

GOFFSTOWN PLANNING BOARD  
MINUTES TO MEETING OF JUNE 9, 2016

In attendance were Barbara Griffin—Chairman, Phil D’Avanza—Vice Chairman, Jim Raymond, Tim Redmond, Kimberly Peace (at 7:15 pm), Michael Conlon, and Allen Brown—Selectmen’s Representative. Also in attendance were Jonathan O’Rourke—Planning & Zoning Administrator, Darrell Halen & Timothy Heroux—GTV audio & video technicians, and Gail Labrecque—Recording Secretary.

Barbara Griffin called the meeting to order at 7:06 pm. She asked the Board to introduce themselves. There were 15 people in the audience.

**MINUTES—meeting of May 26, 2016**

**Tim Redmond made a motion to approve the minutes to the Planning Board meeting of May 26, 2016. Allen Brown seconded the meeting. VOTE: 5-0-1. Barbara Griffin abstained. All in favor. Motion carries.**

**ACTION ITEMS**

**Appointment to the CIP Committee**

Barbara Griffin explained a Community-at-Large member of the CIP Committee has stepped down and Gail Labrecque, who is traditionally there as Recording Secretary, was asked to be a Community-at-Large Member.

**Tim Redmond made a motion to appoint Gail Labrecque to the CIP Committee. Jim Raymond seconded the motion. VOTE: 6-0-0. All in favor. Motion carries.**

**OLD BUSINESS:**

**Map 5, Lots 56, 56-1 & 56-5, Completeness Review/ Final Subdivision & Site Plan Review Hearing for a proposed lot line adjustment between lots 56, 56-1 and 56-5, along with merging lot 56-5 into lot 56-1. Also being proposed, is to build four (4) new self-storage buildings on the newly created lot 56-1 that presently already has a self-storage building located on it. The first self-storage building will be 8,600 sq. ft., the second will be 8,100 sq. ft., the third will be 9,200 sq. ft., and the last self-storage building will be 6,000 sq. ft. Property Owners are: Denise B. Langley Trust & Mast Road Self Storage, LLC located on Mast Road & Tatro Drive, Zoned: Commercial, Industrial Flex Zone (CIFZ)**

Jon O’Rourke said we looked at this previously. The things that needed to be addressed were DPW comments and landscaping. They are here with their revised plans.

Jeff Merritt presented for the applicant. This is a lot line adjustment, a merger, and a site plan. At the conclusion of the last meeting, we were asked to address the DPW comments. We’ve revised our plans and Meghan Theriault has reviewed the project. She has a few minor comments we have no problem addressing. The other issue was landscaping. Referring to a plan on display, he said the slope is a fill slope and had no landscaping. It is directly adjacent to the Rail Trail. We’ve modified it and have three areas of landscaping. Three trees will be planted in each bed. He’s not sure it would be visible from Mast Road during foliage times because of the buffer there. But it should help break up the long expanse on the rail trail. We had submitted a waiver request for landscaping. The regulations on landscaping require one tree and two shrubs per 5,000 square feet of total lot area. We have a lot that is nearly ½ million square feet, resulting in a need for 98 trees and 196 shrubs. We are proposing, combined with Phase 1, the existing building, plus Phase 2, is a total of 38 trees and 139 shrubs on the site. We still need the waiver and ask the Board grant the waiver for us. There are no other changes to the plan or scope of the project.

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Tim Redmond asked if the three planting areas are the only addition to the plan. Everything else shown was on the last plan.

Jeff Merritt said that is correct. They counted the existing trees along the site and added that in. The number is reported on the plan.

Tim Redmond said, percentage wise, you have less than half on the trees and slightly over half for the shrubs.

Jeff Merritt said that is correct if you look at total lot area. If you look at the disturbed area from Phase 1 and Phase 2, we are about 62% compliant with the tree calculations, and 106% of the shrub calculation.

Jim Raymond asked the Town Engineer to review her comments.

Meghan Theriault said almost all of her comments were addressed. There were three left—one was the access road to one of the ponds. She requested a gate and they were going to add that. There was a minor note about a retaining wall, and there is something about upsizing the pipes because of surcharging. They are minor enough that she can address those with those conditions added.

Jim Raymond asked Jon O'Rourke his opinion on the updated proposal for landscaping.

Jon O'Rourke said there were several amounts brought up by the Board as to what would be appealing. This makes it more attractive. It's nice to have the visual buffer.

Tim Redmond asked the time frame for it to grow out.

Jeff Merritt said he doesn't know. It depends on how much water it gets. What is shown is the mature width of the trees, not the planting width. Hemlocks grow faster than deciduous trees.

Jim Raymond said the trees often die. He asked if we have a procedure on the Town side to have a follow-up to see that they've met their part of the plan. We can put it in as a condition subsequent that they have to provide that report to us after a year.

Jon O'Rourke said if we eventually get a zoning person they would be able to inspect the site plans. His understanding is that the applicant is required to maintain the landscaping.

Kimberly Peace said there is a note on the plan that the plantings are guaranteed for a year.

Michael Conlon asked if there were further comments from the Conservation Commission.

Kimberly Peace said they don't meet for two more weeks.

Barbara Griffin said Goffstown has been considered to have minimal landscaping compared to other towns. This site is elevated and it's not possible to put things in between the buildings. This won't grow to a height to block the view of the buildings.

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Jim Raymond said we described it as a softening.

