mr. McGarry:

As you may recall, on September 23rd we issued a letter report germane to the subject application. Within that report we offered a series of comments and recommendations generated as a result of our consideration and review of project plans and supporting information received through that date. On November 20th we received a subsequent submittal consisting of copies of the following information:

- A cover letter addressed to your Board prepared by the applicant's consultant on November 17, 2015;
- Correspondence addressed to your Board, as prepared by the applicant's consultant on November 17, 2015 for the purposes of requesting waivers from the requirements of Sections IV-7.A & B of the Subdivision Regulations;
- An undated draft of a Declaration of Restrictions, Covenants, Easements and Provisions for Fieldstone Drive Subdivision;
- An engineer's construction cost opinion of the proposed work, undated;
- A NHDES Subdivision Approval issued November 17, 2015; and
- Proposed subdivision plans (12 drawings) dated September 04, 2015 and last revised on November 17, 2015.

Based upon our consideration and review of the foregoing information, we are pleased to report that it appears that the applicant's consultant was able to satisfactorily address the majority of our earlier comments and recommendations. As such, our remaining remarks are limited to the following at this time:

General Comments

1. It appears the only State project permit required under this application is NHDES Subdivision Approval for each of the eight lots. As acknowledged above, this permit has been received. We recommend the resulting permit number be noted on the final plat.

Civil Engineering

Land Surveying

Landscape Architecture

2. In order to satisfy the requirements of Section V-2.A of the Subdivision Regulations we recommend any approval granted to this application be conditional upon the applicant providing the Town of Deerfield with a performance guarantee, in an amount and form acceptable to your Board to serve as a financial surety for full and final completion of proposed public improvements.

Zoning Matters

1. The subject application has been advanced as an Open Space Development pursuant to the provisions of Section 325 of the Zoning Ordinance. On that basis we offer the following:
 - As acknowledged above, the applicant recently submitted a draft copy of a Declaration of Restrictions, Covenants, Easements and Provisions pursuant to applicable requirements of Sections 325.2.C and 325.4.H of the Zoning Ordinance for consideration and review by your Board and Town Counsel. We recommend the final draft of this document be recorded of even date with the final plat and be referenced in the form of a note on the final plat recorded at the RCRD.
 - We understand that on September 23rd your Board granted a waiver from the terms and conditions of Section 325.4.D.1 (a) (1) of the Zoning Ordinance. We recommend that text of Note No. 10 on the Cover Sheet, as well as Sheets 2 through 4 of the final project plans, be revised to acknowledge the same.

Planning/Design Matters

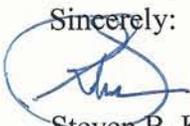
1. We recommend Sheet 4 (Subdivision Plat) be expanded or revised to indicate future house numbers ultimately assigned to each platted lot by the Town of Deerfield.
2. We recommend any approval granted to this application be conditional upon the installation or posting of a surety for the installation of each proposed boundary monument depicted on Sheet 4.
3. The applicant seeks a waiver from the terms and conditions of Sections IV-7. A & B of the Subdivision Regulations to permit the installation of above rather than below ground utilities. In the event your Board elects to grant this waiver, we recommend a note acknowledging the same be provided on the final plat.
4. We recommend the design engineer recheck the labeling of elevations provided on the vertical grid of several cross-sections provided on Sheet 6. It appears vertical grid elevation 684 has been mislabeled as elevation 686 in several locations.

Mr. Frederick McGarry, P.E.
December 03, 2015

5. We recommend the typical detail of storm drain installation provided on Sheet 8 be revised to specify the use of $\frac{3}{4}$ inch crushed stone bedding for proposed HDPE storm drains in a manner consistent with applicable ASTM Standards and HDPE pipe manufacturer specifications.

We trust your Board will find the content of this letter report useful in its consideration and review of the subject application. As always, please contact the writer in the event you should have specific questions or further instructions at this time.

Sincerely:

A handwritten signature in blue ink, appearing to read "S. Keach", is enclosed within a hand-drawn blue circle.

Steven B. Keach, P.E.
President
Keach-Nordstrom Associates, Inc.

MEMORANDUM

December 4, 2015

TO: Deerfield Planning Board
FR: Gerald Coogan
RE: Plan Review – Subdivision Plan - Land of William & Roberta Simoneau, Map 410, Lot 21

Owner: William & Roberta Simoneau

Applicant: William & Roberta Simoneau

Agent: James Franklin, LLS, Lic # 733

Lot Area: Note: there is a discrepancy in the land area for Lot 21. Lot 21 is 45 + or - acres by deed; Lot 21 is 32 acres by tax assessment.

Location: Mt. Delight Road, Deerfield, NH, Tax Map 410, Lot 21

Project description: The applicant proposes a Minor Subdivision to subdivide the 45 or 32 acre parcel (TM 410, 21) into two lots. The proposed subdivision will consist of:

1. Proposed Lot 21 – 1: 5.061 + or - acres and
2. Proposed Lot 21 (after subdivision): between 27 to 40 + or - acres

This is an unusual situation, which came to light as a result of many abutting properties having completed recent and up to date surveys of their property. According to the Town's Assessing Assistant, the Town's original tax maps were inaccurate. Again according to the Town's Assessing Assistant, it is possible the new Lot 21 could have a bit less land than the 32 acres noted on the plan. After plan approval, the Town will send the plan to Avitar (Town Tax Assessors) and they will provide the acreage for Lot 21.

Waiver Requests: The agent (Mr. Franklin) requests the following waivers.

1. Section III-3 Minor subdivision C-3-b-1 – Full boundary survey
Reason: Large parcel with one 5 acre lot being subdivided.
2. Section III-3 Minor subdivision C-3-b-2 Topographic plan showing 2 foot contours
Reason: Large parcel with one 5 acre lot being subdivided.
3. Section III-3 C-3-b-3 Bench marks
Reason: No need for benchmarks.
4. Section III-3 C-3-b-4 Site specific soil mapping
Reason: Given the size of the two lots, soil mapping is not necessary.
5. Section III-3 C-3-b-6 Test pits
Reason: Given the large area of land there is plenty of room for a septic. A test pit will be performed with the septic design.
6. Section III-3 C-3-b -9 Existing tree lines
Reason: The site is mostly wooded; a tree line will provide little usable information.
7. Section III-3 C-3-b-10 Ledge outcrops
Reason: Given the large lot sizes there is suitable area on site for a septic.

Comments:

1. The plan includes a note regarding the three lot exemption provided by Section 325.3C.1 of the DZO.
2. A drilled hole is placed on a flat rock with the following note: "LL 57, D. Lane 1854, Sept 22." Recommend that this rock inscription be preserved.
3. Proposed Lot 21-1 is an attractive parcel and is well drained.

Recommendations:

1. Act on the seven waiver requests and accept the application as complete;
2. Open the public hearing.

Cc: James Franklin, LLS