

TOWN OF JAFFREY, NH
PLANNING BOARD
Meeting Minutes
June 12, 2018

Present: Chairman Gordon, Members Despres, Devlin, Farmer, Merrell, McKenzie, Alternate member Sherman and Selectmen's Representative Weimann

Absent: Member Castiglioni

Staff: JoAnne Carr, Director of Planning and Economic Development

PRELIMINARY CONCEPTUAL

Hugh Landis – 236 Sanders Road

Mr. Landis is interested in operating a semi-commercial greenhouse at his home on Sanders Road which is designated as Class VI road.

Mr. Landis previously ran a CSA from his house on Parker Road. The proposed greenhouse would be roughly 5,000 sq. ft. His plan would be to provide food for the community, not just his family. No retail sales would take place on site, produce / goods would be transported off-site for sale.

Currently the road services two houses and two hunting camps. Member McKenzie asked if the road meets the standards for a Class VI road. She suggested that Mr. Landis review the requirements for Class VI roads prior to the next meeting.

Ms. Carr noted that Mr. Landis has a waiver for the construction of a house on Sanders Road.

Site Visit: A site visit for Sanders Road was scheduled for **Tuesday, July 10 @ 6:00 pm**. Board members will meet at the Landis property at 236 Sanders Road.

Howard Shafman – Shattuck Annex, Dublin Road

Mr. Shafman has a purchase and sale agreement on the Shattuck Annex building. The approved site plan from 2006 indicates garages, which to date have not been built. Mr. Shafman inquired if the garages would be a condition for an occupancy permit. The approved garages on the site plan are very large and would block views of the mountain. In addition, the cost to build the garages would double his build price.

Member McKenzie advised Mr. Shafman to amend the existing site plan to show proposed parking without garages, drainage, etc.

CALL TO ORDER

Chairman Gordon called the public hearing to order at 6:00 pm. Notice of the public hearing was posted in the Town Office building, the Library; copies were sent to the Planning Board, the Conservation Commission, and the Board of Selectmen.

MEETING MINUTES APPROVAL

On a **motion** by McKenzie, seconded by Merrell the minutes of the **May 8, 2018** meeting were approved as amended. (6-0-1)

PUBLIC HEARING - ACCEPTANCE

1. PB18-02, Jed Paquin (for Joshua & Jason Heaphy), 22 Howard Hill Rd., Map 239 / Lots 148 & 149, Zone: Res B (with town water)

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Technical Subdivision – The applicant proposes a lot line adjustment

Member Devlin recused himself, Member Sherman will vote

On a **motion** by Farmer, seconded by McKenzie the application proposing a lot line adjustment was accepted. (7-0)

2. PB18-03, Woodard & Curran (for MilliporeSigma), 11 Prescott Rd., Map 256 / Lot 1.1,
Zone: Industrial (with town water)

Site Plan – The applicant proposes a water reclamation system plant

On a **motion** by Devlin, seconded by Despres the application proposing a water reclamation system plant was accepted. (6-1)

PUBLIC HEARING – NEW

1. PB18-02, Jed Paquin (for Joshua & Jason Heaphy), 22 Howard Hill Rd., Map 239 / Lots 148 & 149,
Zone: Res B (with town water)

Technical Subdivision – The applicant proposes a lot line adjustment

Member Devlin recused himself, Member Sherman will vote

Presentation: Jed Paquin, Paquin Land Surveying, LLS

The properties in question are owned by two brothers who own dwellings on adjacent lots. The lot line adjustment is intended to make both lots roughly the same size. They are existing, non-conforming lots due to insufficient frontage located in the Residential B and Rural districts. The lots have a single, private driveway that serves both houses and a shared leaching area. Driveway and sewer easements are in place. Mr. Paquin has requested State Subdivision approval and pins are in place.

Member Sherman inquired about the notation on the plan regarding the well. Mr. Paquin explained that when the lot was subdivided there were rights to the well. He does not believe the well is still being used.

No abutters spoke for or against.

There being no further questions Chairman Gordon closed the public hearing.

2. PB18-03, Woodard & Curran (for MilliporeSigma), 11 Prescott Rd., Map 256 / Lot 1.1,
Zone: Industrial (with town water)

Site Plan – The applicant proposes a water reclamation system plant

Presentation: John Dishong, MilliporeSigma & Lauren Swett, Woodard and Curran

Lauren Swett provided a project overview. The proposed facility is a pre-treatment wastewater system for MilliporeSigma. The system will be a combination of anaerobic and aerobic wastewater treatment. The plan is to do a design-build project with permitting done in two phases. Step one, permit approval to begin clearing this summer, followed by site plan approval for the remainder of the work. Currently

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the project is 60% designed. The design for the internal process will be finalized while sitework is being done. The building and tanks will be pre-engineered.

