

1 MILFORD PLANNING BOARD MINUTES ~ APPROVED

2 April 20, 2021 Board of Selectmen's Meeting Room, 6:30 PM

3
4 **Members Present:**

5 Doug Knott, Chairman

6 Tim Finan, Vice Chairman

7 Paul Amato, Member

8 Janet Langdell, Member

9 Pete Basiliere, Member

10 Susan Robinson, Member

11 David Freel, Selectmen's Rep.

Staff:

Jason Cleghorn, Town Planner

Lincoln Daley, Community Dev Director

Darlene Bouffard, Recording Secretary

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15 **MEETING PREAMBLE DURING COVID-19 EMERGENCY**

16 *Good Evening, as Chairman of the Planning Board, I am declaring that an emergency exists and I am*
17 *invoking the provisions of RSA 91-A:2, III (b). Federal, State, and Local officials have determined that*
18 *gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to*
19 *combat the spear of COVID-19. In concurring with their determination, I also find that this meeting is*
20 *imperative to the continued operation of Town government and services, which are vital to public safety*
21 *and confidence during this emergency. As such, this meeting will be conducted without a quorum of this*
22 *body physically present in the same location.*

23 *At this time, I also welcome members of the public accessing this meeting remotely. Even though this*
24 *meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct*
25 *and decorum apply.*

26 *Public comments will be limited to three minutes per person. Any person found to be disrupting this*
27 *meeting will be asked to cease the disruption. If the disruptive behavior continues thereafter, that*
28 *person will be removed from this meeting.*

29 *Please note that all votes that are taken during this meeting must and will be done by Roll Call Vote.*

30 *Let's start the meeting by taking a Roll Call attendance. When each member states their name, also*
31 *please state whether there is anyone in the room with you during this meeting, which is required under*
32 *the Right-to-Know Law.*

33
34 Members and staff were polled individually: T. Finan was in his office alone; J. Langdell at her home in the
35 room alone; P. Amato was at his home in the room alone; S. Robinson was at her home in the room alone; J.
36 Cleghorn was alone in his home office alone, L. Daley was in his office alone; D. Bouffard was in her home
37 office alone; D. Freel was at home along in the room; D. Knott arrived at 6:35 p.m. and was in his office
38 alone in the room.
39

40 **1. Call to order:**

41 Chairman D. Knott called the meeting to order at 6:30 p.m. indicating that tonight there are three applications
42 that were continued from March and three new applications to be heard. J. Cleghorn recommended that the
43 Board consider reviewing the agenda items out of order with the SP2021-10 application for Poodle Crossing
44 LLC being considered first due to its simplicity. J. Langdell moved to take Item 2d for consideration first this
45 evening. T. Finan seconded. A poll was taken: J. Langdell yes; T. Finan yes; P. Amato yes, P. Basiliere yes;
46 S. Robinson yes; D. Knott yes.
47

48 **2. Public Hearing(s):**

- 49
50 **a. Case SD2021-06 Chappell Properties, LLC (applicants/owners).** Review for a lot line adjustment and
51 a minor subdivision to subdivide Map 48 Lot 8 into two lots. The parcels are located at 454 NH Route 13
52 South in the Integrated Commercial-Industrial "ICI" zoning district. Tax Map 48 Lot 8. Continued from
53 the March 16, 2021 meeting
54

This application was continued from the March 16, 2021 public hearing. J. Cleghorn indicated this application was continued previously because the addition to the Site Plan did not have the easement language; staff has received the draft easements and reviewed them and they are ready to record once finalized. Carl Foley, Fieldstone, representing the applicant, said that during the presentation at the last meeting, the open space calculation was brought up. The open space requirements have been met and the easements have been submitted and he can take any questions from the Board regarding the Subdivision Plan and Lot Line Adjustment.

P. Amato asked for the colored version of the plans from the last meeting to be shown. J. Langdell asked for any changes from the last meeting to be discussed. C. Foley explained the changes. J. Langdell noted that in order to meet the open space requirements, you needed to make a very odd shaped lot. D. Freel understands why they are doing this, it makes sense. J. Langdell said she would like to hear from the applicant's representative on why they are doing this. D. Foley understands it is oddly shaped, but it does meet the requirement. J. Cleghorn said if the lot did not have the frontage, he would hesitate about the shape of the lot, but it does meet the requirements and we are okay with it.

