TILTON PLANNING BOARD
Meeting Minutes – July 27, 2010

(Approved with correction 8-10-10)

AGENDA
6:30 p.m. Call to Order
   Minutes of the June 22, 2010
   Correspondence and Other business
6:35 p.m. PB Case #10-04 – Continuation of Site Plan Review of Cloverdale Place.
   Proposed 20 unit multi-family residential development at 15 Joscelyn Lane
   in Tilton, NH. The property is located in the Mixed Use District.
   (Tax map U4 Lot 22)
7:05 p.m. PB Case #10-05 – Continuation of Site Plan Review of Walmart expansion.
   Sulloway & Hollis on behalf of Walmart to expand its existing store on
   East Main Street in Tilton, NH. The property is in the Regional Commercial
   District. (Tax map R24 Lot 21)
7:45 p.m. Continuation Scott Iver and Mark Johnstone from Belknap Subaru to
   discuss the land at 18 Bittern Lane. The property is in the Regional
   Commercial District. (Tax map R24 lot 5)

Members Present: Mike Curley – Chair, Sarah Paratore – Vice Chair, Deana Cowan, Joe
Jesseman, Nick Canzano, Robert Haberman and Sandy Plessner – Ex Officio.

Others Present: Casey Curley, Cheryl Briggs, Al Jesseman, Vivian Resnick, Hy Resnick,
Stephen Foster, Joe Plessner, Ashley Malcolm, Laura Fredland, Donna Rhodes, Katherine
Dawson, Gertrude Joscelyn, John Raffaelly, Jennifer McPhee, Virginia DeSousa, Marge
Hutchinson, Robert Hutchinson, Susan Cameron, Stanley Jarkowski III, Stacy Collins,
Michael Kitch, Laura Maynard, Irene Ultsch, Darren Donovan, Edward Redmond, Paula
Hiuser, Richard Maher, Scott Ives, Mark Johnston, Bill Johnston, Peter Hurst, Paula Hiuser,
Peter Imse - Atty, S. DeCoursey – Bolher Engr, Jason Plourde, Kevin Dandrade – Senior
Engr for TEC, Jay Surdskowski and Augusta Marsh.

Meeting: Called to order at 6:33 p.m.

Minutes: S. Plessner made a motion to bring the minutes up for discussion, 2nd
Deana Cowan. Motion passed. Sandy asked for a correction on pg 6 (to give us).
Motion made by D. Cowan to accept the minutes with the noted correction, 2nd by S.
Plessner. Motion passed.

Correspondence:
  • LRPS – Save the Date Sept 22, 2010 Commission Meeting – Moultonboro Public
    Safety Building 1035 Whittier Hwy
  • LGC – Municipal Volunteer of the Year Awards
  • LGC – 69th Annual Conference Nov 17-19, 2010 Radisson in Manchester
  • Wetland Regulation in NH Conference Sept 14, 2010 in Manchester, NH
  • The Source – Summer 2010
  • Belmont Planning Board & ZBA agendas
  • DOT – Driveway Permit Application Buzzy’s Restaurant & Pub permit #8262 will
    requires a closer look at traffic concerns along Rte 3.
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- Town & City July/August 2010
- ZBA notice of decision for Walmarts’ lights and sign size variance approval.

6:39 p.m.  PB Case #10-04 – Continuation of Site Plan Review of Cloverdale Place.

Jim Bolduc for Lepene Engineering & Surveying – We have made some revisions to the plans that I will go over with the board tonight. As you recall we had a continuation from the last meeting. There was a list of issues that the board had given us and I have some of those issues taken care of in the revised plans. I will be presenting Augusta with a transmittal letter (was read into the minutes) which addresses some comment received at the last meeting.

- NH DOT Drive Permit for Joscelyn Lane has been submitted and approved.
- Proposed improvements to Joscelyn Lane have been extended past the proposed driveway to for Cloverdale with planned improvements to the Simmons driveway approach.
- Existing wetlands have been verified and we are stating that the proposed project will have no wetlands impact or interfere with the natural runoff in the area.

Outstanding and under consideration from the land owner are variance related application, a traffic study, drainage designs and reports and other tasks discussed at the June meeting. We are requesting a continuation to the August meeting to address these outstanding issues.

