

TOWN OF HOLDERNESS
Planning Board
Meeting Minutes: December 15, 2020

B. Snelling called the meeting held via Zoom to order at 6:30PM.

ROLL CALL OF MEMBERS:

Members Present:

Robert Snelling, Chairman	Angi Francesco, Vice Chairman	Donna Bunnell, Secretary
Carl Lehner, Member	Louis Pare, Member	Ronald Huntoon, Member
Peter Francesco, Ex-Officio	Janet Cocchiaro, Alternate (<i>non-voting</i>)	

Staff Present: N. Decoteau, Landuse Board Assistant E. Mardin, Fire Chief

Others Present:

B. Nesheim	T. Dunphy	D. Cluff	C. Brown	E. Warburton
E. Schott	F. Yerkes	G. Beaulieu	G. Alvord	M. Seigney
B. Maloney	S. Jones	S. Slack	T. Vansant	L. Mure
T. Dearborn	A. Bellmayor			

B. Snelling stated all seven members are present so J. Cocchiaro will be non-voting.

APPROVAL OF MINUTES: November 17, 2020

MOTION: “To approve the minutes of November 17, 2020 as presented.”

Motion: C. Lehner

Second: R. Huntoon

Discussion: After confirming with B. Nesheim, the word “night” in the definition of Luminosity should be changed to “nighttime” for the final text of the proposed amendment.

Motion Passes: 7 - YES 0 - NO

CONTINUED APPLICATIONS: None

NEW APPLICATIONS:

B. Snelling stated the following application would be considered:

Case #20-12-11: Application submitted by FA Crane Holdings, LLC for an Excavation Permit on property owned by Francis A. Crane identified as Tax Map 210-008-001 located at NH Rt. 175 in the Commercial District, in accordance with the Town of Holderness Subdivision Regulations.

D. Cluff and J. Landry indicated they represent FA Crane Holdings, LLC for the purpose of the application.

D. Cluff briefly summarized the application by stating the following:

- NH Alteration of Terrain Permit: AoT-1701 is in hand – which covers drainage issues
- The site is located off NH Rt. 175 on an 11acre site.
- The site plan includes excavation of gravel which necessitates compliance with RSA 155-E to permit a Gravel Pit operation.
- Holderness requires the Zoning Board of Adjustment grant a Special Exception to allow the Gravel Excavation use and they are scheduled to do that in January.
- Andrew’s Construction, a subsidiary of FA Crane Holdings, LLC, plans to use the site for office space, storage and maintenance of all their equipment and storage of project construction materials.
- Approximately 160,000 cubic yards of material will be moved off site.

- Once the material is removed the excavation activity will not be continued on the site.

MOTION: “To accept the application for Case #20-12-11 submitted by FA Crane Holdings, LLC for an Excavation Permit on property owned by Francis A. Crane identified as Tax Map 210-008-001 located at NH Rt. 175 in the Commercial District in accordance with the Town of Holderness Regulations as complete.”

Motion: R. Huntoon

Second: A. Francesco

Discussion: None

Motion Passes: 7-yes 0-no 0-abstention 0-absent

B. Snelling opened the Public Hearing for Case # 20-12-11 at 6:47pm.

B. Snelling asked for clarification on the site plan (building project) and the excavation activity.

D. Cluff stated the site plan includes an office and area for the maintenance and storage of all their equipment to include dump trucks, excavators, bulldozers and other construction equipment.

D. Cluff stated project materials will also be stored on the site such as jersey barriers, stone, fill, etc.

D. Cluff stated the 160,000 cubic yards of material will need to be removed so that there is adequate area for the construction company to keep all of their equipment and project materials on site.

D. Cluff stated construction of the building can begin while the removal of the 160,000 cubic yards of material is ongoing.

J. Landry stated the time frame for the completion of the removal of the 160,000 cubic yards of material is difficult to determine because the material will be used for their own projects – not sold to the public.

D. Cluff stated no crushing or blasting will take place on site, although some screening of material may take place.

A. Francesco stated the NH AoT Permit needs to be renewed if the project extends past November 2024.

D. Cluff agreed they are aware that will need to be done.

C. Lehner asked regarding the traffic impacts specifically to the residents at the mobile home park on the other side of NH Rt. 175

D. Cluff estimated that an average day would be approximately six dump trucks a day.

R. Huntoon noted that “Excavation Permit” was checked off on the application.

A. Francesco noted that the narrative on the application included the maintenance/office building and the plans submitted include the building.