Tim Redmond said we should screen junkyards, but people should be able to see commercial buildings.

Allen Brown said these aren't tall buildings. You won't see much of them.

Meghan Theriault said she didn't add conditions about inspections. They had agreed last time there would be no private inspection. There was a letter from the engineer stating that the site was built in conformance with the plan.

Barbara Griffin re-opened the public hearing. There was no public comment and the public hearing was closed.

**Tim Redmond made a motion to grant the waiver request from section 6(C)(7) for the lot angle and Section 6L for Site specific soil mapping. Phil D'Avanza seconded the motion. VOTE: 7-0-0. All in favor. Motion carrier.**

**Tim Redmond made a motion to approve the lot line adjustment in plan presented, dated April 12, 2016 , merging lot 56-5 into lot 56-1. Allen Brown seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

Tim Redmond said the applicant did a good job in the adjustment to the landscaping plan. The lot is so large to plant that many trees you wouldn't see the building when done.

**Tim Redmond made a motion to grant the waivers Section 4(A)(5) for the plan format, and Appendix F Landscaping and Screening Standards, Section 2(2)(a), with the finding in accordance with Development Regulations Section 8(E), that strict enforcement of the regulations doesn't affect the intent of the regulations. Phil D'Avanza seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

Tim Redmond asked if the comments from the Fire Department should be included or are they part of the Building Department.

Barbara Griffin said it is her understanding that they go to the Building Department.

Barbara Griffin asked, regarding the retaining wall, if Meghan Theriault would inspect it or if a certification by the engineer was sufficient.

Meghan Theriault said she will look at them but if they need to be reviewed. There was no information on the plan.

Jeff Merritt said they haven't shown it. It may be a boulder wall or a precast wall. There is one over four feet.

Meghan Theriault said she wrote that they were to be approved by DPW.

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Barbara Griffin said on sheet 5 they would have a section of fence with a gate for safety. The retaining wall design will be reviewed and approved by DPW or their design consultant. There was an issue with the storm drain for the closed system.

Meghan Theriault said they had no issue with addressing it but she's not seen the new calculations.

Jim Raymond asked if we are looking for a different design or to play with numbers.

Meghan Theriault explained what surcharging is. The design storm is a 25 year storm and you can't have more than 12 inches. They can't be above the pipe. They have to change some of the pipes but she doesn't expect it to impact the detention ponds. They need to update the Hydro Cad.

Jim Raymond clarified they are making changes to the pipe.

Barbara Griffin said these are changes to the plans. They aren't minor from our standpoint. She relies on staff before she signs a plan. If a plan needs to be changed before she signs it, it needs to be revised in their motion.

Jim Raymond asked if we have to confirm there is no surcharging, or if there is, they will revise the plans to eliminate the surcharging.

Barbara Griffin said the access road will have a section of fence and gate erected to the satisfaction of DPW; the retaining wall design will be reviewed and approved by DPW—a condition precedent; a statement to that construction will be included in the engineer's certification revise plan and study Hydro cad to eliminate the surcharge.

Meghan Theriault said the condition subsequent will be the letter.

Jim Raymond asked if we want to include something in there about the dead plantings.

Barbara Griffin said we have the right to follow up on that. Maybe we can look at our development Regulations to have something specific to do it.

Allen Brown said there are teeth in it with a note on the plan. He doesn't foresee them having an issue.

Jim Raymond said it's there, but it's only if we see it. This is a requirement we are imposing. We want to make sure it is done.

Tim Redmond said it comes down to the land owner being responsible in maintaining the property in perpetuity, not for just a year until we all forget about it. The Zoning Administrator has only so much time and we bring them up from time to time.

Barbara Griffin said, we now have 11 conditions precedent.

**Tim Redmond made a motion to approve the site plan with the following:  
Conditions Precedent:**

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1. Note on plan the Board's final written decision, including any waivers, conditional use permits, and outstanding conditions of approval, or conditions subsequent, as required by Chapter 266 (SB 189)
2. Appropriate professional stamps and signatures.
3. Certification of bounds.
4. Provision of digital files, AutoCAD submission on North American Datum of 1983 (NAD 83) and North American Vertical datum of 1988 (NAVD 1988).
5. Drainage maintenance agreement required.
6. Detail for lighting shall be shown on the plan. All new lighting shall conform to Standards in section 8.3 of the Zoning Ordinance.
7. Demarcation will be required in accordance with Parking and Loading Requirements, Section 7.1.2 and 7.1.4 of the Zoning Ordinance.
8. Review and determination(s) of plan(s) does not exempt applicant from obligation to meet all applicable required codes, including but not limited to Building, Electrical, Health, Safety, Fire, etc.
9. Sheet 5—Access road to detention pond off SW corner of the parking lot to have a section of fence with a gate for safety, erected to the satisfaction of DPW.
10. Retaining wall design to be reviewed and approved by DPW or DPW's engineering consultant.
11. Revise the plans to eliminate surcharging and update the Hydro cad study for the 25 year storm event.

**Condition Subsequent:**

1. A letter of certification from the project engineer at the completion of the project stating that development was done in conformance with the plan.

Jim Raymond said the applicant made a comment about the coloring being compatible to what is existing. They are held to that. But it wasn't on the application itself.

Barbara Griffin read from the minutes of May 26<sup>th</sup>. She takes it to mean the colors will be the same as what is currently on the site.

Tim Redmond said that is what was represented.

