

MONT VERNON PLANNING BOARD**Mont Vernon, NH 03057****Meeting Minutes – March 28, 2017****AGENDA**

Times are approximate and subject to change without notice.

7:00pm Orchard Hill Subdivision

8:00pm 55+ Development (Discussion)

8:30pm Mail & Announcements
Review Minutes from 2/28/17

8:40pm Appointments to the TCD – Karolin Campbell & Matt Schwoegler

8:45pm Other Business

9:00pm Adjournment

Seated: Bill **McKinney**, John **Quinlan**, Annette **Immorlica**, Chip **Spalding**, Bill **Johnson**

Present: Steve **Bennett** **Absent:** Dave **Hall**, Eric **Will**, Chris **Aiston**, Jim **Bird**

7:00 PM – Orchard Hill Subdivision

McKinney called the meeting to order and asked everyone to stand for the Pledge of Allegiance. Brett Vaughn, Orchard Hill Subdivision and Chad Branon, Fieldstone Land Consultants, came before the Board to talk about the project. Chad Branon spoke to the Board. He stated that since the last time they met with the Board they have had the opportunity to send the site plan out to bid with a few contractors. The offsite improvement plans for Purgatory Road have proved to be very problematic for the feasibility of the project. The details are very cost prohibitive. The road is wider and longer than they originally anticipated. The latest discussions on the paving costs are astronomical. They are finding that the project just isn't feasible in its current status. They thought it would be worthy of a discussion with the Board. Their stance on the project is that they have come before the Board with a property that has legal frontage on an existing Class V road. They understood there was going to be the need for improvements to the road. The first proposal of 24 lots was a much larger density than what they are currently proposing which is a 9 lot subdivision (plus the 4 lots approved on the south side). They want to work with us to bring a huge improvement to Purgatory Road but not to the level that puts the project at a break even at best. From a financial stand point that is just not a smart business decision. They are proposing an upgrade to an existing road. The question they are asking is how does an existing Class V road need to meet the requirements of new town road standards which were just changed last year? The standard used to be 6" of crushed gravel and 3" of pavement. The standard is now 8" of crushed gravel and 4" of pavement. Branon stated that this would probably be the first road in town to meet all of these standards. He stressed that they did not come in here looking to be adversarial. They are at a 'make or break' with this project and want to have an open discussion. Brett Vaughn spoke to the Board. He stated that he understands that our concern is not the cost of the road. He knew he would have to do improvements to Purgatory Rd. but he felt that those improvements would not be this extensive. He feels that he is being held to building a new road. He stated that he has driven around town and sees new development happening on Salisbury Rd. which is dirt. He is asking if we would consider another way. He suggested possibly doing a smaller subdivision. **Immorlica** asked if he would consider going back to the original plan of a 24 lot subdivision with open space. Vaughn said he would expect more problems with that plan. The lots on the rear cul-de-sac are too close to the gun range. **McKinney** addressed Mr. Vaughn's questions and concerns. He stressed that any development taking place on Salisbury Rd. is happening on existing lots of record that comply with zoning. He stated that there will be an impact to Purgatory Rd. Even with all the improvements we are asking for the road will still not meet current standards. Branon stated that our regulations are for new subdivision streets; that they should not apply because this is an existing Class V road. **McKinney** said that this is a fairly good argument for a waiver that the Board might be able to grant. We would need some backup from the DPW Director saying that we can comply with previous standards. Branon then asked for the position of the Board members on their proposal for 2 ½" binder coarse on an existing road. **McKinney** stated that he struggles with this subdivision. He agrees to a point that this is not a new road and does not have to be built to new road standards. We will never meet the standard for grading or width on this road. He then looks at the impact that even 9 lots will add to this existing road. Improvements have to be made. He is concerned with long term maintenance issues with the road as far as the gravel and paving. If we need to run fire trucks up will the road hold. The plan is for residential sprinklers; not a cistern. There is limited fire protection. If there is a need to shuttle water, trucks have to pass each other. The road base and width becomes an

