

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
OCTOBER 12, 2016

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, William Perron, David Doran. Also present secretary Jane Boucher.

7PM Chair Peter Schibbelhute called the meeting to order at 7PM.

APPROVAL OF MANIFEST

David Doran moved to approve the manifest for a time sheet for Jane Boucher for 20 1/2 hours. Kate Hartnett seconded. Voted in favor.

APPROVAL OF MINUTES

Minutes of September 28, 2016

Peter Schibbelhute noted that the bottom of page 5 and top of page 6 should read that the Board hopes to schedule a public hearing for October 26, 2016.

Kate Hartnett questioned Page 4 #2 and felt that more information should be included.

It was agreed to further discuss approval of the minutes of September 28, 2016 at the next Planning Board meeting.

7:15PM CONTINUATION; PUBLIC HEARING; LOT LINE ADJUSTMENT;
RICHARD AND NICOLE TOMBS; SUNRISE TERRACE LANE
James Franklin and Anne Robinson were present.

Chair Schibbelhute read a letter from Richard Tombs requesting a continuation of the Public Hearing to June, 2017.

A memo was received from Gerald Coogan, Town Planner, after a site visit to the location. Mr. Coogan recommended that the Planning Board conduct a site visit.

David Doran referred to the memo noting that there was text missing from the first page. Mr. Doran agreed that the Planning Board should conduct a site visit.

Kate Hartnett agreed that the Board should conduct a site visit, but felt that an extension of 60 or 90 days be more appropriate.

Anne Robinson, an abutter, questioned what influence she has over his decision to do a Lot Line Adjustment.

Kate Hartnett felt it would be beneficial to conduct a site

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visit and felt that by having everyone present to discuss the application.

Anne Robinson added that she has spoken with Mr. Tombs lawyer who indicated that she has every right to use the existing easement, which is on her deed.

James Franklin, who did the survey for Mr. Tombs, noted that Ms. Robinson had no influence about what land is transferred. He added that the Public Hearing has been continued in order that Mr. Tombs and Ms. Robinson come to an agreement.

Ms. Robinson said that she has spoken with Mr. Tombs lawyer but no to Mr. Tombs.

David Doran moved to continue the Public Hearing for 60 days. (December 14, 2016). Kate Hartnett seconded. Voted in favor.

Peter Schibbelhute will speak with Gerald Coogan asking him to contact Mr. Tombs and schedule a date for the site visit.

Once a date has been set Ms. Robinson and Mr. Franklin will also be notified.

7:30PM CONTINUATION; PUBLIC HEARING; MAJOR SUBDIVISION; TIERRA INVESTMENTS; CHURCH STREET; DEERFIELD, NH
Jeff Burd, Vincent Iacozzi and James Franklin were present.

Mr. Iacozzi addressed the Board referring to Steve Keach's review letter of October 10, 2016. A copy of the letter is attached to these minutes. Mr. Iacozzi referred to "General Comments"

1. Permit has been received.
2. Fire Chief has not responded at this time.
3. Copies of existing Performance Guarantee have been submitted and will be amended to reflect the subdivision.

Mr. Iacozzi referred to "Zoning Matters" and said that their attorney will draw up a draft copy of the Homeowners Association, which will be forwarded to Town Counsel for his approval.

Mr. Iacozzi then referred to "Planning and Design Matters" noting that he believes that James Franklin has completed the items listed.

Kate Hartnett referred to a memo from Gerald Coogan noting that " he is not recommending conditional approval as I have concerns regarding the site's drainage and its impact on the abutting senior housing development". A copy is attached to these minutes.

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Mr. Iacozzi addressed the first paragraph of the memo noting that he has sent to Mr. Coogan the HISS maps, soil analysis, and drainage plan . He added that he did not understand how shrinking a subdivision is going to have any impact on drainage. Mr. Iacozzi said that Mr. Burd has submitted drainage calculations to Steve Keach , who has indicated that it is acceptable.

Mr. Iacozzi said that they have had two separate wetland surveys , the original done in 2005 and an amended survey in 2006 and an updated survey in 2007.

Jeff Burd said that he provided drainage calculations and SWPP for culverts and felt it was a done matter.

