

PLANNING BOARD  
November 18, 2015

**APPROVED as amended & clarified:**

12/9/15 jrl\_\_\_\_\_

AGENDA: CONTINUED SITE PLAN, 15SPR01: ZAREMBA PROGRAM  
DEVELOPMENT LLC, 215 Lake St., #112-001  
15SUB04, SUBDIVISION: COLIN BROWN FOR ELIZABETH JANE  
GREENWOOD REV. TRUST, 215 Hemlock Brook Rd.,  
#205-002 - **Withdrawn**  
15SPR02, SITE PLAN REVIEW: NEW ENGLAND FAMILY HOUSING,  
409 Lake St., #112-037 & 224-001

ATTEND: Denice DeStefano (Chairman), Dan Paradis (Vice Chair), Paul Manganiello  
(Sel. Rep.), Clay Dingman, Steve Favorite, Elizabeth Seeler

ABSENT: -----

OTHER: Applicant teams, Sandra Heaney (Conservation Commission/HDC), public

The meeting opened at 7:00 p.m. with a quorum. Ms. DeStefano explained that the Subdivision scheduled for this evening has been withdrawn.

15SPR01, CONTINUED SITE PLAN: ZAREMBA PROGRAM DEVELOPMENT LLC/  
Attorney Richard Uchida, Erin Lambert (Engineer), Scott Holman (Developer)  
Attorney Uchida explained that they have received final approval for the Subdivision and for a Special Use Permit. They are now in the Site Plan phase. They have asked for 3 waivers but have made some minor changes that might affect these.

Ms. Lambert explained that they would like the 6 side parking spaces to be 10' x 19' and to make a 3<sup>rd</sup> ADA space based on the comment at the last meeting that alluded to a more elderly population here now. Ms. Lambert then showed 2 depictions of parking to the side and rear of the building which does not allow a manageable turn-around for off-street loading. Therefore, they request parking in front and to the side. Mr. Dingman stated that this seems to be their only option though he is not happy with it. He is still not sold on the fact that this is the only way to do this. He added that there is too much asphalt in the front. Mr. Paradis mentioned the Elderly project on Lake Street, reminding him of their screening for the out-front parking.

The waivers were then addressed.

1. Reduction of parking spaces to 9' x 19' and 6 at 10' x 19'.

Mr. Dingman stated that the reduced parking space was to make them all wider instead of adding another ADA parking space. Ms. Seeler added that wider spaces work better. Mr. Paradis stated that more area would be paved if they made the spaces wider. Mr. Manganiello

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ZAREMBA SITE PLAN, Waivers, continued:

asked if we have an ordinance that accommodates for compact vehicles. He was told that there is none. Mr. Favorite stated that we tried to do that in the Downtown District but found that more folks had SUV's. He added that any other plan is hard for the delivery truck and they have condensed the building. He finds that people do not stay long at a Dollar General, though he would prefer 10' wide spaces. Mr. Dingman asked if they did 10' wide, would they still be able to meet the required spaces for their Variance. Attorney Uchida stated that the accepted standard for parking spaces is 9' x 19'. They would need to go back and adjust the Variance. They have tried to balance this out by having the 6 spaces at 10' x 19'.

P. Manganiello made a MOTION, second by S. Favorite, to APPROVE THE WAIVER WITH 6 SPACES AT 10' X 19', THE REST AT 9' X 19'. The motion CARRIED. Mr. Manganiello noted that small cars always park up front at Shop 'n Save.

2. Parking closer to the street than the building.

Attorney Uchida stated that they have asked for a State landscaping license to add landscaping in the State right-of-way, knowing that it would be removed if they ever needed to widen the road. Mr. Dingman stated that he feels that the applicant has had time to address this previously. He is reluctant to approve this without having the license in hand. He would prefer more compromise, such as a smaller delivery truck.

C. Dingman made a MOTION to NOT APPROVE THIS WAIVER. No Second was given.

S. Favorite made a MOTION, second by E. Seeler, to APPROVE THIS WAIVER CONTINGENT ON THE APPROVAL OF A STATE DOT LANDSCAPING LICENSE.

Mr. Favorite would like to see more landscaping in front. Mr. Dingman felt that a contingency cannot be done legally. Ms. Seeler stated that maybe we should continue until we get that approval. Mr. Paradis felt that they have given adequate effort and this is a matter of taste. He added that he does not mind having the building further back which would prevent having just a row of buildings along Lake Street. Mr. Dingman asked why the Planning Board has this as part of their Site Plan then. Mr. Manganiello stated that he was leaning towards what Mr. Paradis has said. It could be done similarly to the Elderly Housing project but without the stockade fence. Mr. Dingman said that he would like to see a sketch of the landscape plan. Mr. Holman presented a plan showing 2 ½ to 3' shrubs along the street side of the parking lot. Atty. Uchida stated that this could not be contingent on the waiver but could be on the Site Plan itself. The motion was then voted on and was DEFEATED 2 to 3.

E. Seeler made a MOTION, second by D. Paradis, to GRANT THE WAIVER AS REQUESTED. The motion CARRIED with 1 opposed.

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ZAREMBA SITE PLAN, Waivers continued:

3. The landscape buffer to be less than required (3 sides).

The landscape plan is shown on page L1 of the Zarembo package. Ms. Lambert explained that the front is only 5 ½' wide, the south side has an area of 11' (there is a stockade fence along that side provided by the abutter), and an area of only 5' on the north side. They plan on planting trees along both sides.

Mr. Dingman asked why they can't adhere to the buffers and Ms. Lambert answered that the area is needed for the required parking spaces and truck turn-around. Mr. Holman reminded the Board that they have reduced the size of the building, reduced the amount of required parking and the residence already has a fence. Ms. Seeler felt that they have "shoe-horned" the building on the lot. Mr. Dingman agreed. Ms. Lambert suggested that they move one parking space on the north side to bring that up to 14' instead of 5' and put that parking space at a diagonal along the back.

S. Favorite made a MOTION to APPROVE THE WAIVER WITH THE 1 PARKING SPACE MOVED FROM THE NORTH SIDE TO THE SOUTHWEST NEXT TO THE DUMPSTER. C. Dingman questioned if this could be done. A discussion ensued and Atty. Uchida agreed to re-write the waiver to read: Motion to grant waiver from Section 8.5 (I) of the Site Plan regulations to permit: (I) a 14 ft. landscape buffer where 15 ft. is required on the north side of the property, (II) a 5 ft. landscape buffer where 20 ft. is required on the east side of the property, (III) No less than an 11 ft. landscape buffer where 15 ft. is required on the south side of the property.

S. Favorite made a MOTION, second by P. Manganiello, to APPROVE THE THIRD WAIVER AS PRESENTED BY ATTY. UCHIDA. The motion CARRIED. The applicant was reminded that this update must be changed on the plan and Ms. Lambert stated that she would do so.

C. Dingman made a MOTION, second by S. Favorite, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED.

Ms. Lambert then went over the plans. She stated that it is to be a 7500 sq. ft. building with 28 parking spaces. She pointed out the position of the dumpster and that there is to be one lane in and two lanes out of the property. All utilities are to be underground. She pointed out the changed drain pipe and culvert, the new drainage system, and the natural wetland buffer. She added that the storm water system is up to a 10year storm at 0%, a 50year at 70% and a 100year at 60%. Ms. Lambert also showed the entrance of the store to be out in front and the loading dock to the side.

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ZAREMBA SITE PLAN continued:

Mr. Dingman asked what happens to the run-off not going to the storm water system. Ms. Lambert answered that it goes to the culvert. Mr. Paradis asked about the maintenance of the drains and Ms. Lambert explained that the culvert is on a semi-annual maintenance as well as the storm drain. DOT has the maintenance plan. Mr. Paradis asked who would enforce the maintenance. Mr. Holman answered that Dollar General will hire a company and get reports. Ms. Lambert added that Dollar General will be responsible for sweeping the sand from the parking lot in the Spring.

Ms. DeStefano read the concern sent by the Land Use Officer in which he was asking about salt and sand and snow removal. Ms. Lambert pointed out the areas of snow removal and stated that when it gets deep, it will be transported off-site.

Mr. Dingman then asked about pervious pavement. He mentioned that the Civil Engineer at the previous hearings for Zaremba made the comment that pervious pavement was up to task for heavy use. Mr. Dingman would like to see that for the entire lot. Mr. Holman answered that things have improved but they have found that pervious pavement is still not useable. They are concerned about the front and where the truck turns. They are willing to do the 6 parking spaces in pervious pavement. Mr. Dingman asked about also doing so with the sidewalk entrance. Mr. Holman was not for doing so as this would allow too much water around the foundation of the building.

Mr. Paradis asked about the water from the roof. Ms. Lambert explained that it would be piped to the gallery. She added that, about a month ago, Continental Paving was still not recommending pervious paving for high traffic areas. The gallery storm catch basins move the water out and all of it will be treated.

Mr. Dingman then asked about appearance of the building and signage. Mr. Holman presented a rendition and stated that he looked at our downtown to try to fit it in. He pointed out the columns in front and the curving at the top of the faux windows. As to the sign, Mr. Holman said that it will be exterior lit and to code. There will be down-lighting along the side of the building. Mr. Dingman questioned the lettering and early 20<sup>th</sup> century colors. Mr. Holman stated that it was to have simple letters and is the only thing to say that this is a Dollar General store. The pylon sign is planned to be 15' tall with black letters on yellow. He pointed out the area by the driveway where this is to be placed. Mr. Dingman said that he would rather not have it this tall. Mr. Holman asked about maybe 10' and Mr. Dingman answered maybe or even less. He would prefer a monument sign. He added that he would like to see a rendering of the signs in a couple of sketches of different designs.

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ZAREMBA SITE PLAN continued:

Mr. Paradis asked about the composition of the building and was told that it is to be a vinyl siding with a wood grain on the front. It is to be taupe in color. Mr. Paradis asked how long the side of the building is and was told 85'. The Board thought that something should be done to break that up and Mr. Holman suggested that he could add 2 faux windows to each side. He would like the sign to be 10' and 32 sq. ft. (as allowed) with the design yet to be determined. He will e-mail the secretary with the design before the next meeting.

Ms. DeStefano asked if the building has a flat roof and Mr. Holman explained that it has a slightly pitched roof towards the back. Ms. DeStefano then read the Fire Chiefs' comment which states that they will need a sprinkler system and fire alarm. She then asked about lights. Mr. Holman pointed out where the 2 pole lights will be placed. Ms. DeStefano asked about the times that the lights will be on. Mr. Holman answered that they will go on ½ hour before opening (7:00 or 8:00 am) and off ½ hour after closing (10:00 pm). There will be a security light over the loading door and under the front canopy plus 2 lights left on inside.

Ms. DeStefano asked about the times of delivery and was told that this will be done at 6:99 or 7:00 am and be there for 2 hours. The large truck comes in once a week, the small truck on an as needed basis. They look at the logistics to determine the exact times. Ms. Seeler asked about the dumpster and Mr. Holman stated that they hire a local company for that. Mr. Dingman stated that the Board has prohibited times before and he is willing to look at this as a condition. A discussion followed as to delivery times. The Board was told that the large delivery is done with a 53' tractor-trailer. Mr. Dingman mentioned that there is the back-up beeper on the truck.

Sandra Heaney (Conservation Commission/HDC) stated that the Conservation Commission would like the maintenance of the filtration system be filed with the town. She would like them to consider the DOT license to extend the buffer in front and also to have siding of anything but vinyl. Mr. Holman stated that vinyl will look better longer. Mr. Dingman asked about possibly using faux shakes or shingle. Mr. Holman stated that they use thick commercial siding and anything else is cost prohibitive.

Ms. DeStefano went over the condition list that has been expressed: A DOT permit to allow expansion of the front buffer, the identifier sign to be 10' and the design to be determined, 2 faux windows on each side of the building, the time of delivery to be according to the town noise ordinance, maintenance of the drainage system to be filed with the town, and landscaping maintained by a professional company.

C. Dingman made a MOTION, second by S. Favorite, to APPROVE THE SITE PLAN FOR ZAREMBA PROGRAM DEVELOPMENT LLC WITH THE ABOVE CONDITIONS. The motion CARRIED and a compliance hearing was set for December 9, 2015.

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15SPR02, NEW ENGLAND FAMILY HOUSING/Kevin French filling in for surveyor Ken Brown, Kevin Lacasse representing New England Family Housing and John Wilke, Engineer

Ms. DeStefano stated that we had received notice from NH Division of Historic Resources saying that 3 archeological sites were identified on the parcel relative to the historic mills and verification will need to be determined. Mr. French stated that they have been talking with Chris at the State about the site having been disturbed before. The concern is of the sub-surface and they feel that the fish tanks disturbed any of this when they were put in as well as when the dam breached. They are to speak with Edna (at the State) tomorrow. They have an archeologist involved.

Ms. DeStefano determined to continue with this hearing and the secretary read the application, the list of abutters notified, where the hearing was advertised and stated that neither telephone calls nor mail was received for this case. There was one notice from the Fire Chief.

Ms. DeStefano stated that the checklist appears to be an old one which consists of just 2 pages. The current checklist is 5 pages long. The applicant will need to update the list but she will allow the applicant and abutters to speak.

Mr. French showed depictions of the project. He stated that the State prefers that they do not use pervious pavement but wish them to put in swales (rain gardens). They are to re-establish the buffer so that run-off goes to a spreader and then to the river.

Ms. Heaney stated that the Conservation Commission had a preliminary meeting with the applicant. Mr. French and Mr. Wilke stated that all run-off will go to the rain gardens. Mr. Lacasse added that the State told them that more salt is used on permeable pavement. It melts the area and creates holes. Amy, at AOT, feels that it uses more salt, as well. Mr. Dingman read a contradiction to this per the UNH report. Mr. Lacasse said that the State has a couple of areas of pervious pavement and they are not as favorable.

Mr. Lively, abutter, stated that he is delighted to see growth cut is concerned with 32 units with approximately 64 vehicles going in and out. This is a dangerous curve with a speed limit of 30mph, which nobody does. Mr. Paradis mentioned that they are proposing just 41 spaces. Mr. Lively remarked that there will also be company. He asked if this is low-income and was told that it is work force housing.

Mr. French explained that the State owns the beginning of the entrance, which they purchased when they straightened the curve some. Mr. Lacasse said that the units are for 1 and 2-bedrooms which does not bring in a high level of large families. Mr. Lively asked if they will tear down the present building and was told that they will.

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NEW ENGLAND HOUSING continued:

Mr. French went on to say that they plan on 3 light poles plus lights over the entrances and on each side of the buildings. Mr. Dingman stated that we shall need drainage calculations and suggested that they look at the towns architectural standards. Color pictures would help and we would like to see a break-up of the “boxes” (buildings). We need to see renditions.

Mr. Lacasse stated that they will have an AOT permit and Ms. DeStefano stated that the Board would need a professional to interpret this which would be at the applicants’ expense. Ms. Heaney felt that they need to provide a 100 year plan and Mr. Dingman would like more research into permeable pavement. Mr. Paradis suggested he speak with the folks at the Elderly Housing complex as they have this. Again, Mr. Dingman asked them to look at the architecture and drainage plans. Mr. Favorite asked what other projects they have had and Mr. Lacasse stated that they have 600 apartment units and a mobile home park as well as a development in progress on School St. in Tilton. In Franklin, they have 2 buildings what were run down. They have put in \$800,000 worth of renovations. They have 100 units in Berlin, NH and purchased a school from them for \$1.00. Mr. Favorite stated that Elderly housing is governed by age, low-income puts more burden on a town, work force housing is usually for folks like police, fire, teachers, etc. Mr. Dingman asked what type this will be and Mr. Lacasse felt that it would be for singles, elderly that are down-sizing, and young couples.

C. Dingman made a MOTION, second by E. Seeler, to CONTINUE THE HEARING FOR NEW ENGLAND FAMILY HOUSING TO DECEMBER 9, 2015. The motion CARRIED.

MINUTES OF OCTOBER 28, 2015: The following amendments and clarifications were made: Page 2, 1<sup>st</sup> paragraph, 3<sup>rd</sup> line, replace “USDA” with “USGS”. 2<sup>nd</sup> paragraph, 4<sup>th</sup> line, delete “both” and following “population” insert “growth and lower in”. Delete the next line from “Bristol’s through “folks” and replace with “The increasing proportion of those age 65 or more”. Page 4, 1<sup>st</sup> paragraph, 2<sup>nd</sup> line, delete “oaky” and replace with “okay”. Page 5, under Selectmen, following “submitted” insert the Northern Pass”, delete “an” and then “them” and replace with “the Site Evaluation committee. We have a thumb-drive with the application information in the office.”

S. Favorite made a motion, second by P. Manganiello, to approve the minutes as amended. The motion carried with 2 abstentions.

COMMUNICATIONS: Mr. Dingman took the LRPC Annual report to look at. The Board noted DES approvals for Aubuchon Hardware, Michael Sharp, Sharon Lorah, The Charles Mathis Family Trust, and one for someone in Alexandria. There was a letter to Freudenberg from DES and the NH Div. of Historic Resources regarding New England Family Housing.

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REPORTS:

HDC: Did not meet.

SELECTMEN: We have an Interim Town Administrator, Merilese O'Connor. We have narrowed the applications for this position to 3 and are to determine these on Dec. 1<sup>st</sup>. They are putting together an Economic Development Team to consist of the Town Administrator, one Selectman, and 3 from the public. The Budget Committee and the Select Board are holding a public hearing at the Library on Dec. 5<sup>th</sup>. The CIP committee presented their recommendations to the Budget Committee and this went better this year.

NEW BUSINESS:

Mr. Dingman stated that they received a CLG grant for the Historic Resources chapter of the Master Plan and have received the proposal form from Mike IZard, LRPC. It needs to be forwarded to the town and needs a signature with the fees to be held over. Mr. Manganiello said that he will bring it to Janet Cote, Selectmen Chair.

NEXT MEETING:

Our next meeting is scheduled for Dec. 9, 2015. On the agenda is the public hearing for proposed zoning amendments, the compliance hearing for Zarembo, and the continued hearing for New England Family Housing.

With no other agenda, C. Dingman made a motion to adjourn at 10:14 pm with a second from D. Paradis.

Respectfully submitted,  
Jan Laferriere, recording secretary