MEMBERS PRESENT:
Chairman Mike Curley                          George Helwig, Vice-Chair
Michelle Jackson                                  Bob Sharon
Katherine Dawson, Ex-Officio               Sandy Plessner

OTHERS PRESENT:
Tom Gallant                                          Helen Dawson
John Bernard                                        Captain Linda Wilking
Dennis Rialland                                    Jackie Rushlow
Paul Rushlow                                       Shawn Sullivan
Pat Clark                                          Mike Robertson
Gordon King                                         John McArthur
Walt Hutchinson                                   Kevin Hutchinson
Janet Hutchinson                                  John Caravona
Cindy Codrey                                        Rick Plourde
Cory Johnston                                      Jeaneen Cookbroth
Susan Blothenburg                               Kevin Cote
Joe Plessner

AGENDA:
6:30 PM          Call to order
                  Minutes of April 13, 2004
                  Correspondence
                  Any other business

6:45 PM           Continuation Case #04-07 for a Subdivision for
                  Jacqueline Sullivan.

7:05 PM          Case #04-09-Subdivision for John & Sandra
                  McArthur. Applicant proposes to subdivide a 14.144 acre
lot into two building lots of 6.606 acres and 7.538 acres. Property is located on Calef Hill Road, Tilton, NH 03276. Tax Map R-14 Lot 3 in the Rural Agricultural District.

7:25 PM Case #04-10-Site Plan Review for Kevin Hutchinson of A& M Limousine Inc. Applicant proposes to utilize lot for dispatching and parking for a limousine service. Property is located at 203 Laconia Road, Tilton, NH 03276. Tax Map R-22 Lot 15 in the Resort Commercial District.

7:45 PM Case #04-11-Site Plan Review for PSNH. Applicant proposes to construct a work area center for PSNH. Property is located on Business Park Drive, Tilton, NH 03276. Tax Map R-20 Lots 1-9 & 1-10 in the Industrial District.

MEETING:

6:30 PM Call to order. Chairman Curley postponed the correspondence and review of the minutes briefly so Helen Dawson, Conservation Commission, could address the Board and John Bernard.

Ms. Dawson stated the Conservation Commission had discussed the conservation restriction and wildlife corridor Mr. Bernard was going to have on his over 55 development called Lochmere Meadows. Ms. Dawson stated the Conservation Commission was asking that there be a conservation easement instead of the restriction as an easement would be deeded to the town. Ms. Dawson stated a conservation easement offered more protection for the pristine area and wildlife corridor even if Mr. Bernard were to sell the property in the future. Ms. Dawson stated they understood Mr. Bernard felt this area should be protected and had stated a restriction would be placed on the land but in order to know it would be protected after changes in ownership or town officials, an easement would be better.

John Bernard, property owner, stated he understood the Conservation Commissions concerns but he felt the way they had done the conservation restriction or set aside accomplished the goal that the Conservation commission was trying to do. Mr. Bernard stated the RSA that spoke of this (RSA 674:21-a) which stated if the
area were put on a plot plan, it would remain as a conservation set aside. Mr. Bernard continued by saying with an easement there would be issues, such as trimming or removing dead trees. Mr. Bernard asked who would insure the property and who would maintain it. Mr. Bernard stated he wanted to protect the area, as well, but he felt easements were both difficult and expensive to define. Mr. Bernard stated there was also the issue of losing the authority to maintain the area, such as removing dead trees.

Ms. Dawson stated those issues have not been problems in the past with any of the other easements in Tilton.

Chairman Curley asked who would have authority to maintain the area. Katherine Dawson stated these items would be discussed and worked out in the writing of the easement. Katherine Dawson stated one advantage to an easement would be it would allow the Conservation Commission the right to go in and inspect the easement area once a year to make sure there was no problems or pollution that might be affecting the area. Helen Dawson added a restriction would not grant access to the Conservation Commission, it would only state that people could not build in the area set aside.

Helen Dawson stated she would be happy to do more research in regard to easements and what would work best for Mr. Bernard and the protection of the area.

A general discussion continued. Mr. Bernard asked if an easement was created, would it affect the density of the project and was told the easement would not as it would all still be Mr. Bernard’s property but the wetlands and wildlife corridor would be better protected. Helen Dawson stated she could drop off information for Mr. Bernard to consider. Ms. Dawson stated the Conservation Commission just wanted to make sure the area would be protected and felt an easement would do the job the best.

