

TOWN OF JAFFREY, NEW HAMPSHIRE
PLANNING BOARD
Meeting Minutes
May 8, 2018

Present: Chairman Gordon, Members Castiglioni, Farmer, Merrell, McKenzie,
Selectmen's Representative Weimann

Absent: Members Despres, Devlin & Sherman

Staff: JoAnne Carr, Director of Planning and Economic Development
Rob Deschenes, Building Inspector /Code Enforcement (*arrived at 7:00 pm*)

CALL TO ORDER

Chairman Gordon called the public hearing to order at 5:59 pm

PRELIMINARY CONCEPTUAL – EMD Millipore

John Dishong, Program Engineer EMD Millipore
Hugh Tozer and Lauren Swett, Woodard and Curran

Mr. Dishong and representatives from Woodard and Curran are before the board to preview Millipore's plan to develop a process water reclamation center.

Mr. Tozer gave a brief project overview. 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. The goal is to have the system completely operational by 2020. To stay on target construction would need to be completed by 2019. The project will reduce the load on the Jaffrey treatment facility once completed.

The new processing building would be located at the back of the site, adjacent to the biomass plant near Eastwood Drive. The site would include a processing building, equalization tank, digester tank and flare to burn off excess gasses. A stormwater treatment system previously installed as part of the biomass project would be replaced with a new system to provide treatment for both sites.

The preliminary site plan has structures outside the 100-ft. setback, however grading is proposed within the setback. One option under consideration would be to shift the site roughly 50 ft. away from the Eastwood Drive area which would impact a small area of wetlands buffer. Doing so would place the fence around the flare in the buffer area. The wetlands in question will be surveyed to determine the quality of the wetlands. This would reduce the impact on the Eastwood Drive area.

Member McKenzie asked that the site plan reflect the amount of clearing, construction access, screening and egress.

Chairman Gordon questioned why the large clearing around the proposed buildings. This is due in part to the grading on the hillside behind the building and the required terracing.

Member Merrell asked about odors from the flare. Mr. Tozer responded the flare is covered and under vacuum and there will not be odors. (*N.B. JC thinks Mr. Tozer misspoke. The anaerobic digester will be covered and under vacuum and there will be no odors*)

Ms. Carr suggests a site walk when the PB begins site plan review.

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MEETING MINUTES APPROVAL

On a **motion** by McKenzie, seconded by Weimann the minutes of the **April 3, 2018** meeting were approved as submitted. (5-0)

PUBLIC HEARING – Acceptance

1. PB18-01, JCK Sand & Gravel (applicant), DPD Properties, LLC (owner), Fieldstone Land Consultants, PLLC (agent), Maria Drive., Map 255 / Lot 8.5.1, Zone: Industrial (with town water)

Subdivision – The applicant proposes a seven-lot subdivision

On a **motion** by Farmer, seconded by Weimann the application proposing a seven-lot subdivision was accepted. (5-0)

PUBLIC HEARING – New

2. PB18-01, JCK Sand & Gravel (applicant), DPD Properties, LLC (owner), Fieldstone Land Consultants, PLLC (agent), Maria Drive., Map 255 / Lot 8.5.1, Zone: Industrial (with town water)

Subdivision – The applicant proposes a seven-lot subdivision

Presentation – Nathan Chamberlain, Fieldstone Land Consultants, LLC

Currently the site is an active gravel pit, this application would be for a final grading and reclamation of the pit and creation of the subdivision. In the early 2000s the property was approved as a gravel pit, at that time the wetlands had not been mapped. The current plan would extend Maria Drive and create a subdivision in the industrial district. The proposed road has been designed to avoid all but 4,300 sq. ft. of wetlands for which the ZBA has granted a special exemption. The ZBA also granted a variance to reduce the front setback to 50 ft. on Maria Drive The reduced setback allows storage/parking in the back of the building. Most of the lots are 2.5 acres, with one larger lot. An easement plan around all drainage is proposed. The dirt mound in the center of the lot will be removed. The water main will be extended to the end of the cul-de-sac and hydrants added. The slope will be pushed back 50 ft. off the ROW and 10 ft from abutters. The slope will be benched every 20 ft. Once sold, each lot will come in for site plan approval. Lot 6 will be required to do its own storm water mitigation. A large infiltration basin will allow water to go back into the ground

Member Merrell asked for a description of the benching. Mr. Chamberlain explained the 2:1 slope. For every 20 ft. in height, the slope will have a 6ft. wide terrace pitched down 1 ft. Erosion control blankets will hold the slope in place until vegetation takes hold.

Member McKenzie asked if an excavation permit is in place. Ms. Carr answered, it has expired. The pit has been out of compliance for many years. Chairman Gordon wonders how the PB can approve the application if this is not valid site. Ms. Carr pointed out a conflict between excavation and subdivision requirements regarding setbacks.

Chairman Gordon asked if Town of Jaffrey road specifications were used in the road design. This could allow the Town to take over the road in the future. Mr. Chamberlain stated yes.

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Member Gordon asked if there would be a property owner's association. Mr. Chamberlain said yes.

Member Farmer asked if trees would divide lots or are they placed only at the back of the property. Mr. Chamberlain responded a tree line will be at the back of lot. The pit will be flattened and the sides graded up and divided into lots.

Member McKenzie asked if the plan is to grade up to the rock wall. Mr. Chamberlain said yes.

