

TOWN OF JAFFREY, NH
PLANNING BOARD
Meeting Minutes
October 12, 2021

Present: Jack Belletete, Keith Dupuis, Margaret Dillon, Laurel McKenzie, William (Bud) Taylor, John Peard
(alt) *will vote*, Ed Merrell, *arrived at 6:06 pm*

Absent: Amy Meyers

CALL TO ORDER – Vice Chairman McKenzie called the public hearing to order at 6:00 pm.

PRELIMINARY CONCEPTUAL - None

MEETING MINUTES APPROVAL

On a **motion** by Dillon, seconded by Dupuis, the minutes of September 14, 2021 were approved as presented.
(5-0-1) *JB abstained*

PUBLIC HEARING

ACCEPTANCE

1. PB 21-06, Fougere Homes LLC, Owner, Edward Rogers, Agent
72 Highland Ave, Map 238 Lot 89, Zone: Res A, with town water & sewer

Subdivision – The applicant requests a two-lot subdivision.

On a **motion** by Dupuis, seconded by Peard to accept the application as sufficiently complete. (6-0-0)

2. PB 21-07, 52 Fitzgerald Drive, LLC, Owner, Hillson Contractors, Inc., Applicant
Fieldstone Land Consultants, Agent
Map 244 / Lot 30 Zone: Industrial, with town water & sewer

Subdivision – The applicant requests a two-lot subdivision

On a **motion** by Taylor, seconded by Merrell to accept the application as sufficiently complete. (7-0-0)

3. PB 21-08, 52 Fitzgerald Drive, LLC, Owner, Hillson Contractors, Inc., Applicant
Fieldstone Land Consultants, Agent
Map 244 / Lot 30.1 Zone: Industrial, with town water & sewer

Site Plan – The applicant proposes to construct two, 6,600 SF self-storage facilities with associated paving and drainage improvements.

J Carr noted that the application is significantly complete, however, there are a few items that still need to be addressed including:

- The storage shed located within the setback
- Clarification of easements with regard to ROW, stormwater management and maintenance

On a **motion** by Dupuis, seconded by Merrell to accept the application as sufficiently complete. (7-0-0)

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PUBLIC HEARING

1. PB 21-06, Fougere Homes LLC, Owner, Edward Rogers, Agent
72 Highland Ave, Map 238 Lot 89, Zone: Res A, with town water & sewer

Subdivision – The applicant requests a two-lot subdivision.

Presentation: Ed Rogers, Rogers Engineering

The applicant is proposing to subdivide lot 238/89 into two lots. Once divided the lot with the existing house would have 1.24 acres and the second lot 1.10 acres. The parcel is located on Highland Ave where the road changes from Class V to Class VI. The end of the Class V road is designated on the plan. There is sufficient frontage on the class V section of road to accommodate the second house lot. The proposed house would be connected to town water and sewer. Because of the topography, they will have to pump up to the last manhole. Applications for a driveway permit and water/sewer connections have been submitted to the DPW.

W Taylor asked for clarification of the end of the Class V road. Mr. Rogers identified the end of the Class V section which is depicted on the plan. It does not extend to the end of the paved portion of the road.

W Taylor noted that the drainage flows downhill towards lot 238/88. Mr. Rogers responded that there is a significant buffer including 30 feet of trees and a field between the lots. The intention is to build the house higher up on the lot.

M Dillon noted there is a request for a waiver from the stormwater management plan. She asked should there be concern about erosion because of the 12% slope? Mr. Rogers replied the house will be constructed on the upper corner of the lot. When the foundation is constructed they will dig a berm on the lower side, to alleviate erosion. Standard BMP control measures will be used during construction. The waiver is requested to avoid producing a formal plan.

L McKenzie noticed there is a difference between the application layout and the plan. The second plan submitted with the driveway permit is more desirable in terms of runoff. Mr. Rogers agreed, there have been some tweaks to the plan since it was submitted.

L McKenzie clarified that a stormwater management plan is for finished conditions and erosion control is used during construction. J Carr added that a SMP is not required if the development is less than one acre. M Dillon stated she would like to the plan to show erosion control measures for the whole lot. J Carr added that this level of detail could be shown on the building permit.

Mike Thibadeau (Demartin Irrevocable Trust), abutter, does not want to see more traffic in the area.

On a **motion** by Belletete, seconded by Dupuis to approve the waiver as requested. (7-0-0)

Vice Chairman McKenzie closed the public hearing.