Mr. Bernard stated although he was not sure how it would end up, he was open to considering any information he would receive.

Chairman Curley asked if all the Board members had read the minutes of April 13, 2004. George Helwig made a motion to approve the minutes of April 13, 2004. Michelle Jackson seconded the motion. No further discussion. All voted in favor.

CORRESPONDENCE:
1. Letter dated April 9, 2004 from Paul & Jackie Rushlow in regard to the Sullivan Subdivision.

2. Spring issue of The Source.


4. Letter and pictures from Center Sanders in regard to the Sullivan Subdivision.


6:45 PM Continuation of Case #04-07 for Jacqueline Sullivan. Michelle Jackson and Sandy Plessner both recused themselves from the case.

Shawn Sullivan stated he wanted to address the concerns of the abutters as well as the concerns of the fire department. Mr. Sullivan stated he had met with Chief Carrier concerning issues raised by the fire department. Mr. Sullivan stated one issue was requiring a sprinkler system in any home more than 1,000 feet from a fire pond. Mr. Sullivan stated he was in agreement with Chief Carrier. Mr. Sullivan continued by saying it was his understanding that houses that would be more than 1,000 feet from a fire pond that did not want a sprinkler system would have to alter the existing pond with improvements in order to make it a fire pond. Mr. Sullivan stated again that he was in agreement with the letter the Chief had sent at an earlier meeting.

Mr. Sullivan told the Board he had given a lot of thought to the issues raised by the abutters in regard to a buffer and he agreed that some kind of buffer should be in place. Mr. Sullivan stated he was willing to move the right of ways away from the stonewalls. Mr. Sullivan stated on the south side he could move the right of way so there was 10 feet between the right of way and the property line. (stone wall) Mr. Sullivan continued by saying by doing that there would be one owner on each side of the wall. Mr. Sullivan stated that
would still allow room for a 50 foot right of way for the driveways and utilities and still protect the stone walls.

Mr. Sullivan stated on the other side, the Sander home was fairly close. Mr. Sullivan was willing to move the right of way over 15 feet from the Rushlow / Sanders property line. Mr. Sullivan stated the 15 feet would be undisturbed. The area could be maintained but would preserve the character of the property by protecting stonewalls. Mr. Sullivan stated he did not want to see a row of hardy evergreens along there as it would destroy the character of the property as people want to see the stone walls. Mr. Sullivan stated if Mr. Sanders wanted help putting in hardy evergreens on his property, (Sanders property) he would help but he did not want anything in the buffer zone. (On the Sullivan property)

Mr. Sullivan stated he felt 15 feet would tie in topographically by allowing the 50 right of way to be located in a fairly level area going to the back lot.

Mr. Sullivan stated he felt he had addressed the major issues of fire protection, setbacks and the trees.

Chairman Curley asked if the 15 foot on the Sander side would be undisturbed and Mr. Sullivan stated it would be. Chairman Curley asked if Mr. Sullivan was willing to accept a condition that stated it would be a 15 foot easement that could be maintained but not disturbed. Mr. Sullivan agreed.

Katherine Dawson stated Mr. Sullivan did not mention the water concerns on that side while he was discussing the 15 foot buffer. After viewing the photographs that Mr. Sanders had submitted, Mr. Sullivan stated he knew it was not a wetland but understood there was spring and storm runoff as everything flowed that direction. Ms. Jackson asked if it was a natural sheet flow and all agreed it was. The pictures were discussed as to the flow of runoff. Mr. Rushlow stated it did filter down toward the pond.

7:00 PM Open to public comment.

Joe Plessner asked if the area being discussed was considered a wetland and was told it was not. Mr. Sullivan stated the wetlands had been mapped and that area was not considered to be a wetland. Mr. Sullivan added that a road or driveway could certainly be slopped so runoff was not disturbed. Mr. Plessner asked Mr.
Sullivan if the 50 easement was being moved over 15 feet from the wall and Mr. Sullivan said it was so you would have the 15 feet and the 50 foot easement for a total of 65 feet. Bob Sharon added that would allow the actual driveway to be more than the 40 feet from the property line so it would not be in the side setback.

Michelle Jackson stated it was her opinion from looking at the pictures, that it was sheet flow over a shallow bedrock surface and if an impervious surface were placed in the way of the flow, it would pond. Ms. Jackson felt any crossing, such as a driveway, would interfere with the natural flow and would have to be addressed. Chairman Curley asked how wide the area was and was told it was 50 to 60 feet wide. Chairman Curley stated a culvert could be placed under the driveway to maintain the flow.

