

APPROVED

**TOWN OF PELHAM
PLANNING BOARD MEETING MINUTES
February 22, 2018**

Chairman Peter McNamara called the meeting to order at approximately 7:13pm.

The Secretary Paul Dadak called the roll:

PRESENT: Peter McNamara, Roger Montbleau, Paul Dadak, Joseph Passamonte, Tim Doherty, Jim Bergeron, Selectmen Representative Hal Lynde, Alternate Samuel Thomas, Alternate Richard Olsen, Alternate Bruce Bilapka, Alternate Derek Steele, Planning Director Jeff Gowan

ABSENT: Alternate Paddy Culbert

PLEDGE OF ALLEGIANCE

Mr. McNamara reviewed the agenda and felt that the Board wouldn't be able to address all of the items. The applicant for the last case on the agenda agreed to continue to the Board's next meeting.

MINUTES REVIEW

February 5, 2018

MOTION: (Montbleau/Dadak) To approve the February 5, 2018 minutes as amended.

VOTE: (7-0-0) The motion carried.

OLD BUSINESS

Case #PL2018-00001

Map 1 Lot 5-124

HEBERT, Christopher - Mammoth Road – Site Plan Review of proposed 29-Unit Elderly Housing Community and Seeking a Special Permit for WCD Crossing for Grading and Drainage

Representing the applicant was Mr. Peter Zohdi and Mr. Shayne Gendron of Hebert Associates. Mr. Zohdi spoke about the proposal for a 29-unit elderly housing development (age 62+), which was previously submitted and discussed with the public. The plan had been submitted to the Town's engineer; Mr. Zohdi noted they had completed a number of the items listed in the review letter and understood there were a few remaining items to address. He submitted a response letter to the engineer and the Board. He told the Board that they had met with the Conservation Commission and the Town engineer was present for such. He understood the commission had questions about lot elevation. He noted the Town had VHB Engineering conduct a (flood) study; a copy was provided to the Board. That study indicates that the flood elevation might be one foot lower than FEMA (maps). He said they had done a drainage study and provided such to the Town's engineer. A question was raised about

the flood elevation because it was tied to flood information from 1929, not the information from 1988. Mr. Zohdi noted there was a chart they could use to change the information, which would decrease the flood elevation on the plan by 3/10 (4 inches). Mr. Zohdi then spoke about the remaining items in the engineer's review letter and asked for the Board's input.

Mr. Steve Keach of Keach Nordstrom (Board's engineering review firm) came forward to discuss his report dated February 15, 2018. He said he had several conversations with Mr. Gospodarek the applicant's design engineer, which culminated in a resubmittal he received the day before the meeting (and had not yet reviewed). He reviewed the comments contained in his letter and summarized the information he would like to see submitted to the Board. He noted he would like to review the VHB study before he provided any definitive thoughts regarding flood hazard mitigation. He told the Board there were identified items listed in his letter that could be used as a work list for the applicant's consultant to deliver a more complete plan. At this time, he didn't think the Board had a plan that they could act on.

Mr. Gowan told the Board that the plan had gone to the Highway Safety Committee. The Fire Department has the plan and will provide comment and make recommendations to ensure the plan meets National Fire Protection Association ('NFPA') standards in terms of density and access. He questioned if the existing structure being proposed for use as a club house would be able to be compliant with the Americans with Disabilities Act ('ADA'). Mr. Zohdi said they were reviewing it.

Mr. Doherty asked Mr. Keach to explain his comment regarding sidewalks. Mr. Keach said the Board should look at the specific language of the Ordinance, which he believed gave the Board some flexibility. He didn't feel an applicant by themselves could choose not to put in sidewalks. Mr. Gowan noted there had been a number of senior projects (under the same section of Zoning) that the Board didn't require sidewalks. In this case, he said sidewalks may make a difference because of the ADA compliance requirements (for elderly developments). Mr. Keach spoke of his experiences reviewing elderly projects and believed sidewalks would be used in the proposed development based on the layout of the roads. He felt the sidewalks may be an amenity that would make the development more attractive than one that didn't offer that type of amenity.

