

MONT VERNON PLANNING BOARD
Mont Vernon, NH 03057
MEETING MINUTES –Tuesday, November 1, 2016

AGENDA

7:00PM Chad Branon for Brett Vaughn
Orchard Hill Subdivision

8:00PM Mail and Announcements
Review of Minutes from 10/25/16
Review of Site walk minutes from 10/23/16

8:30PM Other Business

9:00PM Adjournment

Seated: Bill McKinney, Chairman, John Quinlan, Annette Immorlica, Bill Johnson, Chip Spalding
Present: Stephen Bennett Absent: Chris Aiston, Dave Hall, Jim Bird

7:02 PM – Orchard Hill Subdivision.

McKinney called the meeting to order, and asked everyone to stand for the Pledge of Allegiance. There were approximately 12 members of the public present. McKinney announced the Town Center District was not on the agenda for the evening's meeting but it would be addressed on the 11/22 work session meeting. McKinney opened the hearing for Orchard Hill. Chad Branon asked if there were any questions that came up during the site walk on 10/23, and he also stated he'd brought suggested language regarding sprinkler use in the homes. Branon told the board he'd met with Jay Wilson the fire Chief, and had an appointment to meet with the road agent that week. McKinney explained for the public that the board had done a site walk at the proposed location to see the proposed driveway and house locations as well as to observe the wetlands and wetland crossings. Immorlica reminded Branon he would need to fill out the next checklist. McKinney gave Branon the checklist. McKinney asked if Branon was planning on giving the board pre and post flow calculations for the wetlands, the board being concerned over the lower wetlands, especially the small pond. Branon stated a drainage analysis was done for the cross culverts, but that there was no plan to do pre- and post-analysis since it's a frontage subdivision. Branon stated the cross culverts would be reducing the flow, spreading the storm water out over the land. Branon explained how the culverts being installed would be improving the drainage and mitigating and potential problems. McKinney stated he understands Branon's explanation but that having numbers for existing flow and post development flow would go a long way to ease concerns of land owners below the project. Immorlica mentioned concern over what might happen if a future land owner cut down all the trees and how that could impact the flow. Branon stated there is no way for his client to account for something like that, and that what is being proposed is reasonable. Johnson also agreed the pre and post calculations should be done. McKinney asked that the pre and post drainage calculations be done, especially looking at lots 1-24-6, 1-24-7, and impact to lot 1-21-4, and referencing points 2034, 2032, 2024 and 2022 from the layout worksheet from the sitewalk. McKinney and Johnson agreed that the analysis was not necessary for the whole project. Branon stated they would focus on the above-mentioned areas for pre and post flow calculations.

McKinney mentioned a question from the site walk concerning the extent of tree cutting on the project, and asked if there would be anything beyond what's needed for the driveway, and where the house is proposed. Branon stated no clear cutting is proposed. Branon stated he understood this was being referenced because the property owner across the street cleared his land to get a view. Branon stated they typically propose a reasonable yard area, approximately 40 feet around the home. Immorlica asked if there would be any restrictions on cutting trees on the lots; Branon stated no restrictions would be placed. McKinney stated there is little control once the lots are sold. Immorlica suggested limits could be placed in the deed. Branon stated restrictions like that would be more conducive in an open space development, and they were not looking to place restrictions. Branon stated they will not do anything that is not allowed.

Immorlica next asked if there would be any protections around the wetlands- ie- a buffer. Johnson asked if the Conservation Commission had concerns or recommendations around the wetlands. McKinney stated the Conservation Commission did have concerns over the wetlands and had also suggested a buffer. Branon stated they had given thought to the locations of the houses and sited them away from the wetlands, but that there is no buffer around the wetlands.

McKinney next mentioned a concern over the elevation of the proposed home on lot 1-24-6 as compared to the elevation of the abutting gun club, as it relates to noise/sound. McKinney asked what the elevation might possibly be for a 2-story colonial home on that lot. Branon did look up the elevation and stated that location is at 310 feet; the gun club is at approximately 340. Branon stated that if the board had concerns over a stray bullet from the gun club, that is an issue to address with the club itself. McKinney stated the concerns are more with the sound impact. Branon pointed out a large part of the northern portion of that lot is jurisdictional wetlands, which would make it difficult to remove the trees (which help create a natural sound buffer).

McKinney asked if there are maintenance easements for the culverts at 1-24 and 1-24-1. Branon explained that because the culverts fall within the area proposed as the right of way dedication, so it would be deeded to the town, eliminating the need for an easement.