After some discussion, it was agreed upon that approval is necessary for both the Site Plan Review and Excavation Permitting aspects of the application.

B. Snelling closed the Public Hearing at 7:09pm.

MOTION: “To grant Site Plan Approval for Case #20-12-11 submitted by FA Crane Holdings, LLC for property owned by Francis A. Crane identified as Tax Map 210-008-001 located at NH Rt. 175 in the Commercial District for the construction of a maintenance/office building with associated equipment and material storage.”

Motion: A. Francesco

Second: D. Bunnell

Discussion: Plan used: FA Crane Holdings, LLC Proposed Maintenance Facility Tax Map 210-008-001 dated August 2019 designed by Horizons Engineering Project #19098

Motion Passes: 7-yes 0-no 0-abstention 0-absent

S. Slack, LRPC stated that an Excavation Permit must be granted by the Planning Board per RSA 155-E even if the ZBA grants the Special Exception for the Excavation use.

D. Cluff stated his agreement that RSA 155-E requires the Planning Board issue the Excavation Permit.

S. Slack asked if the storage of equipment/material area is shown on the plan.

D. Cluff clarified the gravel area out back behind the paved area will be used for the storage of equipment and materials.

MOTION: "To grant an Excavation Permit for Case #20-12-11 submitted by FA Crane Holdings, LLC for property owned by Francis A. Crane identified as Tax Map 210-008-001 located at NH Rt. 175 in the Commercial District contingent on obtaining a Special Exception from the Zoning Board of Adjustment."

Motion: B. Snelling

Second: A. Francesco

Discussion: Discussion: Plan used: FA Crane Holdings, LLC Proposed Maintenance Facility Tax Map 210-008-001 dated August 2019 designed by Horizons Engineering Project #19098

Motion Passes: 7-yes 0-no 0-abstention 0-absent

B. Snelling introduced the next item on the agenda as follows:

Case #21-12-11: Application submitted by Gail Beaulieu, Trustee of the Judith J. Dearborn Trust for an 11-Lot Subdivision of property she owns identified as Tax Map 210-019-000 located at Mt. Prospect Road, Oak Hill Road and Stone Post Road in the Rural Residential District, in accordance with the Town of Holderness Subdivision Regulations.

K. French stated he represents the applicant and gave a brief review of the application which included the following information:

- 10 lots are being proposed with the application
- a 5ac. Parcel, shown as Lot 1 on the plan, was subdivided off the property last month
- Lots 6-11 are off Stone Post Road
- Lots 2 and 5 have frontage off Mount Prospect Road
- Lot 2 and Lot 3 have a shared 50ft Right-of-way for access to serve as a driveway
- Lot 5 and Lot 4 have a shared 50ft Right-of-way for access to serve as a driveway
- All lots meet the minimum frontage requirements with the exception of the lots on the cul-de-sac
- A fire pond with a dry hydrant exists off Mount Prospect Road (Tax Map 210-027-000 owned by T. Dunphy) which could be repaired to meet the fire suppression need. Discussion on this is underway but not finalized.
- Abutter, L. Mure, is concerned with the location of the driveway from Lot 2 which is directly across from her driveway.
- All lots meet the minimum lot requirements
- Lots 6-11 are under 5ac. and require State Subdivision approval.

MOTION: “To accept Case #21-12-11: Application submitted by Gail Beaulieu, Trustee of the Judith J. Dearborn Trust for an 11-Lot Subdivision of property she owns identified as Tax Map 210-019-000 located at Mt. Prospect Road, Oak Hill Road and Stone Post Road in the Rural Residential District as complete.”

Motion: B. Snelling

Second: A. Francesco

Discussion: Plan used: A Subdivision for the Judith J. Dearborn Trust, Mount Prospect Road, Oak Hill Road & Stone Post Road, Surveyed January 2020.

Motion Passes: 7-yes 0-no 0-abstention 0-absent

B. Snelling opened the Public Hearing at 7:29pm.

B. Snelling asked if Lot 4 has an acre of buildable land as the topography indicates there may be steep slopes.

K. French stated there is enough buildable area to meet the minimum lot size on Lot 4 and noted the topo lines are at 2ft. intervals on the plan instead of 5ft.

B. Snelling noted that when the lots are developed attention will need to be given to the slope of the area being developed and comply with *Section 500: Steep Slopes* as necessary.

P. Francesco asked regarding moving the driveway off Lot 5.

K. French clarified he was considering relocating that driveway further up Mount Prospect Road.

P. Francesco stated his concern that Lots 2 and 3 may decide to use the driveway off Lot 5 (which also serves Lot 4) so that potentially 4 Lots would be serviced from one driveway – and that does not comply with Town Regulations.