Carolyn Garretson - Conservation Commission, is questioning the amount of runoff. Mr. Chamberlain noted that the runoff was analyzed incorporating larger amounts of pavement post-construction. Increased runoff will be mitigated with the large detention pond with a significant decrease in volume.

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

DELIBERATIONS

Chairman Gordon is behind this project, however, has concerns about approving the project if the excavation permit is not valid. Member McKenzie asked if the AOT is in place. Ms. Carr responded no, they are in the process of updated the permit for the reclamation.

Mr. Deschenes provided a little history of the site and permits. The AOT expired roughly 15 years ago, three years ago the owners were sent a letter and asked to come into compliance. The owner had previously tried to update the AOT permit, however, lots had been sold as part of a subdivision after the original permit was issued and that State was reluctant to renew the permit due to the change in use. This application was presented as a reclamation plan, via building a subdivision, for an excavation with an expired permit.

Member McKenzie had questions regarding the amount of material being removed and what an appropriate road bond would be. She also requested more information on the required setbacks and buffers. Ms. Carr, clarifying the question of setback/buffers, stated that setbacks would be considered during the PB hearing as they conform to zoning regulations, however questions pertaining to the buffer would be considered during site plan review.

Ms. Carr suggested the Board do a conditional approval and ask the applicant to return for a compliance hearing.

DECISIONS

1. PB18-01, JCK Sand & Gravel (applicant), DPD Properties, LLC (owner), Fieldstone Land Consultants, PLLC (agent), Maria Drive., Map 255 / Lot 8.5.1, Zone: Industrial (with town water)

Subdivision – The applicant proposes a seven-lot subdivision

On a **motion** by McKenzie, seconded by Farmer the application proposing a seven-lot subdivision was approved as presented and per testimony given subject to the following conditions. The plan submitted is on file with this office with a plan date of March 13, 2018, stamped and signed by Nathan R. Chamberlain, PE and Michael D. Ploof, LLS. (4-1)

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Conditions Precedent:

1. The applicant shall provide a schedule for performance of reclamation work and the amounts of material to be removed.
2. The applicant shall submit to the Town a bond with sufficient surety to guarantee compliance with the permit.
3. The applicant shall secure an AOT permit.
4. The applicant shall secure State subdivision approval.

Conditions Subsequent:

1. Documentation of property owner's association will be required for storm water management and road maintenance.
2. No lots shall be developed until reclamation is complete and accepted by the Town

OTHER BUSINESS

Master Plan: Member McKenzie

Questions if the board be interested in an alternate way of communicating its vision. The current Master Plan is a large, cumbersome document that is not user friendly nor widely read. Ms. Carr added that the data in the Master Plan is important as it is the information used in making recommendations, however, it can be presented in a more condensed form. The Vision and Community Character and Implementation chapters were merged into one, considerable shorter, chapter. The Regional Context chapter could be deleted, Population and Housing has been edited down and the regional resources pages could be taken out of the plan and included as an appendix.

Members Weimann and Farmer volunteered to prepare a draft Master Plan progress report for the Board of Selectman.

Capital Improvement Plan: Jo Anne Carr

Ms. Carr presented the schedule for the CIP. The committee will be comprised of two PB members, two budget committee members and a selectman. Members Merrill and McKenzie will represent the PB.

ZBA Decisions – three projects were reviewed at the April ZBA meeting.

1. ZBA 18-02, Cathy & Michael George – 78 Coleman Road, Map 253 / Lot 1, Zone: Rural (without town water)
Variance – The applicant requests a variance to allow a proposed duplex in the rural district (Land Use Code, Zoning Ordinance Section IV, 4.1.2).

It was determined that no hardship existed. On a motion by Durand, seconded by Remillard, the request for a variance to Section IV, 4.1.2 of the Jaffrey Land Use Plan was denied as presented and per testimony given. (5-0)

2. ZBA 18-03, Ronald Hagstrom & Angela Hakala – 72 North Street, Map 238 / Lot 223, Zone: Res A (with town water)
Variance – The applicant requests a variance to allow an addition to a non-conforming existing structure (Land Use Code, Zoning Ordinance Section VII, 7.2.3).

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On a motion by Cournoyer and seconded by Webber, the request for a variance to Section VII, 7.2.3 to allow an addition to be built on to an existing non-conforming structure which will be 17' from the southerly property line, was granted as presented and per testimony given. (5-0)

3. ZBA 18-04, DPD Properties, LLC – Maria Drive, Map 255 / Lot 8.5.1, Zone: Industrial (with town water)

Variance – The applicant requests a variance to allow a building within the 100' setback (Land Use Code, Zoning Ordinance Section VI).

Special Exception – The applicant requests a special exception for the extension of Maria Drive (Land Use Code, Zoning Ordinance Section XX, 20.6).

Special Exception

*On a **motion** by Cournoyer, seconded by Webber, the application for a special exception to allow the extension of Maria Drive impacting 4,284 sq. ft. of wetlands was granted as presented and per plan submitted. (4-0)*

Variance

*On a **motion** by Cournoyer, seconded by Webber, the application for a variance to allow proposed buildings a 50' front setback from the property line instead of the required 100' was granted as presented and per testimony given. (4-0)*

ADJOURNMENT

The meeting adjourned at 8:09 pm

Submitted:



Becky Newton, Recording Secretary

Attest:



Tim Gordon, Chairman
Jaffrey Planning Board