



Town of Weare Planning Board

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Planning Board

Craig Francisco, Chairman
Frank Bolton, Vice Chair
Neal Kurk, Secretary
Keith Lacasse, Ex-Officio
Bruce Fillmore, Jr.,
John VanLoendersloot,
Alternate

PLANNING BOARD – AUGUST 28, 2014 FINAL MEETING MINUTES

Present: Craig Francisco, Frank Bolton, Neal Kurk, Bruce Fillmore, Jr., John VanLoendersloot, Chip Meany, Code Enforcement Officer and Recording Secretary Wendy Stevens

Guests: Travis Wampler, Sue Perine, Michael Dahlberg, Scott Foote, Christopher Quimby, Weare Baptist BC.

I. CALL TO ORDER

The meeting was called to order at 7:00 pm by Chairman Craig Francisco.

II. PUBLIC HEARING - LOT LINE ADJUSTMENT

Foote / Graziano & Tongol, Map 409-208 & 208-1, 301 & 309 Barnard Hill Road in a Rural-Conservation Zone

Mr. Dahlberg presented the map. He stated no new lots are created, it's a very straight forward up and down lot line adjustment. Chairman Francisco asked if he was asking for waiver on topography, wetlands? Mr. Dahlberg stated there are no wetlands, they have shown the wetlands in aerial photos on Sheet 1 and the closest wetlands to Parcel A are roughly a quarter mile to the northwest. He did utilize the wetlands inventory map and overlaid it on the parcel and they also did not show any wetlands. This is why he requested those waivers.

Mr. Kurk moved that we grant the waivers request, items #13, 14 and 15. Mr. Fillmore seconded. The vote was unanimous.

Mr. Kurk moved to accept the application as complete. Mr. Fillmore seconded. The vote was unanimous.

Chairman Francisco invited the public to speak. There was no one. He closed the public hearing.

Mr. Kurk made a motion to approve the application. Mr. Fillmore seconded. The vote was unanimous.

III. PUBLIC HEARING ON CONCEPTUAL DESIGN REVIEW

Travis Wampler, Map #108 Lot # 43 Pond View Rd.

Chairman Francisco recalled that the site walk was needed to consider if the driveway needed to be engineered. He discussed items 2-10. Mr. Meany stated he believed there was a waiver request. Chairman Francisco confirmed the waiver was for grade, studies, contours and a waiver for engineered plans. He also stated that at the site walk, the board noticed the wetlands on both sides of the driveway were roughly 50 feet away, flowing away from the driveway so he didn't think there were any wetlands or drainage issues. He noted the driveway grade is at 15%. Mr. Bolton asked what was a conditional approval from the Board of Firewards? Mr. Meany clarified that they intended that it be conditional upon the approval of the Planning Board. Mr. Fillmore stated he does not have a problem with the waivers. He stated there was no needed ditchwork as there is a proper natural flow. Mr. Fillmore did state he did have a driveway similar to that, and the sides will erode over time.

Mr. Kurk moved that the planning board grant the request for the two waivers, topography and engineered drawings. Vice Chair Bolton seconded. Vice Chair Bolton stated if we grant the waivers,

what if it comes to light that something needs adjustment, what if they decide after the next issue that they need an engineered drawing? Mr. Meany stated if the Planning Board has questions after the waivers, if the Planning Board had a question, he would not issue the permit. Mr. Kurk stated there is a mechanism to re-vote. The vote was unanimous.

Mr. Kurk made a motion to accept the application as complete. Vice Chair Bolton seconded. The vote was unanimous.

Mr. Wampler stated he is seeking to obtain a Conditional Use Permit for his 15% grade as it is a challenge to get the driveway to the 10% grade. Mr. Fillmore asked if the driveway will sit untouched as it sits today? Mr. Wampler stated yes. Chairman Francisco asked about driveway widths. Mr. Meany stated driveway width requirements are 12 feet with two feet on each side for a total width of 16 feet. Chairman Francisco stated theoretically if you lost a foot to each side of your driveway, you could grade the driveway. He added the 1 to 1 slope is not going to hold. Mr. Meany clarified that he met with Chief Vezina and a fire truck would park on the road and walk in in the case of a fire. Mr. VanLoendersloot stated ambulances in the Town of Weare do not have four wheel drive. Mr. Kurk stated the Conditional Use Permit should not only request for 15% slope, it appears he is also applying for a narrower driveway. Mr. Wampler confirmed that the driveway is about 14 feet wide. Mr. Kurk stated as he recalls from the site walk, the slope on the left is deep and very steep, perhaps a 60% angle, but on the right side (the right side headed into the driveway), it was much less steep. He thought that if additional fill were put it on the right side, he would meet the requirements, and additional fill could be brought in, and with the extra width he might be able to meet the slope on the left side and perhaps reach a 12% grade. He thought it would make the driveway safer with relatively little additional fill. Mr. Wampler stated to add in 2 feet is a lot of work. Mr. Kurk clarified by filling in the right hand side, whether 2, 3 or 4 feet to bring the slope to percentage, he would still have side slopes less susceptible to erosion and also have the required width. Mr. Kurk added to try and do it on the left side, he would be too close to the wetland and it would take a lot more fill. Chairman Francisco calculated roughly 120 cubic yards of fill, 100 ft long x 2 ft wide x 2 ft high, not counting the side slopes. Mr. Fillmore stated the driveway has a belly in it, and he was only looking to fill in the belly area. Mr. VanLoendersloot wondered if the ambulance would do a test run. Chairman Francisco stated the Board of Firewards has already approved the driveway. Chairman Francisco stated he was most concerned with the width and the side slope, and somebody falling off the side of the driveway.