Mr. Iacozzi noted that some of the studies previously done are still valid.

Peter Schibbelhute said that he, after conducting a site visit, did not have concerns regarding drainage affecting the senior housing development.

It was noted that the revised plans have not been received by the Planning Board. At this time Mr. Burd left the meeting to get plans located in his truck.

ROLLINS EXCAVATION

Steve Rollins was present.

Chair Schibbelhute advised Mr. Rollins that the Board just received the plans and application and although they were hoping to schedule a Public Hearing for October 26, they have not had an opportunity to review the plans to their satisfaction.

Mr. Rollins indicated that he was not aware that a Public Hearing was necessary for a Renewal Application.

TIERRA INVESTMENTS

Mr. Burd returned to the meeting and provided updated plans for the Board's review.

The Board noted that the drainage goes down hill and the swale is flat and less than 4%.

David Doran said that he would like to find out what Gerald Coogans concerns are regarding drainage.

It was noted that grade goes uphill before reaching the site of the senior housing development. It was noted that there are 9

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check dams along road before entering the treatment swale.

Mr. Iacozzi reiterated that once the roadway is approved the existing bond will be amended to reflect the four lot subdivision and the amount will be left the same.

James Franklin noted that the HISS maps has been submitted to Steve Keach and he questioned if he needed to add it to his plan. He felt it was not necessary as much of the land has been re-graded. He noted that Bruce Gilday has flagged wetlands.

Peter Schibbelhute said it was not necessary to add the maps to the new plan. He said that three maps have been completed one in 2005, one in 2007 and updated in 2016.

James Franklin referred to Steve Keach's October 10, 2016 letter, "Planning and Design Matters;
1. All has been completed with the exception of "Identify the name of the proposed private road." Mr. Iacozzi said that he will notify the Board of Selectmen.

After some discussion it was agreed to request the name be "Major John Simpson Way".

Mr. Franklin referred to #2 noted that was corrected.

#3 Done

#4 Completed

#5: Submitted to State and on the plan. He will identify existing tree lines. The Board agreed that tree lines do not have to be identified.

#6 completed

#7 Completed

#8 Will edit proposed drawing

#9 Will amend to correct Article

Peter Schibbelhute said he could not understand why Gerald Coogan has concerns regarding drainage, clearly the grade goes up to the power lines.

David Doran said he is okay with roadway and does not see an issue with drainage but thinks we should consult with Gerald Coogan.

Kate Hartnett asked if Tierra Investments had any problem with

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continuing the hearing to October 26. Mr. Iacozzi said he did not have any objection as long as the Board has no issues with the road being moved.

Jeff Burd noted that they have move the road and felt this issue of drainage has been addressed.

It was noted that the outstanding issues remaining are Fire Chiefs comments and the Homeowners Association documents.

David Doran moved and William Perron seconded to continue the Public Hearing to October 26, 2016 at 7:15PM. Voted in favor.

SCENIC ROAD SIGNS

Kate Hartnett reported that she has been working with Eversouce regarding supplying Scenic Road street signs. She advised that there are seven scenic roads in Deerfield, all listed on the web site. She showed the Board a picture of a sign located in Hooksett.

David Doran moved and William Perron seconded to authorize Kate Hartnett to work with Eversource to supply signs for Scenic Roads. Voted in favor.

NORTHERN PASS

Kate Hartnett advised that Attorney Steven Whitely is representing Deerfield and several other Towns regarding Northern Pass. Attorney Whitely has requested information from the Planning Board by October 31. She said that the Planning Board cannot respond without the permission of the Board of Selectmen. This would be specific to the Master Plan.

Ms. Hartnett said she has nine points that she would like to discuss and will e-mail these comments to members for review. She will also follow up with Selectman Fred McGarry for permission from the Board of Selectmen.

ACCESSORY DWELLING UNITS

David Doran will speak with Building Inspector Richard Pelletier regarding the proposed amendments on Accessory Dwelling Units and what experience he has had.

The meeting was adjourned at 9:25PM.