J. Langdell said they also could have gone for a variance or a Special Exception on Open Space instead. It is just a very unusually shaped lot. C. Foley said that was to capture the open space requirement for zoning. T. Finan asked if the yellow strip on the plan is open space and was that on the plan at the last meeting? C. Foley pulled up the plan that was previously presented. P. Amato said because the plan last month did not have the open space, how can we get around the open space on lot 48-8? J. Cleghorn talked about this with L. Daley and all the lots need to meet the open space requirement. Because of the building, they worked around it. P. Amato asked if there could have been another way to do this? In order to meet the open space requirement?

J. Langdell said the current configuration only makes sense because the two lots might be owned at some point by the same owner but it looks questionable. D. Freel stated if lot 48-8 is owned by one owner, 48-5 could have another owner. It makes complete sense to him since he is always down there. P. Amato asked how can this configuration help with open space, all this plan does is meet the ordinance. P. Amato asked how will you prevent someone from parking equipment on the other lot (Parcel B)? P. Basiliere said the shape of the lot being created bothers him, this is a strange lot in order to meet the letter of the ordinance; could this just be done with a Zoning Variance? J. Cleghorn said it could have been done that way and he understands the Board's concern since this could be considered a "flag lot". J. Cleghorn understands the concern from the Board but staff finds this acceptable because the access is on Route 13 so it is not a problem. P. Amato said we are doing it on the north and west side in order to get it to the right size. J. Cleghorn said this was never going to be a rectangle shape. We did not expect that but the Planning Board has not been in the habit of supporting bizarrely shaped lots. T. Finan remembers at Capron Road there was a similar property to get to the open space requirement. P. Amato feels this lot was designed to be under a single ownership and now it is being cut off for separate ownership. D. Freel stated if it is your land, you can do what you want, the land has been in the family for many generations and will probably stay that way. In the future, it will still make sense, it is an odd shape, D. Freel hears the issues being brought up but there are strange lots all over Milford. P. Amato responded that does not mean we need to make more strange shaped lots.

D. Knott said there are some concerns, the Board needs to talk before we open this to the public. Staff has indicated they are okay with this. J. Cleghorn did not receive any phone calls or interest on this plan at all. Kent Chappell, owner of lot 48-6 said lot 48-4 is owned by the Carters who we talk to a lot and there are no issues from them, we would have much preferred to not have this shape lot but 48-8 did not meet the open space requirement. Souhegan Motor Sports has an interest in purchasing 48-8-1, if they buy both lots, this will not be an issue. We are looking to take care of this now. We created an access for them across 48-7. In order to do what we need to do, this odd shaped lot resulted and at some point in time it might go away. D. Knott asked if the owner of Souhegan Motor Sports is family? Kent Chappell said they are not, but it feels like they are. P. Amato asked if they end up buying 48-8-1 at some point will this all go away? Kent Chappell responded yes, so this would go away; he agrees it is odd, but it serves the purpose for what we want to do right now. P. Amato said if it is all one owner, they could eventually do a lot merger. Kent Chappell said the engineer came up with this in order to meet the open

space requirement; we are not into strange shaped lots but in this case it is what is needed to be done to meet the ordinance. D. Knott asked why they didn't just get a Variance? Kent Chappell responded that Souhegan Motor Works would like to get this going and was not willing to wait for it to go through Zoning – it was a timing thing. D. Knott opened the meeting to the public.

There were no hands raised for questions or comments. J. Cleghorn added that there were very few comments from staff on this application.

It was suggested that two separate motions be made: one for the Lot Line Adjustment and one for the subdivision to create Lot 48/8-1. D. Freel moved to approve the Lot Line Adjustment. P. Amato seconded. A poll was taken: S. Robinson yes; D. Freel yes; P. Amato yes; P. Basiliere yes; T. Finan yes; D. Knott yes with J. Langdell abstaining. Motion passed.

D. Freel moved to approve the subdivision for the creation of Lot 48/8-1. P. Basiliere seconded. A poll was taken: D. Freel yes; P. Basiliere yes; J. Langdell yes; S. Robinson yes; P. Amato yes; T. Finan yes; D. Knott yes. Motion passed. Kent Chappell thanked the Board for their time.