Mr. Lynde inquired if Mr. Keach had reviewed any flood data from VHB. Mr. Keach answered no; he was just provided a copy at the meeting. However, he had looked at the concept Mr. Gospodarek had put forward. He said there was approximately 27,000-28,000 cubic feet of encroachment on the 100-year flood (below the base flood elevation) for the roadway (to be accessed from Mammoth Road). He noted that the grading in the vicinity of the storm water basin, immediately north of the entrance, created compensatory excavation (net gain in flood storage). He didn't yet have the data to ensure they were replicating by flood stage and would request such if it wasn't in the information he received earlier in the day.

Mr. Gowan believed the post office would want a set of mailboxes near the club house and noted there should be an area for people to park and access the mail area. Mr. Zohdi replied he was working to create parking. Mr. Keach added that there would need to be ADA compliant parking as well.

Mr. Lynde noted there was a complete absence of open space within the development and felt it shouldn't be approved because of it. Mr. Zohdi replied they had 100ft. around the whole perimeter for open space. Mr. Passamonte asked if the open space was usable, or if there were any wet areas. Mr. Zohdi stated the only wet area was in the front near Beaver Brook. Mr. Gowan believed Mr. Lynde's comments were in connection with the pending question on the ballot requiring a percentage of open space. He questioned when the application was submitted, thereby making it exempt from those changes. Mr. Zohdi replied the application was submitted prior to the (warrant article) advertising. From a computation standpoint, Mr. Keach said the project satisfied the open space requirement; however, Mr. Lynde's point was well taken regarding the open space composition.

Mr. Thomas inquired if Pennichuck had an existing pipeline that could provide water to the proposed complex. He wanted to know where the water source was coming from. Mr. Zohdi noted there was a 197-unit development

in Windham next to the proposed development that Pennichuck was running water to. He said the source would come from Lot 5-123-1 and explained he had been speaking with Pennichuck regarding capacity and how a line could run to the proposed development.

PUBLIC INPUT

Mr. Mike Sherman, Old Bridge Street understood that the lot was just over twelve acres. He questioned if anyone had verified the amount of property within the 100ft. flood plain; as he understood Section 302-57 says it couldn't be used for Elderly Housing. Mr. Zohdi replied all calculations were on the plan; they didn't include the flood area in the calculation for the 10-acre requirement. Mr. Sherman pointed out that the main detention pond was in the middle of the 100-year flood plain. He questioned how it would work if there was a 50-year event. Mr. Zohdi provided the Board and Mr. Keach with a document that showed they would have more storage post development than there was prior to development. Mr. Sherman didn't understand how the flood area could be a detention pond and flood storage area at the same time. Mr. McNamara replied Mr. Keach would review the calculations and be able to explain how it would work. Mr. Sherman wanted to know the Town's Zoning regarding mitigation. Mr. Gowan believed it may be a State regulation. Mr. Keach discussed the Town's rules regarding flood hazard areas. He said the elevation of the flood stage couldn't be caused to increase on another person's property. He said there was no way to get to the requirements without mitigation. He explained how he had administered that section for the few cases that had come forward; the Enterprise Bank project was an example of such. He noted the proposed project wasn't large enough to require an individual permit from the Army Corps of Engineers. In this project, Mr. Keach told the Board he would have the applicant replicate flood storage volume by stage. He spoke about the difference between 100-year rain storms versus 100-year flood events. He stated he had conversations with Mr. Gospodarek who understood the concept of replication. Once the information was available, he will give a thorough review.

Mr. Sherman recalled (from a couple years ago) there were members of the Board who were adamantly against a gas pipeline coming through the Town. Now an application was in front of the Board to build 29 units in front of a compressor station, next to a brook with one way in and one way out. He felt it would be a good idea to build another egress.

Mr. McNamara questioned if the Board wanted to conduct a site walk. There was a general consensus to do so. There was a brief discussion regarding what date the case would be specified and when a site walk could be scheduled accordingly.

A site walk was scheduled for March 3, 2018 beginning at 9am.

The Case was date specified to March 19, 2018.

Mr. Zohdi wanted to know the Board's decision regarding sidewalks and architectural renderings. Mr. McNamara said the Board would need to see architectural drawings. Mr. Zohdi replied he would provide at least four units, as the unit sizes would vary. Mr. McNamara asked if they would be representative of the entire development. Mr. Zohdi answered yes. Mr. McNamara polled the Board regarding their desire to have a sidewalk; there was a clear majority in favor.

