

NEWTON PLANNING BOARD
MINUTES OF PUBLIC HEARING AND MEETING
December 11, 2018

Call to Order: B. White called the meeting to order at 7:00 PM. In attendance were: Chair Barbara White, Vice Chair James Doggett, Planning Board members: Roger Hamel, James White, Charles Melvin and Sandra Estabrook.

Also in attendance: Conservation Commission Members Trisha McCarthy, Nancy Slombo and Alicia Geilen.

Minutes were transcribed by Gail LeBlanc

The meeting began with a salute to the flag.

1. Public Hearing Continued: Albert Trudel, SEC Realty Trust, LLC, 8 Lot Subdivision, 141 South Main Street (Map 14 Block 1, Lot 4) Charlie Zilch, Engineer with S.E.C. & Associates presented for Albert Trudel. The property is a 26.4 acre lot. They are proposing an 8 lot subdivision. Mr. Zilch provided the PB with an update addressing some of the PB concerns from the previous meeting. The proposed driveway serving proposed lots 14-1-4-5 & 6 (located across from Wentworth Drive) has been modified so that the driveway will only serve lot 5. The proposed shared driveway serving proposed lots 14-1-4 & 7 and the remaining land, 14-1-4 has been modified so that the driveway will now also serve lot 6. As a result, one driveway will become a single access and the other will be a shared driveway for 3.

Mr. Zilch said he met with the Fire Chief. Several changes have been made to address the increased use and length of the shared driveway serving lots 14-1-4-6 & 7 and 14-1-4. The driveway shall now be 20' wide allowing easy access for emergency vehicles as well as two way traffic flow. The driveway now incorporates a turnaround designed to accommodate the largest fire apparatus. This turnaround is located approximately 200' from the property line of remaining land, lot 14-1-4. The driveway width, turnaround and driveway cross section are designed to meet NFPA (National Fire Protection Association) standards. B. White asked that a note be placed on the drawing stating there would be no storage of vehicles in the turnaround. Ms. Rowden stated a note could also be put in the Easement.

In an effort to ensure that the improvements proposed for this property do not increase stormwater flows at the culvert crossing under Pheasant Crossing, several changes have been made. Several infiltration basins have been proposed throughout the site. As demonstrated, these infiltration basins effectively attenuate peak flows at the culvert as requested. Note 14, sheet 1 of the plan has been added noting that the maintenance of the proposed structures shall be the responsibility of the potential property owners.

It was noted by the PB that the property is affected by an existing access easement across this property from Route 108 to land formerly owned by Woodhouse. Note 15, sheet 1 of the plan has been added recognizing said easement. There was some discussion about the easement and the location of it. Easement documents are currently being prepared by an Attorney representing the owner and will be submitted under separate cover when completed.

Mr. Zilch stated that they are not requesting any waivers or variances at this time. B. White asked if they've received Driveway Permits from the State yet. No permits have been received.

All revised plans have been resubmitted to the NHDES Wetlands Bureau, Subsurface Bureau and NHDOT District 6.

Mr. Zilch stated he has met with the Conservation Commission to review the proposed changes. Conservation Commission requested minimum cutting of trees for the driveways; native grass seed be used.

Ms. Rowden said that at this point it is a complete application. J. Doggett moved to accept jurisdiction. Second by R. Hamel with unanimous vote.

R. Hamel said he would like a note on the plan as well as in the deed that the property owners are responsible for maintenance of the infiltration ponds.

B. White opened up the meeting for public comment.

Alicia Geilen, Conservation Commission, spoke. She thanks Mr. Zilch for working with the Conservation Commission and making the changes they were looking for. There was discussion whether an EPA Stormwater Construction General Permit is required. Ms. Geilen stated that if more than an acre of land is disturbed, the developer must file for a general construction permit. Mr. Zilch questioned the need for a Construction General Permit. Ms. Geilen read from the 2017 Construction General Permit Provision, *"1.1.2 Your Site's Construction activities: a. Will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land; or . . ."* Mr. Zilch stated that if a Notice of Intent for a Stormwater Management Plan is required, they will file for it.

J. Doggett made a motion to accept the 8 Lot Subdivision with the following conditions:

- 1. Note on deed requiring homeowner upkeep of infiltration ponds;**
- 2. Note on deed that turnaround must be kept clear, not used for storage;**

3. Add the existing easement to the plan;
4. Note on deed that the language of existing easement must be defined and shown on page 3;
5. Note on deed absolving the Town from liability on shared driveways;
6. Developer to apply for a "Construction General Permit";
7. Native seed mixture be used for reseeding;
8. Mylars of pages 1, 3 and 4 are recorded;
9. Town Counsel to review all new easement language; and
10. Obtain all local, state and federal permits.