We are also requesting the Town research and report on condition of approval and meeting minutes for the Joscelyn Lane subdivision approved by the planning board on Nov 17, 1970 and select board on Nov 19, 1970 to better understand the intent of those approvals as they relate to Joscelyn Lane.

D. Cowan asked if it would be possible to have the deed numbers so I can look them up. J. Bolduc states the deed numbers are on the original set of plans.

The proposed improvements to Joscelyn Lane (plan OV-1) we had the improvements to Joscelyn Lane stopping at lot 8 the Simmons property and having transition into a gravel area but after the last meeting we extended paved improvements past the proposed access to the apartment complex. All the driveways that we will impact we will pave and apron there leading into the Simmons property. Sheet R1 has better detail of the extension. You will also see extend profile up past Edwards St and the slope continuing up Joscelyn is over 16%. We have wetlands that are up hill from the proposed project along an existing stone wall. The Stormwater goes from the west to the east across the site and water builds up on the opposite side of the stone wall and forms a wetlands. The proposed improvements are downhill from the wetlands. The wetlands will receive the same waters that they receive now from the majority of the 10 acre property. We believed we have addressed that concern that we verified the wetlands are still there and the project will have no impact.
Still under consideration by the owner is the rest of the list for variance, traffic study, drainage and would like to ask for continuation so the applicant can address these issues.

S. Plessner – at the August meeting are you going to present these items. In my opinion there is no way to consider approval of this site plan without that information.

J. Bolduc – We are not asking for approval tonight we don’t have the information. Given the applicant’s approval and authorization we can have that.

S. Plessner – are you going to apply to the ZBA, this is a backland lot. J. Bolduc states the applicant will be applying and he is aware that the deadline is noon on Friday July 30th.

S. Plessner – you stated the wetlands were verified, who was the wetland soil scientist that did the work? J. Bolduc – Katie Surowiec.

S. Paratore – there is no lighting or snow storage plans? J. Bolduc – no which is under other related tasks to be submitted.

6:50 p.m. The board opened up discussion to the public.

K. Dawson – how can you continue this site plan review without them conforming to the zoning ordinance and seeking a variance with the ZBA for the density. The continuation should be contingent on them going to the ZBA.

M. Curley – the next ZBA meeting will be held on Aug 17. At the next PB meeting you will need to sign a waiver to continue beyond the 65 days.

Ashley Malcolm from Edwards St. – I am a little confused Mr. Bolduc was offered at the last meeting to extend to August to come back and he said he could get it all done for this meeting now he’s asking to continue to August.

S. Plessner – We are all a little confused.

J. Bolduc – I am waiting authorization from my client to do the work. If I had that authorization for the traffic study, drainage plan the work would have been done.

Robert Hutchinson 14 Grant St - On the east side of this property there is a row of trees that go from the bottom to the top of the hill that act a border line for the people who live on Grant St to this property. They absorb a great deal of water that comes off that hill. If this project goes thru I would like to ask they don’t take down these trees but leave them as they are today.

Laura Maynard 30 Grant St – The apartments are going to be in the same location right outside our house. He has had a chance to go before the ZBA to ask for variances and did not. Can I make a motion to table it?
M. Curley – He has 65 days for the planning board beyond that he will have to sign a waiver to continue.

Laura Maynard – Is it my understanding that he goes to the ZBA for the variance. Would the variance be granted that night?

M. Curley – The ZBA would either grant or deny that night. Then he would come back to the August meeting. If variance not granted there maybe alternates that they can do or we may table it.

7:00 p.m. Discussion closed to the public and reopened to the board.

S. Plessner suggest we move the this case 10-04 to the September meeting to allow J. Bolduc the time to get all the information such as drainage plan, snow storage plan, lighting plan, traffic study. We would need the material by August 24 to give the board time go send it out for peer review price quotes.

S. Plessner made a motion to continue case 10-04 to Sept 28, 2010 at 6:35 p.m. The additional material must to be supplied to the planning board by August 24th meeting so we can send out to be quoted for peer review. Motion seconded by D. Cowan. Motion passed.