- b. **Case SP2021-04 Mengyuan Property Management and Frank Kling (applicants/owners).** Review for a major site plan application to construct a six (6) unit townhouse, multi-family residential project with related parking, drainage/stormwater management, landscaping, and lighting improvements. The parcel is located at 159 Elm Street in the Commercial C zoning district. Tax Map 19 Lot 5. Continued from the March 16, 2021 meeting.

This case was continued from the March 16, 2021 meeting. The applicant has requested a continuance to the May 18, 2021 meeting. P. Amato moved to continue the application to the May 18, 2021 meeting. J. Langdell seconded. A poll was taken: J. Langdell yes; P. Amato yes; T. Finan yes; S. Robinson yes; P. Basiliere yes; D. Freel yes; D. Knott yes. Motion passed.

- c. **Case SP2021-08 Andrew and Krista Gardent and A.C. Engineering & Consulting (applicants/owners).** Review for a major site plan related to the excavation of approximately 70,000 cubic yards of material for construction of a new driveway, home, agricultural barn with associated stormwater control and re-contouring activities for agricultural fields. The parcel is located at 637 North River Road in the Residence "R" zoning district. Tax Map 3 Lot 12. Continued from the March 16, 2021 meeting.

This case was accepted at the March meeting and abutters were read at that time; the case was continued from the March 16, 2021 meeting. Anthony Costello, AC Engineering and Consulting, said he is presenting on behalf of the applicants. A. Costello was not at the site walks, but there have been a few changes made to the plan since then including the access being changed after the DOT approval in order to avoid the close proximity to the house. The Wildlife Study was submitted to the State two weeks ago. There were several site visits by members of the Planning Board, with less than a quorum present; D. Freel noted that he drove up the driveway and asked if the house will be at the very end? A. Costello responded that is where the agricultural fields will be. When D. Freel visited, he stopped where the silt fence was. A. Gardent said everything will be done inside of the silt fence. The house will be built at the end of the ester. D. Knott asked if the fuel tank out there is portable and does it meet regulations? A. Gardent said believes it is, the plan was shared on the screen by A. Costello who explained the point was to take down the ester to get the area flattened out, it is just a big mound they are trying to flatten. A. Costello said the ester is 135' from the closest house. Most of the properties are 400' to 500' away. D. Knott asked where the screener will be located? A. Costello explained it will be in the middle of the lot. Lot 4/3-2 is the closest house. P. Amato asked if the property lines are clear? A. Costello said they are, there is an iron pipe at the closest one. P. Amato asked if any buffer will be between that house and your property? D. Knott asked what are the hours of operation? Andrew Gardent responded 8 am to 4 pm, Monday-Friday.

J. Cleghorn said the hours are noted on the plan. P. Amato asked what is on the plan is what the ordinance states. D. Knott indicated the applicant is saying that is what he will do. S. Robinson said

having the screener located deep in the property is very good. A. Costello said there will be boulder retaining walls that will step up incrementally. D. Knott asked if it will be every 4 or 5 feet? A. Costello said the slope is very steep, we cannot get a 3-1 slope. P. Amato said it needs to be a 3-1 slope but does it say in the ordinance that you can terrace this? J. Cleghorn is not sure the ordinance specifies that. P. Amato said the town states 3-1 so that as it grows things it does not wash out. A. Costello said the site was graded in accordance with the AoT regulations. We graded it to the State requirements. J. Cleghorn said the slope shall be 2-1. P. Amato with a retaining wall, can you get it there? A. Costello no, it will be loamed and seeded per the AoT. J. Langdell asked if there is a reclamation plan on this? A. Costello said it is not labeled as such. J. Langdell said it needs to be spelled out specifically because there is a gravel permit with this. J. Cleghorn when public comments are finished, he was going to read a list of things to think about, including a street sweep.