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

October 10, 2016

Mr. Peter Schibbelhute, Chairman
Deerfield Planning Board
Post Office Box 159
Deerfield, New Hampshire 03037

Subject: **Subdivision of the Land of Tierra Investments, LLC**
Church Road (Map 210 – Lot 9); Deerfield, New Hampshire
KNA Project No. 16-0906-1

Dear Mr. Schibbelhute:

As you may recall on September 14th we issued a letter report regarding 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 received through that date. Earlier today we received a subsequent submittal from the applicant's consultant. Specifically, we acknowledge receipt of copies of the following information:

- A cover letter addressed to your Board, prepared by the applicant's consulting engineer on October 04, 2016;
- Correspondence prepared by the applicant's consulting engineer on October 04, 2016 for the purposes of requesting a waiver from the requirements of Section III-6.E (3) (c) (14) of the Subdivision Regulations;
- Drainage calculations dated October 04, 2016;
- Proposed Subdivision & Topographic Subdivision Plans (2 drawings) sated July 11, 2016 and last revised October 06, 2016; and
- Roadway design plans (6 drawings) dated June 01, 2016 and last revised on October 06, 2016.

Based upon our careful consideration and review of this latest submittal we are pleased to report that it appears that the applicant's consultant was able to satisfactorily address many 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 platted Lots 9-1 and 9-4. As acknowledge in a note added to the subdivision plan we understand this permit has been received.

Civil Engineering

Land Surveying

Landscape Architecture

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915

2. Pursuant to the provisions of Section IV-8 of the Subdivision Regulations we continue to recommend the Deerfield Fire Department review and comment on this proposal.
3. In order to satisfy the requirements of Section V-2 of the Subdivision Regulations we continue to recommend any approval granted to this application be conditional upon the applicant providing a performance guarantee, in an amount and form acceptable to your Board, to serve as a financial surety for full and final completion of all proposed roadway and infrastructure improvements. In keeping with the procedure outlined in Section V-2.A of the Regulations this office will prepare a recommendation as to surety sum upon receipt of final project plans.

Zoning Matters

1. We understand this application is being advanced in accordance with applicable provisions of Article II – Section 207.1.B of the Zoning Ordinance (aka “Smith Ordinance”) such that the minimum street frontage requirements of Section 207 of the Ordinance are to be fulfilled along the lines of a platted private way. On that basis we recommend the applicant prepare and submit a draft copy of documents intended to create a homeowners association, within which all future lot owners shall have mandatory membership, whose responsibilities are to include ownership and maintenance of the platted private road. Upon receipt of that draft, we recommend your Board forward the same to Town Counsel for review and comment.

Planning/Design Matters

1. In order to satisfy applicable requirements of Section III-3.C (3) (a) of the Subdivision Regulations we recommend the subdivision plat be expanded to:
 - Indicate the map and lot numbers of those abutting parcels situated immediately west of the subject parcel’s frontage on Church Street;
 - Specify the total (existing) area of the parcel to be subdivided;
 - Identify any reference plans the applicant’s Land Surveyor may have relied upon when preparing the proposed subdivision plat;
 - Be stamped by the Certified Wetland Scientist who delineated and defined the extent of jurisdictional wetland shown on the plans; and
 - Identify the name of the proposed private road.
2. We recommend the spelling of the word “hazard” be corrected in the text of a note located directly above the title block on Sheet 1.
3. We understand the Planning Board voted to grant the applicant a series of waivers from specific requirements of the Subdivision Regulations during the course of a public hearing held on September 28th. We recommend a summary of each waiver so granted be added to the final subdivision plat in the space provided for that purpose.

