

1 **PLANNING BOARD**

2 Minutes of November 5, 2014

3 **ATTENDEES:** Arnold Rosenblatt – Chairman, Sally Wilkins – Vice Chairman, Gordon Leedy,
4 Michael Dell Orfano, Cliff Harris, Richard Hart – Conservation Commission, John D’Angelo – Ex
5 Officio, Marilyn Peterman – Alternate, Allen Merriman - Alternate, Colleen Mallioux – Community
6 Development Director
7 Absent: Eric Hahn - Alternate
8

9 **NEW BUSINESS:**

10 **Case #PZ5396 - 092314 – Southern New Hampshire Health System – Manchester Road and Limbo**
11 **Lane, PIN #020-037-000: Request for approval of a Site Plan Amendment for an 11,300 square foot**
12 **medical building.**

13 Scott Cote, Vice President of Facilities for Southern New Hampshire Health System began by stating the
14 reason they were before the board again was due to a meeting with the providers who will be in the new
15 facility, which will contain immediate care and primary care. If they wanted to expand, they would be
16 unable in the approved building as there would not be enough room to do so. The intent of the use hasn’t
17 changed; they have merely flipped the building around and changed the egress.

18 Brian Jones, Allen Major Associates, noted the building square footage has not changed, nor has the
19 majority of parking; the building footprint has changed to allow for future expansion. The front bump
20 out has changed and the egress has moved to the opposite side. There have been minor changes to the
21 lighting plan and landscape plan to accommodate the change in the footprint of the building and there is
22 no further encroachment into the wet area. There is also no change to the Conditional Use Permit.

23 Arnie noted there were three (3) staff recommendations and asked Colleen if they were different from
24 the previously approved conditions.

25 Sally arrived at this point in the meeting.

26 Colleen replied these are the three (3) remaining outstanding conditions from the original approval and
27 are not additional conditions.

28 Brian replied the memo from Keach-Nordstrom had suggested this. These two (2) parcels were
29 purchased by Southern New Hampshire Health System. Steve Keach wanted it documented that Map 6
30 – Lot 68-32 has no access. There is no objection by the applicant since both parcels are owned by the
31 same entity.

32 Cliff arrived at this point.

33 Colleen noted the modifications to the plan were minor and the other items were part of the original
34 application and waivers were approved at the original meeting.

35 Mike asked if the flipping of the building and egress was to only accommodate future expansion.

36 Brian replied it was the driving factor. The green space to the right of the building is in place for a small
37 future expansion and if they do expand, they will have to come before the board for another site plan
38 application.

39 Allen, Sally, Marilyn and Cliff had no comments.

40 Gordon noted the drainage was at the gutter line and noted the parking area drains to the curb line. He
41 asked how they planned to maintain it during the winter. He felt it was not a good design.

42 Brian noted it would be kept clear, especially during winter warming. The area is four (4) feet wide and
43 is substantial and was placed there due to the location of the leach field. It will be shoveled out and kept
44 clean.

45 Scott replied this system was similar to those on many of their sites.

46 Gordon thought it would be cheaper to put basins at the curb line as the cost to shovel out after every
47 snow storm could be substantial.

48 John and Rich had no comments.

Arnie asked if there were any abutters or concerned citizens with comments; there were none. He then asked board if they had any additional questions; there were none so he asked for a motion.

Sally made the motion to approve the request for waivers from bonding for project construction, consultant review, minimum three (3) inch tree caliper and a maintenance bond for one (1) year.

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

Gordon made the motion to approve the application for a site plan amendment, subject to the following conditions: 1. The applicant demonstrate an abutting parcel, identified as Map 6 – Lot 68-32, shall remain in common ownership with Map 20 – Lot 37; or in the alternative, a defined permanent right of access over Map 20 – Lot 37 has been reserved for the benefit of Map 6 – Lot 68-32. 2. Prior to a building permit, the applicant shall obtain NHDES Construction Approval for the planned on-site subsurface sewage disposal (septic) system. 3. The property shall be defined as 8 Limbo Lane.

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

Case # PZ5467-100614 – Mildred Stanley, 82 Route 101A, PIN #002-067-000: Request for approval of a Non-Residential Site Plan to convert an existing residential structure into a retail use (cabinet showroom)

Arnie stated the applicant has requested waivers from drainage calculations and stormwater management methods, buffer zone plantings adjacent to a residential area, landscape plan and lighting plan.

Jim Lavelle, Lavelle Associates, Inc. stated the building is an existing single family residential ranch house with a large parking lot. They are not making any changes to the site, only the use of the site and therefore are asking for those waivers. They are proposing to create a cabinet showroom, called the Cabinet Depot, which is a franchise. This will be only a showroom; no cabinets will be stored there and no manufacturing will occur there. With regard to the condition of the location of the dumpster, they have decided to remove the dumpster entirely as there will only be two (2) employees who will not generate that much trash; the trash will be stored inside. They did not have any issues with the proposed conditions. He did note he is a licensed septic designer and has submitted a letter to Colleen stating that the residential septic system is designed to handle 300 gallons per day. With two (2) employees and a few daily customers, the system will probably only receive 100 gallons per day, thus the system is much larger than what is required.

