

Raymond Planning Board Minutes

April 15, 2010

Approved 05/06/2010

Place: Raymond High School; Media Center

Call to Order: 7:00 p.m.

Members Present: Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairman; Doug Vogel, Secretary; Bill Hoitt, Selectmen's Ex officio; Gretchen Gott; Jim Kent; Bill Cantwell.

Staff Present: Ernest Cartier Creveling; Community Development Director; Robert Price, Planning Technician.

Pledge of Allegiance

Approval of Minutes

Members Sitting for Approval of Minutes: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent.

MOTION: Mr. Cantwell made a motion, seconded by Mr. Vogel, to approve the minutes of April 01, 2010 as drafted. The motion carried with a unanimous vote of 7-0-0.

MOTION: Mr. Cantwell made a motion, seconded by Ms. Matthews, to approve the minutes of April 08, 2010 as drafted. The motion carried with a vote of 6-0-1, with Mr. Vogel abstaining.

Old Business – Hard Rock Development, LLC Culvert Installation Request

A request by Hard Rock Development, LLC (Application #2006-010), to install a culvert in accordance with Wetlands Permit #2007-02707, obtained for said purpose. The properties are shown on Raymond Tax Map 28-3, Lot 120 and Map 22, Lot 44; Industrial Drive.

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent.

Applicant/Agents Present: Arleigh Greene & Jim Watkins, Hard Rock Development, LLC.

Mr. Cartier Creveling explained at applicant is before the Board tonight seeking permission to install a culvert to allow access to the site, and nothing more. He added that the culvert installation would be in accordance with New Hampshire Department of Environmental Services Wetlands Permit #2007-02707. He noted that the applicant is still in the process of obtaining an Alteration of Terrain permit for the remainder of the project.

Mr. Wood read a memo written by Public Works Director McCarthy, dated April 13, 2010, into the record. A copy of this memo is attached to the original set of minutes on file at the Town Clerk's Office.

Mr. Kent stated the plans indicate a wetland impact area that differs from that referenced on the Wetlands Permit. Mr. Cartier Creveling explained the plans were originally approved in December 2006, and the Permit was issued in May 2009. In the time between, the exact square footage was revised, so the numbers on the Permit are to be considered accurate.

Ms. Gott stated the Permit calls for approximately 9,100 square feet of impacted area. She asked if this area is entirely at the culvert area, or if any other area is also factored in to this

amount. Mr. Greene stated the Permit is for the culvert location only. He noted that additional crossings will need to be made, however additional permitting will be required for those areas.

Ms. Gott asked when the applicant expects to commence work on the project. Mr. Greene replied within 45-60 days from today.

Ms. Gott stated condition #8 on the Permit requires that the work be done during a time of low flow. Mr. Greene stated they were on the site last week, and no standing water was visible. Ms. Gott replied that spring is not low-flow. Mr. Greene stated they will comply with the Permit condition – if the ground is wet, they will not commence work.

Mr. Vogel asked how long the applicant expected work to take. Mr. Greene replied at most, two weeks. He added that the roadway essentially exists now, as the wetlands were filled and it was built sometime in the 1960s-1970s. This crossing will cure a sin from 40 years ago.

Ms. Gott stated she would like to add a condition of approval requiring that the low flow requirement on the Permit be adhered to.

MOTION: Mr. Cantwell made a motion, seconded by Mr. Kent, to allow Hard Rock Development, LLC to install a culvert as represented on the approved plan for Application #2006-010, and in accordance with NH Department of Environmental Services Wetlands Permit #2007-02707 with the following conditions:

1. This approval is for the installation of the culvert only. No work related to the excavation shall take place until all conditions of the Planning Board approval, originally issued on December 14, 2006, have been met.
2. The applicant shall establish an inspection escrow account with the Town prior to commencing work for installation of the culvert, with the understanding that the Town's Inspection Engineer will conduct a final inspection of the culvert installation.
3. A member of the Technical Review Committee shall confirm that a low-flow condition exists prior to work commencing.

