

APPROVED

**TOWN OF PELHAM
PLANNING BOARD MEETING MINUTES
February 4, 2019**

Chairman Peter McNamara called the meeting to order at approximately 7:00pm.

Secretary Paul Dadak called the roll:

PRESENT: Peter McNamara, Roger Montbleau, Paul Dadak, Tim Doherty, Blake Clark, Selectmen Representative Hal Lynde, Alternate Richard Olsen, Alternate Paddy Culbert, Alternate Bruce Bilapka, Planning Director Jeff Gowan

ABSENT: Jim Bergeron, Alternate Derek Steele, Alternate Samuel Thomas

Mr. McNamara informed the February 21, 2019 Planning Board meeting was cancelled; the next meeting will be held March 4, 2019.

MEETING MINUTES

January 24, 2019

MOTION: (Lynde/Dadak) To approve the January 24, 2019 meeting minutes as written.

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

ADMINISTRATIVE

Map 8 Lot 9-85

SDK Landholdings - Hayden Road – Request for Bond Release

Mr. McNamara noted the Board received a recommendation to fully release the bond. Mr. Gowan explained that the bond had been held for the fire cistern, which has now been installed/tested; the Fire Department was happy with it.

Current bond: \$38,668.75

MOTION: (Doherty/Montbleau) To approve the full release of the bond (\$38,668.75).

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

OLD BUSINESS

Case #PL2018-00040

Map 29 Lot 7-95

PELHAM REALTY GROUP LLC – 150 Bridge Street - Site Plan Review for proposed relocation of Dunkin' Donuts and A.L. Prime renovation

Mr. Olsen was appointed to vote in Mr. Bergeron's absence.

Brian Jones of Allen & Major Associates, Inc. and J.P. Fine of Pelham Realty Group, LLC came forward to discuss the proposed Site Plan for the relocation of Dunkin' Donuts and renovation of A.L. Prime (gas station). Mr. Jones told the Board since their last appearance in front of the Board in December they had the opportunity to have the project reviewed by Keach Nordstrom and have subsequently incorporated their recommendations into the plan. Some of the adjustments were: adding several landscape islands at the ends of the parking stalls, adjusting the geometry of the drive-thru (entrance/exit), adding a (vehicle) loading area at the edge of the gas station, and other items. The changes were submitted for review; Keach Nordstrom provided an updated letter to the Board acknowledging the fact that concerns were addressed along with a positive opinion regarding the proposed improvements.

Mr. McNamara noted that Mr. Keach of Keach Nordstrom (Board's engineering review firm) was due to arrive later in the meeting and would be given the opportunity to speak to his findings regarding the plan. He took questions from the Board.

Mr. Clark wanted to know if the Fire Department would carefully study the plan because it alters the fire lane to access the main building. Mr. Gowan noted the plan had already been in front of the Highway Safety Committee ('HSC'). If the Planning Board approves the plan the Fire Department would be reviewing and stamping the plan separately from the HSC. Mr. Clark questioned what would happen if the Fire Department didn't like the plans. Mr. Gowan replied the plans would be changed until they Fire Department liked the plan; if there is a significant change the plan would come back in front of the Planning Board.

Mr. Dadak wanted to know how traffic would be interrupted during fuel deliveries (to A.L. Prime). Mr. Jones stated they had discussed the topic internally and with Mr. Keach. They created a loading area for vehicles to access the pumps during a fuel delivery. He pointed out the area of the fuel tanks, which were below and to the right (north) of the canopy. Mr. Fine added they had met with A. L. Prime several times since the plan was revised and indicated they had no (logistic) problem with how it is laid out. Mr. Dadak questioned the location of their restroom (in the renovation). Mr. Fine replied the kiosk was expanded in order to include a rest room. Mr. Dadak ended by saying the area being discussed is a challenge for traffic and hoped the proposed plan would be an improvement. He wondered if it was too late in the process to mark the pavement or use cones to show the proposed traffic pattern. Mr. Culbert said he would like to see the ground marked because he was concerned with the fueling process. He questioned if bollards would be installed. Mr. Fine replied every one of the kiosks had protection. Mr. Jones noted that the fuel tanks were underground and therefore wouldn't have bollards.