K. French stated Lots 2 and 3 will be included in the deeded right-of-way to the underground utilities located in the right-of-way off Lot 5 but that Lots 2 and 3 will not have deeded right-of-way to use the right-of-way off Lot 5 to access their lots.

K. French indicated that a note can be added to the plan which specifies the driveway from Lot 2 is the access for Lot 2 and Lot 3 and the driveway off Lot 5 is the access for Lot 5 and Lot 4.

L. Pare asked for clarification on wetland areas on the parcel.

K. French noted the Hydric A area as the brook on the east side of Lot 5 and some poorly drained soil areas, Hydric AB, on Lots 8, 9 and 10 which were mapped by a licensed NH Wetlands scientist.

K. French stated the wetlands areas were not included in the land calculations which show there is sufficient buildable area in each lot to meet the minimum requirement.

K. French stated test pits were done on Lots 6-11 and found each lot can support a State approved septic system.

L. Mure stated her concern was for the driveway off Lot 2 being directly across her driveway.

L. Mure noted the area across the street from the fire pond is a wet area frequented by wild life.

L. Mure asked that the driveway off Lot 2 can be moved to the east.

K. French stated consideration could be given to moving the driveway but that the Road Agent has to approve the location.

S. Jones stated she preferred the 2 driveways which each access 2 lots rather than another town road.

S. Jones asked for more information regarding fixing the fire pond.

K. French stated they are working on a plan but nothing has been decided as there are many aspects to consider.

K. French stated a condition of approval to meet the concern regarding a provision for fire suppression can be part of an approval.

B. Snelling closed the Public Hearing at 7:46pm.

P. Francesco noted that an easement to use the fire pond will need to be part of the discussion regarding using the fire pond to meet the fire suppression.

K. French stated that any condition of approval should be that a provision will be made for fire suppression – as no specifics regarding the repair/use of the old fire pond have been determined to date.

B. Snelling reopened the Public Hearing to allow more comment from the public at 7:50pm.

T. Dunphy spoke to the issue of the old fire pond on his property Tax Map 210-027-000 and asked what regulation requires/sets the criteria for the need for a fire pond to be available for fire suppression.

T. Dunphy stated that his understanding that a group of residents got together in 1983 and had the fire pond constructed for the purpose of fire suppression.

A discussion regarding the history of the old fire pond and the current regulations/standards for fire ponds.

T. Dunphy asked what the Planning Board's minimum requirement for providing fire suppression is.

A. Francesco stated that at a minimum the Planning Board requires the Fire Chief make an assessment that basic health safety and access needs are met in a proposed subdivision.

B. Snelling stated there are not explicit requirements for a fire pond/cistern for subdivisions with a certain number of lots.

A. Francesco stated the Board can approve the subdivision with conditions and that one of the conditions should be that it meets the health/safety regulations of State Subdivision Regulations.

L. Mure asked if the driveway location changes due to the recommendation of the Road Agent, would the plan have to come back to the Planning Board.

A. Francesco stated if the condition states the driveways are to be located per the recommendation of the Road Agent the application doesn't have to come back to the Planning Board if the recommendation is different than what is currently shown on the plan.

B. Snelling closed the Public Hearing at 7:46pm.

MOTION: "To approve Case #21-12-11: Application submitted by Gail Beaulieu, Trustee of the Judith J. Dearborn Trust for Subdivision of property she owns identified as Tax Map 210-019-000 located at Mt. Prospect Road, Oak Hill Road and Stone Post Road in the Rural Residential District with the following conditions:

- 1. NH State Subdivision Approval be obtained,**
- 2. A note on the plan clearly states the 50ft. driveway right-of-way on Lot 2 is the access for Lot 2 and Lot 3, and the 50ft. driveway right-of-way on Lot 5 is the access for Lot 5 and Lot 4,**
- 3. The Holderness Road Agent determine the best location for the 50ft. driveway right-of-way on Lot 2 and Lot 5 taking into consideration the location of the driveway on Tax map 210-030-000, and**

4. The subdivision meets State Fire Safety Regulations for access by fire trucks and is approved by the Holderness Fire Chief.”

Motion: A. Francesco

Second: D. Bunnell

Discussion: Plan used: A Subdivision for the Judith J. Dearborn Trust, Mount Prospect Road, Oak Hill Road & Stone Post Road, Surveyed January 2020.