McKinney stated there was a concern with the paving limit, and wanted to see the paving go to the end of the last driveway. Branon stated they are looking for balance with the proposal, and it will only work by being cognizant of the off-site improvements. Asking to pave all the way to the end would be an expensive endeavor. Branon mentioned the Fire Chief's request to have the road paved to 20 feet wide and stated he didn't agree with his reasoning. Branon stated he would discuss it with his client if the board felt it was necessary, but that they were hoping for some concessions with the off-site improvements. Branon said he didn't want to think of it as a trade-off, but suggested the possibility of more conservation land as an alternative. Sprinklers were discussed for the houses, and McKinney mentioned the board hadn't received comments from the Fire Chief about the sprinklers yet. Branon also stated Fire Chief Wilson was fine with the common driveways on this plan. Branon stated he went over the plans for the common driveways with the Fire Chief and that he agreed on the 16 feet common width. Immorlica asked if there would be enough room for a fire engine to travel on Purgatory Road in the wintertime with the piles of snow along the roads. Branon explained that the drainage areas alongside the road would give extra space for the snow, allowing more travel surface on the road. Branon stated they felt 20-foot-wide (18 feet paved plus 1 foot shoulders) is sufficient. Branon stated there is precedent in other towns for 18 feet paved with 1 foot shoulders. Johnson asked about how a school bus or fire engine would turn around. Branon stated there is a turnaround at the end of the conservation land at the end of the road, and that they aren't looking to change the way the town road functions. Johnson stated he feels strongly about asking for the road to be 20 foot paved as opposed to 18 feet. McKinney stated he agreed, and stated the board should pay attention to the Fire Chief's concerns. McKinney stated the road edges are not forgiving for a vehicle with a weight like a fire engine. McKinney stated the board will need to consider that issue more. Quinlan stated the board should talk with the DPW head and Fire Chief in person before making a decision. Spalding stated the board will be requesting an engineering design review for the project. Branon suggested waiting on further feedback so that the firms would be reviewing the plan just once. McKinney read the email from Fire Chief Wilson, "From the fire department standpoint, an 18 foot paved road is not acceptable. As I mentioned to Chad, a 20 foot paved with shoulders one foot is our recommendation. Especially given the terrain, even with the improved road this is basically a one way road; limited area for shuttling water, limited area for laying and deploying supply lines. Shoulders are not a road bed, especially when the frost is thawing or during heavy rains." The Fire Chief also requests street numbers to be put on plan before final approval. Branon gave McKinney a copy of an example of covenant language to be used to note sprinkler conditions, as well as language for the deed and noted he'd also shared that with the Fire Chief. Branon stated the note concerning sprinklers would also appear on the subdivision plan.

Spalding asked about the soils for the lots which border Upton Road, 1-24, 1-24-2 and 1-24-3. Spalding stated it's possible that those lots could be subdivided again, and wanted to know what the full impact could be, stating there could potentially be more lots added off Upton Road. Branon stated from a landowner standpoint, they would have rights to subdivide, but that from a practical impact standpoint, Upton Road would need to be

upgraded first since it is a Class 6 road. Branon pointed out that could be prohibitively expensive, and that his client does not plan on further subdividing those lots. Branon also stated they do not plan to place restrictions on those lots. Branon stated any further subdivision of those lots by future land owners would come before the Planning Board.

McKinney invited the public to share comments at 8:00pm. John Zotcavage of 9 North Main Street asked about Upton Road, and the possible further subdivision of the lots on Upton. Zotcavage asked if Upton Road was improved could the lots be subdivided. Branon stated yes, and mentioned again that upgrading Upton Road would be expensive. Branon mentioned if it were coincidence that Upton Road was upgraded, that the land owners would have the opportunity to apply to subdivide their land and be subject to the subdivision process. Branon stated again his client is not looking to subdivide the lots with frontage on Upton. Brett Vaughn, the applicant, discussed the upgrade of the road and mentioned other roads in the area that are not paved, specifically Trow Road. Quinlan pointed out there are only 4 houses on Trow, so the density is not the same as what Purgatory will be.

Spalding stated one of the concerns about Purgatory seems to be if there were a car stuck in the road, there would not be enough room to pass. Branon stated a car could get stuck there now. Quinlan stated there are only 3 houses there now. Spalding mentioned the only way to turn around now is to go all the way to the end of Purgatory Road. Spalding stated their previously proposed road had a cul-de-sac which could provide another opportunity for turning around. Branon stated there had never been any discussion of the cul-de-sac being a positive as a turn around. Immorlica asked about adding a turnaround at the last driveway. Branon stated that could be contemplated. Immorlica asked if the right of way is 50 feet. Branon stated yes. Immorlica asked if there were any constraints to making the road wider other than expense. Branon stated the stone wall on the south side of the wall is aesthetically pleasing and they are hoping to preserve it. Branon stated the northern stone walls are sporadic and not well maintained.

McKinney stated there are many things for the board to consider still. Branon asked if the meeting with the Fire Chief and DPW head could happen at the November work session meeting. McKinney stated the work session meeting will be busy with the Town Center District issue, and suggested adding a meeting on 11/29 for Orchard Hill. Johnson noted he would be on vacation that week. Branon officially requested the hearing to be continued to the 11/29 meeting. Quinlan made a motion to continue the hearing to 11/29. Johnson seconded. All were in favor, the motion passed. McKinney noted the Fire Chief and DPW director would be invited to attend.