Mr. Bilapka believed traffic would be blocked while the fuel tanks were being filled. Mr. Jones and Mr. Fine explained the process of filling the tanks and how vehicles would navigate the area. Mr. Jones reiterated that they didn't feel it would affect circulation within the plaza and that the tenant was satisfied with the layout. Mr. Doherty believed a tractor trailer would fit in the area (to the west) where the applicant indicated.

Having been in the automotive business for many years, Mr. Montbleau commented that A.L. Prime could contact the fuel delivery dispatch and inform of the hours that deliveries couldn't be made. They have the ability for late night or early morning deliveries. Mr. Fine stated they have a lease with A.L. Prime, in which they could identify where trucks can park and indicate the timeframe deliveries could be made. Mr. Montbleau noted that the total time for dropping fuel should be approximately one hour.

Mr. Gowan noticed that the snow removal equipment area that is currently in the area of the proposed drive-thru was shown to be behind Hannaford. Mr. Fine replied the contractor currently stores equipment on site but was not authorized to do so. Mr. Gowan said if the equipment was going to be kept on site the plan should show the location. He confirmed that a snow storage detail was included on the plan.

Mr. Clark commented that his gas tank is on the 'wrong side' of the car and wanted to know if consideration was given to having the gas lanes be one-way for traffic flow. Mr. Jones replied they preferred not dedicating a direction so vehicles could choose which side of the pump to go on. They are opening the area on the west and

toward the plaza to have additional drive isles. Mr. Fine said the main concern they heard from the HSC and Planning Board was that there was too much access within the parking area. The plan was adjusted to stop vehicles from driving through parking spaces and cutting across the parking lot.

Mr. Culbert inquired how fast a vehicle would need to travel to cause an explosion of the fuel truck. Mr. Montbleau replied the manifold of the truck was well protected (in the center of the vehicle); however, anytime an explosive substance is hauled there is a risk. He said if there was an accident the truck may spill liquid and not explode unless there is a spark. He added that having the truck in the plaza was no more dangerous than it being somewhere else.

Mr. Lynde felt traffic would be moving slower with the proposed changes and traffic would have an easier time passing by the fueling area. Mr. Culbert noted that there was also a request to have the gas station fill their tanks during 'off hours' to eliminate congestion. Mr. Lynde asked if the question should be brought to the Fire Department. Mr. Gowan replied it had already gone to the Fire Chief in the context of the HSC and didn't come up as a concern. Mr. Doherty pointed out that the fuel station was an existing condition that was not proposed to change. He wanted further explanation of the three proposed traffic islands (at the end of the parking stalls near the gas station). Mr. Jones replied those were added per the recommendation of Keach Nordstrom (letter dated January 29, 2019). He read the section of the letter that listed the opinion and supporting facts.

Mr. Culbert questioned how a vehicle could be accessed within the drive-thru lane in the event of an emergency. Mr. Jones replied the queue was set up to be a 20ft. wide drive isle (two 10ft. lanes) to allow vehicles to slip out at any point.

The Board then discussed the three islands located at the end of the parking stalls. Mr. Fine believed they were intended to prevent vehicles from traveling anywhere except within the drive lanes. Mr. Doherty recalled the master plan for the plaza showed the parking stalls as being north to south and liked that the proposed plan showed parking being east to west. Mr. Fine commented that the master plan was still a work in progress; the proposed plan was designed to work with the present situation. He said they would come back to the Board before they change it further. Mr. Doherty questioned if the islands (shown on the current plan) worked with the master plan. Mr. Fine answered no; they would need to be taken out to work with the other direction. Mr. Doherty felt the three islands should be removed. The Board discussed the traffic flow and how vehicles from within the plaza would access the drive-thru lane. Mr. Jones noted there would be some vehicle conflicts around the gas station because there were no defined lanes or directions. Mr. Fine added that A.L. Prime had been operating in that location for approximately thirty years. They have been asking for a chance to expand the kiosk and make the proposed improvements and had spent a significant amount of time reviewing the plan. Mr. Gowan stated that Mr. Keach had drawn the proposed islands onto the plan. He personally drove a long truck and believed he could easily make the turn (heading north) into the drive-thru lane.