2. PB 21-07, 52 Fitzgerald Drive, LLC, Owner, Hillson Contractors, Inc., Applicant
Fieldstone Land Consultants, Agent
Map 244 / Lot 30 Zone: Industrial, with town water & sewer

Subdivision – The applicant requests a two-lot subdivision

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Presentation: Chad Branon, Fieldstone Land Consultants

The subject parcel consists of 5.6 acres of land with 733 feet of frontage on Fitzgerald Dr. Site plan approval was given for a self-storage facility in 2019 on this location but was not acted upon and has since expired. The subdivision of the lot was not part of the original application.

The subdivision would divide the lot into two parcels so each business can operate independently. The lot to the north would have 3.16 acres and 361 feet of frontage, the lot to the south would have 2.5 acres and 371 feet of frontage. A fence would be constructed between the two lots. Issues clarifying easements still need to be addressed.

The salt shed, currently located within the setback, would be removed.

A traffic, parking and access easement to benefit 244/30 extends onto the proposed lot is shown on the plan. In addition, there will be a stormwater management easement and plan that will be shared across both properties. The original Stormwater Management Plan submitted in 2019 was reviewed and approved by CEI at that time. The plan met all State and Town regulations.

The easements will be drafted by Atkins Callahan and be recorded. The easements will reflect that each individual land owner would be responsible for the storm water elements located on their property. Mr. Branon noted that the existing infiltration trenches which were part of the original approval have not been well maintained.

L McKenzie asked about the drainage easement located on 244-27. Mr. Brannon noted that lot is also owned by 52 Fitzgerald Dr. LLC. Parcel 244/29 drains on to 244/30.1. They are proposing a new drainage swale on the property line to route that runoff to the drainage basin behind the self-storage facility. The basin flows west into a jurisdictional wetland. No changes have been made to the drainage plan since the previous approval.

L McKenzie pointed out that Note 13 states that if the property is sold to another entity, an easement for the existing drainage basin shall be incorporated in the deed. How do we ensure that happens? Mr. Brannon responded that legal documents would be recorded with the subdivision plan which would address the stormwater management plan on all three properties.

Vice Chairman McKenzie closed the public hearing.

3. PB 21-08, 52 Fitzgerald Drive, LLC, Owner, Hillson Contractors, Inc., Applicant
Fieldstone Land Consultants, Agent
Map 244 / Lot 30.1 Zone: Industrial, with town water & sewer

Site Plan – The applicant proposes to construct two, 6,600 SF self-storage facilities with associated paving and drainage improvements.

Presentation: Chad Branon, Fieldstone Land Consultants

The applicant is proposing a self-storage facility on lot 244-30.1. Site plan approval was given for this application in 2019 but was not acted upon and has since expired. At that time, the Stormwater Management Plan was reviewed and approved by a third-party. All conditions from the 2007 and 2019 approvals remain in effect. A variance was secured at the October 2021 ZBA hearing to reduce the front setback to 50'. The formal Stormwater Management Plan will be recorded.

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The site plan calls for two, single-story, 6,600 SF storage facility buildings that would be accessed from Fitzgerald Dr. A self-storage facility is a low-intensity use with little traffic. The plan calls for a 30-foot center aisle and 25-foot aisles on the outside of each building. This design allows sufficient access for fire safety vehicles and access to the storage units. The site will have building-mounted low-level LED lights for security. The area around the building and access ways will be paved. Drainage swales will capture the runoff from the paved area and route it to the western side of the site. All design and stormwater elements are the same as what was approved in 2019. There is no proposed connection to sewer and water unless a sprinkler system is required. The facility will be managed remotely so there will be no need for an on-site office.

E Merrell asked about snow removal. Mr. Branon responded there is adequate snow storage on site.

*L McKenzie pointed out that **Proposed Note 7** states that fire protection would be provided by a hydrant located on *Maria Drive* and should be corrected.

W Taylor asked for reassurance that all of the comments from the third-party review of the previous application for stormwater have been addressed satisfactorily.

Board members discussed at length the merits of a requesting a performance bond on the project. On a **Motion** by Taylor, seconded by Dillon to include a performance bond as a condition of approval. The motion failed (2-4-1) *MD abstained*.
In lieu of a performance bond a compliance hearing should be held within one year.

An extensive discussion was held regarding the proper procedure to create, review and record the drainage easements between all three properties, 244/30, 244/30.1 and 244/27.