Anthony Costello was not aware of the items that were discussed this morning; over time if the road is contaminated by the gravel, a street sweeper will be brought in at the applicant's expense. A. Costello said a construction entrance will be constructed to capture some of the mud and dust. P. Amato said the applicant is responsible to keep the dust down and water the road as needed. T. Finan asked if the AoT requirements are satisfied? P. Amato said it does not meet the town requirements of 3-1, our ordinance says it has to be 2-1. A. Costello said it would push it into the wetland buffer if we were to get it to 2-1. We did our best to stay out of that. The slopes are 2.3 to 1, we would not have the room to grade it down and not impact the wetland buffer. The high point is where the property line is. J. Cleghorn said page 9 of the packet has the revised entrance. Through discussion with the applicant, the application was granted by DOT to use the second driveway. P. Basiliere asked if excavators go down to the driveway entrance? J. Cleghorn said they do not. The applicant has long term plans to have agricultural uses on the front portion of the road. That driveway will bi-sect that. P. Basiliere asked if the burms on the North River Road side will be reclaimed or left as is? A. Costello said they will all be reclaimed after they are done. The construction driveway will be reclaimed as well. D. Knott asked how long until this will be reclaimed? A. Gardent plans to be all done within two years. D. Knott asked if reclamations will be as you go or after it is done? If you reclaim as you go, it will reduce run off. A. Gardent said he will reclaim as he goes.

There were no other questions or comments from the Planning Board, so D. Knott opened the meeting to the public and indicated to state your name and address and if you are an abutter. Comments will be limited to 3 minutes per person. Kiel Duggar, 16 Cortland Dr., asked about the staff concern about the property line due to noise and dust. The noise is already a concern, what will be done to minimize the noise? Andrew Gardent said water trucks will be out on the areas that can be driven on to water for dust. D. Knott asked if there are regulations from the AoT or the town that will be met? A. Costello said on page 12 of the plan, the dust control is noted. K. Duggar said the excavator makes a lot of noise but going forward, what will noise control look like? S. Robinson, said he hours of operation M-F, 8:00 am to 4:00 pm, does that help? K. Duggar said unfortunately his wife is a nurse and works nights, so no that doesn't help, but they would be willing to work with the Gardent's.

Petr Fryklund, 50 Cortland Dr., is so concerned with noise, this is 500' from his house but he asked if they will be working close to him? His concern is if there will be tractors on Saturdays. A. Costello said there are wetlands in that area and they will be working close to it but would need a special permit for that. We are not working in the wetland or wetland buffer, to which A. Gardent agreed. Elyata Tonnesen lives on North River Road and asked what will be done in the existing driveway? A. Gardent said they are putting in a greenhouse for agricultural use. That is a permanent driveway that will be used after construction. Elyata Tonnesen said at the last meeting there was discussion about the impact to her house, asking if some investigation could be done on that to see if her foundation will be affected? For the Perry Road and Brox property, do we know if there is any impact from that? J. Cleghorn has spoken to the Town Building Inspector about impact to a foundation and he does not believe the trucks would affect the foundation any more than the existing driveway would have an impact to a foundation. A structural analysis was not done but that was his opinion. D. Knott said the construction driveway was moved 115' from the existing driveway. P. Basiliere asked how far is the existing driveway from her house? A. Gardent answered it is 60' from her house. Seeing no further hands raised for public comment, D. Knott closed the public meeting.

J. Cleghorn reviewed the comments to be added to the plan and to remind the applicant: 1) hours of excavation operation; 2) dust and water control; 3) condition of screener location; 4) sand & gravel bond requirement to be set up by applicant in the case that the project was not completed so that the town could use the funds for reclamation – that will be worked out with the applicant and staff after tonight’s meeting. The engineer has explained how the sloping will help with the dust and noise. The primary concern is to protect the wetland buffer. D. Knott asked if we want to have the screener put on the plan in one spot? It might not be practical, but having a note on the plan that the screener will be in a location that produces minimal noise. A. Gardent is comfortable with putting the screener in the area where the house will eventually be. D. Knott said that will be for two years? A. Gardent said yes, and he will not use the screener every day. S. Robinson verified the hours of 8-4 and that the trucks will not be started until 8 am? A. Gardent said yes. S. Robinson asked if Andrew can work with the neighbor that is 135’ away, regarding noise? Andrew said he can work through this with them.