The initial proposal showed significant impact into the setback. The buildings have been repositioned and rotated leaving only a small area of impact on the property line setback and avoiding the wetland setback completely. Millipore met with the ZBA last week seeking relief from the setbacks, which was approved. Smaller deciduous trees will be removed from the buffer area and replaced with hemlock trees which will provide a better year-round buffer. The stormwater system will be expanded and utilities will be installed around it.

Ms. Swett shared a rendering of the site showing the view from Eastwood Drive and the placement of the flare. The flare is strategically placed behind the tank so it cannot be seen by the neighbors. Chairman Gordon asked how high the tanks are compared to current buildings. Ms. Swett replied about 30-35 ft., however, the tanks will be built roughly 10 ft. lower than Eastwood Drive.

Traffic Access: The site is not on the street. Eastwood Drive access is emergency access only. The new facility may lower traffic to site because they will no longer need to truck waste off-site.

Landscaping: Hemlock trees will be planted to improve buffer, the gravel wetland will be planted with native wetland grasses.

Circulation: The site will accommodate a 48' ladder truck. Truck traffic should remain the same for deliveries.

Storm Drainage: A treatment system was installed when the biomass project was built. The treatment area will be increased and changed to a gravel wetland system. The berm will be raised 1 ft. for additional storage. The new system will reduce the peak flow. Snow storage will be provided at the back of the site.

Utilities: No new utilities will be coming onto the site. Electricity is brought in from within the site. A propane tank will be installed as part of the flare and a diesel generator. A minimal amount of outdoor lighting will be provided.

Noise: The site will have an emergency generator. Some systems will have blowers, most will be inside the building, but all will be housed in noise attenuating enclosures.

Odors: No additional odors will be produced. Vented tanks will eliminate odors.

Alteration of Terrain is pending for this site and to amend the biomass site.

Member Merrell wonders if the digester will generate odors. Ms. Swett explained the bio gasses will be pulled or "vacuumed" from the system and be flared. An emergency generator is provided in case of a power outage. The generator will be tested once a month.

Member Sherman asked if they have option to burn some of the methane in the existing biomass plant. Mr. Dishong replied yes, however the process is extremely cost-prohibitive.

Charlie Koch agrees with the choice of using native vegetation, but warns that there are two invasive pests attracted to hemlock.

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Member McKenzie asked the time frame for proving missing information to complete the application. Ms. Swett responded they should have everything on the checklist, except the AOT, within a week. In addition to the checklist items, the board requested a street view of the site from Eastwood Drive and Turnpike Road showing building elevations to scale.

On a **motion** by Gordon, seconded by McKenzie the meeting was continued to **Tuesday, June 26 at 6:00 pm**. Those interested in attending should meet at the Eastwood Drive cul-de-sac. (7-0)

DECISIONS

1. PB18-02, Jed Paquin (for Joshua & Jason Heaphy), 22 Howard Hill Rd., Map 239 / Lots 148 & 149, Zone: Res B (with town water)

Technical Subdivision – The applicant proposes a lot line adjustment

On a **motion** by Despres, seconded by McKenzie the application proposing a lot line adjustment was approved as presented and per testimony given. The plan submitted is on file with this office with a plan date of May 1, 2018 and stamped by Jedadiah A. Paquin, LLS. (7-0)

PUBLIC HEARING – CONTINUED

No Action

OTHER BUSINESS

Caroline Hollister – The Park Theatre

Mrs. Hollister is before the board give a status update for the theatre and to confirm the vesting date. She would like clarification if that date is April 2016 (amended site plan) or June 2017 (determination that the agreement with abutter has been met.)

To date they have raised 3.7 million for construction with approximately \$79,000 left to raise. They are waiting for a rebid from Hutter Construction. In the last 12 months the Theatre has raised \$890,000.

Ms. Carr confirmed that the Theatre has an active building permit which satisfies conditions of active and substantial work. Vesting only becomes an issue if there is a change in zoning. There are no proposed zoning changes pending. The statute allows the PB to extend the “active and substantial” but does not speak to vesting. Therefore, staff recommends extending the period of vesting.

Member Farmer asked can the PB bring them back for review if no substantial work has been done in the next 12 months. Mrs. Hollister stated that the approval for the loan from USDA expires at the end of September 2018.

Member McKenzie asked what the 3.7 million will cover. Mrs. Hollister stated that amount will cover the building, theatrical equipment will be rented. The USDA will not let the Theatre move forward unless they have everything in place to go into operation.