Mr. Montbleau questioned who would be responsible for the maintenance of the sidewalks. Mr. McNamara replied it would be a private road. Mr. Gowan added that the homeowner's association would have to maintain the road, sidewalks, detention pond, etc. Mr. Bergeron said sidewalks sound good but was concerned with creating trip hazards within an ADA compliant development. He questioned if each unit would have ADA compliant access to the sidewalk. Mr. Passamonte replied they would put a cut in the sidewalk for a ramp. Mr. Bergeron commented that the Board would need to see plans that show all those details. Mr. McNamara believed Mr. Zohdi and Mr. Keach were aware of the requirements and would be cognizant of such when they develop and review the plans. Mr. Bergeron questioned how the sidewalk would serve all the units, since the units share

both sides of the road. Mr. Keach stated the sidewalks would need to be ADA accessible. He would advocate putting the sidewalks on the interiors of the road 'loops'. He commented that the grading around the structure of the buildings would be key to achieve ADA compliance. Mr. Bergeron was concerned about creating a 'roller coaster' for someone in a wheelchair. He questioned if installing sidewalks would be good, or if they should widen the road. Mr. Montbleau agreed with Mr. Bergeron's concerns. He believed when everything was built out the sidewalks would have a roller coaster effect. Mr. Keach felt they could make it work. He said once on the plateau area of the site the grades on the street were reasonably flat.

Mr. McNamara provided his opinion and felt sidewalks would be an amenity for the elderly residents to walk around the area. Mr. Doherty noted the topography showed it was a flat piece of land. He'd like to see the proposal and then make a definitive decision.

Mr. Montbleau referenced the adjacent (55+) development in Windham and questioned why they didn't want sidewalks. Mr. Keach, who also works for Windham, stated they didn't have the same requirement in their ordinance.

Mr. Passamonte told Mr. Zohdi when he returned to the Board he would want to know how the open space would be landscaped. Mr. Zohdi replied he wasn't touching the open space.

It was reiterated that a site walk would be conducted March 3, 2018 and that the case was date specified to the March 19, 2018 meeting.

Case #PL2018-00003

Map 35 Lot 10-351 & Map 41 Lot 10-312

DHB HOMES, LLC (applicant) / FINEMAN, Neil (owner) - 48 Currier Road & 56 Bridge Street - Special Permit application for a yield plan to show a conventional subdivision of 41 lots to determine the base density for a conservation subdivision

Mr. Dadak read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Representing the applicant was Mr. Joseph Coronati of Jones and Beach Engineering. He stated they were previously in front of the Board with a conceptual plan and they had come back for consideration of a yield plan. They would like to move forward with an open space design and discuss potential density offsets. He displayed two plans, 1) yield plan, and 2) open space concept plan. Mr. Coronati stated the entire property contained approximately 130 acres with frontage on Bridge Street out to Currier Road. The development would work with approximately 81 acres. The property has three rights-of-way on Currier Road and access from Peabody Lane. He noted the property was somewhat oddly shaped as it had been previously subdivided. Future planning for the site development was done along Currier Road with six frontage lots that left a right-of-way with drainage easements and catch basins. He pointed out two additional rights-of-way, one that was retained from a 1965 subdivision. Mr. Coronati said the two properties were in two zones; the land closer to Bridge Street was commercially zoned, and the land closer to Currier Road was residentially zoned. He explained the entire property was being shown; however, DHB was only applying for the residentially zoned portion of the property. He said Mr. Fineman would retain his property along Bridge Street. A lot line adjustment would be completed to connect the commercial properties and make them contiguous and conforming.