J. Langdell said on page 3 of the staff report, have the test pits been taken care of? A. Costello said we did not do borings at the top of the escar. J. Langdell asked if the stormwater permit is all set? J. Cleghorn said it is. J. Langdell asked if a Gravel Permit will be filed with the town? J. Cleghorn said there will be. P. Amato said they get the gravel permit and post a bond and then they can start selling. J. Langdell thanked Paul and Andrew. D. Knott asked if the process has been going on during this Planning Board process? J. Langdell said they had a significant amount of work done prior to them coming before the Planning Board. J. Cleghorn said the last item on that list for Planning Board members on May 8 is the end of their comment period and the staff would recommend that no excavation be performed until the AoT is issued and the Site Plan is approved. We are here reviewing the Site Plan with a list of conditions to be met and then the AoT needs to be received - that is just the way it gets done.

P. Basiliere referenced A. Costello’s comments at the March meeting, asking if the wildlife report been completed? A. Costello indicated that was submitted March 8, and the AoT will be approved no later than May 8, 2021. D. Knott said the deadlines for State are never met. A. Costello said the State looks back at the last ten years to see what work has been done based on the tree line. J. Langdell pointed out the Conservation Commission memo from the last meeting. J. Cleghorn said there was not a memo at the last meeting, the MCC did attend a site walk and they did have comments outside of the need to protect the wetland buffers. P. Basiliere walked the site but he is not sure if it is ready to move forward; he is concerned about the driveway, the screener could be identified as not being closer than a certain number of feet; because of the proximity of the house next door and this being an agricultural use with trucks and traffic to access the property. J. Cleghorn said the plan is for agricultural use, he feels the new access will work better for trucks and equipment and the eventual driveway will be strictly for the owner’s private use.

P. Amato said this is a site plan for a gravel permit and they have done a good job getting the construction access away from the closest abutter. P. Basiliere indicated this is a 60 acre parcel so maybe the Gardents can give consideration to putting in mitigation for the abutting property. J. Langdell agrees with the current driveway, but we have asked for the temporary haul road that is across the road from a piece of land owned by DOT. P. Basiliere is unsure how we can approve a project that has the retaining wall and how can the Planning Board approve this if the retaining wall is not built to our requirements? J. Langdell asked if there is an alternate best practice where the tiering is to be used? J. Cleghorn feels this is a trade-off. P. Amato thinks it is more important because there is a wetland there and he feels it is being handled with the retaining wall. D. Knott said it is a method approved by the State to protect the wetland buffer, he understands what the Planning Board is saying, but the AoT is involved and they recommend this. J. Langdell indicated this will create a natural buffer between the greenhouse and the abutting neighborhood.

P. Basiliere asked why then, is the regulation 2-1, is that for management or is it for erosion? P. Amato said with the steep approach it will actually do a better job because it is in a slope. D. Knott asked what does the Board want to do? A. Costello explained the gravel pit permit is being done because the town required it, the retaining wall is required for the driveway, it is not for the gravel permit. J. Langdell added that the AoT came out with 10 comments but nothing will change in these plans.

J. Langdell moved to approve the Site Plan with the following conditions: 1) Screener will be located in the flat area no closer than 250' from the property line of the closest abutter; 2) Final approval of the State Alteration of Terrain (AoT) which should be noted on the Final Plan set; 3) Final reclamation plan for the portion of the burm being excavated for gravel product. D. Freel seconded. A poll was taken: J. Langdell yes; D. Freel yes; S. Robinson yes; T. Finan yes; J. Langdell yes; D. Knott yes; with P. Amato abstaining; P. Basiliere no. Motion passed.

- d. **Case SP2021-10 Poodle Crossing, LLC (applicants/owners).** Review for a major site plan related to the construction of a 28'x40' three bay garage for the storage of vehicles and equipment. The parcel is located at 633 Elm Street in the Integrated Commercial Industrial "ICI" zoning district. Tax Map 13 Lot 3-1.

J. Langdell moved to accept this application for review. T. Finan seconded. A poll was taken: S. Robinson yes; P. Basiliere yes; T. Finan yes; J. Langdell yes; P. Amato yes; D. Freel yes; D. Knott yes. Motion passed.