Barbara Griffin noted the Board agreed that is what was said, and that the applicant was shaking his head in agreement.

**Allen Brown seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

**NEW BUSINESS:**

**Map 5 Lots 56, 56-1, 56-4 & 56-5, Time Extension Request for the Approved Conditional Use Permit and Site Plan Application for to build a 2,692 Sq. Ft. office building on lot 56. The proposed access/driveway to the office building will be crossing lots 56-1 and 56-5. This site plan was approved back in May 2014. The applicant has one year from the date of approval to meet the conditions of approval. A previous time extension was approved in June of 2015, and since that time frame is about to expire, the applicant is coming before the Board to ask for another time extension to allow for more time to meet those conditions. Denise B. Langley Trust & Mast Road Self Storage, LLC located on Mast Road & Tatro Drive, Zoned: Commercial, Industrial Flex Zone (CIFZ)**

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Barbara Griffin said this is a previously approved plan for a one story office building, which would be behind the storage building. There was no TLC on this because no changes were proposed. There have been no changes in conditions, and there is no request to change conditions.

**Tim Redmond made a motion to find the application is complete and ready for review, and has no regional impact. Phil D'Avanza seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

Jim Raymond asked if there have been any changes in regulations or zonings that would impact this.

Jon O'Rourke said there have not been that he is aware of.

Barbara Griffin said this seems fairly straight forward.

Barbara Griffin opened the public hearing. There was no public comment. The public hearing was closed.

**Allen Brown moved to grant the requested extension to May 23, 2017. Phil D'Avanza seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

**Map 6 Lot 18, Completeness Review/Site Plan Amendment to a recently Approved Site Plan/Conditional Use Permit for the existing YMCA Allard Center, that was approved on February 12, 2015, with the plan being signed January 14, 2016. The proposed Site Plan Amendment is to change the location of the proposed addition from the side of the building to the rear of the building. The proposed addition will decrease from 4,112 sq. ft. to 4,101 sq. ft. The property owner is "The Granite YMCA", located on 116 Goffstown Back Road, Zoned Agricultural**

Jim Raymond disclosed he is a member of the Board of the YMCA, and is a past president of the Concord YMCA.

Jon O'Rourke said the YMCA is adjusting where they are putting their teen and elderly center.

Barbara Griffin said there are other considerations at the time this was approved on page 12 of the Board's packet. There were additional comments the applicant can talk about, as to whether they have been addressed.

**Jim Raymond made a motion to accept the application as complete and ready for review, and to find it has no regional impact. Tim Redmond seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

Jason Lopez, from Keach Nordstrom, presented. The project has had a long history and has been before the Board a number of times. The agreements will be maintained. There is a drainage agreement between the YMCA and Medville Co-op. There is a private agreement with Rita and Normand Proulx to adjust landscaping, which will hold. There is another agreement for off-street parking of busses during events. That will stay in place.

Barbara Griffin asked if the landscaping agreement is part of the drawings they have tonight. There was a change at the end where the entrance was adjusted. What was the issue with the busses?

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Jason Lopez said that is included. The concern with the busses was that they would take up too much space and parking wouldn't be available. They made a private agreement and busses would be stored off property during events. It is with Goffstown Truck. He had a plan on display for the Board to view. He pointed out the initial, side entrance, for which the site plan was approved. The contractor looked at the cost of steel framing. It was noted that we could save a lot of money by moving it. We can reduce the amount of fill we need. The structure is a pre-fat and is cheaper. They wouldn't need to do interior work to relocate the AC units. To be good stewards of money, they are looking to make these changes. They are proposing to relocate the entrance around the corner. There is an old gravel access road that will be relocated to the toe of the slope. We also need to have emergency access. The Fire Department comments say it doesn't comply with the area of refuge. He called Lt. Connor to clarify. They worked it out that it is an Exterior Area for Assisted Rescue. The gravel road needs to be maintained year round to service the building. There are minor drainage comments. They have no issue with meeting those. The Fire Department comments are already addressed. The plans you have already have those comments worked in.

Michael Conlon asked if air conditioning units would be relocated.

Jason Lopez said they won't. They positioned the building to minimize the impacts.

Phil D'Avanza asked about the gravel roadway.

Jason Lopez said the Fire Department is looking for emergency access out of the building that needs to be to a public way—a travel way maintained year round. We worked it out with that that we have the existing gravel road to the pool house. We need to extend that and include detail on that cross section.

Phil D'Avanza said he was questioning the term of a path, which is for pedestrians. Is it capable for taking people out?

Jason Lopez said it would. A vehicle can access it.

Barbara Griffin asked if they are proposing signage for emergency vehicles only. She can see, based on parking there some time, people like to park as close as they can to the door. They park all over the place.

Jason Lopez said there is no signage on the plan.

Hal Jordan said there is only one way in and one way out. We've had a gravel road there all along. No one other than staff has gone down there.

Tim Redmond asked how wide the road would be.

Jason Lopez said it would be 10 feet. That wasn't discussed with the Fire Department. It is more for medical/ambulance access. He and Dennis Meyer's met with Lt. Connor.

Tim Redmond asked if the Fire Department had comments regarding the access road.

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Jason Lopez said the only concern was the angle of deflection, making sure their trucks wouldn't hit. We explained that through the grading.

Barbara Griffin addressed the comments from DPW.