Katherine Dawson stated she felt the Conservation Commission should take a look at the area and give the Board their opinion as to what would be needed.

A discussion ensued covering possible condition of approval that stated the flow of water would be the same after development as it was before. Board members agreed the development should not impact the water flow.

Pat Clark told the Board he was speaking for his wife, Susan, and for Center Sanders, because they could not be at the meeting. Mr. Clark stated Mr. Sanders had said there was a culvert crossing on the north side, about 40 feet, south of the Sanders property. Mr. Sanders had stated that although he knew the setback was 40 feet, he was willing to accept 20 feet to allow for whatever restriction the driveway placement might be because of the culvert. Mr. Clark also told the Board Susan and Mr. Sanders were both asking that no further subdivision be permitted.

Ms. Jackson asked why, other than benefiting the abutters, would the Town consider placing that kind of restriction on the subdivision as someone could buy the whole property, put in a road, and re-subdivide.

Pat Clark also stated Susan wanted to see the stone wall protected as well. Mr. Clark stated he thought Katherine Dawson’s recommendation that the Conservation Commission look at the property was a good one.
Sandy Plessner stated she felt Mr. Sullivan was maintaining the rural character of the area and would like to thank him for his efforts. Mr. Rushlow and Mr. Clark agreed and Mr. Clark added if a restriction was put on about no further subdivision permitted, it would help to protect the rural character. Tom Gallant stated he did not feel the Planning Board had the right to put that kind of restriction on as a developer could buy the land, put in a road and subdivide the acreage into 3 acre lots.

Pat Clark asked Mr. Sullivan if he was willing to go for a deed restriction and Mr. Sullivan stated he did not care but felt it would be something that probably could not be enforced.

7:20 PM Close to public comment.

After a brief discussion concerning culverts, deed restrictions and sheet flow, Katherine Dawson stated she wanted to take time to have the Conservation Commission look at the property. Ms. Dawson made a motion to continue the case until May 25th at 6:45 PM to allow the Conservation Commission an opportunity to look at the site. George Helwig seconded the motion. The motion passed.

7:25 PM Case #04-09 for a Subdivision for John & Sandra McArthur. Hearing no disqualifications, Chairman Curley told the Board he had found the application to be substantially complete and asked for a motion. Sandy Plessner made a motion to accept the application. George Helwig seconded the motion. No further discussion. All voted in favor.

Dennsi Rialland, engineer, gave a description of the property stating they were proposing to subdivide approximately 14 acres into two lots of 6.5 and 7.5 acres. Mr. Rialland stated the usable land would be 5.5 acres and 3.3 acres so they would meet the zoning minimum lot size.

Sandy Plessner asked if they had contacted the DOT for curb cuts for the properties and Mr. Rialland stated they had talked to them and the DOT representative had stated he did not feel there would be a problem but they had not formally submitted an application. Mr. Rialland stated there were natural high points on each lot that would be ideal for a driveway.

7:30 PM Open and close to public comment as no one spoke up.
After a brief description of the curb cuts that would be located across the road from the proposed subdivision, Sandy Plessner made a motion to approve the subdivision with the condition that the applicant obtain DOT curb cut permits. Bob Sharon seconded the motion. No further discussion. All voted in favor of the subdivision approval.

7:35 PM Case #04-10 for a Site Plan review for Kevin Hutchinson of A&M Limousine, Inc. Hearing no disqualifications, the Chairman stated he had found the application to be substantially complete and asked for a motion. Ms. Plessner made a motion to accept the application. Mr. Helwig seconded the motion. No further discussion. All voted in favor.

Kevin Hutchinson, business owner, explained to the Board they were proposing to use the site to park limousines on. They would set up an office in the small building on the lot and would have an answering machine to record calls coming in. Someone would stop by for perhaps a few hours to retrieve messages. Mr. Hutchinson stated they would park four limousines on the site and would perhaps expand that to five in the future if business improved.

Mr. Helwig asked if they would have customer parking and was told no as they picked up the customers.

Ms. Jackson asked if they would be servicing the vehicles on site and was told they would not except perhaps for washing the windows.