With regard to the 81 acres proposed for development, Mr. Coronati told the Board they had gone through the yield plan process to do the survey work, delineate the wetlands, dug test pits, topography for whole property, etc. They provided a yield of 36 lots. He noted there was an area they encountered shallow ledge, and because of such eliminated lots. They also took into account any steep slopes and subtracted those areas from the lot size required. Mr. Coronati spoke about the flood plain on the property and highlighted its location for the Board. He said it didn't have an elevation and couldn't correlate it to the topography; it was simply a colored

area on a map. There was one lot (lot 35) that had the flood plain run across it. He told the Board that Keach Nordstrom (Board's engineering review firm) made comment about such in their memo to the Board. He understood that sometimes flood plains are mapped on a large scale and didn't always follow obvious wetlands or low areas. He said it looked as though the flood plain had shifted based on wetlands and uplands. He believed they will be able to obtain a Letter of Map Amendment ('LOMA') to adjust the line if required. Although, they weren't proposing to go through that process because it was a yield plan, not an actual lot they were looking to build upon. Mr. Coronati noted they could adjust the lots in the open space design. They proposed 5 density bonus lots over the yield plan of 36 lots. If the five lots were granted, it would equate to a 14% bonus.

They had provided an outline of the Wetland Conservation District ('WCD') impacts shown in the yield plan. Mr. Coronati said most of the property was upland, except for the one large contiguous wetland that ran through the property. Within the yield plan the WCD impact was 42,635SF and the wetland impact would be 11,800SF. There would be no wetland impacts in the open space design and very few, if any WCD impacts for detention ponds. He noted the roadway in the yield plan was 7,433ft., which was another reason they preferred an open space design. Mr. Coronati stated there was a gas transmission line that ran through the property; the easement for such was considered in the yield plan design.

Mr. McNamara understood Mr. Keach had commented (in his memo) on some of the items brought up by Mr. Coronati, such as the FEMA flood hazard lot that a LOMA letter may alleviate the concern, four lots have less than 15,000SF building envelope that require waivers, WCD impacts on road and driveway, and a 50ft right-of-way used as access for 90 Currier Road would need to be addressed. He understood that Mr. Gowan pointed out (in his memo to the Board) the concern of the driveway designs for lots west of the gas line might be problematic and the buffering requirements to the abutters could also be a problem.

Mr. Steve Keach of Keach Nordstrom (Board's engineering review firm) came forward. He said Mr. Coronati had captured most of what he had to say. The latest review was the second time he looked at the proposal. He noted that the dramatic difference between the previous and present yield plans were the exclusions under the Zoning Ordinance going from gross yield plan lot areas to net yield plan lot areas. He summarized those items that had to come out of the calculation and felt the consultant had done a good job at the level they had required yield plans to be presented. Mr. Keach spoke about lot 35 in relation to the FEMA maps. He agreed with Mr. Coronati that the portion of lot 35 that was graphically shown on the flood hazard map could be at or below base flood, because if it was the water would be 10ft higher on the west side of Bridge Street. From a practical standpoint he didn't believe that lot 35 was encumbered by a 100-year flood. He said Zoning referenced the FEMA maps, but he didn't think the Board had the authority to say the map was wrong since it was adopted by reference. He said if the Board got to the point of considering approval of the 36-lot yield plan, the applicant would have to do the LOMA because Zoning didn't give the Board authority to waive it. Mr. Keach continued to review his comments contained in his February 13, 2018 letter.

Mr. Doherty referenced the test pit locations and questioned if they couldn't get machines in certain areas. Mr. Keach noted the locations of the test pits on the plan. He said there were some pits done in the area of the southerly lots close to the flood hazard area that had less than 24-inches of soil, which was the primary reason the proposed yield plan has fewer lots than the previously submitted yield plan. Mr. Doherty saw that there were no test pits drawn on lots 25, 26 and 27 and questioned how the Board would know if there was any soil there because it was very steep. Mr. Keach replied it would be nice to have some additional pits. He noted that the yield plan regulations didn't require test pits on every lot; although the Board could request additional pits. Mr. Dadak believed the Board would eventually see the information because test pits would need to be done in the general area of each lot, so a system could be designed. Mr. Coronati replied every lot in the open space development would have one or two test pits. Mr. Keach stated under the exclusion areas in Zoning, they couldn't count land with less than two feet of soil. Mr. Coronati replied they had excluded those areas in the latest submission and explained they eliminated/merged five lots into lots 24, 25, 26 and 27. He said all the steep slope areas had been taken out of the plan. He noted they hit the most ledge in the area of lot 22. Mr. Keach suggested Mr. Coronati dig more test pits.

