

PLANNING BOARD

DRAFT - Minutes of April 16, 2014

ATTENDEES: Arnold Rosenblatt – Chairman, Sally Wilkins – Vice Chairman, Gordon Leedy, Cliff Harris, Richard Hart – Conservation Commission, John D’Angelo – Ex Officio, Eric Hahn – Alternate, Sarah Marchant – Planning Director

Absent: Michael Dell Orfano, Marilyn Peterman - Alternate, Allen Merriman - Alternate

SCENIC ROAD HEARING:

Parcel ID# 008-010-000 – Austin Road: *To cut down two (2) trees and remove sixty (60) feet of stone wall to provide access into the lot to conduct forest management activities.*

Arnie asked Eric to vote for Mike.

Sally made the motion to open the public hearing. Gordon seconded the motion; all were in favor with none opposed.

Charlie Koch, forester for the Conservation Commission, stated the property has over two hundred (200) feet of frontage with little access. They are proposing to cut into the stone wall to allow access for forestry activities; it would be the only access available.

Eric asked if the stone wall would be restored.

Charlie replied it was the call of the planning board. He noted, if an opening remained in the wall, it would provide access for parking for the Bicentennial Trail, serving a dual purpose. The timber harvest should take between nine (9) months and one (1) year. If the planning board wants them to return the stone wall to its original state, they will do it.

John asked if they will retain the stone wall when they make the driveway.

Gordon thought the additional parking for the hiking trail was a reasonable result but if that isn’t going to happen, they need to restore the wall after the timber harvest.

Sally asked what the distance was between the two (2) trees to be cut; she felt the amount of stone wall to be removed was a lot.

Charlie replied it was about forty (40) feet between trees. He noted the amount of wall to be removed was due to the acute angle going off the road; the access would be impossible if the opening was smaller. If you look toward Route 101, the angle is almost 150 degrees back and is almost parallel to Austin Road.

Sally felt if the opening is to be sixty (60) feet, it shouldn’t remain that large when the timber harvest is finished.

Charlie noted this wasn’t a perfect spot for access but it was the only spot.

Rich stated he agreed with Sally that the opening should not remain at sixty (60) feet; they should leave open only what is necessary for a safe driveway.

Cliff had the same comments and suggested they make one (1) side of the wall opening more pronounced to indicate there is an opening there.

Charlie indicated the wall on the right side of the opening is more obvious than the left.

Arnie asked if any abutters or concerned citizens had any comments.

Andy Willette, Heritage Commission, stated having an opening in the wall is not a problem. The Heritage Commission is embarking on a study to map stone walls in town; this may become a state standard for stone walls when the project concludes. They are looking to come up with a consensus for standards for stone walls and how to rebuild them and what should be done when it is time to rebuild them. Given the time frame in this instance, there is time to work through this.

Sally asked if they wanted to document the footprint of the wall now, before it is altered.

Andy replied he has already taken photos of the wall.

47 Sally asked when they would begin the timber harvest.
48 Charlie replied it would be in May or June, when the ground dries.
49 Cliff suggested to Andy the Heritage Commission take photos of stone walls along main roads as well as
50 walls found within properties, in the woods to document the different construction and design of the
51 walls. They will then have a standard for both types of walls.
52 Charlie also noted there was a third tree they would like to remove, after the timber harvest was
53 finished. It is not critical to the harvest but would be a public safety issue. This would be taken down
54 by a Conservation Commission member who was an arborist.
55 Lee Gilman, the arborist, stated he would be removing the tree as it has the potential for damaging
56 some infrastructure as well as taking down power lines, should it fall.
57 Arnie asked if there were any additional questions from the public; there were none so he asked for a
58 motion to close the public hearing.
59 **Gordon made the motion to close the public hearing. Cliff seconded the motion; all were in favor**
60 **with none opposed.**
61 **Gordon made the motion to approve the Conservation Commission's request to remove three (3)**
62 **trees and sixty (60) feet of stone wall with the stipulation that they stockpile the rocks and restore**
63 **the wall with an opening of no more than sixteen (16) feet in width to allow for trail access.**
64 **Cliff seconded the motion.**
65 Eric thought they should add a stipulation that they must add a parking area for trail access and if they
66 do not, the wall must be restored in its entirety.
67 Rich noted at the last Conservation Commission meeting, this was discussed so there will be parking
68 and they would like to have space for no more than two (2) or three (3) cars to park to access the trail.
69 **All were in favor with none opposed.**
70
71 **WORKSESSION:**
72 **Opportunity Networks – ADA compliance entryway – 11 Caldwell Drive**
73 Sarah noted there will be no site plan changes, just some landscaping and patio additions to make the
74 entry more ADA compliant. She wanted the board to be aware of this before she signed off on the CO.
75 No existing trees are to be removed.
76
77 **Driveway Regulations – Draft 2 – public comment review**
78 Sarah noted they had already talked about this once and the document has gone to the Historic and
79 Heritage Commissions and they have submitted some small changes. She would like to schedule a
80 public hearing for the May 7, 2014 meeting but needs to put the notice in the paper by Friday. One
81 major change is Section III.A regarding what does not need a driveway permit; someone doing minimal
82 disturbance would not need one. There is some concern from people who are asked to put in
83 temporary access points that DPW will overstep their bounds. Anything that won't do substantial
84 damage to the soil or affect drainage or stormwater will be in this category. This applies to pool
85 installers who need access someplace other than the existing driveway for construction or timber
86 harvesting. This would exempt smaller uses such as access with a tractor or lawn mower.
87 Gordon noted there are existing driveways in town that are not compliant.
88 Sarah agreed and noted the current regulations are in place and this would allow DPW to grant a
89 waiver in reasonable circumstances. If someone is altering an intersection, they would need a permit.
90 It is to protect the town's investment in its road and drainage.
91 Eric stated he agreed with Section III.A but noted it was no different than III.I.