Chairman Francisco invited the public to speak.

Sue Perine presented as the abutter to the east of the property. She stated her concern is the run-off. She stated there is standing water already on her property and it may potentially increase water on her land. Chairman Francisco asked how far from the driveway is her standing water? Mr. Bolton asked was the standing water year round? She said yes. The standing water is close to the road and it does move down behind her garage and eventually crosses the property line. Her concern is there would be additional flow. Mr. Kurk asked Mr. Wampler if he installed any pipes or culverts? Mr. Wampler stated no. Mr. Wampler added that he hopes it does not run off and he has planted a lot of grass to absorb the water. Mr. Bolton stated the driveway is impervious now and so the water isn't going to sink in, the water has to go somewhere. Chairman Francisco stated he thinks most of the water is going to end up in the wetland on the right. Mr. Fillmore added that once he puts in the house, water is going to run in the opposite direction. The Board asked Ms. Perine if she noticed a lot of water during last week's heavy rainstorm? She stated in the spring there is a pretty good flow, and there is water there now.

Chairman Francisco invited other comments. There being none he closed the public hearing.

Chairman Francisco stated he would like to see 2 feet horizontal to 1 foot wide on the slopes with grass over it, and it should be pretty stable. He stated he would like to request the additional material be brought in to reduce the slope. He added a 16 foot wide driveway with a 2 to 1 slope would be ideal. Mr. Fillmore stated since he didn't ask for a waiver on the width, that the driveway has to meet the requirements. Mr. Bolton stated with such a short driveway, yes the regulations should be adhered to

but with such a short driveway, it may be OK. Chairman Francisco stated there are no slope requirements officially, but the slope has to have common sense. Mr. Fillmore made a motion to grant the Conditional Use Permit for the driveway allowing the 15 % grade with the condition that the travel surface be 12 feet wide with a 2 foot shoulder on each side, tapering down to a 2 to 1 slope down the original grade the entire length of the driveway and it has to be done prior to a Certificate of Occupancy will be issued. Mr. Kurk seconded, while clarifying he understood Mr. Fillmore to mean 2 feet horizontal for one foot vertical slope. Mr. Fillmore confirmed this. The motion passed 3-1-0 with Vice Chair Bolton opposed.

IV. **Subdivision: Condo Minimization of 64 A&B, 66 and 68 North Stark Highway (East side) at Map 203-44.1 in a Village Zone with a com/Ind use**

Mr. Meany stated this application has been withdrawn.

V. **OTHER BUSINESS.**

The July 10th minutes were reviewed. Mr. Fillmore moved to approve the July 10th minutes. The motion passed 3-1-0 with Vice Chair Bolton abstaining.

The July 24th minutes were reviewed. Under Innovative Land Solutions, first paragraph "Mr. Siciliano presented correspondence from DES, at end of sentence add and a driveway permit from DOT." "Chairman Francisco stated Condition #9" Next paragraph second line, "letter from DES" should be "DOT". Second page, 2nd paragraph, 3/4 of the way down "Chairman Francisco stated "1+0+0", should be "1+00". Last paragraph "Mr. Fillmore stated 11.5 gallons per second" (not minute). Spelling on Siciliano, first pg. 2nd to last paragraph. Mr. Fillmore made a motion to approve the minutes as amended. Mr. Kurk seconded. The motion passed 3-0-1 with Vice Chair Bolton abstaining.

The August 14th site walk minutes were reviewed. Second paragraph, 15 degrees should be 15%. Mr. Fillmore made a motion to approve the minutes as amended. Mr. Bolton seconded the motion. The vote was unanimous.

The August 14th minutes were reviewed. Second page, Innovative Land Solutions, second paragraph, Mr. Bolton stated on the first page, B, it says "the rest of the property will be used for beef cattle, chickens and hay." He added there was a lot of discussion about raising pigs. Mr. Kurk recalled it was not the kind of statement that was made in the form of a commitment, it was more of a conversation. Mr. Meany proclaimed that a change from pigs to cows is a change in use, it is a different treatment of animals, different business altogether, when it is a commercial endeavor a new site plan would be requested. In the same sense as a garage with guns vs. an automotive garage. If the site is approved as a cattle farm and the owner changes to a pig farm, the neighbors would likely be upset. Mr. Fillmore made a motion to approve the minutes as amended. Mr. Bolton seconded the motion. The motion passed 3-1-0 with Vice Chair Bolton opposing.

VI. **Miscellaneous**

Chairman Francisco informed the board it is late August and in about a month and a half they will need to start talking about Zoning Ordinances. Mr. Meany mentioned side slopes. Mr. VanLoendersloot stated he will not be in attendance the first week of October. Mr. Bolton stated neither will he.

VII. **ADJOURNMENT**

Mr. Bolton moved to adjourn the meeting at 8:08 pm. Mr. Kurk seconded. The meeting was adjourned.

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A true record,

Wendy J. Stevens