Mr. Montbleau agreed with Mr. Doherty and felt someone from Mr. Keach's office should witness the test pits. There was no objection voiced by the Board. Mr. Bergeron stated his support of having additional test pits on all the lots, as would be done on a conventional yield plan. He commented on the sensitivity of the area. Mr. Coronati told the Board they had site specific soil mapping done by Gove Environmental and questioned if that would satisfy the Board, rather than digging hundreds of test pits. Mr. Keach tried to sort out proving density and answer the test pit question. He referenced the displayed plan and showed the area known to have ledge. He understood the Board wanted to have more test pits and suggested Mr. Coronati excavate them in the 4K areas on the conservation subdivision plan. He felt that would provide the data to answer Mr. Doherty's questions. Mr. Doherty said lots 25, 26 and 27 appeared to be non-buildable as they may be located where a quarry had been. He wanted to know if they were legitimately buildable lots.

Mr. Gowan suggested the Board accept the plan for consideration.

MOTION: (Montbleau/Dadak) To accept the plan for consideration.

VOTE: (7-0-0) The motion carried.

Mr. Montbleau felt if the Board was going to base a conservation subdivision on a yield plan, they needed to have an accurate yield plan with buildable lots.

Mr. McNamara asked Mr. Coronati to coordinate with Mr. Keach's office to specifically review the three lots in question. Mr. Bergeron felt Mr. Keach made the situation better for the applicant by suggesting the test pits be in the effluent disposal areas ('EDA'). Mr. Coronati questioned if the Board wanted test pits for all 36 lots in the yield plan, or just in the 4K areas of the open space house lots. Mr. Bergeron felt they should be done for every lot in the yield plan. Mr. McNamara questioned if the Board was getting to a point of asking the applicant to fully engineer a yield plan. Mr. Bergeron understood for a conservation subdivision the Board started with a realistic yield plan. Mr. McNamara noted a number of test pits had been done. Mr. Coronati explained when they first go on site they do a number of random test pits (prior to designing anything) to get an idea of the soil. He said it would be helpful to have the actual soil map because the soil scientist delineates shallow ledge. He asked if the Board would like to hear from the soil scientist. Mr. Dadak asked how the soil scientist decided what was on the land and how they plotted the soil. Mr. Coronati believed they auger the ground anywhere they didn't already have test pits to come up with the soil characteristics.

Mr. Keach recalled when Mr. Coronati did the revised yield plan to exclude areas that the ordinance required, they relied on the test pit data and site-specific soil mapping. Given what they knew about the property, his concern was lots 15-16, 23, and 25-30. He wasn't concerned with the northerly piece near Peabody Lane as it was a completely different soil mapping and no ledge. He said the Board has now given the applicant a goal to achieve by proving a 4K area. Mr. Doherty stated if there was an unbuildable lot it shouldn't be included in the yield plan. He said there were some lots that looked suspect. Mr. Keach said there were lots planned under the conservation subdivision that the data could be used for the yield plan and conservation subdivision.

Mr. Thomas was concerned about proposing a development over a gas pipe and questioned if the applicant had addressed how they would ensure the safety of the people who would reside in the development. Mr. Gowan commented that the gas line was Tennessee Gas. He said Liberty Utilities has tapped into it and was running along Route 38. Mr. Thomas said it was even worse to have two parallel pipelines and wanted to know what the Board should consider for safety precautions. Mr. Keach explained in order to cross the line or do any work within the area of it, the applicant will be required to apply for and obtain a joint-use agreement. He said the Tennessee Gas main was extremely high pressure and buried about three feet deep. He said because of the pressure, it was not as volatile as one might think. If it ever ruptured it would immediately disburse. With the loss of pressure within the line the valve station would shut down. Mr. Thomas stated there were multiple gas pipeline failures in the United States right now. Mr. Keach understood that the safety mechanism in a high-

pressure transmission line was different. He said the difficulty came with crossing it and what ends up is a road is elevated so utilities don't have to go under it. Mr. Thomas said the concern was for the houses within the 'incineration' zone. Mr. Keach replied he was sharing with the Board what he had learned during his thirty-five years in practice. He suggested possibly having a representative of Tennessee Gas weigh in on the development. Mr. Thomas explained he had worked forty-five years in the pipeline business and had seen older pipelines continually fail. He was concerned and wanted to know what precautions would be put into place to endure the homes wouldn't be incinerated if there was an explosion.