The motion carried with a unanimous vote of 7-0-0.

Public Hearing – I.C. Reed Site Plan

Continued from 04/01/2010; Application #2008-022 – An application for Site Plan Review has been submitted by Jones and Beach Engineers, Inc. on behalf of I.C. Reed & Sons, Inc. The applicant proposes to renovate an existing building for office space, and construct an associated parking area. Additionally, the applicant proposes to demolish the existing house located on Map 28-2, Lot 56, and relocate the private drive known as Evans Drive to this area. The previous location of Evans Drive will be partially demolished, and the remaining portion will be retained to service Map 28-2, Lot 53, with an easement granted for that lot's perpetual use. The applicant was granted a variance for this use on January 10, 2007 by the Zoning Board of Adjustment. The properties are shown on Raymond Tax Map 28-2, Lots 54, 55 and 56; 8 Evans Drive.

Members Sitting for this Hearing: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent.

Applicant/Agents Present: Brad Reed, I.C. Reed & Sons, Inc.; Joe Coronati, Jones & Beach Engineers, Inc.

Abutters/Public Present: Paul & Mary Anzalone, 45 Epping Street.

Mr. Coronati explained that the project has undergone several changes since it was last before the Board. He noted Mr. Reed purchased Map 28-2, Lot 56, which contains a single family residence located in front of his property.

Mr. Coronati added that the proposed building shown on a previous set of plans has now been removed. Additionally, the residence located on Lot 56 is being demolished. He stated the intention is to relocate the private drive known as Evans Drive to the middle of Lot 56. the current location of Evans Drive will then become a residential driveway serving Lot 53, owned by Paul & Wendy Spence. He noted that currently, Evans Drive serves the Spence property as well as the I.C. Reed property. Mr. Coronati explained that relocation and expansion of Evans Drive will allow for better sight distance, and improved access to the site, as well separating their use and the Spence's use.

Mr. Coronati continued by stating the plans before the Board do not show this yet, but a future set will. There is a garage area that is attached to the existing office building. The applicant is proposing to demolish that garage space and expand it. He stated originally, this area was going to be rebuilt in the same footprint, however the applicant expressed desire to have a larger space.

Mr. Coronati noted that this project will require an amended Shoreland Permit as well as an Alteration of Terrain Permit. He noted that the State is excited about getting the parking area moved away from the river, and also the restoration adjacent to the river.

Mr. Coronati noted that the drainage design work is not yet complete, but is well underway. He stated the goal is the grade the site away from the river and utilize the well-draining Hinckley soils existing on site.

Mr. Coronati explained that they have been speaking with Amy Clark with the Alteration of Terrain Bureau about the storage garage located nearby the river. The proposal from Ms. Clark is for the applicant to install an underground holding tank so any spills or wastewater from truck washing can be contained, and the tank can be pumped out. This way, all maintenance of vehicles, including washing, can occur inside.

Mr. Coronati explained that the applicant is proposing to install a fire hydrant on the site itself, and the Fire Chief has indicated support for this idea. He added that Epping Street is being proposed for reconstruction this year, so it makes perfect sense to run the utility lines now.

Mr. Coronati stated it would make more sense for them to complete the drainage design prior to sending the plans to Altus for review. He stated tonight, they are seeking Board input on the plans before they go much further with design work.

Mr. Wood asked if there will be a full perimeter fence installed. Mr. Coronati replied there will be.

Ms. Gott asked if the applicant has considered going back to the Technical Review Committee with this version of the plans. Mr. Cartier Creveling stated he feels that step is not necessary, as the plans are straightforward. At this time, engineering is the most important issue.

Mr. Hoitt asked how far into the site the fire hydrant will be located. Mr. Coronati stated it is located approximately 300 feet from Epping Street, and is 80 feet from the existing office building.

Ms. Gott asked how close the new location of Evans Drive is to the entrance to the Middle School. Mr. Coronati replied centerline to centerline is about 130 feet.

