

Board Members Present: Chair Paul Powers, Vice Chair Andy Kohlhofer, Tim Lavelle, Jack Karcz, and Alternate/Land Use Administrative Assistant Leanne Miner

Also present: Jennifer Rowden, Rockingham Planning Commission; Chris Albert of Jones and Beach (on behalf of Eco Site Inc), Mr. and Mrs. Blanchette (residents 29 Nathaniel Brown Drive)

Mr. Powers opened the meeting at 7:02 pm and appointed Leanne Miner as a voting member in place of Mike Wason.

I. MINUTES

Meeting minutes were distributed just prior to the meeting and were quite lengthy (8 pages).

Mr. Kohlhofer made a motion to table meeting minutes for August 7, 2019 until the next meeting. Mr. Karcz seconded the motion. The motion passed 4-0-0.

Mr. Lavelle arrived at 7:04 pm.

II. CONTINUED BUSINESS

2019 Earth Removal Permits Ms. Miner reported that site visits at all 4 gravel pits were completed on August 12. The next step is for the Town Engineer, Keach-Nordstrom Associates (KNA) to complete a report of findings and estimate of surety for each site. There was no Board quorum present so there are not meeting minutes. Ms. Miner was asked to prepare a brief summary for Board review and for the files.

Map 1, Lot 012: Applicant Rob Sobota of Eco-Site LLC

Continued Public Hearing with the Board for an Amended Major Site Plan Review for revised drainage and grading design at the Donigian- Cell Tower site at 37 Nathaniel Brown Drive.

Mr. Powers announced the project on the agenda as Jones and Beach representing Applicant Rob Sobota of Eco-Site LLC will come before the Board to continue the Public Hearing for an Amended Major Site Plan Review for a cell tower site located at Map1, Lot 12, 37 Nathaniel Brown Drive. The intent of the application is to amend the Engineer of Record for the site civil portion of the project, provide an as-built survey of the existing conditions, and revised drainage and grading design.

Mr. Chris Albert of Jones and Beach Engineers (JNB) introduced himself as the project manager and announced that JNB is still working on response to Mr. Tatem (of Stantec, the Town Engineer) including responses to comments and design updates. He is here tonight to update the Board on progress made since August 7.

Given significant design changes and test pit results indicating that primary power lines and fiber optics were not deep enough in the access road, the contractor is in the process of re-pricing the construction work for access road and drainage. Since the last meeting the contractor has removed stockpiled piping from the site and conducted test pits. The primary site power line was observed at a depth of 1.5 feet below design grade (12%) at 2+00 along the access road.

Mr. Albert distributed a revised drawing set (Revision 3 dated 08/21/19), a revised Drainage Analysis Sediment and Erosion Control Plan Revised August 20, 2019; and a Response Letter to the Board dated August 21, 2019. He presented the site plans to the Board and reviewed changes in the turnaround space at the tower and configuration of the drainage system and ponds. The contractor is also proposing a wider paved roadway of 14 feet vs 10 feet for better construction vehicle access. Mr. Albert reported that the primary power will need to be removed and replaced from the cul-de-sac connection to the top of slope at the first power box. Near term work includes installing the fence around the tower pad which will have a locking gate.

Mr. Albert noted that the revised drawings, drainage analysis, and JNB response to comments are all going to the Mr. Tatem and requested a continuance to September 4th to allow time for Mr. Tatem to review.

Ms. Miner noted that the Site address needs updating in all reports and site plans. The Board discussed what site plans may be recorded for this project in the future given new restrictions at the Rockingham County Registry of Deeds (RCRD). Most site plans on projects before the Board have Mylars that would no longer be considered recordable at RCRD. This new restriction potentially affects the Boards ability to revoke site plans. After more discussion it was recommended by Ms. Rowden that at a minimum the Notice of Decision should state that site plans are available in Town Hall records.

Mr. Lavelle made a motion to open the meeting for public comments. Mr. Kohlhofer seconded the motion. The motion passed 5-0-0.

Mr. Blanchette of 39 Nathaniel Brown Drive reported that 4-wheelers are now visiting the site at night. They were observed 2 nights in a row and are now getting stuck in mud around the construction site. They appear to be getting to the site from areas other than the access road. Last night a truck was observed on site past 830 PM.

Mr. Blanchette questioned why the road was observed as being built up recently. Mr. Albert replied that this was temporary and was being done to address a depression in the roadway to provide better access for construction vehicles.