Mr. Bergeron agreed with Mr. Thomas and he wanted to hear from Tennessee Gas. He wanted the applicant to know that the limitations to the yield plan weren't only with the soils, but also with the proximity of the gas line. He said he was going to want a lot of information regarding all issues.

Mr. Doherty stated he had worked on several developments that had gas lines running through them. In the yield plan he noticed that the gas pipeline went through lots 13 & 19 at a skewed angle, which wouldn't be realistic in a conventional plan. With the case of a gas main or above ground utility easement, Mr. Keach said the zoning ordinance contemplates that the land encumbered by the easement cannot be added to achieve the 35,000SF net lot area requirement. In part the ordinance addresses it, but not specifically to the angle. Mr. Doherty wondered if the yield plan would be reflected differently if the road had to be shifted for the intersection to be above the gas line by approximately 30ft. Mr. Keach said if they wanted to eliminate the skew, the road could be run exactly parallel and to the west, so the gas main would be in the front yard setback. Mr. Doherty wanted to know how the yield plan would be affected if that change was made. Mr. Coronati replied they could look at it.

PUBLIC INPUT

Ms. Kim Jewett, 4 Peabody Lane told the Board her house was across the street from the proposed access to the development. She said the development would change the whole area. For a minimal impact, she felt it would make more sense to have a couple of the houses with driveway access onto Peabody Lane and the remainder of the homes be on a cul-de-sac behind those homes. Mr. McNamara explained that one of the Board's job was to make sure that abutters are shielded from the impact of development by way of distance, trees, bushes, or some other physical barrier. He commented that the area would change whether they did a conventional or conservation development. Ms. Jewett wanted to know if there was a way to do the development without the road onto Peabody Lane. Mr. McNamara believed the applicant's engineer would have to address it with the Town's engineer to see if it was feasible.

Mr. Gowan mentioned if the project moved forward with a conventional or a conservation development, Peabody Lane would need to be assessed and likely improved to a point. Ms. Jewett added that in the winter two cars can't pass each other. Mr. Gowan noted when Peabody Lane was built, it should have had a right-of-way for road connectivity. Ms. Jewett pointed out that her home was across from the development's access and as vehicles exit their headlights will shine into their home, which is located fairly close to the road. She said if the road was angled differently (toward Currier Road) it would help. Mr. McNamara believed the Board may conduct a site walk to see the area. Ms. Jewett noted her concern about the gas line and said she saw digging occurring on the proposed site. Mr. Doherty explained that a helicopter monitored the gas line and watched for digging near the line. Whenever work is done within the easement someone from Tennessee Gas will be on site.

Ms. Jewett heard discussion about walking trails and snowmobile trails and wanted clarification where they would be located. Mr. Coronati showed the current location of the trails, which would end up being in open space. He said they weren't proposing new trails behind the homes closest to Peabody Lane and Currier Road.

Mr. Bergeron questioned if Peabody Lane was in fact a dedicated/deeded (with meets and bounds) road. Mr. Gowan stated it was a Class V road. He couldn't answer if the Town had a deed. Mr. Bergeron said the Board would need to know if the road would be a problem. Mr. Gowan had no doubt that the road would need to be

re-engineered to the intersection with current specifications. Mr. Bergeron said if they found that the right-of-way was not dedicated there may be civil action testing ownership. Mr. Keach said it was a similar situation as Pasture Lane (previously Garland Lane), which the Town required the road to be rebuilt. Mr. Gowan said if the Town didn't have a deeded right-of-way, it would be prescriptive. Mr. Keach added that they were equipped to address it at the appropriate time. Mr. Doherty pointed out if the applicant purchased the property they would own it down to Currier Road; therefore, they could widen the road into their own property toward the south. He said they would also have the ability to adjust the road, so headlights didn't face into the Jewett's home.

Mr. Bruce Jewett, 4 Peabody Lane understood that the yield plan had to be approved before the applicant could go forward with a conservation plan. Mr. McNamara explained the review process. Mr. Jewett reiterated that either project would be invasive on his property.

Mr. Andrew Player, 97 Currier Road wanted the Board to know that their concerns about the ledge were warranted. He had been on the property many times and explained after the open field (and small strip of trees) the area was all rock.