A letter will be faxed over to J. Bolduc for the applicant to sign waiving the 65 day rule. If the waiver is not signed S. Plessner can take it to the Board of Selectmen for their approval of the waiver.

7:10 p.m. PB Case #10-05 – Continuation of Site Plan Review of Walmart expansion.

P. Imse – We have not yet filed any documentation with respect to compliance with the groundwater protection ordinance. Collecting the information necessary to provide an appropriate response to the town and identify the area as large as Walmart is more time consuming then we expected last month. We are starting to assemble that information we will get the final together. If a conditional use permit or variance is identified we will work on these issues. At this time I will turn the floor over to Steve DeCoursey from Bohler Engineering.

S. DeCoursey – I am the civil engineer on the project. We have a list of items for the last meet we will go over as well as address the letter we received from TEC working for Market Basket.

The variance for lighting and the traffic signs have been taken care of. Filing for the groundwater protection permit is in the works. Sanitary sewer service we have spoken the sewer folks we know what application we need to make that is part of the on going design we are working on. As far as water goes we did receive a water study and now in the process of working with the town engineer Stantec to try to get the appropriate application information filed.
We received a comment letters at the last meeting from the Conservation Commission and the Fire Dept. We have revised the plans and resubmitted last week and have not received comment back as yet.

One of the questions from the last meeting had to do with site drainage. Today there is a portion of the parking lot that drain in the direction of the catch basin in the parking lot that takes the water under Sherwood Drive, other basins direct water to the wetland systems. Nothing much is changing for the storm drainage. The only area that will change is where we will be installing the 12 ft strip of grass some of that will help with the small storms.

We had to reroute the sewer to go around the building extension. There is a reduction of 20,000 sq ft of impervious surface with the addition. We are collecting all the run off from the 33,000 sq ft addition and running it through a storm water quality unit.

The last item I want to address from the TEC letter is the 3 item which related to storm drainage. The reviewer noted that since we have over 25,000 sq ft of new impervious surface we would need a conditional use permit under new groundwater protection ordinance. We agree and that will part of the filing we area working on.

They also questioned if we would need to put a new Stormwater quality unit for the run off coming from the pavement to the pond in the back. We don’t think we do it’s the existing parking lot that is draining back there. Ultimately we know we have to go through DES and if they think we need to do it we will put it in.

J. Jesseman – There a number of drains on the west side and I looked into the drains and a number of them have oil sheen on top of the water. That water is going to pond and the aquifer. Wondering if the water is tested in those locations if so how often and by whom? Also the soil and mulch have been moved out to the parking lot but a not under cover and could still leak into the ground water.

S. DeCoursey – It something we will have to do is put together maintenance schedule to come out on quarterly basis to inspect, test the basins and clean if it required. The soil and mulch storage will also be address under the ground water protection plan.

S. Plessner – Has a question on the new road entrance. The issue has been brought up concerning a stacking problem for Market Street. Has the amount of traffic coming out of Market Street been studied and if you are sending traffic beyond there to turn in further up. This could create a problem with traffic trying to get out of Market Street.

S. DeCoursey – The traffic engineer will address this issue and others in the TEC letter.

Jason Plourde with Freeman and Peterson.

At the last hearing we presented the initial findings based on our traffic review and prepared a traffic study based on the scope set and established by the NHDOT. The town
was invited to the scoping meeting on May 14, 2009, #1 to determine the study area and intersections we should be looking at, #2 the time periods we should be looking at, and #3 any kind of developments or roadway improvements or growth rates that should be incorporated within our findings.

At the last hearing we talked about how we came up with third driveway in order to provide more of a relief for #1 conflict of vehicles and pedestrians in the front of Walmart. #2 a lot of vehicles are observed trying to come down to the bottom corner then having to turn up toward Sherwood Dr or back to Market St. and #3 the installation raised island down the center to prevent cars from cutting diagonally across the parking lot.

The letter from TEC dated 7-22-10 has 2 traffic questions. The first one requests that the traffic study be expanded to include an analysis of the intersection of Market St and Sherwood Dr. based on the additional traffic due to the expansion. The thought process of putting in the 3rd driveway is a relief valve for customer to be able to north driveway, the bottom driveway and the one onto Market St. This will be self regulating as customers determine which way they want to go when they see cars stacking.