Rich asked if there was a driveway in front of the building.

Jim replied it was and leads to a one (1) stall garage.

Rich indicated the Conservation Commission would like to see more trees on the property to soften the commercial aspect of the site.

John had no comment.

Gordon asked if there were power lines on that side of the road.

Jim thought they were on the other side.

Marilyn suggested some type of red maple tree be added.

Jim said he could add some to the plan.

Gordon suggested Autumn Blaze maples, the same type of trees as those installed at the Target site in Nashua.

Jim replied the client would not have a problem installing additional trees. He noted the existing sign will be moved back to be fifteen (15) feet from the pavement to comply with the ordinance.

Sally and Allen had no comment.

Mike asked about the lighting.

Jim replied there was an existing 100 watt light by the front door and it would remain and the lighting on the sign is sufficient.

Mike noted it was hard to understand where the fifty (50) foot setback was located with it not being on the plan.

98 Jim replied it was on the plan, in the middle of the house; the house was in place before the setback
99 requirements were instituted. He also noted the cars would be parked away from the road, facing the
100 house.

101 Cliff noted the power lines were located on this side of the road so the tree suggestion was moot.
102 Sally suggested putting in a crabapple tree as it does not grow very tall
103 Gordon thought a Prairie Fire crabapple would work.

104 Cliff asked if there was to be another retail use, it can go in without coming back to the planning board
105 but if it becomes an office of some sort, it would have to come back before the board.

106 Colleen replied any other retail use can go in but any other use would have to come back to the board if
107 the use is substantially different.

108 Arnie asked if there were any abutters or concerned citizens with questions or comments.

109 Winston Grant, 20 Eastern Avenue, clarified if the use changed to a paving company as an example, the
110 applicant would have to go back before the board.

111 Arnie noted the zone is commercial now and the applicant is asking to make this a retail use.

112 Linda Grant stated the owner took down several trees to put in the paved area. She asked if they would
113 install a fence since there are few trees between this lot and her lot to the rear.

114 Jim replied they were not installing a fence or lights but they could replant to make the property more
115 appealing.

116 Sally noted the ordinance requires screening when a commercial use abuts a residential use or when it
117 has been damaged. She thought it wouldn't be a bad idea to add more trees for screening.

118 Gordon suggested shrubs be planted at the parking area to shield the abutters from headlights. An
119 evergreen screen would improve the area.

120 Arnie asked board if they had any additional questions; there were none so he asked for a motion.

121 **Cliff made the motion to accept the waiver request from the following items: drainage calculations**
122 **and stormwater management methods, buffer zone plantings adjacent to a residential area,**
123 **landscape plan and lighting plan.**

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

125 **Cliff made the motion to approve the request for the non-residential site plan change of use with**
126 **the suggestions for plantings and the following conditions: 1. The 50' front and 30' side setbacks**
127 **be dimensioned on the plan and referenced in the plan notes. 2. The plans be stamped by a**
128 **wetland scientist. 3. If required, approval by NHDOT of the change in driveway classification**
129 **from residential to commercial. 4. A septic evaluation be provided by a licensed septic designer to**
130 **verify that the existing septic capacity is adequate to serve the proposed use. If the septic capacity**
131 **is not sufficient, a new septic design should be submitted for review and approval by the Town**
132 **and construction approval by NHDES. 5. The proposed free-standing sign be relocated to comply**
133 **with the Zoning Ordinance.**

134 **Gordon seconded the motion; all were in favor with none opposed.**

135

136 **Case #PZ5466-100614 – Kathleen & Carlyle Hatfield – Autumn Lane, PIN #:024-059-000 –**
137 *Request for approval of a residential lot consolidation and lot line adjustment located in Merrimack and*
138 *Amherst.*

139 Kathryn Basso, Keach-Nordstrom Associates, stated she was representing the applicants and noted
140 Autumn Road is a Class V road and Greenwood is a private gravel road, both are in Merrimack. There
141 are existing residential homes on the parcels with Kathleen and Carlyle living on lot 69 and Christine
142 and Richard living on lot 99. The families own all four (4) lots and the existing camp will be removed.
143 They are looking to consolidate three (3) lots into one (1) lot; new lot 70 will be 2.12 acres and lot 69
144 will be 1.6 acres. They are making a total of four (4) non-conforming lots into two (2). There is currently
145 an easement for access on one of the lots and with the lot line adjustment they will have full access and
146 no need for the easement.