Mr. Blanchette also reiterated that the locked fencing and bar gate needs to be installed to resolve ongoing trespass and disturbance in the neighborhood. Mr. Blanchette noted that he did some research on easements and asked if the easement was granted for a specific use (construction of a cell tower) then wouldn't this type of trespass be restricted. Ms. Rowden explained that regardless of the easement and use, the property owner may still grant permission for any 3rd party to access their property. After some discussion it was made clear that no one really knew what the property owner was aware of or not and that perhaps contact with them could resolve trespass issues.

Mr. Lavelle made a motion to close the meeting from public comments. Mr. Kohlhofer seconded the motion. The motion passed 5-0-0.

Mr. Kohlhofer made a motion to table further discussion and continue the Public Hearing until September 4. Mr. Lavelle seconded the motion. The motion passed 5-0-0.

Mr. Albert and the Blanchettes left at 7:23 PM

Budget Review

Ms. Miner distributed the current and anticipated spend through 2019 and an updated draft 2020 budget. She noted that unanticipated computer replacements are shown as being incurred in September and Circuit Rider fees are shown incurred in November. The total remaining balance for 2019 is \$10,689. There was discussion over line items showing negative balances and inquiry about what line items may not be spent and could cover shortfalls. Ms. Miner took an action item to discuss need for transfers with the Town Administrator.

The Board reviewed the revised 2020 budget. Ms. Miner reported that she added Circuit Rider contingency, increased mileage, and modified scope/verbiage for Master Plan. There was discussion about confirming scope of work at some point with Rockingham Planning Commission, but that for now the line item was fairly inclusive. The Board agreed that a good amount of work could be accomplished on the Master Plan with \$10,000 in 2020. The Board inquired about the \$0.44 mileage rate which seemed out of date. Ms. Miner took an action item to continue working with RPC on scope and cost for Master Plan updates and discuss overall updates and mileage rate with the Town Administrator.

Regulation Updates Ms. Miner surveyed the Board on the number of hard copy full size plan sets needed for application review. Currently applications require 6 full size plan sets. Ms. Miner proposed 4 full size sets including 2 for public review (Selectmen's Office and Land Use Office), File, and 1 extra. Ms. Miner also surveyed the Board on the number of 11x17 hard copy plan sets. Currently applications require 8 copies of 11x17 plan sets. The consensus of the Board was to reduce the number of full size sets to 4 and keep 11x17 plan sets as 8. The application will also now require a digital copy of plan sets.

III. NEW BUSINESS

No new business was brought before the Board.

IV. CIRCUIT RIDER BUSINESS

Master Plan Updates Ms. Rowden distributed a draft presentation for the Master Plan workshop planned for September 18th and provided an overview of the presentation. The Board discussed how we plan to use the Master Plan update including exploration of topics such as planning for open space development, water resource management, management of restrictions on wells, setbacks, etc, and changes to local zoning ordinances.

V. UPDATES

ROI – NHDOT Driveway Permit has been approved. Upon completion of Town Engineer review and updated surety estimate Mylar's will need to be signed and recorded prior to the construction kick-off meeting.

VI. INCOMING CORRESPONDENCE and ANNOUNCEMENTS

Snowmobile Association is holding a meeting about Grass Drags to take place on October 10-12 at Peterson Farm. The meeting is scheduled for Thursday evening September 19 at 7:30 pm in the basement meeting room.

The NH Department of Environmental Services (NHDES) will hold a prime wetlands application hearing for the Shirkin Road Widening project (Map 5, Lot 035) at the NHDES offices at the Pease International Tradeport in Portsmouth on Friday, September 20 from 9AM to 11AM.

Michael Bergeron Division of Economic Development, Department of Business and Economic Affairs – Inquire regarding land for potential small fire arms manufacturer.

Town of Londonderry Notice of Formal Review of a Site Plan for a telecommunications facility located at 11 Mohawk Drive, Map 6, Lot 35-3. The hearing is scheduled for Wednesday, September 4 at 7:00 pm in the Moose Hill Council Chambers, Londonderry NH. Ms. Rowden noted that municipalities are required to notice all cell tower projects to municipalities within a 20 mile radius of the site.

Floodplain Manager Workshop in Warrant NH on August 29 from 6-8pm regarding floodplain regulatory guidance.

Coastal Flood Risk Guidance Workshop September 10 and 11 to review draft guidance on coastal flooding.

VII. ADJOURNMENT

Mr. Lavelle made a motion to adjourn the meeting at 8:14 PM. Mr. Karcz seconded the motion. The motion passed 5-0-0.

Respectfully Submitted,



Leanne Miner, Land Use Administrative Assistant