Mr. Reed explained that they were told by the Alteration of Terrain Bureau that they needed to pave the bulk of the site because they wanted to ensure everything was treated prior to infiltration.

Mr. Hoitt stated relocation of Evans Drive may result in new address labeling. Mr. Reed replied he realizes this may be the case, and is prepared to work with the Fire Department to do anything that needs to be done in this regard.

PUBLIC COMMENT

Mr. Anzalone expressed concern with the exact location of his property line in relation to Lot 56 which was recently purchased by Mr. Reed. He added that his family has concerns with the trucks being started up early in the morning. Ms. Anzalone stated previously they were simply located in front of I.C. Reed. Now, it feels as though they are being surrounded, and they would like to alleviate this feeling as much as possible.

Ms. Matthews asked what revisions need to be made to the Shoreland Permit. Mr. Coronati explained that the original permit was issued to only account for the area adjacent to the river. He noted that the Shoreland zone actually encompasses much of the site, so all of the work that is taking place needs to be taken into consideration.

Mr. Wood requested that the lighting plan be separated from the landscape plan to make things easier to follow. Additionally, it was requested that the applicant work with the Anzalone's to resolve the property line confusion.

Mr. Wood asked how long the applicant anticipated needing before being in a position to come back to the Board. Mr. Coronati explained he anticipated needing about two months, so he is looking for a continuance to June 17. Mr. Price noted that the applicant's current extension letter runs to June 15.

MOTION: Mr. Cantwell made a motion, seconded by Mr. Hoitt, to continue the public hearing for Application #2008-022 to June 17, 2010 at 7:00 p.m. at Raymond High School. The motion carried with a unanimous vote of 7-0-0.

Public Hearing – Nellie Real Estate Acquisitions Site Plan

Application #2010-003 – An application for site plan review has been submitted by Appledore Engineering, Inc. on behalf of Nellie Real Estate Acquisitions. The applicant proposes to consolidate Tax Map 28-2, Lots 21-1 & 22. Additionally, the applicant proposes to construct a 4,020 square foot building containing a sandwich shop and low-volume retail. The properties are shown on Raymond Tax Map 28-2, Lots 21-1 & 22; NH Route 27.

Members Sitting for this Hearing: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent.

Applicant/Agents Present: Craig Jewett, Nellie Real Estate Acquisitions, LLC; Joe Persechino, Appledore Engineering, Inc.

Abutters/Public Present: None.

Mr. Cartier Creveling stated the application can be accepted as complete for review purposes.

MOTION: Mr. Cantwell made a motion, seconded by Ms. Gott, to accept Application #2010-003 as complete for review purposes. The motion carried with a vote of 6-0-1, with Mr. Vogel abstaining because he does not agree with the process involved with acceptance of applications.

Mr. Cartier Creveling stated his suggestion is to allow the applicant to make a brief introductory presentation, and then take up the issue of regional impact.

Mr. Persechino gave a basic overview of the proposal for the Planning Board. He explained the issue with the right-of-way, in that there is a deed that states it can not be obstructed in any manner. He explained originally, they were proposing snow storage and curbing within this area, however these items have since been removed and relocated.

Mr. Persechino stated they are proposing 34 parking spaces – all but 11 of which will be located on the new building's lot. Those remaining spaces will be on the Jewett Construction Company lot, with parking cross easements being provided.

Mr. Persechino explained that there will be three tenant spaces in the building – one of which will be a sandwich shop, and the other two are proposed as low-volume retail tenants.

Mr. Persechino added that they are proposing a rain garden to be located toward the rear of the site. He added that the site is designed to handle standard trash trucks and 40' wheel based trucks.

REGIONAL IMPACT CRITERIA

1. *Could the proposal be construed as having the potential for regional impact based upon:*
 - a. *Relative size or number of dwelling units as compared with existing stock;*

Mr. Persechino responded this is not applicable as they are not proposing any dwelling units.