147 Marilyn stated most of the lots are in Merrimack and the house is partly in Amherst.
148 Kathryn replied that was correct. The owner is planning an addition to the house that is partially in
149 Amherst but that will occur on the Merrimack portion. They have been to the Merrimack ZBA and have
150 obtained the necessary variances for frontage, lot area total and setbacks and will be going to the
151 Merrimack Planning Board on November 18, 2014. She was fine with the proposed conditions and
152 noted a correction in number 2: 0.59 should be .059.
153 Cliff had no comment.
154 Mike asked if both proposed parcels are owned by the same party.
155 Kathryn replied all are owned by the same family: Kathleen and Carlyle are the parents and son and
156 daughter-in-law are Richard and Christine.
157 Allen had no comment.
158 Sally noted the primary access for the lot owned by the parents was off of Autumn Road and the son's
159 access was off of Greenwood. The consolidation would eliminate the need for the access easement.
160 Kathryn replied that was correct.
161 Marilyn, Gordon, John and Rich had no comment.
162 Arnie asked if there were any abutters or concerned citizens with comments or questions. There were
163 none so he asked if the board had any additional comments or questions; there were none. He then asked
164 if there was a motion.
165 **Gordon made the motion to approve the proposed lot consolidation and lot line adjustment with**
166 **the following conditions, to include the correction to #2: 1. The lot line adjustment be approved by**
167 **the Merrimack Planning Board. 2. The area of existing Map 24 – Lot 59 be revised in the plan**
168 **callout to read .059 acres. 3. A note be added to the plan identifying Map 24 – Lot 84 as being**
169 **merged with Map 24 – Lot 59 and the proposed area of Map 24 – Lot 59 to be .186 acres. 4. A final**
170 **mylar of the lot line adjustment plan be submitted for signature by the Planning Board Chair and**
171 **recording at the Registry of Deeds. 5. A check for all recording fees be submitted.**
172 **Cliff seconded the motion; all were in favor with none opposed.**

173

174 **MINUTES:**

175 September 17, 2014

176 Sally made the following corrections:

177 Line 6: change "Alan" to "Allen"

178 **Cliff made the motion to approve the minutes of September 17, 2014 as amended.**

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

180

181 October 1, 2014

182 Sally made the following corrections:

183 Line 54: add "community" before "septic"

184 Line 60; change "shoreland" to "wetland"

185 Line 71: change "adjacent diagonal" to "diagonally adjacent"

186 Line 88: change "deed reference" to "reference in the deed"

187 Line 154: remove "ended" after "open"

188

189 Arnie made the following corrections:

190 Line 150: change "go around the board" to "poll the board"

191 Line 189: remove "one can interpret it as being right or wrong"

192 Line 192: change "council's" to "counsel's"

193 **Cliff made the motion to approve the minutes of October 1, 2014 as amended.**

194 **Gordon seconded the motion; all were in favor with none opposed and Marilyn abstained.**

195

196 October 15, 2014
197 Sally made the following correction:
198 Line 77: change "application" to "applications"

199
200 Allen made the following correction:
201 Line 6: change "Alan" to "Allen"

202 **Gordon made the motion to approve the minutes of October 15, 2014 as amended.**

203 **Cliff seconded the motion; all were in favor with none opposed.**

204

205 October 22, 2014

206 Allen made the following correction:

207 Line 8: change "Alan" to "Allen"

208 **Sally made the motion to approve the minutes of October 22, 2014 as amended.**

209 **Cliff seconded the motion; all were in favor with none opposed and Gordon abstaining.**

210

211 **REGIONAL IMPACT:**

212 Colleen noted there were two items on the December 3, 2014 agenda; both items are lot line
213 adjustments: one on Christian Hill Road and the other on Schoolhouse Road. The board determined
214 neither application has regional impact.

215

216 **OTHER:**

217 Colleen noted she had not posted proposed zoning changes as it was too soon to do so; she would post
218 them on November 10, 2014 as it will then be 120 days to the vote.

219

220 She also received a request to install an 8'x8' shed from Dev Tech on 12 Howe Drive. It would be
221 installed on existing impervious pavement and they are not changing any use of the property. The board
222 determined it did not need to come before them and administration will take care of it.

223

224 Sally asked if Colleen had been copied on the Cub Circle discussion. Colleen replied she had. The
225 residents of Cub Circle and Airline Drive are inquiring about converting their private road to a town
226 road. She has been in discussions with Bruce Berry, DPW Director, who states that there is inadequate
227 right of way with the existing pavement and the road would have to be reconstructed to town standards.

228

229 Colleen noted there will be a worksession on November 19, 2014 when Attorney Drescher will have
230 completed his review of the proposed zoning changes. Cliff noted he would be absent from that meeting.

231

232 Colleen noted the elderly housing project previously denied by the planning board will be appealing to
233 the ZBA on November 18, 2014. Attorney Drescher will not be in attendance as he feels his opinion
234 stands on its own and it would not be appropriate to argue the case at this point. Colleen stated she will
235 get Attorney Drescher's advice after the decision has been made by the ZBA on how to proceed.

236

237 Arnie asked if there was a motion to adjourn.

238 **Cliff made the motion with Gordon seconding; all were in favor.**

239 Meeting was adjourned at 8:42 pm.