Meghan Theriault said she was looking for a detail on Sheet 10 to understand how the water is flowing out there. There are no major drainage issues. Numbers generated from the site are minimal. Her concern is how the grades meet each other. She's concerned about where the grades meet water may wash across the gravel access path/road. Sheet 11 reflects missing drainage pipes. She'd like to know where the drainage pipes in the pool area and where it outlets. The drainage concerns are how water is flowing so they are addressing water problems in case they need to be in drainage swales. Regarding the post flows, in 2007 we were concerned about drainage issues in Medville. They had reduced the flow a certain amount. Now the flows are higher than what they were last time, but they still have overall improvement from the pre 2007 numbers. It was less than 1 cfs.

Jason Lopez said they wanted to hold to the integrity of the agreement with Medville. They are going back to the pre 2007 numbers of that time.

Barbara Griffin asked what Meghan Theriault would like to see on the drainage issue.

Meghan Theriault said she recommends some spot grades.

Jim Raymond asked if we are looking for a performance standard or a measurement.

Meghan Theriault said it's a matter of which way it's pitching, and that they are adequately dealing with where drainage goes. She's not telling them how to address it, but that it needs to be addressed on the plan. Drainage is such an issue for the downhill abutter.

Jim Raymond said we need to verify the drainage is adequately handled. He asked about the color of the addition.

Dennis Meyers, architect, showed a rendering of the building and addition. It will be a steel framed structure similar to a prior addition on another side of the building. It will be matched as closely as they can to the color of the prior addition. The capacity of what they mislabeled as an area of refuge is required to have space for two wheelchairs. There is a gate at the top of the driveway that is normally closed but opened for special events. It keeps daily traffic out of the back part of the property.

Kimberly Peace asked if it would cover all the windows in the fitness area.

Dennis Meyers said it would cover some. The ones inside won't be blocked but they won't see outside daylight. They will see other activity. This is similar to the other site location and isn't seen from the road.

Tim Redmond asked where we are with the parking on site. Have they met the required spaces?

Jason Lopez said on the previous site plan we received a conditional use permit. We used Steve Pernaw for a traffic study and a study on the parking requirements. Based on his study, we determined we

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didn't need as many spaces as were required. So we went to the ZBA to ask for relief. That was denied. We got a CUP from the Planning Board for future use.

Barbara Griffin addressed sheet 1 that has 18 future spaces proposed, and another 15 spaces proposed but not constructed.

Jason Lopez said the conditional use permit was to show them on the plan so if we need them in the future we could build them.

Barbara Griffin said that is referenced on page 12.

Tim Redmond said in the winter with the snow, he visited the YMCA. He noticed spaces on the side of the front of the building are roped off for snow falling off of the roof. If they are going to be counted as spaces, they should be available for use.

Hal Jordan said the snow comes off in sheets. We can't remove it until it all comes off the roof.

Tim Redmond said shame on us for approving parking next to the building when snow comes off of the metal roof.

Hal Jordan said it's about 25 spaces on that side.

Tim Redmond said we should take this into consideration in future approvals, and possibly hold you responsible.

Hal Jordan said we couldn't use the cleats. The best we can do is to wait for it to come off and haul it out of there. There are plenty of spaces in the west lot.

Tim Redmond said if he'd known about the snow removal he might not have been agreeable to the waiver for the 15 spaces.

Kimberly Peace asked if there are actually 15 spaces available. People park everywhere and they aren't supposed to. Who makes the decision when the spaces are needed?

Jim Raymond said the Planning Board does.

Jason Lopez said there is landscaping. That will be taken down and planted further out.

Barbara Griffin said we usually get complaints from abutters or the users.

Hal Jordan said everyone wants to park by the front door. It's an issue of convenience, not of capacity.

Barbara Griffin opened the hearing to the public.

Jean Walker, 111 Goffstown Road, said the 15 spots were set aside only if needed. They kept track of people parking on the road. They've never seen it happen. Not long ago they gave us a waiver that they

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were going to plant trees in those 15 spots. They did that at the same time they made the agreement with the Proulx. They've never planted. Are they mature trees represented on the plan?

Jason Lopez said they are mature trees represented. They are putting a 24 inch high berm with plantings in that space.

Jean Walker said she went back to the minutes of 2007 which included. They were only supposed to take half of the space. She wants it on the record that those trees are to be planted, and if the 15 spaces are needed they have to come back to the Board.

Kimberly Peace asked if there are still more plantings that what is existing.

Barbara Griffin said this was done as part of the approval for the addition, but they've not done the addition yet.

Jean Walker asked if those trees aren't enough for a shield, can those numbers be modified.

Barbara Griffin said if we have requirements based on how it would look in 25 years, --

Tim Redmond asked when they did the change to the entrance, and planted screenings between the walkers property, have some died.

Jean Walker said they're all dead.

Hal Jordan said he would look at them and replace what is dead.

Julie Swiatis, 84 Goffstown Road, asked about the area of possible parking.

Jason Lopez said it is access to future parking if needed.

Julie Swiatis asked if the road shown on the plan is where people drop their kids off at Half Moon. You are putting in another gravel road to connect to that.

Jason Lopez said they need to relocate another gravel road.

Julie Swiatis said she does have drainage issues and doesn't know if this will be a problem for the lower parking lot.

Jason Lopez said they aren't proposing any construction in that area. Will there be signs so people don't use that area for parking?

Barbara Griffin asked where the gate is.

Jason Lopez said it is at the top.