Sally replied the temporary access point requires a permit; this is an attempt to say this is what triggers the need for a permit. It would be easier to define an exempt access point.

Gordon agreed; Arnie did not.

Lee Gilman stated he was subject to this last year with an access point for timber harvest, even though he was protecting the area with wood chips, DPW felt they needed to build an access like a timber road with a gravel apron.

Sally stated from the town's perspective, they are trying to protect the edge of the road, the ditch and stormwater.

Arnie wasn't convinced this was the way to do it.

Sarah stated she would rework this one and submit the changes to the board.

Sally felt Sections VI and VII were the same.

Sarah replied this was because they separated the residential from the non-residential to make a search through the regulations easier.

Sally noted logging wouldn't fit in either category.

Arnie noted they were removing the waiver out of Section VIII.

Sarah replied it is now in Section IX.

Gordon noted in Section VIII.H, 4% is a lot for a minimum; it should be 1%, which is plenty for drainage. The state looks for a maximum of 2% coming off the end of a driveway.

Sally noted in Section VIII.I the work perpendicular should be removed and replace it with "an angle of not less than 60%". Sarah should verify the range.

Eric thought the language should be "as close to perpendicular as the lot allows".

Gordon noted the wording was awkward in Section VIII.I regarding coverage over culverts.

Sarah said she would work on that.

Sally asked about Section X.C and the returning of the funds.

Sarah indicated this is the result of people forgetting to ask for the funds when the project is finished or expired. This gives a time table when the funds will automatically be returned and not kept indefinitely.

Rich asked about the word "injury" in Section XI.A; he felt it was confusing.

Sarah noted this was an often used word in this type of regulation.

Gordon thought "is not injurious to" would be better; Arnie suggested "in the likelihood of injury".

Sally suggested changing "shall" in Section XI.C to "may".

Gordon noted in Section VIII.E, the detail is 8%; it is shown to be 10% in the detail on page 9 so that needs to be 8% as well.

Sarah said she would make the changes and post this for a public hearing on May 7, 2014.

Affordable Housing Subcommittee Update

The board agreed to wait on the updates of the subcommittee until Mike was present.

REGIONAL IMPACT:

Limbo Lane – 32 Manchester Road

Sarah stated a medical center was submitting plans for development on this road. They were also looking to have the address be Manchester Road instead of Limbo Lane.

Gordon made the motion there was no regional impact.

Sally seconded the motion; all were in favor with none opposed.

60 Lyndeborough Road

138 Sarah noted this had come before the board before; they needed a waiver for a back lot. The applicant
139 is dividing one (1) lot into two (2) lots and now has enough frontage to do so.
140 **Gordon made the motion there was no regional impact.**
141 **Sally seconded the motion; all were in favor with none opposed.**
142
143 Arnie asked if there was a motion to adjourn.
144 Sally made the motion with Gordon seconding; all were in favor.
145 Meeting was adjourned at 8:37 pm.