Mr. Culbert stated A.L. Prime had a heavy cigarette business and believed traffic would jam because of such. Mr. Jones replied there were six pumps and they were adding a drive isle on both sides that doesn't exist today; circulation will be improved. He said if an isle is blocked there are other ways out of the plaza. Mr. Lynde believed the plan provided for a much safer plaza. He said it eliminated the contention they were concerned about and felt people will adjust to the design.

Mr. Montbleau was concerned with the other end of the plaza (entrance/exit) and spoke about his experiences exiting onto Route 38. As vehicles attempt to exit the plaza, the vehicles travelling on Route 38 speed up past the plaza stopping exiting traffic. He asked if one of the exits would be closed off at the other end. Mr. Fine answered no; not with the proposed plan. He said the intent was to do something with the rest of the plaza in the future. He didn't know what it would look like and will explore (with the Department of Transportation) having a traffic light. At present they are giving themselves an opportunity to make it better in the future by relocating Dunkin' Donuts. He assured the Board they would come back in front of them for anything regarding the parking lot and entrances. Mr. Montbleau stated the other end of the plaza would be affected by the proposal

currently being reviewed. He said his choice would always be to exit the plaza (onto Atwood Road) to get to the set of lights. Without a street light or flashing yellow light he would have a hard time supporting the plan because the flow of traffic is being changed. Mr. Gown urged against holding the immediate change based on commuting traffic flow. He noted the difficulty in having the DOT consider a light.

Mr. Doherty suggested pushing the 'C' shape landscape island back by one parking space (near the drive-thru exit) and eliminating the adjacent landscape island (at the end of the parking stall). He said that would stop congestion at the pumps.

Mr. McNamara opened the discussion to public input. No one came forward.

Mr. Dadak inquired how the construction/installation of the islands be installed. Mr. Jones explained how they would phase construction. Mr. Gowan commented that one of the draft approval conditions was "Coordination with the Town of Pelham Police and Fire Departments regarding traffic flow management during construction and the proposed improvements likely as part of a pre-construction meeting to be called by the Planning Director prior to the start of any work."

The Board suspended further discussion regarding the case to allow for Mr. Keach to arrive. See below for further action.

PB Case #PL2018-00028

Map 15 Lot 8-216

JAMES PETERSEN BUILT HOMES, LLC - Windham Road - Site Plan Review for Proposed 42-unit Elderly Housing Community Development and a Special Permit for Wetland & WCD Crossing for Access to Residential Units

Mr. McNamara appointed Mr. Culbert to vote in Mr. Bergeron's absence.

Representing the applicant was Mr. Peter Zohdi and Mr. Shayne Gendron, both of Herbert Associates. Mr. Zohdi believed the reason the plan was held over from the last meeting was because a Board member requested a landscape plan, which has now been provided. He said another request was information regarding water quality/quantity, which has been addressed by Bruce Lewis, P.E. (letter dated February 4, 2019). The letter indicated that two potable water supply wells were established capable of supporting up to a total of 20-gallons per minute. Mr. Zohdi also indicated that Steve Keach of Keach Nordstrom (Board's engineering review firm) submitted a letter with items to be address, which were subsequently done. He said there was nothing remaining.

Mr. McNamara opened the discussion to public input. No one came forward.

Mr. McNamara read aloud the letter submitted by Bruce Lewis (dated February 4, 2019).

Mr. Culbert recalled a sign would be installed at the beginning of Claudine Drive indicating 'No Outlet' or 'Dead End'. Mr. Zohdi replied an 'Emergency Exit' sign would be installed. Mr. Gowan pointed out that Claudine Drive was a Town road, therefore only the Selectmen could approve a no outlet sign.

Mr. McNamara questioned if all the waiver requests had been accepted. Mr. Gendron replied the Board accepted and approved all the waiver requests except for the waiver to the landscaping plan that had now been provided. He noted there was a Special Permit as part of the application. Mr. McNamara believed a letter from the Conservation Commission had been read into the record, which contained certain conditions.