8:15 PM – Other Zoning Amendments

McKinney mentioned the Accessory Dwelling Unit regulations, Scenic Roads and Definition of a structure, which all need a hearing. McKinney asked to have them added for Public Hearing on 11/29. The Administrative Assistant (AA) stated she would handle the notices for the hearing. Johnson asked if Branon had submitted an electronic copy of the plan. The AA stated she had not yet had a chance to ask Branon for one yet.

Action Item:

AA – give notice for hearings for ADU, Scenic Roads and Definition of Structure.

AA: Ask Chad Branon for electronic copy of Orchard Hill.

8:20 PM – Mail & Announcements

Immorlica asked if the Administrative Assistant position had been advertised yet. McKinney stated it had not. Immorlica asked how and when it would happen. McKinney stated he needs to review the job description and discuss posting the position with the Selectmen. The AA stated she thinks the job description is on the computer and she will look for it. Quinlan suggested splitting the Zoning Board responsibilities into a separate job. The board agreed. McKinney stated a job description would need to be written for the Zoning Board administrative assistant.

The AA stated there was one new letter concerning the Town Center District, and around 8 emails that had come in on the same issue. The AA asked the board how they would like her to handle distributing the emails to the board and Jen Czysz at NRPC. McKinney stated he'd like them all kept together and sent as a group. The AA asked when she should send the emails. McKinney asked the AA to compile and send the emails as a group

weekly, that way someone from the board would have time to respond. Johnson explained to the AA how to forward all the emails as a group. The AA stated she would forward everything that had been received so far the following morning. McKinney suggested creating sub-folders by week to keep them organized.

8:30 PM – Review of Minutes

Quinlan motioned to table the minutes from the 10/23 site walk as well as the 10/25 meeting minutes, to give the board more time to review. Immorlica seconded. All were in favor the motion passed.

Action Item:

AA: look for AA job description.

McKinney & AA: discuss job description for AA with Zoning Chair.

AA: add 10/23 & 10/25 minutes to 11/22 meeting.

8:31 PM – Public Questions/Comments

McKinney reminded the public the Town Center District is officially on the agenda for 11/22 but that he would entertain comments and questions. McKinney mentioned the Planning Board email address, planningboard@montvernonnh.us, as a way to share comments and concerns with the board. Eric Will of Pinkham Ave. asked if the minutes are available online. The AA stated that only approved meeting minutes are posted online, but that draft minutes can be sent by email. Will also asked if there was another place online where the board has a presence. McKinney stated he'd been answering questions as they'd been coming up on Mont Vernon Chatter. McKinney stated the best place for feedback is in person at the meetings and hearings. Sheila Clegg of 12 North Main asked if the zoning regulations would be reviewed by an attorney. McKinney stated yes it would go to the Town Counsel for review before being placed on the Warrant. Awareness of the Town Center District zoning was discussed. McKinney sent out the cards to get more feedback from the town. Suzanne Will of Pinkham Ave asked how many more meetings would happen before placing the zoning on the Warrant. McKinney stated there was one more work session meeting, then 2 hearings prior to Town Meeting. McKinney acknowledged the zoning regulations would likely see much revision before the final hearing. The AA mentioned that the planning board had been working with the Nashua Regional Planning Commission (NRPC) on the zoning regulations, and that it's not just the board pulling things out of their head and putting it to paper. The NRPC has professional experience to assist the board in their work. Spalding mentioned the UNH survey that had been done several years back as another way the Planning Board gathered information to help steer the crafting of the regulations. Many members of the public expressed they did not remember the survey. Spalding stated there was also a community forum held to gain public input, as well as a survey at Town Meeting this year. Spalding stated it has been challenging to get feedback, and the board wants to encourage feedback. McKinney spoke specifically to Sheila Clegg and stated he was working on providing the survey data. McKinney stated the board does have the survey results from the survey at Town Meeting. The AA looked on the Town Website, and found that the UNH survey results are still posted under Documents on the Planning Board page. The AA stated it is a 99 page document, dated June 2011. Spalding stated the power point presentation from the community forum can also be added to the Town Website. Allison Schmidlein of Pinkham Ave asked if any of the board lived within the district. None of the board members live within the district. Schmidlein stated she felt the notion of changing a residential neighborhood to commercial is mind boggling. Spalding explained the current state of Mont Vernon's commercial zones. Clegg asked why the Historic District was selected as a potential location for a new commercial zone. McKinney stated because the board wants to maintain the rural character of the community and the Historic District Commission would provide another level of oversight. Spalding encouraged anyone with thoughts or comments to send them to the board. McKinney ended by stating the board is not trying to entice big business to town, and that the board is interested in opportunities for people who already own property. Quinlan mentioned David Murphy and Susan Higgins who live in the purple Victorian on Main Street, and that for years he has considered adding retail to the wholesale business he already runs there. McKinney noted small businesses such as a bookstore or an antique store would help promote other businesses close by, like the General Store. The AA announced again that she would take emails from anyone who was interested in receiving the draft minutes from the previous meeting.

9:57 PM

Immorlica motioned to adjourn the meeting. Johnson seconded. All were in favor, the motion passed.

Respectfully submitted,
Amy Wyman
Planning Board Administrative Assistant