The Planning Board issued a statement of unanimous consent in support of the project as it moves forward.

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Keith Dupuis – Highland Avenue Build

Members Weimann and Despres recused themselves, Member Sherman will vote.

Mr. Dupuis is looking to build a house on the Class VI portion of Highland Avenue. Highland Avenue is a Class V road up to Frank Sterling's house, after which it becomes Class VI. The Class VI portion currently services two houses with a shared driveway. The proposed driveway is approx. 250 ft. from the end of the Class V road, directly across from the existing driveway creating a "T."

Mr. Dupuis spoke to Randy Heglin and advised Mr. Heglin that he would pave the Class VI portion of the road to the driveway. Mr Dupuis said that Mr. Heglin did not want the road paved any wider than the existing road.

Member McKenzie asked if Mr. Dupuis plans to bring the Class VI section to the house up to compliance with the land use code to service three houses. The paved portion of Highland Avenue is not 35 ft. wide, it narrows after Frank Sterling's house. It was reported that DPW does not want it widened.

Member McKenzie clarified what constitutes a Class VI road, which is, a road that Town owns but does not maintain. The owners are responsible for maintaining and plowing.

Gordon added the land use code specifically states that to service three houses, the road clearing should be 35 ft. wide.

On a **motion** by McKenzie, seconded by Merrell to recommend to the BOS that Mr. Dupuis be allowed to build an additional dwelling on Highland Avenue, a Class VI road, provided that the road be brought up to standards as stated in the land use code. (6-0)

Ms. Carr noted that Red Gate Road, also a Class VI road, has had complaints about road conditions and this may become an issue in the future.

Master Plan Update – JoAnne Carr

Ms. Carr will give Member Farmer an outline from the table on contents to use a reference for the BOS report.

Capital Improvement – JoAnne Carr

Project forms have been sent out to dept. heads, data is still being collected. CIP committee will meet in July. Members Sherman and Merrell will be on the committee.

Authorized Signature

Currently, the board chair signs all Letters of Decision. These letters are generated following the meeting requiring the chair to come back to the office to sign. These letters could be signed by the Planning Director as they are an administrative decision. Doing so could speed up the process of getting decisions recorded.

On a **motion** by Gordon, seconded by Devlin to allow the Director of Planning to sign Letters of Decision. (7-0)

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ZBA DECISIONS

1. ZBA 18-05, Cathy & Michael George – 78 Coleman Road, Map 253 / Lot 1, Zone: Rural (without town water)

Special Exception – The applicant requests a special exception to allow an Accessory Dwelling Unit (ADU) in the rural district (Land Use Code, Zoning Ordinance Section V, 5.4).

On a motion by Chairman Pro Tem Tieger the request for a special exception to allow an Accessory Dwelling Unit (ADU) in the rural district was granted as presented and per testimony given. (4-0)

2. ZBA18-06, Woodard & Curran (for MilliporeSigma), 11 Prescott Rd., Map 256 / Lot 1.1, Zone: Industrial (with town water)

Variance – The applicant requests a variance for clearing, grading, stormwater facilities, water and sewer infrastructure and plantings within the 100-ft. setback (Land Use Code, Zoning Ordinance Section IV, 4.7.2).

On a motion by Cournoyer seconded by Durand the request for a variance to allow clearing, grading, stormwater facilities, water and sewer infrastructure and plantings within the 100-ft. setback was granted as presented and per testimony given. No conditions. The plan submitted was dated June 5, 2018 and signed by John A. Dishong. (3-0)

MISCELLANEOUS

Non-Compliance

Member Farmer had a question regarding the number of building permits issued each year and wonders if there is a way to keep the Planning Board up-to-date on building permits. Of concern are issues that arise due to non-compliance. Ms. Carr explained that all new construction permits are circulated to dept. heads.

Chairman Gordon suggested a solution may be to require a license to operate for the Town of Jaffrey, renewed annually. Ms. Carr stated complications arise because the building inspector cannot hold up the building permit for non-compliance, however, he can hold up the CO.

Member McKenzie added Dollar General, for example, was required to have a lawn per site plan, which is no longer there. Is there a mechanism for enforcement? Ms. Carr will address the concerns with the Town Manager.

Pledge of Allegiance

On **motion** by Weimann, seconded by the Merrell to recite the pledge at the start of the meeting. (5-0-2)

ADJOURNMENT

The meeting adjourned at 8:08 pm

Submitted:



Rebecca Newton
Recording Secretary

Attest:



Tim Gordon
Chairman, Jaffrey Planning Board