Based on the analysis at the last meeting we had over estimated the impacts of the traffic study. The site today is generating between 13 & 17 percent lower than what the institute of transportation engineers says that type of facility should be generating. We had to use higher rates to take into consideration for the expansion and also the delta of what was counted and what ITE would normally project it to be. In reality it could be lower than what has been projected.

Having the 3rd driveway the cars could enter the site off Sherwood rather than off Market St. Exiting traffic will be reduced off Market St as they will be able to come out this driveway under stop control. A car stopped at this driveway and one stopped at the end of Market St could turn out on to Sherwood at the same if a break in traffic allow this. We are shifting traffic to be able to have 3 different entrances and exits.

S. Plessner – Traffic passing by the Market St intersection to the new drive further up may delay the number of cars coming out of Market St. There is very little traffic that goes straight thru on Sherwood Dr. to the homes in the back. This allows Market St to empty because of the turning lane onto Sherwood Dr. Now allowing traffic to continue past Market St further up to the new entrance will slow the traffic down coming out of Market St onto Sherwood Dr.

J. Plourde – What I have observed out there that not a lot of people that are turning right onto Market St are using their directional so the cars coming out of Market are still waiting to make sure the other cars are turning. People coming straight thru would be able to bypass that turn lane at the same time they would be able to turn out. We would be reducing traffic that would be turning onto Market Street.

S. Plessner – This may be causing more delays for people getting back out onto Sherwood.
S. DeCoursey suggested they would do more analysis of this intersection and get back to
the board with more information.

J. Plourde – The seconded traffic item on the TEC letter was expanding the study area to
the west of Sherwood Drive to quantify the impact results of the proposed expansion. Rte
3 is under state jurisdiction and our scoping meeting had our study area go from the signal
at Sherwood and Rte 3. In the letter is also included Lowes but the state is looking to that
at this time. The state asks for intersections that are space a quarter of a mile apart that is
the maximum limit for a coordinative system. We still have to go thru the permit application
with the state and will coordinating with the state and if they want include that intersection
we will include it.

M. Curley – how many trips did you figure for the expansion? We figured based on the ITE
methodology we are considering 149 new trips per weekday evening (total entering/exiting)
55 additional trips on Saturday midday. We are talking about 1 car every 2 minutes in the
evening and every 4 minutes on Saturday midday.

M. Curley – When you did turning movements thru the intersections did you do each on
individually along Market St. We didn’t Sherwood and Market but we did get Walmart
driveways and intersections from Rte 3 at Sherwood Dr going east to Tanger Outlets. We
did internal traffic for our driveways.

P. Imse – The next item I wanted to discuss is the status of architectural issues. Last
month there were comments from the board about alternative designs for the façade of the
building. We were trying to setup a meeting with a couple of the board members to get
some input as to what the board might be looking for. In the last week or so we did receive
some photos of possible ideas to be considered. It was a little too late for the architects to
analyze and change. We would like ask meet with the board to go over the ideas for the
façade and share some ideas before the next scheduled meeting on Aug 24. We hope this
could be scheduled before the next meeting.

S. Paratore – One question that occurred to me when discussing the possibility of Walmart
being open 24 hrs a day. If is open 24 hrs is there Walmart security in the parking lot or
would that be an additional burden on our police department?

S. DeCoursey – We have had a discussion with the Chief of Police concerning the
expansion and he did have some question about security. I don’t expect a letter from the
Chief but if the store hours were to change to stay open 24 hrs we would have to revisit the
issue.

S. Paratore – Is there security cameras outside?

D. Dononson – We do not have any security camera on the outside of the building. When
this expansion is complete we will have the cameras in place and running 24 hours a day.
We also have inside security person who work on a 40 hr week schedule and in store
cameras that are monitored. These cameras are connected to a DVR system.
S. Plessner – Asked if they considered changing the lights to amber lights which would put out less light pollution.

S. DeCoursey – The new lighting will be per the new lighting ordinance so it will be mix and match. Per the ordinance we have 10 years to bring the reminder of the lighting up to code.

7:40 p.m. Open to the public.

Kevin Dandrade – TEC Sr. Engineer for Market Basket.