Mr. Doherty asked that abutters let the Board know if they would prefer the conventional or conservation plan. He said one of the plans would go forward and said if they indicate their preference would help the Board decide which plan.

Mr. Linwood Pitts, 100 Currier Road told the Board he would prefer the conservation plan mainly because the conventional plan shows the exit road (from the development) going over his well. Mr. Coronati replied based on survey work they didn't find a well within the right-of-way. Mr. Pitts said if the well wasn't within the right-of-way it would be right next to it. Mr. Gowan asked if it was a dug or drilled well. Mr. Pitts replied it was a 100ft. artesian well. Mr. McNamara said Mr. Pitts could point out the situation when the Board conducted a site walk.

Mr. Angelo Diamantopoulos, 11 Peabody Lane commented that during the last meeting he brought up concerns about the drainage and his well. He explained he had to raise his lot well over 8ft to build his lot. He noted that the water coming off the hill was running over the edge of his property. With the proposed construction he didn't know where all the displaced water would go. He understood that the development couldn't put additional water on his land, but he was concerned where it would discharge off the property. Mr. McNamara explained once a determination was made about what would be built, the Board's engineer would review the submission. Mr. Diamantopoulos was also concerned about his well (water quantity and quality). He noted he recently had his well tested and documented. Mr. McNamara said that documentation was important. Mr. Diamantopoulos stated he had recently taken pictures of his finished basement. He said he had no issues and was concerned with water coming into his lot once the development building occurred. He then told the Board that the Town had recently paved Peabody Lane; however, the base couldn't have been very good as the asphalt was already breaking up and coming off. Mr. Gowan replied the Town's Highway Road Agent would be intimately involved in assessing the condition of the road and the impacts of the proposed subdivision.

Mr. Bob Montbleau, 9 Peabody Lane wanted to know what length of Peabody Lane would be required to be improved. Mr. Gowan replied it would be difficult for him to answer; however, he believed it would be required up to the point of the development's intersection. Mr. B. Montbleau explained the current layout/width of the road. He then spoke about his concern regarding drainage and water running across Peabody Lane.

The Board discussed date specification. The Board would like additional information regarding: 1) flood hazard/LOMA letter, 2) placement of the road in relation to the gas line, and 3) abutter's well location (lot 10-207) in access road (Currier Road).

The case was date specified to the March 19, 2018 meeting. Mr. McNamara anticipated they would establish a site walk date during that meeting.

Case #PL2018-00002

Map 22 Lot 7-1

DEBORAH ANN TRUST- 9 Atwood Road - Proposed 13 Lot Conservation Subdivision with 1 Open Space Lot and Also Seeking a Special Permit for the Conservation Subdivision and WCD Impact.

It was noted that the abutter's list was read during the applicant's previous meeting with the Board.

Representing the applicant was Karl Dubay of The Dubay Group, who was joined by the owner, Steve Doherty. Updated plans were provided to the Board. Mr. Dubay reiterated that they weren't asking for bonus lots within the conservation plan. Mr. S. Doherty told the Board that he had gone through the existing farm house during the past week. He said they were able to configure the lots on Atwood Road to be able to save and rehab the farm house; however, he wouldn't be keeping the barn.

Mr. T. Doherty asked for clarification about the number of houses contemplated along Atwood Road. Mr. S. Doherty explained initially there were seven houses on Atwood Road and they removed two. He said there would be three new houses, plus the farm house. They will be adding a house on the barn lot. The latest plan set showed the new configuration. Mr. Dubay believed they were ready to have a formalized update on the plans for submission to Keach Nordstrom (Board's engineering review firm). He said they had also completed a full drainage study and test pits to move the plan forward. He told the Board they had a scheduled site walk with the Conservation Commission on Saturday, February 24th beginning at 8am, and invited the Board to attend. A number of Board members indicated they would attend.

Mr. Lynde questioned if the Highway Department had been consulted regarding the plowing. Mr. Gowan said the plan had not yet gone in front of the Highway Safety Committee. Mr. Dubay said they would discuss the plan in detail with the committee. He said there were other items that the Conservation Commission had asked them to do such as posting trail heads and voluntary buffering for an abutter. He noted there would also be a lot line adjustment (on Briarwood) to achieve higher quality open space for the Town conservation land. Mr. Lynde and Mr. Montbleau both commended the applicant for how they progressed on the plan.