issue. **Immorlica** stated that she is not a technical engineer type and doesn't have a clear understanding of the strength difference with 2 ½" vs 2". We did go by the DOT standards. A concern of hers is that there are further lots out on Purgatory Rd. If they are eventually built up, will the road as you're proposing it be able to sustain that. She still would rather see the 24 lot open space development happen. **Spalding** stated that the town has required other applicants to do offsite improvements. He used the project on Beech Hill Rd. as an example. We had the applicant improve the road in front of the property they own. We are holding true to what we have done in the past. Now is the right time to do planning improvements because if we let this opportunity pass now we are going to have to work with potentially 14 separate lot owners to do road improvements. In regards to paving width, the old subdivision requirements were completely inadequate. If you go through any new plan subdivision road in town you will see that they are a mess. This is because the base materials weren't deep enough. The select materials and the pavement, both wearing coarse and binder wasn't sufficient. We used these past subdivisions to guide our current decisions. **Branon** stated that they looked at DOT suggested minimum standards for rural subdivision roads. Their proposal exceeds those standards. **Spalding** suggested that if there are specific improvements currently proposed that they feel they need relief from, they should clarify. **Johnson** feels that the road obviously needs improvements. He feels that they may not need to be to today's standards; there may be a happy medium. He agrees with **Spalding** regarding recent subdivision roads. He feels it is important for the Town to make sure that future roads are done right and have some longevity to them. He would be receptive to hear what the proposed scope changes would be for us to consider. **Vaughn** thanked him for that. **Quinlan** stated that as Selectman his only concern is the welfare of the Town. He is indifferent as to whether or not there is a profit made on the project. He does not think that anyone having looked at this property before this whole thing started would have thought that the road was adequate for any building. It's about a 2 mile stretch of road that is little more than a goat path. He would like to be more flexible on the road. Unfortunately he doesn't think that the conditions out there afford much wiggle room. He stated that if the project doesn't make sense in this configuration he would suggest revisiting the initial open space development. **Branon** went back over that set of plans with the Board and explained the issues. The gun club had been very unhappy with the density of the proposed lots on the rear cul-de-sac. A noise study done by the gun club was shared with Mr. **Vaughn**. The noise level very well may impact the marketability of the rear lots. The Road Agent had issues with the amount of curb cuts on the plan. The Fire Dept. had issue with the number of common driveways on the plan. The Conservation Commission had issues with the intense density of the proposed lots. They took all of this into consideration and changed their proposal to the current plan. The Conservation Commission and the Planning Board were presented with this new plan and ultimately both Boards agreed that this was the best way to go. **Spalding** stressed that we only have the current plan in front of us to go by. Until something different is presented it is difficult for the Board to give an opinion. **Vaughn** asked specifically if the Board would consider an approval of the original proposal of 2 ½" base vs the 4" we are asking for. Will that improve the road to the Board's satisfaction; not to the new set road standard. **McKinney** stated that he feels it is important to consider the legalities. The Board needs to do more research on RSA 674:21V(j) to determine what is necessary. **McKinney** next read correspondence from Joanne Draghetti, Conservation Commission. **David Haag** then spoke on behalf of the Commission. They feel there are some discrepancies on the expedited wetlands permit application. **Spalding** reviewed the drainage calculations and engineering report and feels that the report is in line with standard engineering practices. He will email the Conservation Commission. **Haag** stated that their concerns stems from the premises made up front. The Commission is concerned that the report states each house will develop only .2 acres of land. That is not a realistic number considering they are 12 acre lots. The numbers that go into that report influence the outcome of that report. **McKinney** stressed that the Planning Board can only make decisions based on what the developer is proposing; we can't control what a landowner may do after the lot is sold. He said that it's important for the Board to review what has been brought before us tonight. **Branon** formally requested to come back before the Board at the next scheduled meeting, April 11, 2017.

Immorlica and **McKinney** both requested that **Branon** have documentation to support their statement that 2 ½" of pavement will be adequate for Purgatory Rd. This will help us to base our decision.

8:15PM McKinney tabled the 55+ Development to a later date as **Dave Hall** was not present. All were in favor.

8:20PM Mail & Announcements

The NRPC sent a reminder that there is a Sourcewater Protection Discussion on March 29, 2017.

8:25PM Other Business

Quinlan brought up the email we received from the DES regarding the Old Mill Estates proposed development. They have received an AoT permit for the development. The DES states that this submittal indicates that the Town will be taking over responsibility of maintaining the road as well as the BMPs, which consists of four detention ponds, two infiltration basins, two treatment swales and vegetated buffers. The State is asking the Select Board to respond and indicate whether or not the Town is going to take over these responsibilities; specifically the inspection, maintenance and repair responsibilities for the BMPs. **Quinlan** stated that the other two Selectmen are extremely concerned that the Town is not covered in this area and they are not sure we should be responding to this at all. **Spalding** stated that the Select Board does not have the authority to make this decision. It would have to be voted on at Town Meeting. **McKinney** stated that this is a pre-existing approved subdivision; somebody has to do the maintenance. **Quinlan** asked **McKinney** to come and speak with the Board to explain. There is concern as to whether we should accept the road. **Quinlan** asked either **McKinney** or **Spalding** to put together a proposed response. **Spalding** spoke of his conversation with **Kim Roberge** regarding **Meridian's** involvement with the inspection of the road construction. **Spalding** said that **Meridian** is actually the design on record. They will be watching the contractors who actually build the road like hawks to be certain that the road is being built based on their design. He feels that there would be a conflict of interest if **Meridian** was both in the engineering and construction practices, but they just do engineering.

The Board reviewed the minutes from 2/28/17. **Immorlica** motioned to accept the minutes as amended. **Spalding** seconded. All were in favor. The motion passed.

- We have two additional alternates to the Town Center District Subcommittee; Karolin Campbell and Matt Schwoegler. They both attended the last meeting and are very interested in being a part of the Committee. **Quinlan** motioned to approve the alternates. **Spalding** seconded. All were in favor. The motion passed. **McKinney** has invited the TCD subcommittee and the ZBA to our next work session to learn about variances, special exceptions and conditional use permits from the NRPC.

Quinlan spoke of changes the Board wants to see; specifically in the communication between the Select Board and each Commission and Committee.

9:10PM

As there was no further business, **Johnson** motioned to adjourn. **Immorlica** seconded. All were in favor, the motion passed.

Respectfully submitted,
Joan Cleary
Planning Board Administrative Assistant