Barbara Griffin said the applicant is saying the gate will stay there. There won't be any activity.

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Tim Redmond asked if the water from the western parking lot runs onto her property.

Julie Swiatis said there is a lot of ledge and it is very wet.

Hal Jordan said they can make sure there isn't a fault in the curb that would allow water to get there.

Julie Swiatis said it is right against her property. She sees headlights at night when staff is leaving. Some of the arborvitaes have died and she'd like to have those replaced to reduce the headlights.

Barbara Griffin closed the public hearing.

Tim Redmond asked if the entrance is going to be the same plan as in 2015.

Jason Lopez said there is one modification. During the last TRC meeting we were notified Goffstown has purchased a new ladder truck. He obtained data on that truck and ran the software. As a result we need to increase the radius and width to allow the truck access without running over curbs. For the entrance he incorporated this change into the plan. He created a construction change sketch and sent it to Meghan Theriault for approval of the 12015 plan. They held off while this application was before the Board. The YMCA would like to get this started. It is the same thing on the previous site plan as well as this one.

Barbara Griffin asked if this impacts adversely the abutters with whom they've reached a landscaping agreement.

Jason Lopez said no. Their primary concern was headlights. The modifications we are making are for emergency vehicles coming in.

Barbara Griffin said there are DPW comments to incorporate into any approval as conditions precedent; they've discussed with the Fire Department and the area of refuge is an exterior area for assembly. The applicant has referenced that the side agreements all remain in effect. There is a reference on the record and agreement regarding landscape issues with the 15 spaces across from the Walker's. And agreement with abutter to the west regarding improvement to make sure there is no seepage and to replace dead arborvitaes. Also, there is a representation on the record that, if the 15 spaces are to be turned into parking, they will come back to the Planning Board to address those changes and concerns.

Barbara Griffin said she'd like to address the drainage maintenance agreement and lighting.

Jon O'Rourke said it is to make sure it is still in effect.

**Jim Raymond made a motion to approve the site plan amendment with conditions as follows:**

**Conditions precedent:**

- 1. Note on plan the board's final written decision, including any waivers, conditional use permits, and outstanding conditions of approval, or conditions subsequent, as required by Chapter 266 (SB 189).**
- 2. Appropriate professional stamps and signatures.**
- 3. Certification of bounds.**

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4. Provision of digital files, AutoCAD submission on North American Datum of 983 (NAD 83) and North American Vertical Datum of 1988 (NAVD 1988).
5. Drainage maintenance agreement required.
6. Detail for lighting shall be shown on the plan. All new lighting shall confirm to Standards in Section 8.3 of the Zoning Ordinance.
7. Demarcation will be required in accordance with Parking and Loading Requirements, Section 7.1.2 and 7.1.4 of the Zoning Ordinance.
8. Review and determination of plans do not exempt applicant from the obligation to meet all applicable required codes, including but not limited to Building, Electrical, Health, Safety, Fire, etc.
9. DPW/Town Engineer comments are to be adequately addressed, including changes to the plan for additional information and drainage concerns, to the satisfaction of the DPW as follows:
  - a. On sheet 1, label existing drainage easement with Bearings and Distances.
  - b. On sheet 6, label the two lines that run through the proposed parking lot.
  - c. On sheet 6, show the overhead powerlines on the plan.
  - d. On sheet 10, show detail for the 10 foot wide gravel access path; provide additional proposed spot grades on gravel access path and turnaround for proper construction.
  - e. On sheet 11, show drainage in front of pool house and where it outlets; show 12-15" pipe under gravel path to riprap channel; show missing structure/shed to west of pool house in area of proposed parking.
  - f. To the satisfaction of DPW, remedy the water running between the proposed and existing grades to the west of the addition to prevent maintenance issues.
  - g. Post flows from proposed addition of teen/senior center shall be to the satisfaction of DPW.
  - h. Stone drip edge shall have under drain as overflow and tie to open swale/drainage system, to the satisfaction of DPW.

Phil D'Avanza said they should change "path" to "road."

Jim Raymond said we want no suggestion that it is a public road. It is an emergency access path. The dimensions are the important things. If you call it a road, it's usable as a road.

**Kimberly Peace seconded the motion. VOTE: 6-0-1. Allen Brown abstained. Motion carries.**

Jason Lopez said the YMCA will start construction as soon as the contractor can get to the property.

Tim Redmond said you have the approvals.

Jim Raymond said the risk is the appeal period.

**Map 3 Lots 26 & 27, Completeness Review/Subdivision Plan Review Hearing for a lot line adjustment to adjust to adjust the lot lines between Lots 26 & 27, and then to subdivide Lot 27 into four lots, creating three (3) new additional lots. The property owner is Richard C. Lamb Rev. Trust, located on Addison Road & Kennedy Hill Road, Zoned: Agricultural**

Barbara Griffin asked if there have been any changes in the plans.

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Jon O'Rourke said the applicant has addressed all the comments from the TRC and created new plans. It proposes three new lots.

Barbara Griffin reviewed the staff report. There is a waiver request from Section 6.L. It meets the requirements of the Conservation District. Planning Department had a number of comments. There are Conservation Commission comments as well as engineering comments. Fire and Police Departments had no comment. The Conservation Commission has comments. Did this go to them for review?

Jon O'Rourke said it did. They had a site walk and at their next meeting the people at the meeting were not on the site walk. They did a second site walk. These comments are from one member who went on the site walk—Collis Adams.