When asked about power to the site, Mr. Hutchinson stated there had been temporary power to the site but they would have to contact PSNH to hook up a more permanent power supply. Ms. Jackson asked about water and was told there was water available to the site. Bob Sharon asked about sewer and was told there was no sewer service for the site. The Chairman asked if there was a defined driveway and was told there was a clear area for entering and exiting the lot.

Ms. Jackson asked if the building would be heated and was told it might be but they did not know yet as it would depend on business. Mr. Hutchinson stated if they did heat the building they would use a monitor type heater. Ms. Dawson asked about storage of fuel and was told natural gas was available at the street.
Lighting was discussed. Board members told the applicant any exterior lighting would need to be downcast.

When asked about signage, the applicant stated they would abide by the zoning regulations for the Town.

When asked about plans to pave the lot, the applicant stated they might want to in the future. Ms. Plessner stated the original site plan approval for this site had a condition that the lot could not be paved without Planning Board approval because of the extensive wetlands surrounding the lot.

7:50 PM Open and close to public comment as no one chose to speak.

Joe Plessner asked about the sewer requirements and was told the applicant would only be on site a short time each day to retrieve messages. After a brief discussion, Board members agreed to make a condition for sewage if the business would change requiring more time at the site.

Ms. Jackson asked the applicant to show the location of the signage on the plot plan which the applicant did.

Ms. Jackson made a motion to accept the site plan with the following conditions.

1. Obtain a DOT driveway permit.
2. Signage to conform to the Tilton Zoning Regulations.
3. Downcast lighting for all exterior lighting-no spotlights.
4. Cannot pave gravel parking area without planning board approval.
5. Compliance with State Fire Codes.
6. No bulk storage of petroleum products on property.
7. No full time occupants without septage disposal facilities.

George Helwig seconded the motion. No further discussion. All voted in favor of the site plan.

7:55 PM Case #04-11 for a Site Plan review for PSNH.
Hearing no disqualifications, the Chairman told the Board he had found the application to be substantially complete and asked for a motion. Ms. Plessner made a motion to accept the application. George Helwig seconded the motion. No further discussion. All voted in favor.

Cory Johnston, engineer, described the site and the proposed work center. Mr. Johnston stated the site consisted of two lots that had a total area of 13.4 acres. The wetlands were shown as well as a dirt road that ran through the property. The work center would include an office site that would be 11,900 square feet, a truck parking garage site of 11,900 square feet, paved storage areas for transformers and a pole storage bunker area that would be lined with gravel, clay and an impermeable area underneath that. There would also be a vehicle shed area for PSNH trucks and an 80 vehicle parking area in front of the office building with 4 handicap spaces.

Mr. Johnston continued by saying they had run an 8 foot chain link fence, with barbed wire on the top, completely enclosing the back of the office building area as well as the garage area. The entire work area would be illuminated with down cast type of pole lights. The site would be on municipal sewer and a private well for water.

Mr. Johnston stated the paved area would be surrounded with asphalt curbing so all of the runoff was directed into catch basins containing oil / water separators. The catch basins would carry the runoff to an infiltration chamber (rows of perforated pipe) and then to a overflow structure that would outlet into a treatment swale. The other property, (garage side) would be set up in a similar manner.

Mr. Johnston made reference to a landscaping plan and stated shrubs and trees would be planted along the front and they would also have a flag pole.

Mr. Johnston stated they went to the Zoning Board of Adjustment for a variance as the voters had approved the regulation which stated there would be no structure within 20 feet of a wetland. Mr. Johnston stated because they wanted to upgrade the existing culvert and pave the dirt road, they felt they needed the variance as the town’s definition of structure was anything man made. Mr. Johnston stated the existing culvert is a 12 inch culvert and the area showed it was not enough to handle the runoff so they would be
changing it to a 24 inch culvert.

Mr. Johnston stated they had met with the Conservation Commission and had done a site walk. They had received a positive review from the Conservation Commission with a few recommendations. One recommendation was to have the fence go through the wetland area to allow wildlife to continue through the corridor and the other recommendation was to move a fence over further away from the woods to allow for a larger wooded buffer.

Mr. Helwig asked what the total lot coverage would be. Mr. Johnston stated he did not have that figure but he felt the coverage was around 50%.

Ms. Jackson asked about the wetland area and was told the wetland area was about 20% of the site.

Ms. Plessner asked if there were any plans of merging the lots and Mr. Johnston stated they would be consolidating the lots.