R. Hamel Second. Motion passes 5-1 with C. Melvin opposed.

2. Discussion of Stormwater Management Regulation Changes The PB completed review of proposed changes to the stormwater management section for inclusion on the warrant for 2020. Conservation members Trisha McCarthy, Nancy Slombo and Alicia Geilen joined the review. Ms. Rowden will provide a clean copy for the all for the Board's first meeting in January.

3. Board Business and Correspondence

a. Acceptance of minutes from 11/27/18 J. Doggett moved to accept the minutes of the 11/27/18 meeting. **Second by C. Melvin with unanimous vote.**

b. Road Acceptance Kinsley Corner C. Melvin made a motion to accept Kinsley Corner as a Town Road with a 20% Roadway Maintenance Bond. **Second by R. Hamel.** Discussion ensued. C. Melvin rescinded his motion. R. Hamel rescinded his second to the motion. **C. Melvin motioned to recommend the Board of Selectman accept Kinsley Corner as a Town road with a 10% Roadway Maintenance Bond in the amount of \$25,686.00 for a period of two years from the date of acceptance. Second by R. Hamel. All in favor.**

c. Road Acceptance Sarah's Way J. Doggett asked whether a proposed community park was established within the Sarah's Way subdivision. He remembered that a part of the condition of approval was to make a small park with benches when the subdivision was approved. The PB continued this Road Acceptance Review until the next meeting. The AA will research whether such a park was part of the approval.

Discussion of Stormwater Management Ordinance Regulation Changes.

The Board completed review of proposed changes to the stormwater management section for inclusion on the 2020 warrant. Conservation members Trisha McCarthy, Nancy Slombo and Alicia Geilen joined the review. Ms. Rowden will provide a clean copy for the all PB members for the first meeting in January.

Board Business and Correspondence

a. Acceptance of Minutes from 11/27/18: J. Doggett moved to approve the minutes of the 11/27/18 meeting. C. Melvin second with unanimous vote.

d. Manifests J. Doggett moved to pay the Operating Budget manifest in the amount of \$19.26. Second by C. Melvin with unanimous vote.

J. Doggett moved to pay the NPREA manifest in the amount of \$2,111.07. Second by C. Melvin with unanimous vote.

e. 2019 PB Schedule J. Doggett moved to accept the 2019 PB Schedule. Second by R. Hamel with unanimous vote. J. Doggett asked that that “Public Hearing” and “Work Session” be changed to Public Meeting.

f. Correspondence S. Estabrook suggested the PB use the remainder of 2018 postage allowance to purchase postage stamps. The rate will increase from .50 to .55 the first of the year. The PB members agreed. The AA will purchase the stamps.

Adjourn: J. Doggett moved to adjourn at 9:17 PM, C. Melvin second by with unanimous vote.

The Chair called the meeting back to order at 9:18 PM. The Chair asked for a motion to recommend the Board of Selectmen release the road bond for Kinsley Corner. **J. Doggett made a motion to recommend the release of the road bond in the amount of \$32,981.23 plus interest. S. Estabrook second with unanimous vote.**

Adjourn: J. Doggett moved to adjourn at 9:20 PM. Second by R. Hamel. All in favor.

Meeting adjourned at 9:20 PM.

Respectfully Submitted,

Gail LeBlanc, AA
Newton Planning Board



Newton Planning Board
2 Town Hall Road
Newton, NH 03858



NOTICE OF DECISION

The application submitted by **Albert Trudel, SEC Realty Trust**, for an 8 Lot Subdivision, 141 South Main Street (Tax Map #14, Block 1, Lot 4) received conditional approval by a 5-1 vote of the Planning Board on **December 11, 2018** subject to the following conditions:

1. Note on deed requiring homeowner upkeep of infiltration ponds;
2. Note on deed that turnaround must be kept clear, not used for storage;
3. Add the existing easement to the plan;
4. Note on deed that the language of existing easement must be defined and shown on page 3;
5. Note on deed absolving the Town from liability on shared driveways;
6. Developer to apply for a "Construction General Permit";
7. Native seed mixture be used for reseeding;
8. Mylars of pages 1, 3 and 4 are recorded;
9. Town Counsel to review all new easement language; and
10. Obtain all local, state and federal permits.

Barbara White, Chair
Newton Planning Board
December 11, 2018

cc:

Applicant
Board of Selectmen
Assessor's Office
Board of Appeals
Building Department
Code Enforcement

Conservation Commission
Health Department
Fire Department
Police Department

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Planning Board Minutes of December 11, 2018 Public Hearing and Meeting

All minutes are in draft form until approved by the Planning Board. Please check subsequent minutes for approval of and/or amendments to these minutes.