J. Langdell moved no potential regional impact for this application. T. Finan seconded. A poll was taken: T. Finan yes; J. Langdell yes; S. Robinson yes; P. Basiliere yes; D. Freel yes; P. Amato yes; D. Knott yes. Motion passed.

Robert Duval, representing the applicant is here with Lisa Schmidt, a representative for the owner of Poodle Crossing. R. Duval presented the plan, explaining there is a tiny strip of impervious material on this lot. The garage is to take the vehicles out of the lot and put them into the garage, they are part of the business of Steel & Co, the goal of this Site Plan is only to add the garage. There is no change of pattern, there is a reduction of impervious surface and there are no new curb cuts. Because of the river proximity, we had to get a Shoreland Permit which was received in September 2020. The architectural plans were shown as well as elevations showing it is a very simple application. After indicating the siding will be board and batten finish, the representative asked if there were questions from the Board.

D. Knott asked for questions from the Board. J. Langdell asked if the Shoreline permit is mentioned in one of the notes. J. Cleghorn said the permit is part of the package. J. Langdell thinks it should be noted on the plan because sometimes they get separated. S. Robinson agreed that Shoreline information should be on the plan. Mr. Duval asked if a note should be added to that affect? J. Langdell responded yes. P. Basiliere indicated the intent is to store the vehicles there, is that correct? Lisa Schmidt said that is correct, the vehicles and equipment that Steel & Associates uses; we do not have heavy equipment, these are personal vehicles. P. Basiliere indicated if there is a change in ownership of this property, could they use this for something else? D. Knott said another use would need to come before the Planning Board for approval. L. Schmidt said the vehicles would belong either to her or her husband and the site is not suitable for a lot of other uses. The other tenants in the building are professionals and if J. Steel leaves, another tenant could utilize the space for their vehicle. J. Cleghorn stated vehicle storage areas of this size are allowable.

J. Cleghorn noted that people are currently contacting him about accessing the meeting. T. Finan was notified that the login and password were incorrect and people cannot log in. T. Finan asked if the host (Granite Town Media) can provide the correct information to log in. The correct information was announced to allow those that would like to log into the meeting to access the live video.

J. Langdell said what the Planning Board member is asking about would need to come before the Planning Board (in the future) because it would need to be approved for a change of use. There were no further questions from Board members. D. Knott opened the meeting to the public. There were no questions from the public. D. Knott closed the public portion of the meeting and asked for a motion.

P. Amato moved to approve this application subject to adding the Shoreland Protection information to the plan. J. Langdell seconded. S. Robinson yes; P. Basiliere yes; T. Finan yes; P. Amato yes; D. Freel yes; J. Langdell yes; D. Knott yes. Motion passed.

- e. **Case SP2021-09 Hitchiner Manufacturing Company, Inc. and ReVision Energy (applicants/owners).** Review for a major site plan/conditional use permit related to the installation of a 510.72kW DC solar array consisting of 1344 photovoltaic solar panels. The parcel is located south of the intersection of Savage Road and Phelan Road in the Industrial "I" zoning district. Tax Map 6 Lot 42-1.

J. Langdell moved to accept the application for review. T. Finan seconded. A poll was taken: J. Langdell yes; T. Finan yes; P. Basiliere yes; D. Freel yes; P. Amato yes; S. Robinson yes; D. Knott yes. Motion passed.

P. Amato moved no potential regional impact. P. Basiliere seconded. A poll was taken: P. Amato yes; P. Basiliere yes; J. Langdell yes; D. Freel yes; T. Finan yes; S. Robinson yes; D. Knott yes. Motion passed. P. Amato indicated that he will recuse himself from further voting on this application.

J. Cleghorn read the abutters list for this application.

Allison Barbour, ReVision Energy and James Hasselback were presenting the application. Allison shared her screen to show the plan for 1344 solar panels. This parcel is in the Industrial zone; we looked at installing on the roof but it would have limited the size. 100% of power generated will be used to power Hitchiner Manufacturing. There will be no additional clearing as this will only require trenching for the allocation and footings. Grass will be mowed as it has been done in the past. The distribution area will be less than 300 square feet. No fencing will be installed, plantings will be put along Savage Road for screening. No additional lighting will be added. J. Langdell asked about the distance between plantings and the edge of pavement? Anthony Rodrigues, Hitchiner Manufacturing, said it is a 30' setback from the street to the area. James Hasselback said it will be about 15-18' to the plantings from the roadway.