Ms. Jackson asked who the wetland scientist had been that did the delineation of the wetlands. Mr. Johnston stated Provan & Lorber had done the survey in 2003. The wetlands that were referenced on that plan were done by Globe Environmental in 1994 and were checked again by Provan & Lorber in 2003. Ms. Jackson stated it appeared they had done the wetland delineation according to soils and not by an actual wetlands survey and wondered if Mr. Johnston knew. Mr. Johnston, checking his files, stated the wetlands were actually delineated by Globe Environmental and Shawn Sweeny from Provan & Lorber in 2003. Ms. Jackson stated the plans needed to be stamped and Mr. Johnston stated he could have that taken care of.

Mr. Helwig asked if the trucking garage would be used for maintenance of vehicles and was told they would be and the building contained a series of trench drains that went through an oil / water separator and out into the sewer. Mr. Helwig asked if there would be any storage of bulk oil and was told they had a van that came on site to do the maintenance and they brought and took all oils so there would be no storage of oils on site.

Ms. Jackson asked how the building would be heated and was told it would be gas fired units.

Mr. Helwig asked how many employees would be on site and
was told there were a total of 63.

Ms. Jackson asked if there would be any storage of transformers on site and was told if they were brought back on site, they were stored in a proper container until they could be removed. Several minutes were spent discussing the transformers and the proper secondary containment that should be used as the area was located over an aquifer.

Rick Plourde, environmental department, addressed the environmental hazards and how they were handled. Mr. Plourde stated they were registered with the State as a small quantity generator. Ms. Jackson that because of the aquifer, she would like to see no exterior storage of hazardous materials unless they would have an area specifically designed with a concrete pad and berm area. Discussion continued on various aspects of the operation such as transformers and possible cleaning of spills created by leaking transformers and transformer storage and removal. Ms. Jackson asked if there was any other hazardous material and was told they would have a back up diesel generator on a concrete pad next to the building and 5 gallon cans of gasoline for cleaning tools.

Chairman Curley asked if the fire department would have access to the site and was told they would be supplied with a key.

Ms. Jackson asked if they would move the snow storage area on the second lot to get it further away from the wetland areas and was told they would.

Ms. Jackson asked what the building heights were and was told the garage was 21.4 feet and the office was 14.5 feet. Ms. Jackson asked how tall the flag pole was and was told it was 30 feet tall.

Ms. Jackson asked about the signage and was shown the location and told it would be 2 feet by 8 feet on metal posts about 5 feet above the ground.

8:30 PM Open and close to public comment as no one chose to speak.

Required permits were discussed and added to the conditions list.

Sandy Plessner asked if a sewer application had been
submitted and was told they had not done so yet. Ms. Jackson asked if they had spoken with the Franklin Waste Water and was told they did have authorization for other sites.

Ms. Jackson made a motion to approve the site plan with the following conditions.

1. Need to add wetland dimensions to plan and show buildable area dimensions. (i.e. remove wetlands from acreage)

2. Need wetlands surveyors stamp on site plan.

3. Need to show impervious surface calculations on site plan.

4. Downcast lighting for all lighting except flagpole.

5. Wildlife corridor in wetlands are to be maintained per Conservation Commission letter.

6. NHDES wetlands crossing permits/dredge and fill permit approval.

7. NHDES site specific permit approval.

8. EPA NPDES permit for storm water discharge.

9. Compliance with variance granted by the Tilton Zoning Board of Adjustment.

10. NHDES drinking water system/public water system approval.

11. Trench drains discharge approval by Sewer Commission and Winnipesaukee Wastewater Treatment Plant.

12. Because of the aquifer, all hazardous materials and hazardous waste is to be stored within secondary containment. Over packing of materials does not constitute secondary containment.

13. Compliance with State Fire Codes.

14. Provide gate key to the fire and police departments.

15. Flag pole will comply with Tilton Zoning flag pole
height regulations.

16. Signage will comply with the Tilton zoning signage regulations.

17. Snow storage will be predominately in the northern portion of the property in the easement area away from the wetlands. No snow storage in the eastern portion of R-20 Lot 1-10 adjacent to the wetlands.

18. Update DOT driveway permit.

19. Approval for sewer hook-up with the Tilton Sewer Commission.

Bob Sharon seconded the motion. No further discussion. All voted in favor.

The Board discussed their summer schedule as they only meet once in July and August. The Board voted to hold meetings on July 13th and August 24th.

9:30 PM Meeting adjourned.

Minutes prepared by,
Sandy Plessner