Mr. McNamara read aloud the draft list of approval conditions:

- 1) All required State permits, NH DES Subdivision approval, AOT permit, NH DES Water Supply Bureau approval, NH DOT Driveway permit, NH DES Subsurface approval for septic systems to be noted on recordable plan;
- 2) Surety for road construction, drainage and other plan fees as estimated by Keach Nordstrom;
- 3) Homeowner's Association documents to be found satisfactory by Town Counsel with review at applicant's expense;
- 4) Expansion of the site plan to include design drawings of the planned community water supply and distribution system;
- 5) NH Licensed water system operator must be engaged to manage the community water system with that requirement to be memorialized within the Homeowner's Association documents;
- 6) Required professional stamps to be provided on recordable plan;
- 7) Letter from Keach Nordstrom indicating their satisfaction with all aspects of the final recordable plan and drainage report;
- 8) Written confirmation of approval of the project and building plans by the Pelham Fire Department.

MOTION: (Culbert/Montbleau) To approve the Special Permit.

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

MOTION: (Culbert/Montbleau) To approve the plan subject to the conditions of approval that were previously stated.

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

CONTINUED FROM EARLIER IN THE MEETING

Case #PL2018-00040

Map 29 Lot 7-95

PELHAM REALTY GROUP LLC – 150 Bridge Street - Site Plan Review for proposed relocation of Dunkin' Donuts and A.L. Prime renovation

Mr. Steve Keach of Keach Nordstrom (Board's engineering review firm) arrived and came forward for the discussion.

Mr. McNamara stated earlier in the meeting the Board discussed the proposed traffic islands and requested further information. Mr. Keach stated since the application was last in front of the Board the applicant has made two submittals, one of which was acted on through a memorandum dated January 18, 2019. He said he kind of supported their new design, but thought it could be better, therefore he attached a sketch within his response. He didn't receive a call or any pushback from the owner or engineer and assumed they concurred. When preparing the most recent letter dated January 29th, Mr. Keach said when he spoke with Mr. Gowan about his scheduling conflict, he included comment #3 knowing the case was first on the agenda and he may not be present for the discussion. He explained that the first memo was in response to the applicant's submittal in the December timeframe; he sketched on that plan and added a couple of things to further improve the circulation.

Mr. Keach explained he looked at the revised plan differently since the owner shared a possible master plan of the plaza. He believed there were other transportation improvements they would need to see at a later time. However, he felt the plan went a long way regarding Atwood Road and the relocated Dunkin' Donuts. He said entrance may look awkward in comparison to what currently exists, but believed it did a great deal, such as increasing a protected queue exiting the plaza. He also liked having a longer entrance 'throat' for vehicles to not have any conflict for a distance. More importantly, he liked that the entrance (from Atwood Road) forced all through traffic out to the front of the site and ability to disburse to where they want to go.

Mr. Doherty said earlier the Board had discussed their concerns with traffic flow around the gas pumps with traffic being 'funneled' in that area. Mr. Keach pointed out there were two lanes of pavement on each side of the gas station for vehicle movement. He said they could better isolate the area with striping. The reason he asked for the landscape islands was to define the linear movement out of the plaza, to eliminate the randomness, to create a definitive stop from the parking isles and special separation between the through movement and plaza parking.

Mr. Culbert stated A.L. Prime has heavy cigarette sales and pointed out where people park to access the cashier for purchase. Mr. Keach said if they wanted to reinforce the traffic pattern, they add arrows on the pavement or install 'No Parking' signs; however, he would rather see the islands populated with landscaping.

Mr. Doherty commented that the gas station was a favorite for those in construction, landscaping etc. and believed having the greenery would create too tight of a scenario near the gas pumps. Mr. Keach replied he asked the applicant to create an area for customers to pull off and access the gas station. Mr. Doherty suggested moving the landscaped end caps by one parking space. Mr. Keach said he could live with it but didn't like the notion of having a vehicle parked on that side of the island because it would bring the confusion back into an area, they were trying to eliminate it from for the convenience of habit. He liked isolating and better defining transportation movements with an insertion of order based on the concerns previously voiced by the Board. Mr. Jones was confident there was space for two vehicles to pass a car parked for fueling. He said sliding the islands further away reduced parking spaces and placed them at a tipping point.

