

Planning board Members Present: Denis Hebert, Vincent Frank, Michael Marconi, Tom Bobotas, Cliff Abbott, Jack Pare

Also Present: Town Planner Tom Morgan

Commencement: Chairman Hebert opened the meeting at 6.30 pm

Discussion on Prime Wetlands: Chairman Hebert explained this item should not have appeared on the agenda. The intent was for a meeting with the Pease Development Authority

Underground Utilities: Chairman Hebert explained to the board that Shattuck Way was constructed by a company that was contracted by Con Edison when the power plant was put in. Recently, an applicant attempted to connect to the underground utilities and discovered the conduit was not there as shown on the as built drawings.

George Germano from Con Edison introduced himself. Chairman Hebert asked Germano to work with the applicant. The Town has an insurance policy with Con Edison, but Chairman Hebert would like Germano to try to come up with a plan to resolve this issue.

John DeStefano of DeStefano Associates, the construction managers for the DeRochemont House, stated the project is due to be completed November 16th and the facility will start seeing patients on December 1st. DeStefano introduced Jerry Stevens, site manager for the De Rochemont House. Stevens presented the as built drawings. Stevens indicated that from the manhole on the drawing there are suppose to be 3 (three) 5” conduits. Putting the conduit in now is not feasible as they would have to blast through the existing ledge, and there is an existing 16” high pressure gas main. Stevens indicated there are three possible solutions.

1. Cutting the street
2. Horizontal boring – this would involve exposing 20’ of the gas line on each side and would require the line to be shut down
3. PSNH to build 3 more sections on the existing overhead on Piscataqua Drive and put a pole on the DeRochemont side of Shattuck Way. From the pole, the line would run underground to the sector cabinet to feed the transformer

Chairman Hebert asked George Germano of Con Edison to investigate this situation and report back to Tom Morgan

Chairman Hebert closed the public hearing. Discussion of a temporary pole and bonding issues.

Chris Mulligan, Attorney for the project stated that his clients have suffered delays and are unwilling to add to their expenses.

Pare asked Stevens to note the proposed location of the temporary pole on the drawings and then sign and date the plan. Stevens noted the location of the pole and indicated it would run underground along the edge of the parking lot into the sector cabinet.

Chairman Hebert noted that the location of the temporary pole is on Town property and will eventually have to be removed.

Pare made a motion to grant the placement of a temporary pole on the Town right of way, as indicated on the drawing signed and dated today. Frank seconded

Discussion of downtime to remove the pole.

Pare made a motion to amend the previous motion to include there will be no cost to the Town for downtime during the time when the pole is removed. Frank seconded. All in favor – amended motion carries.

Public Hearings:

Estate of Barbara Baird for a two-lot subdivision at 316 Newington Road, Tax Map 53, Lot 5:

Erin Baird stated 6 of the 7 waivers requested have been voted on. The 7th waiver is for the utility hookup as required in Section 4 paragraph I. Baird stated that she is requesting this requirement be waived as they would like to provide their own sustainable energy source. Baird stated the ZBA granted the waiver on the frontage issue and voted unanimously granting the special exception for the access way across the wetlands.

Chairman Hebert stated this is a driveway, they have road frontage on the road – therefore, utility hookups do not apply.

Discussion of requiring utility hookups in general – safety issues, lifestyle issues.

Susan Carroll of 320 Newington Road stated that there has been an appeal filed in the Supreme Court regarding this application. Carroll stated her attorney could not make the meeting on short notice.

Gale Pare stated she feels the board should address the utility issue now and complete the process.

Chairman Hebert stated that the waiver is for running the conduit, not electricity.

Marconi made a motion to grant the requested waiver, Abbott seconded. All in favor – waiver granted.

Erin Baird stated that the test pits were scheduled for the 11th, but all the parties involved were not available.

Morgan asked if there were any remaining issues other than the test pits. Chairman Hebert replied there were not.

Chairman Hebert stated there were some questions posed by Attorney Lyons. Lyons was not prepared to address them last meeting. He was asked to come to this meeting prepared to address them.

Susan Carroll stated they did not find out about the meeting until late Friday afternoon and had not been notified.

Morgan indicated the board is in full compliance with State law. The initial notice is the only one required. Attorney Lyons was aware the matter was continued to tonight's meeting.