- b. *Proximity to the borders of a neighboring community;*

Mr. Persechino responded they are located over one mile from the nearest Town line.

c. *Transportation networks;*

Mr. Persechino responded the project is only proposed for a small sandwich shop and two low volume retail tenants. There are more parking spaces being provided than are required by Town Regulation, and traffic impact will be minor.

d. *Anticipated emissions such as light, noise, smoke, odors or particles;*

Mr. Persechino responded that the sandwich shop does not utilize deep fryers, and there are no anticipated emissions that would be considered regional impact.

e. *Proximity to aquifers or surface waters which transcend municipal boundaries;*

Mr. Persechino responded according to the Raymond Zoning Map, the project is not located in close proximity to any regional surface waters or groundwater protection areas.

f. *Shared facilities such as schools and solid waste disposal facilities.*

Mr. Persechino responded that the project will not have any adverse impact on the school system, and added that solid waste will be typical of a small commercial building.

MOTION: Mr. Cantwell made a motion, seconded by Ms. Gott, that Application #2010-003 does not have regional impact. The motion carried with a unanimous vote of 7-0-0.

Mr. Persechino next reviewed the drainage and grading plan with the Board. Mr. Jewett explained that the abutting lot 20 drains onto his property, but a drainage easement will be drafted and issued rather than just cutting off the pipe and creating a problem.

Mr. Persechino noted that the rain garden will be planted heavily with wet-tolerant plants in the middle, and shrub/brush around the edges. He added that the plants will be as salt-tolerant as possible.

Ms. Gott asked how the drainage from the abutting lot 20 will be treated for contaminants, as that lot contains an auto repair business. Mr. Persechino stated it is currently treated to an

extent, but the applicant is proposing a vegetated infiltration swale to help improve the situation.

Mr. Persechino next reviewed the utility plan and landscaping plan with the Board.

Mr. Vogel asked if the easterly driveway lines up with the Phillips 66 driveway across the street. Mr. Jewett replied the driveways do not line up. In order to line the driveways up, he would have to locate the driveway in the middle of his site.

Mr. Vogel asked if there were a way to request that the Department of Transportation consider a turn lane in this area. Mr. Jewett replied there is potentially room for a turn lane, but he does not feel one is needed at this time. He stated this is a goal of the Exit 5 Special Advisory Committee, however.

Mr. Kent asked if the parking proposed at the rear of the property is being designated for the Jewett Construction office and the hair salon located next door. Mr. Persechino replied if any spaces are available, they can and likely will be utilized for those businesses.

Ms. Gott asked if there is any way to add additional parking for the Jewett Construction office and the hair salon. Mr. Persechino replied there is not, without purchasing additional land.

Ms. Gott asked where the outdoor storage and Jewett Construction vehicles will be going. Mr. Jewett indicated they will be moved to another site in Raymond.

Mr. Wood informed Mr. Jewett of an escrow account which has been established for the sole purpose of helping fund a future traffic light at the intersection of Routes 27 and 156. He noted several businesses have made contributions at this time, and asked if Mr. Jewett would make a donation to the account. Mr. Jewett replied that he would be happy to donate \$1,000.00 to the traffic light escrow account.

PUBLIC COMMENT

There was no public comment.

Mr. Persechino indicated that they have received comment from Altus Engineering, and are ready to issue responses to those comments. Mr. Cartier Creveling indicated he spoke with Eric Weinrieb of Altus this afternoon, and Mr. Weinrieb indicated to him that he does not see any of the issues identified as major.

Mr. Wood polled the Board to determine if a site walk should or should not be conducted.

POLL RESULTS

Mr. Kent – Abstain

Ms. Gott – Yes

Mr. Hoitt – Yes

Mr. Cantwell – No

Mr. Vogel – No

Ms. Matthews – No

Mr. Wood – No

MOTION: Ms. Matthews made a motion, seconded by Mr. Cantwell, to approve Application #2010-003 as presented by Appledore Engineering, Inc. on behalf of Nellie Real Estate Acquisitions, LLC, for property shown on Raymond Tax Map 28-2, Lots 21 & 22; 66 Route 27.