Motion Passes: 7-yes 0-no 0-abstention 0-absent

B. Snelling introduced the next item on the agenda as follows:

Case #22-12-11: Application submitted by Frank P. Yerkes, LLS as agent for James B. Alvord, Jr. et al. for a Boundary Line Adjustment on property they own identified as Tax Map 236-044-000 and 236-050-000 located at 22 & 24 Alvord Road in the General Residential District, in accordance with the Town of Holderness Subdivision Regulations.

F. Yerkes stated he is representing the applicant, J. Alvord, and gave a presentation which included the following information:

- A transfer of 4,041 sq. ft. from Parcel 236-044-000 to parcel 236-050-000.
- The transfer adds 53 ft. of shore frontage to Parcel 236-050-000.
- Parcel 236-044-000 is 3.5ac after the adjustment.
- Parcel 236-050-000 is 8.98ac after the adjustment.
- No waivers are requested as both lots meet the Subdivision Regulations requirements.

MOTION: “To accept Case #22-12-11: Application submitted by Frank P. Yerkes, LLS as agent for James B. Alvord, Jr. et al. for a Boundary Line Adjustment on property they own identified as Tax Map 236-044-000 and 236-050-000 located at 22 & 24 Alvord Road in the General Residential District as complete.”

Motion: A. Francesco

Second: B. Snelling

Discussion: Plan used: Lot Line Adjustment Plan prepared for James B. Alvord Jr., et al, Tax Map 236 Lots 44 & 50, NH Rte. 113 dated November 16, 2020 prepared by Yerkes Survey Associates, LLC.

Motion Passes: 7-yes 0-no 0-abstention 0-absent

B. Snelling opened the Public Hearing at 8:14pm.

E. Schott asked if the location of the road access was being changed.

A. Francesco stated that action took place at a previous meeting.

F. Yerkes stated the only change proposed on the plan before the Planning Board is the transfer of the 4,041sq. ft. and that everything else shown on the plan, including the proposed driveway location, is part a plan recorded at the Grafton county Registry of Deeds.

P. Francesco stated he is an abutter to the project and stepped down from the Board.

B. Snelling closed the Public Hearing at 8:30pm.

MOTION: “To approve Case #22-12-11: Application submitted by Frank P. Yerkes, LLS as agent for James B. Alvord, Jr. et al. for a Boundary Line Adjustment on property they own identified as Tax Map 236-044-000 and 236-050-000 located at 22 & 24 Alvord Road in the General Residential District.”

Motion: R. Huntoon

Second: C. Lehner

Discussion: Plan used: Lot Line Adjustment Plan prepared for James B. Alvord Jr., et al, Tax Map 236 Lots 44 & 50, NH Rte. 113 dated November 16, 2020 prepared by Yerkes Survey Associates, LLC.

Motion Passes: 6-yes 0-no 0-abstention 0-absent (P. Francesco recused himself)

OTHER BUSINESS:

Solar Regulations:

The Board determined that the discussion on Solar Regulations should be taken up at a later date.

It was determined that a meeting will be held on January 5, 2021 at 6:30pm for the purpose of discussing Solar Regulations.

4. Next Meeting:

Tuesday, January 5, 2021 at 6:30PM

Tuesday, January 19, 2021 at 6:30PM

CORRESPONDENCE:

B. Snelling stated a Memo from the Zoning Board of Adjustment was received requesting the Planning Board consider proposing a zoning amendment regarding Detached Accessory Dwelling Units.

B. Snelling stated the issue is important to address, but that because final language for proposed zoning amendments for the March 2021 annual warrant is due to the Town Clerk by February 2, 2021 there is not enough time to propose an amendment for this year.

B. Snelling stated his opinion that the fundamental issue relative to Detached Dwelling Units is the one dwelling per property requirement.

P. Francesco stated that the Detached Accessory Dwelling Unit issue has several aspects to consider and should not be rushed through.

B. Snelling stated the Holderness Zoning Ordinance is considered a permissive ordinance which means if something is not specifically allowed/addressed it is not allowed.

B. Snelling stated that because the Planning Board specifically addresses only Attached Accessory Dwelling Units in the Zoning Ordinance, that Detached Accessory Dwelling Units are not allowed.

ADJOURNMENT:

At 8:45pm the following motion was made:

MOTION: "To adjourn."

Motion: B. Snelling

Second: P. Francesco

Discussion: None

Motion Passes: 7-yes 0-no 0-abstention 0-absent

Respectfully submitted,

Nancy Decoteau, Land Use Boards Assistant