M Dillon suggested a lot line adjustment to incorporate the drainage system located on 244/27 into 244/30.1 so that only two parcels would be impacted instead of three. J Carr suggested the creation of a stormwater utility to manage the stormwater on all three parcels as it is an integrated system. Mr. Branon responded that the system is not really integrated. The legal documents will call out which entity is responsible for which areas of the drainage system. Each parcel will have their own inspection manual. J Carr noted that conditional approvals are administrative and cannot require discretionary review per State statute. Mr. Branon responded that the completed documents could be reviewed by CEI and/or Town Council.

*L McKenzie suggested updating the language on **Sheet 1, Note 18** by striking the words *if sold*. Mr. Branon agreed to make the change.

Vice Chairman McKenzie closed the public hearing.

DECISIONS

1. PB 21-06, Fougere Homes LLC, Owner, Edward Rogers, Agent
72 Highland Ave, Map 238 Lot 89, Zone: Res A, with town water & sewer

Subdivision – The applicant requests a two-lot subdivision.

On a **motion** by Taylor, seconded by Dillon to approve the application for a two-lot subdivision as presented per testimony given and plan submitted, subject to the following condition. (7-0-0)

Condition Precedent

The building permit application will provide an erosion control plan for construction.

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Plans include: "2 Lot Subdivision Plat, Tax Map 238 Lot 89, Owners: Fougere Homes, LLC 72 Highland Ave, Jaffrey NH 03452, Book 3167 Page 203." Signed and Stamped by Edward L. Rogers, LLS. Dated August 10, 2021.

2. PB 21-07, 52 Fitzgerald Drive, LLC, Owner, Hillson Contractors, Inc., Applicant
Fieldstone Land Consultants, Agent
Map 244 / Lot 30 Zone: Industrial, with town water & sewer

Subdivision – The applicant requests a two-lot subdivision

On a **motion** by Dupuis, seconded by Dillon to approve the application for a two-lot subdivision as presented per testimony given and plan presented. (7-0-0)

Plans include: "Subdivision Plan Tax Map Parcel 244-30, 52 Fitzgerald Drive, Jaffrey NH. Prepared for Hillson Contractors, Inc and Land of 52 Fitzgerald Drive, LLC." Signed and Stamped by Michael Ploof, LLS and Christopher Guida, CWS September 23, 2021.

3. PB 21-08, 52 Fitzgerald Drive, LLC, Owner, Hillson Contractors, Inc., Applicant
Fieldstone Land Consultants, Agent
Map 244 / Lot 30.1 Zone: Industrial, with town water & sewer

Site Plan – The applicant proposes to construct two, 6,600 SF self-storage facilities with associated paving and drainage improvements.

On a **motion** by Taylor, seconded by Peard to approve the application for two, 6,600 SF self-storage facilities with associated paving and drainage improvements as presented per testimony given and plans presented, subject to the following conditions. (7-0-0)

Condition Precedent:

- Easements for drainage, access, traffic and parking shall be prepared and recorded with the subdivision mylar PB 21-07.

Condition Subsequent:

- Maintenance agreement for drainage between lots 244/30, 244/30.1 and 244/27 to be submitted with building permit.
- Subject to a compliance hearing one year from the date of plans being signed
- The applicant shall submit as-built plans prior to the compliance hearing.

Plans include: "Site and Landscaping Plan, Tax Map Parcel 244, Lot 30-1; Fitzgerald Drive, Jaffrey NH prepared for Hillson Contractors, Inc land of 52 Fitzgerald Drive, LLC" dated July 9,2019 revised through September 23, 2021. Plans are signed and stamped by Chad Branon, PE, Michael Ploof, LLS and Christopher Guida, CWS September 23, 2021.

OTHER

Zoning – J Carr stated the board was considering reducing the 100-foot setback in the industrial zone to 50 feet. She noted that a provision is in place in section VI of the code that allows the board to relax the setback in that zone during plan review. This would eliminate the need to apply for a variance.

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Master Plan – M Dillon, Peggy Ueda has joined the MP committee. According to statute 674-2, Master Plans have two required sections and allows for up to 14 additional. *Resilience* is not an allowed section on its own, but could be included in conjunction with another section such as *Energy and Resilience*. The committee plans to distribute surveys to solicit public input.

ZONING BOARD DECISIONS

- ZBA 21-24 – Millipore (signs) – Approved
- ZBA 21-25 – 52 Fitzgerald Dr LLC (setback) - Approved

ADJOURNMENT

The meeting adjourned at 7:55 pm
Submitted:



Rebecca Newton
Recording Secretary

Attest:



Laurel McKenzie
Planning Board Vice Chair

** Denotes changes that need to be made to the plans, prior to signing.*