We have retained by Market Basket to see what might impact traffic or drainage prospective for the operation of their site.

You noted some of the potential issues with not having analyzed Market and Sherwood. This is a hole in the study and is something that needs to be addressed. Even if there was no expansion just a new curb cut we would see the same types of issued described by the board. With the 33000 sq ft addition there is obviously additional new trips. The total number of new trip during a weekday evening is 207 and 71 on Saturday midday these are called thru trips.

The intersection is more or less at capacity. The left turn lane coming from town and turning left into the site can stack up for quite a ways. When looking at the numbers and the striping out there is exceeds the capacity. This would require a double left turn lane but there are practical limitations at the bottom of hill there is a cemetery and Agway parking lot. At a minimum they should look at extending available room in the left turn hand pocket. When coming from the highway you have multiple options with right hand turn there a very little delay.

We are very concerned with having the new driveway with having all them currently turning at the primary entrance passing by and adding another level of conflict with increased volume at Market and Sherwood. I have discussed other alternatives with Mr. Plourde for changes and traffic control there. We want to make sure that whatever changes that are being proposed does not negatively impact the large volume of traffic that visits the Market Basket site.

Drainage – there some work they still need to do for the ground water protection filing. When you look at the water quality unit in the back is treating roof water which is very clean. Maybe they should be treating the parking lot run off than the roof run off.

M. Curley – asked what is the level of service at the intersection of Rte 3 and Sherwood Dr? K. Dandrade there is a summary table in there traffic report.

K. Dawson – Traffic counts to Walmart but how many were counted to Market Basket, Northway Bank and TD Bank. You have not done a traffic study on Saturday morning and see the congestion that is in that area.
J. Plourde – The traffic count we did included all traffic from residents, Walmart, both banks and Market Basket.

P. Consentino – How long was the count done?

J. Plourde – We were out there during the week and on Saturday.

S. Paratore – What are the numbers of everyone going in and out verses people going just to your store.

J. Plourde – Depends what location you are looking at. That number is 207 per hr in the evening and 71 on Saturday midday from peak hours 11 to 12 p.m.

K. Dandrade – TEC doesn’t have any issue with the way the traffic study was done.

Ed Redmond – There nothing friendly between the 2 stores and there is no way to go from one store to the other without going back out on Market St. Any thought of connecting the two parking lots so people and go back and forth without going back out on to Market St.

Pat Consentino – I was wondering if we had the Chief put his trailer on Sherwood Dr. going towards Rte would the numbers match.
  a) There was discussion of a sub-committee to be working on the façade – as non-public.

S. Plessner – We can have a sub-committee and it would be posted just like and other committee and the public would be invited.

P. Consentino – I have been stopped many times on the street and had people ask about the Walmart expansion and a lot of people are worried about the traffic build up. How are they going to be able to get in and out that area? My other concern is there is a high percentage of elderly people in the resident in the back how is that going to impact them coming out on to Sherwood Dr.

My other concern is going from midnight to open 24 hrs the and discussing this with the police chief as a courtesy the Board of Selectmen would like to be involved. The police budget is huge and the taxpayers have a right to know the impact this would have on the fire and police budgets.

K. Dawson – We live this traffic everyday and what used to take 5 minutes to drive not takes 15 or more due to traffic. I check with our finance person and was told that when there is an emergency/accident or shoplifter the cost per hour for the police is approximately $30.00 per hr. From Jan 1 to July 7 there were 106 calls to Walmart that a cost the taxpayers of the town of Tilton of $3180. That doesn’t take into consideration the 12 arrests, fire/medical calls and motor vehicle accidents. The cost to the towns incur when these stores expand are huge on the town’s budget and taxpayers.
Casey Curley – I just wanted to point out that is not that difficult to from one store to the next. When coming out of Market Basket you can turn right into Walmart.

Steven Foster – Traffic is a problem. It has been a problem ever since all these other businesses have been popping up like Lowe’s, Kohl’s, Tanger Mall, and Home Depot. If Walmart doesn’t expand there will be another store coming in. Traffic comes with growth.

8:05 p.m. Closing to public discussion and reopening to the board.

S. Plessner – suggest at we set a time to meet to discuss the design questions. We could have the meeting on August 10th at 6:35 p.m.