Phil D'Avanza said there are two places that mention Fire Department comments. That says nothing was received. The Police Department had no issues.

Jon O'Rourke said that is correct.

Barbara Griffin asked about if a cistern is required by the Fire Department.

Jon O'Rourke said it still might behoove them to do a cistern. He's not seen an answer from the Fire Department.

Barbara Griffin said there is a letter received on June 7<sup>th</sup>, addressed to the Planning Board. It is a matter of public record and the applicant was copied on this letter. She gave the Board time to read it. It is on behalf of Brookfield Investment Group, who had been before this Board for another development along Kennedy Hill Road on the west side of Kennedy Hill Road. We are looking at lots on the east side of Kennedy Hill Road. At that time the road didn't meet town standards and Brookfield Investments took it upon themselves to improve the road. The letter summarizes the cost and counsel for Brookfield Investments suggests this Board has the power to assess impact fees and improvements. They are asking the Board require the applicant to pay for his fair share of upgrades that have occurred. There is one waiver request.

**Jim Raymond made a motion that they accept the application as complete, waive for purposes of acceptance, and find no regional impact. Kimberly Peace seconded the motion. VOTE: 7-0-0. All in favor.**

Eric Mitchell presented on behalf of the applicant. The proposal involves two lots. He pointed out lot 26 on the plan. It is 9.4 acres. They propose a lot line adjustment with lot 27, which is—acres. It will become 32 acres. It will be subdivided with the existing house on lot 27 and three new house lots will be created. Lots require 2 acres and each is at least 5 acres. We've asked for a waiver for site specific soils. The wetlands have been mapped by a wetland scientists. Because of the size of the lots we aren't required to submit an AOT. We had two site walks with the Conservation Commission. It was suggested we do a wider culvert imbedded. We have proposed a 72 inch culvert. It seems that will be acceptable but we go back to the Conservation Commission one more time. The second site walk came up with a better solution. We had a TRC on Tuesday. We addressed comments listed in the report. These plans are the plans we submitted addressing those comments. The FD brought up the subject of cisterns at the TRC. Note 13 is there because both lots have access further out. There is an existing 15,000 gallon

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cistern. As far as the Fire Department, we will agree to and meet their options. They'd like conditional approval tonight.

Tim Redmond said he sees driveway representations for the new lots, except for lot 26.

Eric Mitchell said we should have a site line determination for that. Sheet 10 shows the driveway location and the site line. This is a pre-existing non-conforming lot. We have a copy of a septic system that was approved.

Tim Redmond asked if they need easements to cross the powerline easements.

Eric Mitchell said it depends on how they were created and what rights were preserved. In older easements, they want to cross perpendicularly rather than up and down. We have calls into the utility company to verify it is permitted.

Tim Redmond clarified the diagram of lot 26 is to show they can put a house and a driveway. He'd like to know from the power company before the Board grants an approval.

Barbara Griffin said she is sensitive to lots with weird boundaries. She doesn't understand why, given the wetland flow on the property, and you have the wet areas, why wasn't the line on lot 26 continued to the property boundary line? It seems the wetlands flow and you'd want to keep it together. The wetlands on lot 27-1 is a direct flow off from lot 26. You'd get your buildable area on lot 27 if you extended the line down on lot 26.

Eric Mitchell said the wetlands are not interconnected. The main reason they showed the lot the way they did is that the prospective buyer for lot 27-1 wanted the lot to be more than 10 acres.

Barbara Griffin said this brings her to questions about the lots usability. She doesn't see how you would end up having the buildable area of lot 27-1 between two wetlands and the rest in current use.

Eric Mitchell said the buildable area is the high spot in the middle. This seems to be more contiguous with lot 27-1. The lots are 12, 5, 8, and 7 acres. They are big lots. It is close to 500 feet across. There is a lot of buildable area.

Barbara Griffin asked when the existing house was built.

Tim Redmond said it was about 8 years ago.

Jim Raymond said there are things the Board may consider material such as the cistern and the Conservation Commission. It's a complicated plan and he's not digested it fully yet. At some point he'll request it be continued.

Tim Redmond asked about the waiver request.

Eric Mitchell said site specific soils have to be put on the maps. The wetlands would also be identified by the soil type. Most subdivisions may find that helpful. In this case we mapped all the wetlands. All the

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lots are over 5 acres so we aren't required to go to the State for subdivision approval. It doesn't seem there is purpose in this case.

Barbara Griffin opened the hearing to the public. There was no public comment.

**Jim Raymond made a motion to continue this application to June 23, 2016. Tim Redmond seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

**Map 35 Lots 35 & 35-1, Completeness Review/Subdivision/Site Plan Review Hearing for a proposed eighteen unit age restricted condominium development (Miller's Landing Condominiums). Owner: Elmer Pease Family, LLC, And Applicant: Chicoine Construction Corporation, Property is located on Elm Street, Zoned: Residential-1**

Jon O'Rourke said they plan to adjust the layout and type of building. After the TRC they are requesting a waiver for a drainage study and a full traffic study.

Barbara Griffin asked if they were waivers for the original plan.

Jon O'Rourke said they were. The full drainage study was done previously. They are requesting a waiver from a new, full drainage study.

Barbara Griffin asked if the comments are from this plan or the previous plan.

Jon O'Rourke said they are from the previous plan.

Barbara Griffin said this was vested in 2013. They have made some changes.