4. We recommend any approval granted to this application be conditional upon installation of all proposed boundary monuments identified as "to be set" on the final plat. Although Sheet 1 specifies a series of boundary monuments that are to be set, in order to fully satisfy the requirements of Section IV-2 of the Subdivision Regulations we recommend this drawing be revised as follows: (a) to specify iron pins or drill holes are to be set at each end of boundary course L11 on Lot 9-4; (b) to specify a stone bound is to be set at the southwest corner of Lot 9-1 on the easterly line of Church Street; and (c) a stone bound or drill hole is to be set at the intersection of boundary courses L16, L17 & L27 at the easterly end of the proposed private road.
5. In order to satisfy the requirements of Section III-3.C (3) (b) of the Subdivision Regulations we recommend the Topographic Subdivision Plan to revised or expanded to:
 - Include Site Specific Soil Survey Mapping prepared and sealed by a Certified Soil Scientist;
 - Provide a 4,000 square foot area suitable for on-site sewage disposal with corresponding test pit(s) demonstrating compliance with applicable NHDES Rules on each lot;
 - Identify a suitable water well location on each lot; and
 - Identify existing tree-lines.
6. In order to satisfy the requirements of Sections III-6.E (3) (f) (1) & IV-1.G of the Subdivision Regulations test pit and percolation test data sufficient to demonstrate suitability for on-site sewage disposal on each platted lot must be provided.
7. In order to comply with the requirements of Section IV-5.B (6) of the Subdivision Regulations the design engineer has specified several segments of underdrain are to be installed along the length of the proposed private road. Further, a typical detail of this construction has been added to Sheet 3 of the road construction plans. On that basis we recommend: (a) the typical roadway cross-section provided on Sheet 3 be expanded to identify the horizontal and vertical placement of the specified underdrain in a manner consistent with Figure IV-A contained in the Subdivision Regulations; (b) the typical underdrain detail be expanded to indicate rigid high density polyethylene pipe is an acceptable product for use in this construction; and (c) the location of underdrain installation specified on Sheets 1 and 2 of the roadway design plans also be graphically illustrated on those individual cross-sections provided on Sheets 5 and 6 as applicable.
8. We recommend the cross-section for Sta. 8+00 provided on Sheet 6 be edited for consistency with information provided for other stations on Sheets 5 and 6.
9. As acknowledged above, we are in receipt of correspondence prepared by the applicant's consulting engineer for the purposes of requesting a waiver from the requirements of Section III-6.E (3) (c) (14) of the Subdivision Regulations to permit above ground utility construction. Pole mounted utility installation is illustrated on Sheets 1 and 2 of the roadway construction plans. Section III-6.E (3) (c) (14) merely requires that the

Mr. Peter Schibbelhute
October 10, 2016

“location and type of existing and proposed above and below ground utilities” be illustrated on the project plans. The applicant’s consultant has satisfied this requirement. If it is in fact the applicant’s intent to seek a waiver to install utilities above rather than below ground, the waiver request presented to your Board for consideration should reference Section IV-7 of the Regulations.

We trust the foregoing comments and recommendations will prove useful to your Board in your consideration of the subject application. As always, please contact the writer if you should have specific questions or further instructions related to this application.

Sincerely:

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

MEMORANDUM

October 12, 2016

TO: Deerfield Planning Board

FR: Gerald Coogan

RE: Memo - Land of Tierra Investments, LLC, Tax Map 210, Lot 9

Owner: Tierra Investments, LLC,

Applicant: Tierra Investments, LLC,

Agent: James Franklin, LLS, Lic # 733

Engineer: R. Jeffrey Burd, P.E., RJB Engineering, Inc.

Wetlands scientist: Bruce Gilday, Bag Land Consultants, Concord, NH

Lot Area: 24.654 acres

Location: Church Street, Deerfield, NH, Tax Map 210, Lot 9

The applicant may be ready for conditional approval. Please note I am not recommending conditional approval as I have concerns regarding the site's drainage and its impact on the abutting senior housing development.

Based on where the applicant and Board currently are regarding this application, if the Board wishes to grant conditional approval at this time, such approval could be subject to the following precedent conditions:

1. Set monumentation.
2. Provide the surety requirement. Receipt of a performance guarantee, in an amount recommended by the Town Engineer and in a form acceptable to Town Counsel, to serve as a financial surety for full and final completion of the roadway, utility and infrastructure improvements specified on the final project plans.
3. Receipt of favorable review and comment from the Deerfield Fire Department.
4. Receipt of Homeowners Association (HOA) documents, or other suitable document, in a form acceptable to Town Counsel, providing for future ownership and maintenance of the planned private road and associated drainage improvements.
5. Receipt of correspondence from the Town Engineer acknowledging that each comment and recommendation offered in his correspondence of October 10, 2016 has been satisfactorily addressed by, or on behalf of the applicant.
6. Payment of all fees.

cc: James Franklin, LLS