**Motion made by S. Plessner to meet on August 10**

**th**

**th** at 6:30 p.m. to sit down with the Walmart representatives to discuss the façade of the building and ideas of the way we would like the building to look and August 24th at 6:35 p.m. there will be a continuation of site plan review Case 10-05 for Walmart. Motion seconded by D. Cowan. Vote taken, motion passed.

8:25 p.m. **Continuation** Scott Ives and Mark Johnstone from Belknap Subaru to discuss the land at 18 Bittern Lane. The property is in the Regional Commercial District. (Tax map R24 lot 5)

S. Ives – The purpose of coming back tonight was to give the board the time to walk the property and begin a dialogue of what could possibly be done there.

S. Plessner – I did go and walked the property. What makes it difficult was we didn’t have any plans to go by. We looked at the trees and how far from the water they were and where you could and couldn’t see from the roadway. My biggest concern is you may not be able to do much cutting along Rte 3 itself. The embankment there is steep and what is there probably helps to hold the bank in place. As far as the wooded area we need have more direction as to what you want to take down.

D. Cowan – I also walked the property with Sandy and we were under the assumption that you wanted to clear cut everything for visibility from Rte 3. A plan would be very helpful.

S. Ives - We are probably not going to site both dealerships as originally discussed. The facility size would be scaled back. What we don’t want to do is to cause any type of problem with the eco system that exists there. Our goal would be to build that facility make the pond and the land around it a focal point for the dealership.

Our concern and the manufactures concern in sitting the dealership here is driving down Bittern Lane there is a group of trees that obstruct the view from Rte 3. From the interior of that site most of what is blocking the view is sumac and shrub stuff that goes up when a property is not maintained for several years. I don’t know it is necessary to take down everything that is section it may just need a good thinning out. There would be some
cutting in that area and what we would try to do is plant suitable types of shrubs and grass to anchor the sides of the pond to allow the view to utilize and access.

N. Canzano – What I think is you have a piece of land that you want to develop but there are variables that need to look at first. You need to decide where you would be putting the building and how that would impact the wetland area. At that point you should have to deal with DES and they will let you know what you can or can’t do.

S. Ives – There is a site plan that was approved for this area that was very well put together. At this point we are not recommending a plan. We are just trying to get some sense what may be able to take place there. If the findings of this board is that nothing can change from the site the way it currently is that would preclude the use of the site for this purpose. The manufactures would not approve the dealership from being there.

S. Paratore – When I walked the site my first thought was we need conservation here. This is not a judgment this board could even make. Then I see tonight that the conservation commission had some of the plans. My suggestion is that perhaps a meeting with the Conservation Commission could answer your question before you go any further.

S. Plessner – We need to know where the wetlands are and the other plans may show that. The town has a 20 ft buffer out of the outside the wetland area that the board adheres to. The board looks at the area in the 20 ft buffer. The wetlands areas are determined by DES.

S. Ives – We are trying to get a feel from the board is in a mind to help us develop the property in a fashion that protects the pond but also allows us to do business. We are aware of the fact this is an area where a lot of business is done and the flow of traffic that already exist there. It makes for a very good site for out type of business. We are looking for visibility when looking down Bittern Lane to have good visibility.

S. Paratore – In order for the board to answer your question without a plan that shows how far into the wetland buffer you are going to go. Special use permits have been granted in the past. The original site plan there was mitigation with DES they work with them to develop a plan.

S. Ives – The process would be to talk to Conservation Commission first and then DES.

The board advises that they should go to DES first and you should have a plan for them to review. Then you could back the planning board with a site plan at that time we send a copy to the Conservation Commission to review and give any comments.

P. Hiuser – Volkswagen Audi had an approved site plan

S. Plessner – They are talking about changing the plan so they would need new plans. If they were going to use the identical plans then they have that already. If any changes to the original plan are made then you would have to do an amended site plan.
S. Ives – Thank the board for their time and suggestions.

Motion made by M. Curley to adjourn meeting, seconded by S. Paratore. Vote taken and motion passed.

Meeting adjourned at 9:15 p.m.

Minutes prepared by Augusta Marsh

(Minutes subject to the review and approval at the next schedule Planning Board meeting)