**Tim Redmond made a motion to accept the site plan as complete and ready for review, that the Board finds no regional impact, and grant the waivers for acceptance purposes only. Allen Brown seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

Elmer Pease said the builder has made some changes to the site plan to make them more marketable. The engineer is Doug McGuire, who was his original engineer.

Doug McGuire said he was working with Woodland Design who did the original application about 10 years ago. He is familiar with the project. Mr. Pease came to him looking to make minor changes, but they warrant an amendment to the original site plan. The changes are in the orientation on the lot and the shape of the buildings. He passed out a graphic showing the Board the two layouts. We're not changing much. The layout of the roadway is the same. The access onto Elm Street is the same. The number of units is the same—18 units, with most in a duplex format and 2 single units. They are roughly the same size. They brought the garages together for privacy matters. The spacing along the road required the driveways to be much longer. With the garages together, they could shorten the driveway distance and add to the back yard space. They are maintaining the same drainage design, which was collection in a closed drainage system and piping it to the center of the cul-de-sac for infiltration and then to a treatment swale, and it will outlet to Glen Lake. We performed an analysis of the impervious area. They are almost identical. They are about 59,000 square feet in area. The slightly larger buildings

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offset the reduction of driveway lengths. We will be getting our state permits updated in the next several weeks. They would have needed to be done either way.

Phil D'Avanza asked if this is a private road or a public road.

Doug McGuire said it is proposed as a private road.

Elmer Pease said it was approved as a private development.

Phil D'Avanza said the current approval shows five parking spaces and now you have six.

Doug McGuire said we wanted to make sure we were maintaining the same level of encroachment moving toward Glen Lake. We had to extend the cul-de-sac by 12 feet. In doing so, it didn't make sense to extend the parking spaces the way they were.

Michael Conlon said in the updated design, only one driveway has the kick-outs. Why is that?

Doug McGuire said owners tend to appreciate that if the driveway gets longer. We met with the Fire Department at the TRC and received some comments. They were similar to his previous comments. He wants us to maintain the separation and verify the turning template.

Jon O'Rourke said Patty Gale provided comments from the Fire Department.

Kimberly Peace asked if there is a change in the impervious area.

Doug McGuire said no. As part of the plan set, they performed the calculations. They weren't exact but both were about 59,000 square feet. There shouldn't be any noticeable change in the drainage design, which is why we are requesting a waiver of doing a full drainage study.

Tim Redmond asked about architectural renderings.

Doug McGuire provided copies of them for the Board.

Tim Redmond asked if they would be age restricted.

Doug McGuire said they were originally approved as age restricted and will continue to be so.

Michael Conlon asked if the number of plantings has changed.

Doug McGuire said he will confirm that. He asked the landscape architect to reorient the plantings.

Barbara Griffin said if she looks at the east side of it, it looks like there are less plantings along the property boundary. That may partially be because you moved the buildings in.

Doug McGuire said the landscape architect has never been shy with plantings.

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Barbara Griffin said the question is if this still addresses the screening. We have a different perspective with all the trees removed.

Elmer Pease said we can stipulate that the number and types of plantings will be maintained.

Doug McGuire said he will check with the landscape architect. He's sure it meets the intent of the regulations.

Tim Redmond said when you came in for vesting, we stipulated some conditions. They were that sewer, water, and drainage all needed to be inspected and tested. The foundation was part of the vesting.

Elmer Pease said he brought a copy of that.

Doug McGuire said most of all that's been installed and will be removed.

Gary Chicoine said they are approaching it as if starting from scratch.

Kimberly Peace asked if they need a Shoreland Permit.

Doug McGuire said they are going to talk with DES staff. They are maintaining the exact impact as they were previous. The impact has been done at this point. They established the area where the swale is. We'll ask them how they want us to handle it.

Kimberly Peace asked if the drainage structure on page 6 has been installed.

Doug McGuire said it has but hasn't been finalized. At a minimum that entire area was impacted. It may not be shaped to a finalized point. Trees have been cleared. It was shaped into something that resembles that but needs to be tuned up.

Kimberly Peace said the lines for the 50 foot wetland buffed and the WSWCD seem confusing and seem to overlap on the plan. Are they based on different reference lines or setbacks?

Doug McGuire said the WSWCD lines are based on the actual delineated wetland on the edge of the river. These lines are a little different because our surveyor took it to another level. According to mapping information, the river stops and Glen Lake starts along their frontage. That is why that line is different from the wetland line. The 50 foot line is based on the reference elevation. DES looks at it, although not technically wet, that is where the reference point starts because of the elevation of Glen Lake.

Kimberly Peace asked if they received a waiver for putting the drainage structure in our WSWCD.

Doug McGuire said he's not sure. It's exactly as originally proposed.

Tim Redmond asked if this plan, other than waiver requests, meets our regulations.

Doug McGuire said it meets the regulations.

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Jim Raymond said it looks like DPW hasn't finished their review.

Barbara Griffin said this is a previously previewed plan. There are several things to be done. We're meeting in two weeks. She asked the Board if there are other issues they see with this plans. She thinks the concept of the layout is nicer. There are a number of comments to be addressed.

Kimberly Peace said she thinks it is scheduled for the next Conservation Commission meeting.

Barbara Griffin opened the hearing to the public.

Jeff Osborne said he's not sure what the landscaping setup is on the lake side. It looks like a bomb went off since 10 years ago. He's sure there's some plan to make it look good. He'd like to know about the plantings.

Jon O'Rourke showed him a copy of the landscaping plan.

Jeff Osborne said it doesn't show the area along the water.

Elmer Pease said it's a gradual slope from the cul-de-sac.

Mr. Chicoine said it will be all trees.

Mr. Pease showed him where the buffer is and said there would be landscaping, finished grass, the cul-de-sac and roads.

There was no further comment from the public.

**Jim Raymond made a motion to continue the application to June 23. Kimberly Peace seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

Barbara Griffin said there was a CIP meeting and we heard from the Library and School. That process is continuing. She asked Jon O'Rourke about the Planning Conference.

Jon O'Rourke said it was a good conference. Gail Labrecque, Alan Yeaton, and Gail Labrecque also attended. A new requirement is that applicants will be required to submit within 21 days. Where ours is 20 days we will have to change that. There was a lot of talk about agritourism.

Barbara Griffin said we have a new issue to bring up and she would like the Board's input on this.

Jon O'Rourke said there is a company looking to go into the old PK Zyla's.

Barbara Griffin said it is the strip mall across from Surette's Gas Station. It is where the Peace Restaurant was.

Jon O'Rourke said they are looking to produce fish oil mega 3 supplements. He made the determination a site plan review would be required. After TRC they determined the requirements would be the same.

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They changed from a restaurant to industrial. Intensity has not increased. They showed a willingness to address odor. We can't force them to come to the PB for site plan review.

Barbara Griffin said the business is essentially a cooking operation in a former restaurant. Two people will be employed from 8 am to 5 pm. There are no deliveries per se. Anything delivered would be by pick-up truck. One appeal of the location was that it had the cooking and ventilation set up. They needed that and nothing more. Jonathan O'Rourke thought something was needed but after TRC it wasn't clear. That is why we are discussing it.

Jim Raymond asked if there were a nuisance created, and we find a site plan is not required, what enforcement options we have.

Jon O'Rourke said it would be enforcement through zoning. It's been similar uses but the intensity doesn't increase. As far as the original, it's commercial.

Jim Raymond asked when the restaurant changes did they come in for a site plan.

Jon O'Rourke said no. It was determined it didn't need one.

Michael Conlon asked at what point it goes from a commercial restaurant to industrial if you are selling from business to business.

Tim Redmond asked if it requires a special permit.

Jon O'Rourke said fire determined it is industrial type. Building considers it commercial. Lt. Connor says it qualifies as an industrial operation from their standards.

Jim Raymond said that is completely separate from zoning.

Phil D'Avanza asked if they would have retail sales.

Jon O'Rourke said they would not.

Phil D'Avanza asked how many parking spaces in the parking lot were dedicated for the restaurant. There is an advantage to the neighboring businesses because it will increase the parking availability. They are claiming deliveries and shipments out are by pick-up truck. Is this the beginning of the business? At what point is there a volume or a trigger that would make it a different type of use.

Jon O'Rourke said they plan on having the operations boiling fish two times per month. More than that would require more space. They bring in frozen fish and boil it down. The waste is dried into a fish cake. It is sometimes sent to be composted. And sometimes they can sell the waste product.

Phil D'Avanza asked if it would cause sewage problems with the sewage disposal. Our fees are assessed on that.

Jon O'Rourke said Mike Yergeau said they would have a form to fill out with DPW to verify the flow rates. The only discharge would be from cleaning and sanitizing—basically doing dishes.

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Barbara Griffin said this is the commercial district. In the Zoning Ordinance on page 18, permitted uses are manufacturing, fabrication, wholesale, assembly packaging and other similar industry, and restaurant with no drive-through sales.

Jon O'Rourke said the company is DH Labs and labs are permitted also.

Barbara Griffin said he needs to make a determination as to whether or not he needs to come in with a site plan.

Tim Redmond said he thinks the odors will be problematic to the abutters and they should demonstrate how they are going to mitigate those. If they don't have a good plan, maybe we do need to see it.

Barbara Griffin said we don't have that requirement on restaurants.

Tim Redmond said restaurants don't boil fish.

Phil D'Avanza said he used to live across from a Chinese restaurant. When they boiled a pig they smelled it for two days.

Michael Conlon asked about the waste being stored on site.

Jon O'Rourke said it would be taken off site. They will make money off of the waste product.

**Jim Raymond made a motion to find this isn't an increase in use, and there is no change in use, provided no nuisance is created, at which point they could change their minds and require a site plan review, with the condition there is no on-site storage of waste. Kimberly Peace seconded the motion. VOTE: 6-1-0. Tim Redmond opposed. Motion carries.**

**CORRESPONDENCE AND FYI**

**Letter from Attorney Bertrand Zalinsky representing Brookfield Development in regards to the four lot Lamb Subdivision on Addison & Kennedy Hill Road, Map 3 Lots 26 & 27**

**Comments from the Fire Department regarding Lamb Subdivision, Map 3 Lots 26 & 27 and Miller's Landing, Map 35 Lot 35**

**Tim Redmond made a motion to adjourn. Phil D'Avanza seconded the motion. VOTE: 7-0-0. All in favor. Motion carries.**

The meeting adjourned at 10: 20 pm.

Respectfully submitted,

Gail Labrecque  
Recording Secretary -

**THESE MINUTES WERE CORRECTED & APPROVED BY THE PLANNING BOARD ON JUNE 23, 2016.**