The following conditions shall apply:

1. The conditions of approval designated as conditions precedent must be completed within six (6) months, unless otherwise specified, or this approval shall become null and void.

The following are conditions precedent:

- a. The applicant must obtain all required local, State and Federal permitting for the project, and provide copies of same to the Community Development Department;
 - b. All fees authorized to be charged to the applicant pursuant to the Raymond Site Plan Review Regulations including, but not limited to application fees, costs of special studies, and legal and engineering review, shall be paid by the applicant;
 - c. Deeds, easements, conservation easements, condominium documents, maintenance agreements, and any other legal documentation pertinent to this project shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
 - d. The applicant shall address, to the satisfaction of the Town's Review Engineer, any remaining engineering issues identified during peer review. Written concurrence, from the Town's Review Engineer and the Raymond Community Development Director, with the design corrections of any identified engineering issues shall be required prior to final plan approval.
 - e. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the plan approval date of May 15, 2010. **Failure to execute the required agreement will result in plan approval revocation.**
2. The following items must be completed within twelve (12) months of the completion of conditions precedent for this project to constitute "active and substantial development or building" pursuant to RSA 674:39:
 - a. Installation of site infrastructure, including the site drainage network and related structures, water supply and other underground installations, as well as the construction of the building foundation.
 3. The following items must be completed for this project to constitute "substantial completion of the improvements" pursuant to RSA 674:39:
 - a. Construction of the proposed building, construction and connection to septic system and other improvements as represented on the approved site plan.

4. Estimates for all improvements shall be provided by the Applicant for review and approval by the Raymond Public Works Director or his designee. These estimates will be utilized to establish an inspection escrow account (equal to 4% of the estimated cost of improvements), which must be in place with the Town of Raymond prior to the start of any site work. Additionally, these estimates will be used as the basis for computing the Surety/Performance Bond to be provided by the Applicant in favor of the Town of Raymond prior to the issuance of a building permit by the Raymond Code Enforcement Officer. Surety/Performance Bond values shall be based upon the value of unfinished work at the time of the issuance of a Certificate of Occupancy, plus a 10% contingency.
5. This approval is subject to the following waivers, as granted by the Raymond Planning Board:
 - a. N/A - no waivers requested.
6. Other Conditions imposed by the Planning Board:
 - a. None.

The motion carried with a vote of 6-1-0, with Mr. Vogel opposed not because he is against the project, but because he is uncomfortable with the idea of voting before seeing more back-and-forth between the engineers.

Other Business – Lamprey River Nomination Discussion

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent.

Mr. Cantwell noted that the Board of Selectmen and Raymond Business and Economic Development Council still have unanswered questions about the ramifications of designation of the river. Mr. Cartier Creveling explained that he spoke with the Town Manager, Chris Rose, today about this. Mr. Rose arranged for someone from the NH Department of Environmental Services to attend the Board of Selectmen meeting on May 10 to answer questions and outline what designation will mean. He added that there is a lot of misunderstanding and confusion that will hopefully be cleared up at this meeting.

The Board agreed to postpone this discussion until May 13.

Other Business

Members Sitting for this Discussion: Jonathan Wood; Carolyn Matthews; Doug Vogel; Bill Hoitt; Gretchen Gott; Bill Cantwell; Jim Kent.

Mr. Cartier Creveling explained that the Exit 5 Special Advisory Council is holding a fundraising event on April 20 that will offer an update to activities to date.

Mr. Cartier Creveling informed the Board that test pitting is set to begin early next week for wastewater feasibility on several sites in the Exit 5 area, thanks to permission being granted from almost every property owner who was asked.

The Board heard reports from its members serving on other Boards and Committees.

Adjournment

MOTION: Mr. Cantwell made a motion, seconded by Mr. Hoitt, to adjourn. The motion carried with a unanimous vote of 6-0-0. The meeting adjourned at 9:50 p.m.

Respectfully submitted,

Robert Price
Planning Technician