Chairman Hebert commented to the board they could move ahead with the approval or wait for the questions raised by Attorney Lyons to be addressed.

Chairman Hebert closed the public hearing at 7:15 pm

Pare made a motion to approve the plan for subdivision contingent upon the successful completion of the test pits to Town standards, Frank seconded.

Chairman Hebert asked if anyone has any issues with the procedures taken this evening.
– no comments.

All in favor – motion carries.

Farley White Pease, LLC: Greg Mikolaites gave an overview of the plans and the project. Mikolaites stated he is looking for a letter from the planning board to the PDA.

Chairman Hebert asked about a traffic study. Mikolaites responded that they must contribute to a traffic improvement fund as part of the site review agreement with the PDA. The PDA has done traffic studies and monitors traffic flow.

Chairman Hebert stated the major concern here is the primary wetland. The applicant has not applied for a permit. Chairman Hebert asked if the PDA had applied for a wetlands permit.

Lynn Hinchee, Attorney replied that they had not. Hinchee stated that the PDA has been advised by the DES and its counsel that they are not subject to prime wetlands designation.

Chairman Hebert stated the board cannot act until they have a decision on this.

Marconi stated the PDA should be subject to State requirements.

Chairman Hebert stated the application is incomplete as the applicant has not provided all the requested information.

Morgan stated there is an underlying subdivision issue. Mikolaites stated it's the first few pages in the plan set showing the adjustment of the lease line.

Marconi made a motion to approve the adjustment of the leased area from 10 acres to 20.3 acres at 100 Arboretum Drive, Abbott seconded. 5 in favor – Frank opposed, motion carries.

Fenton Groen 75 Room Hotel: Greg Mikolaites asked for a continuance to the next meeting November 9th.

120 Shattuck Way – Greg Kirsch: Greg Kirsch presented proposed plans for the construction of a 136,000 square foot industrial building. There would be up to 4 tenants which are speculative at this time. The plans contained building elevations, construction details, lighting plan, landscaping plan, and a grading a drainage plan.

Kirsch stated his application for alternation of terrain has been approved by the DES.

Pare made a motion to accept the plan as complete, Marconi seconded. All in favor – motion carries.

Chairman Hebert asked about the parking available. Kirsch stated there will be 171 spaces.

Morgan cautioned the board about too much paving and parking that may not be required.

Hebert commented that its difficult when something is already built with a certain number of spaces and then a tenant can't rent it because its not adequate and then it becomes a hardship.

Discussion of what would be the parking requirements for a distribution facility.
Discussion of ratios per sq ft for the warehouse district in other towns.

Pare suggested adding item H) under pending business to define "Distribution facility parking"

Justin Richardson commented the effect on water quality with increasing impervious surface area.

Drainage: Steve Long with Opechee discussed the drainage plan. The front parking drains to Shattuck Way to a treatment swale and detention area to an existing pipe. The roof drains to a detention pond to an outlet to an existing pipe. The loading area out back is a closed drainage system where gas/oil are separated. There is a proposed maintenance plan

Lighting: Kirsch stated there will be three pole lights out front. There will be downcast walpack lighting the back. There is no side lighting as there is existing lighting on the roadway. Signage will be on the reflective glass of the entry area.

Justin Richardson commented on the drainage plan. He stated that a treatment swale is the least effective means of treatment.

Kirsch responded that the best methods have not been determined, but they have complied to current standards.

Chairman Hebert requested that the plans be forwarded to the Town Engineer and the Conversation Commission and that the hearing be continued to next month's meeting on November 19th.

Chip Kelly of 121 Shattuck Way would like to see more trees in the front that will leaf out and soften the look.

James Vera, President of Great Bay Commons would like to have a set of architectural plans.

New Business:

Fastener Warehouse: No one present

Minutes of September 24, 2007

Frank made a motion to approve the minutes of September 24th, Marconi seconded, all in favor – motion carried.

Pending Business:

- A) Signs in the Residential District and Other.
- B) One building per lot in the Office & Industrial Districts
- C) Restaurants
- D) Shared Driveways
- E) Connecting to utilities
- F) Class VI Roadways
- G) Architectural Design Review Guidelines
- H) Distribution Facility Parking

Marconi made a motion to adjourn, Abbott seconded, all in favor – motion carries.

Meeting adjourned at 9:25 pm

Respectfully submitted,

Melia Michaud
Recording Secretary