Mr. T. Doherty asked if the applicant could review possibly cutting into the embankment to provide better sight lines from Atwood Road to Peaceful Drive. Mr. Dubay said he would review and discuss the other improvements made to the plan that would substantially reduce the number of waivers they would be seeking.

Mr. Gowan thought it would be a good idea to bring architectural renderings of the homes to the site walk. Mr. S. Doherty said he would bring copies.

Mr. Bergeron questioned if the applicant understood about the 25ft. buffer to the cemetery. Mr. Dubay answered yes; they would be bringing the open space to the cemetery. Mr. Bergeron spoke about the sight line along Atwood Road (as brought up by Mr. T. Doherty). He wanted to know if the wall (past the farm house) would be preserved. Mr. S. Doherty said he would leave the walls (except to put in a driveway). Mr. Dubay commented that the Conservation Commission had asked them to save the walls in the areas they weren't building houses. Mr. Bergeron said the applicant was doing a great job and commended them for responding to the concerns.

PUBLIC INPUT

Mr. Michael Brawn, 15 Atwood Road told the Board he had already spoken regarding the plan and felt the applicant had done a good job working with the abutters and alleviating concerns.

Mr. T. Doherty pointed out that the applicant had gone out of their way to give the abutters a development/neighborhood that they would like. He commended the applicant.

The case was date specified to the March 19, 2018 meeting.

Case #PL2018-00006

Map 7 Lots 9-135, 9-135-1, 9-135-3, 9-135-11

MENDES, David - Katie Lane & Simpson Road - Wildwood Estates - Proposed Lot Line Adjustment

Mr. McNamara didn't believe the Board would be able to address the agenda item based on the nature of the earlier case hearings. The applicant's representative Peter Zohdi of Herbert Associates asked for the case to be date specified to the March 5, 2018 meeting.

The case was date specified to the March 5, 2018 meeting.

NEW BUSINESS

Case #PL2018-00008

Map 15 Lot 8-216

JAMES PETERSEN BUILT HOMES, LLC - Windham Road - Public discussion for a Proposed Elderly Housing Community

The applicant's representative Peter Zohdi of Herbert Associates requested a continuance (given the length of the agenda) to the March 5, 2018 meeting. Mr. McNamara asked if abutters had been notified by certified mail. Mr. Zohdi answered yes. Mr. McNamara explained to the public that the abutters would not receive another certified mail notice; the case would be date specified to the next Board meeting.

The Case was date specified to March 5, 2018.

ADMINISTRATIVE

Discussion of Zoning and Regulation amendment priorities, subcommittees, etc.

Deferred to March 5, 2018.

SITE WALK –

February 24, 2018 beginning at 8am

Case #PL2018-00002 - Map 22 Lot 7-1 - DEBORAH ANN TRUST- 9 Atwood Road

March 3, 2018 beginning at 9am

Case #PL2018-00001 - Map 1 Lot 5-124 - HEBERT, Christopher - Mammoth Road

DATE SPECIFIED CASE(S)

March 5, 2018

- 1) Case #PL2018-00008 - Map 15 Lot 8-216 - JAMES PETERSEN BUILT HOMES, LLC - Windham Road
- 2) Case #PL2018-00006 - Map 7 Lots 9-135, 9-135-1, 9-135-3, 9-135-11 - MENDES, David - Katie Lane & Simpson Road

March 19, 2018

- 1) Case #PL2018-00001Map 1 Lot 5-124 - HEBERT, Christopher - Mammoth Road
- 2) Case #PL2018-00003 - Map 35 Lot 10-351 & Map 41 Lot 10-312 - DHB HOMES, LLC (applicant) / FINEMAN, Neil (owner) - 48 Currier Road & 56 Bridge Street
- 3) Case #PL2018-00002 - Map 22 Lot 7-1 - DEBORAH ANN TRUST- 9 Atwood Road

ADJOURNMENT

MOTION: (Montbleau/Passamonte) To adjourn the meeting.

VOTE: (7-0-0) The motion carried.

The meeting was adjourned at approximately 10:12pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary