

## PLANNING BOARD MINUTES

November 1, 2006

### ROLL CALL:

Phil LoChiatto, Chairman – Present	Ruth-Ellen Post, Vice Chairman – Present
Nancy Prendergast, Secretary – Present	Walter Kolodziej, Regular Member – Present
Ross McLeod, Regular Member – Present	Pam Skinner, Regular Member – Present
Neelima Gogumalla, Alternate – Present	Rick Okerman, Alternate – Present
Margaret Crisler, Selectmen Member – Present	Alan Carpenter, Selectmen Alternate – Excused

### STAFF:

Al Turner, Director of Planning and Development – Present

*Mr. LoChiatto opened the meeting at 7:30 pm.*

### MINUTES:

- Mr. McLeod motioned to approve the October 18 minutes. Ms. Prendergast seconded. Passed 6-0-1. Mrs. Crisler abstained;
- The October 25 minutes were placed on hold until the next meeting after a lengthy discussion.

### BONDS:

- Asadoorian driveway bond, 5 Candlewood Road, final release of \$1000. Mr. Kolodziej motioned to approve the final release. Mr. McLeod seconded. Passed 7-0.

### CORRESPONDENCE:

- Letter from Sam Nassar regarding High Pointe East;
- CTAP Planning Conference information;
- Towns and Developers Forum postcard;
- Greater Nashua Habitat for Humanity newsletter;
- RPC Legislator's Forum invitation.

### SIGN PERMIT:

- The Kitchen, 128 North Lowell Road. Discussion: Site plan approval, signage on the site, and only one wall sign is permitted. Jon Normington, owner: Had discussed the signs with Mrs. Hebert, waiting for DOT permit, the permit request shows all the signs currently on the property, tonight for the free standing sign, showed the location of the new sign on the property, 4' x 5' sign with an antique down-lit gooseneck light, and will match the house colors. Discussion: Sign is 90" high, building signs application of June 21, whether or not the signs have been approved, pending items for the site plan need to be discussed with Mr. Turner, and mark the dimensions more clearly.

### BONDS (continued):

- Clark Farm Road, new bond for \$87,146.40. Mr. Kolodziej motioned to accept the road bond. Mr. McLeod seconded. Passed 7-0;
- Baxter Road, new bond for \$33,156. Mr. Kolodziej motioned to accept the road bond. Mr. McLeod seconded. Passed 7-0;
- Crowell Road, new bond for \$22,581.60. Mr. Kolodziej motioned to accept the road bond. Mr. McLeod seconded. Passed 7-0.

### OLD/NEW BUSINESS:

- Consider including health clubs in the Limited Industrial Zone. It is included in the Professional Business Technology zone;
- A letter was distributed to the Board to be sent to the Selectmen regarding impact fees upon the Board's approval. Mr. McLeod motioned to authorize Mr. LoChiatto to sign the letter. Mrs. Crisler seconded. Passed 6-0-1. Mr. LoChiatto abstained;
- There are no Planning Board applications for the November 15 meeting.

**PUBLIC MATTERS:**

**Heritage Baptist Church – Public Hearing**  
**108 Rockingham Road – lot 8-B-1000**

Mr. Turner: The applicant is proposing to use the existing building to be used as a church and associated uses with a 28 car parking lot, waivers have been requested, and the application has enough information for a public hearing. Ms. Skinner motioned to accept for public hearing. Ms. Post seconded. Passed 7-0.

Mr. Turner: The site will have a 28 car parking lot, 2 spaces will be paved, the remainder will be ground up blacktop, the undefined curb cut will be narrow, and need safe access to the site. He distributed a letter from Attorney Campbell with his opinion of non-paved parking lots, paving is required in our zoning regulations, and waivers from the site plan regulations requested include: 1) Sections 704.1 and 704.2 for wetlands mapping; 2) Section 801 through 805 because of the minimal impact to the site; 3) Section 913 for no drainage calculations have been prepared because there will be little disturbance and changes to the existing site; 4) Sections 1001 and 1002. No temporary erosion control measures or construction sequence is provided because of the minimum impact. Issues and concerns include drainage, parking lot safety for pedestrians, plowing of the parking lot, and a variance will be required for the sign. The site is within the Rt 28 access management overlay district and need to follow those requirements. Staff recommendations include the parking lot drainage on the plan should be explained in detail, need a temporary erosion control plan and construction sequence, and the Board should review Attorney Campbell's confidential communication concerning non-paved parking lots. Discussion: Should the applicant get the variance first, what is the description of the pavement, and does the pavement meet the zoning regulations

David Jordan, SFC Engineering: Heritage Baptist Church owns the property and will use the existing dwelling for services, currently having fund raising for a new church at this location, have outgrown their Salem facility, the paving is ground up asphalt and pulverized and placed back down, proposing 2" of this paving, very stable material and costs less, and hopes this recycled pavement is acceptable to the Board. Discussion: The Town has used recycled pavement, the snow storage location will be at the edge of the pavement, it is a temporary parking lot and will be replaced when the new church is built, the sign location requires a variance, using an old sign base at that location, and wants that placement because of the visibility.

Discussion of waivers: Section 704.1 and 704.2. The wetlands have been mapped, but no soil mapping or vegetation has been identified, and there is minimum impact on site, no impact on the wetlands, removing some loam, no erosion control measures, alteration to the site for the parking lot, grading of the parking lot, using best management practices, and no measurable change to the runoff to the abutters. Section 801 thorough 805 requesting impact report be waived, will not be asking for these type of waivers when they come back with a full site plan. Section 913 would like to waive drainage calculations, only a few thousand square feet to be disturbed of the six acre site, and no runoff towards the wetland. Section 1001 and 1002 to waive the temporary erosion control and construction sequence, only a day or two project for the parking lot, some current pavement to be removed to reduce the curb cut to Rt 28, recycled asphalt will happen either when or shortly after the gravel is placed, no erosion

concern and erosion controls not warranted, and stockpiled materials need to be stabilized. Mr. Turner recommends not granting this waiver. Discussion: Lighting is dark sky compliant, silt fence and sequence should be added to the plan, no department comments requested, lighting should be down lit shielded, recycled asphalt is fine for the temporary parking lot, temporary parking lot for what time frame, and should plan for permanent.

Public comment from Maureen Richards, 8 Hunt Road; and Daniel Batel, 118 Rockingham Road: Concerned with lighting, drainage from the parking lot to Hunt Road and impact on Seavy Pond, will there be a second access in the future or an access from Hunt Road, and existing septic will be impacted.

Mr. Jordan: The septic is adequate for church use. Discussion: Disturbance of the site is minimal, conditions of approval, and use excess topsoil to make a berm.

Mrs. Crisler motioned to grant waiver Sections 704.1 and 704.2 of the site plan regulations as the on-site wetlands have been mapped and this is a minimal impact site. Mr. Kolodziej seconded. Passed 7-0.

Mrs. Crisler motioned to grant the waiver of Section 801 through 805 of the site plan regulations as there is minimal impact on the site. Mr. McLeod seconded. Passed 7-0.

Mrs. Crisler motioned to grant the waiver of Section 913 of the site plan regulations as there is minimal impact on the site. Mr. Kolodziej seconded. Discussion: Abutters concerned with drainage, parking lot is only 28 spaces, prefer to see the engineer certification, use of natural vegetation for drainage and filtration, and driveway has a crest. Passed 4-3. Ms. Skinner, Ms. Prendergast, and Mr. McLeod opposed.

Mrs. Crisler motioned to approve the application with the following conditions: 1) Sign graphics need to be reviewed and approved by the Planning Board; 2) Temporary erosion control plan and construction sequence shall be determined with staff and placed on the plan; 3) Snow storage area to be determined with staff and placed on the plan; 4) There will be no additional alterations in topography other than what's shown on the plan; 5) The applicant to change the wall lighting fixture to model # LS15C; 6) Applicant to work with staff to determine if a landscaped berm at the end of the driveway is a feasible use; 7) This approval does not include the sign; 8) Applicant is required to come before the Board in a three year period from the date of approval to review the parking lot surface; and 9) Recycled asphalt shall meet DOT specification for RAP. Mr. Kolodziej seconded. Discussion: Pavement type, the Town uses recycled asphalt as a base and then paves over. Passed 5-2. Mr. McLeod and Ms. Prendergast opposed.

#### **OLD/NEW BUSINESS (continued):**

Tom Joyce, 9 Hancock Road: Discussed the history and problems he's been having with the developers when the Hancock Rd cul-de-sac was removed which changed his driveway and lawn. Today, dig safe stickers were on his lawn, wants to be contacted before work is done, not satisfied with the driveway or lawn, and not getting anywhere with the land owners. Mr. Turner: Will show Mr. Joyce the landscaping plan, and will speak to Mr. Bergeron. Discussion: Is this a Planning Board issue, there is a bond, no action for the Board to take at this time, pull the bond if need be, and trees can be planted this time of year. Mr. Joyce: Further explained the problems with his driveway and lawn. Discussion: Not the purview of the Board, and type of grass used.

Mr. McLeod motioned to adjourn. Ms. Post seconded. Passed 7-0. Meeting adjourned at 9:40 pm.

These minutes are in draft form and have not yet been reviewed and approved.  
Respectfully submitted, Nancy Charland