Allison Barbour said the solar panels cause less glare than snow. The inverters will be located at the top of the hill. D. Knott asked for any department comments. J. Cleghorn responded that he sent the Conservation comments to members this morning, because the Conservation Commission does not meet as often as the Planning Board. The Department comments were due April 7 but Conservation had not met by that date. A wildlife study is up to the Planning Board to determine if it is needed. J. Cleghorn forwarded the Conservation comments this morning and was assured it would not happen again that the comments come in so late. There were no comments from other departments from the staff report. J. Cleghorn noted the stormwater is not impacted by this type of activity. D. Knott said he feels a comment that comes in this late in the process is honestly not fair to the applicant or the Planning Board. J. Cleghorn said screening the solar array is difficult because of the terrain and it was decided that the top of the hill cannot be screened and vegetation would be the best way to screen a portion of it. P. Amato is very familiar with this area and knows where the gophers are. Allison Barbour finished the presentation with pictures of existing solar arrays similar to this installation.

T. Finan asked if these are fixed panels, to which Allison replied they are fixed panels. T. Finan asked about not having a fence and is there any concern of people going in the area? James Hasselback said the electrical code we meet is the NH electric code and the back of the array is protected by a metallic screening that protects the electronic components. James said the bottom edge of the panels is about 3' above grade. The grass can continue to grow and this will allow space for snow to fall off. D. Knott asked is the power only for Hitchiner or will it go back to the grid? James Hasselback said this array is solely to supply power to Hitchiner. All the energy will be used by the building on the site. D. Knott asked if there will be a battery storage facility in the building? James Hasselback said no, no batteries are required for this project. J. Langdell said when EDAC was looking at local industrial businesses, the energy costs were a challenge, so to see this going forward is great; this is a great plan; she asked if this a good selection of vegetation. D. Knott said it is a good selection of deer-resistant vegetation, overall these are nice choices and will function as designed.

D. Freel is not a fan of the looks of a solar array, that is the down side, but it is great for the environment but there are people that will not like this, in 20 years will this just be an eye sore? It was nice when that hill got used for sledding until the signs were put up. James Hasselback said the life span of the panels is

35-40 years, the panels have a warranty for 25 years. Recycling of the panels is becoming better but they cause no harm. These are monopole silicone (sand, aluminum and glass). Currently there is a recycling program for these components. P. Basiliere asked how it is determined how much space it between each panel? James Hasselback commended Pete for that question, there are geometric factors to minimize the physical space and shade slope, typically 20-25' between each row. The Conservation Commission comments were reviewed.

There were no further questions or comments from the Board. D. Knott opened public meeting to the public for question or comments. Seeing no questions from the public, D. Knott closed the public portion of the meeting. J. Cleghorn indicated the landscaping plan can be included in the final plan.

J. Langdell moved to approve the Site Plan / Conditional Use Permit SP2021-09 with the landscaping plan included in the Final plan set. T. Finan seconded. A poll was taken: S. Robinson yes; J. Langdell yes; T. Finan yes; P. Basiliere yes; D. Freel yes; P. Amato recused; D. Knott yes. Motion passed.

- f. **Case SP2021-11 Housing Initiatives of New England Corp. (applicants/owners).** Review for a major site plan related to a building addition and renovation of an existing building for a change of use to facilitate senior housing. The parcel is located at 54 School Street in the Commercial "C" zoning district. Tax Map 26 Lot 169.

T. Finan moved to accept the application for review. P. Basiliere seconded. P. Amato indicated he will recuse himself on voting on this application. A poll was taken: S. Robinson yes; J. Langdell yes; T. Finan yes; D. Freel yes; P. Basiliere yes; P. Amato recused; D. Knott yes. Motion passed.

T. Finan moved no potential regional impact for this application. P. Basiliere seconded. A poll was taken: D. Freel yes; S. Robinson yes; J. Langdell yes; P. Basiliere yes; T. Finan yes; P. Amato recused; D. Knott yes. Motion passed.