Mr. Keach asked the distance from the landscaped curb line to the edge of the concrete apron (of the gas station). Mr. Jones replied it is approximately 20ft. He also indicated there was approximately 24ft. on the other side of the gas station. Mr. Fine cautioned about making the area too wide, which would encourage people to park outside of the parking spaces. He said if they make it feel like a travel lane it will become one. Mr. Keach explained that one reason he requested the pull-over area on the outside of the plaza so they would be isolated and not block traffic flow or the line of sight. Mr. Culbert questioned if the lane marking could be continued from the entrance toward the gas station. Mr. Jones noted toward the north there was a concrete pad that should discourage people from parking in that location. They weren't opposed to adding pavement striping. Mr. Fine stated striping was very effective and commented it was best done in the field once they see the traffic patterns. They will consider adding striping or arrows. Mr. Keach agreed and felt arrows would be most effective. Mr. Gowan suggested that the gas station personnel play an active role in giving direction if people begin to park where they shouldn't be.

Mr. Clark suggested making the center landscape island (of the three) be more triangular to make the travel way better defined. Mr. Keach noted they would be able to gain a parking space by shifting it; he drew on the plan to show the Board.

Mr. Culbert wanted to know if additional trees could be added along the green area between the gas station and Route 38. Mr. Gowan replied to do so a landscaping plan would need to be submitted to the State. He preferred to see the addition of low shrubs on the islands within the parking lot.

Mr. McNamara read aloud the draft conditions of approval:

- 1) Submission of a detailed design plan for the proposed sewage disposal system modifications as approved by the Town of Pelham Health Officer;
- 2) Letter from Keach Nordstrom conveying satisfaction with the final plan and any supplemental information described in their January 29, 2019 peer review letter;
- 3) Coordination with the Town of Pelham Police and Fire Departments regarding traffic flow management during construction of the proposed improvements – likely as part of a pre-construction meeting to be called by the Planning Director prior to the start of any work;

- 4) Any surety determined to be needed by the Planning Board as estimated by Keach Nordstrom (for work done in the Livingston Road/Atwood Road Town right-of-way);
- 5) Fire Department review and approval of the plan;
- 6) Suggested by Mr. Keach that the site plan is fully implemented before the Certificate of Occupancy is issued.

Mr. Doherty wanted to remove the three landscape islands near the gas station (at the end of the parking stalls) and made a motion to do so. The motion failed for lack of a second.

Mr. Montbleau questioned if one of the landscape islands was being moved back. Mr. McNamara believed the applicant would shift the center island on a diagonal to ease traffic flow. Mr. Keach stated he would verify that the plan reflect that change when they are sent to him.

Mr. Doherty understood that the landscape islands would be removed if the plaza was reconfigured in the future. Mr. Fine stated it was contingent on what the plans turned out to be. Based on the master plan they would be removed, but it was possible the lanes may remain horizontal in the area of the potential new building in the location of the old drive-thru. Mr. Doherty asked if the islands could be done at a later date since they might not stay. Mr. McNamara heard Mr. Keach say that the islands would improve flow and direct traffic. He believed there were several reasons the plan was designed well.

MOTION: (Clark/Dadak) To approve the Site Plan with the stated conditions.

VOTE: (5-1-1) The motion carried. Mr. Doherty voted in opposition. Mr. Montbleau abstained.

DISCUSSION

Planning Board to discuss establishing a Zoning Subcommittee

Mr. McNamara stated there couldn't be more than three Board members at a sub-committee meeting or it would have to be posted as a Planning Board meeting. Mr. Gowan read aloud an email response from Town Counsel that indicated when the Board establishes a subcommittee, only subcommittee members can participate on subcommittee work; regular Planning Board members can be in the audience but are not considered subcommittee members. Mr. Gowan spoke about a subcommittee meeting that occurred in the fall where nearly all Board members attended. He said in the future he would post the meetings to be on the safe side.

The Board discussed how they would proceed. Mr. McNamara suggested posting a general Planning Board meeting and having an agenda item for 'Zoning'. There was no objection. Mr. Gowan stated he would add it to the March 18, 2019 agenda.

NON-PUBLIC SESSION - If requested in accordance with RSA 91:A:3

ADJOURNMENT

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

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

The meeting was adjourned at approximately 9:25pm.

Respectfully submitted,
Charity A. Landry

Recording Secretary