J. Cleghorn read the abutters list for this application. Cyndy Taylor, representing the applicant, along with Jeff Kevan of Fieldstone and Jon Halley and Caroline Corriveau will present the plan. Jeff Kevan, Civil Engineer, presented the plan for building senior housing in the building previously owned by The Cabinet, for a 3-story residential building with a renovation to add another building attached to allow the requested number of units. A Variance was approved by the ZBA for density and for going into the 15' setback. This is for affordable senior housing, with deed restrictions that will be maintained for the property. This is for 18 units, each with 1.5 parking spaces. 18 parking spaces will be on site with an easement agreement with the abutter to use 10 spaces for a total of 28 parking spaces. No additional staff will be required for this housing. For this type of housing, there is very low traffic generated; the proximity to the oval is important, 5 traffic trips during the morning and evening peak hours are anticipated. A dumpster will be located where it is hidden and screened on the site.

Jon Halle said the park area will go into the new portion of the building and the elevator. There are no units on the 1st floor where the laundry and common areas are located. The original Cabinet buildings will have 9 units and the addition on the back of that building will have another 9 units. The discussions with the ZBA and Planning Board have helped to work out the details of the concerns of the historic building. The upper parking lot off Bridge Street has a stairway and access to the elevator. The applicant would like to utilize Historic Resources and the National Park Services will weigh in on the colors scheme used. They would like to use brick but Historic Resources makes that decision so that Historic Tax Credits can help to fund this endeavor. We have had an initial review with Historic Resources, those requirements must go to Washington DC for review and approval. More than likely, Cyndy Taylor said clapboard will be used, but if we can afford it we would like to add brick.

S. Robinson asked is this an extension of The Mill? Cyndy Taylor said the staff will be shared by The Mill and this new senior housing but it is separate from The Mill. This is affordable housing and it is very rare that residents will have more than one car. P. Basiliere said the parking the Leighton White has available, is that being used? Cyndy Taylor answered no, but she believes the town rented from him at one time. J. Langdell asked if the staff recommendations could be reviewed. J. Cleghorn said some

comments on landscaping were received and we have discussed it and the result is that the landscaping within the oval district is just by suggestion and not a requirement. We cannot hold them to the 10' buffer. C. Taylor said we had a discussion with the ZBA and at the Planning Board conceptual review and we believe for the oval district that it is just a recommendation not a requirements. We are trying to add landscaping in the buffers between the parking and the street. J. Langdell asked about the landscaping recommendation in the ordinance? Jeff Kevan said it is in Paragraph 6.08.1 in the development regulations and it is suggested guidelines for the oval district. P. Basiliere asked where the snow will be stored? C. Taylor responded we will probably be hauling snow off site. J. Kevan said there are no waivers being requested for this application. J. Cleghorn said on Page 1 of the Plan it does state there are waivers. J. Langdell asked that the ZBA approval should be cited on the plan with the Case number. J. Kevan can make those changes. J. Cleghorn has already made those suggestions to the applicant and will ensure the changes are made before Planning Board signs off on final plans. J. Cleghorn said there are no waiver requests, unfortunately the plans are not always received in time to give the plans a thorough review prior to sending them to the Board for these meetings.

There were no further questions from the Board. D. Knott opened the meeting to the public for questions or comments, seeing no public members waiting to comment, D. Knott closed the public meeting.

P. Basiliere moved to approve the Site Plan with the conditions mentioned in discussion (Annotate any ZBA approvals on the plan). S. Robinson seconded. A poll was taken: D. Freel yes; S. Robinson yes; P. Basiliere yes; T. Finan yes; J. Langdell yes; P. Amato recused; D. Knott yes. Motion passed.

3. Other Business: There was no other business for this evening.

4. Meeting Minutes: There were no minutes presented this evening.

5. Adjournment. The meeting was adjourned at 10:48 p.m. on a motion made by P. Amato and seconded by T. Finan. A poll was taken: P. Amato, yes; T. Finan, yes; P. Basiliere, yes; J. Langdell, yes; S. Robinson, yes; D. Freel yes; D. Knott yes. The next Planning Board meeting is May 5, 2021

Signature of the Chairperson/Vice-Chairperson: Date: _____

MINUTES OF THE 4/20/21 MEETING WERE APPROVED 6/15/21