

1 MILFORD PLANNING BOARD MEETING

2 February 27, 2018 Board of Selectmen's Meeting Room, 6:30 PM

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4 **Members Present:**

5 Christopher Beer, Chairman
6 Tim Finan, Member
7 Janet Langdell, Member
8 Susan Robinson, Member
9 Jacob LaFontaine, Alternate member
10 Kevin Federico, BOS rep

Staff:

Lincoln Daley, Comm Dev Director
Darlene Bouffard, Recording Secretary
Hazen Soucy, Videographer

11
12 **Excused:**

13 Doug Knott, Vice Chair
14 Paul Amato, Member
15 Veeral Bharucha, Alternate member

16
17 **1. Call to order:**

18 The meeting was called to order by Chairman Beer at 6:30 p.m. introductions were made of Board members
19 and staff.

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21 **2. Review/Approval of Meeting Minutes:**

- 22 a. December 26, 2017 – After review, T. Finan moved to approve the minutes of December 26, 2017. J.
23 Langdell seconded. All were in favor with S. Robinson and K. Federico abstaining as they were not in
24 attendance at that meeting. Motion passed.
- 25 b. January 9, 2018 – After review, J. Langdell asked for an amendment. J. Langdell moved to approve as
26 amended. K. Federico seconded. All were in favor with T. Finan abstaining as he was not at that
27 meeting. Motion passed.

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29 **3. Public Hearing(s):**

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31 **a. Raisanan Homes LLC, Tax Map 20, Lot 2, 29 Spaulding Street:**

32 C. Beer reviewed the history of this case and previous meetings from May 2017 to January 2018. C.
33 Branon, Fieldstone Engineering, representing Raisanen Homes, LLC, for an open space subdivision. At
34 the last meeting, November 28, 2017, the engineering designs had not been finalized because the lay out
35 was not complete. Back in October the current layout was discussed. At the November meeting, waivers
36 were discussed. A completed layout has been submitted as well as a storm water plan and background
37 information was provided as requested by staff. One of the waivers has been removed and since the
38 submission in December, staff suggestions have been incorporated. The plans tonight address the
39 majority if not all of the comments raised in the staff memo. A formal letter was submitted and addresses
40 Mr. Basiliere's concerns of November 27, 2017. Mr. Branon would be happy to respond to those
41 concerns one by one. Mr. Branon provided an overview of the plans as they stand. Sheet 4 of the plan
42 was shown for the layout and driveways, which is the same as at the last meeting. There were no
43 modifications to the road or lot layout. The stormwater is reduced on the west side of the roadway. This
44 allowed for the reduction of the cul-de-sac and the development meets all stormwater criteria.
45 Modifications to the landscape buffer were made and there will be covenants in the deed. The intent is to
46 prevent cutting and leave a lasting buffer for abutters. The size of the drainage swail was reduced
47 therefore some of the drainage would be between lots 2 & 3 which reduced the grading and associated
48 impacts. When looking at the foundation drainage for lot 1, it was realized that could be done differently
49 and also reduce the size of the disturbance.

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51 After meeting with Rick Riendeau, DPW, it was decided the foundation drainage can go through the right
52 of way which was an improvement to the plan. Tonight's plans address the comments for the
53 Water/Wastewater Treatment Facility that asked for a manhole to be moved to be located in the paved
54 area and they also requested pipe slopes; the water will be extended all the way to Knight Street instead of
55 ending it at the end of the cul-de-sac. This was agreed to with the Water Commissioners who agree with
56 this plan. L. Daley noted he just received that information today therefore it is not in tonight's packet. C.
57 Branon continued there is an upland area on the western side of the property on the proposal. The open

space is well in excess of what is required. Back in the fall, the Conservation Commission wanted to see the upland areas because there was thought of the potential of connecting a trail but that area is very wet so that could not happen. The wetlands are not delineated nor are the upland areas within the wetland boundary to the west, as it is not felt there is any value in that since the project satisfies the open space requirements. C. Beer asked who on the Planning Board requested that? L. Daley believes it was P. Amato that raised the issue of delineation of open space and the Conservation Commission issue was for trail connectivity. C. Branon had those conversations at the site walk and at that time the Conservation Commission said it was too wet and would not be adequate for trail connectivity.

J. Langdell pointed out the Conservation Commission memo from January 2018, which states there could be a link to the trail system. C. Branon indicated at one time there was one residence on the plan that was creating difficulty, when that was removed it was realized there is space on the east side down slope for a walking area, the easement documents will reflect that, but the Conservation Commission requested that they take ownership of the open space parcel to which there is objection. C. Branon has always understood the need and desire for the trail connectivity but is looking at that on the east side of the wetland, not the west side. There is a four foot wide berm on which people can walk which is the backside of the stormwater area. L. Daley asked Chad to verify the open space calculation and how it satisfies the ordinance. C. Branon said that it far exceeds the requirements. The intent is that the open space area will be conveyed to the Conservation Commission which is noted on the plan as Note 25. Additionally the items identified by F. Elkind have been addressed on tonight's plan. We still have to address the Special Exception to the Zoning Board of Adjustments with regard to the stormwater being in the buffer area. The hope is to do that once a conditional approval is obtained from this Board. J. Langdell asked if that has been submitted yet. C. Branon said this is an active application, if there is any change to the plan that would affect the Special Exception; he would love to apply but needs to get a conditional approval on the plan prior to submitting for that.

C. Branon said the open space language is pending and he hopes that this Board handles that as a condition of approval as has been done with other applications. C. Branon saw a draft copy of the easement and deed and will get it to staff by the end of this week. That would be for approval by the Conservation Commission and perhaps the Planning Board. Because the stormwater will be in a lot that will be owned by the town, we do not have deeds for the stormwater management located in the open space but we have depicted the easement areas on the plan; the ordinance recommends that these types of structures be in the open space area. This will reduce the rate of run off on Knight Street. There are outstanding waivers including cul-de-sac design and the dead end road length. That was reviewed in detail at the November meeting but the Board was not comfortable in proceeding with any decision until a plan was presented. There were no questions or comments from the Planning Board or staff. C. Beer opened up the meeting for comments from the public.

P. Basiliere, abutter at 32 Spaulding Street, went through the report from staff, indicating the open space item has not yet been completed. The delineation of wetlands and non-wetlands has not been done, keep in mind that it was asked for a reason and the land will become town property as open space. P. Basiliere suggested looking in the minutes to identify when this was requested and why. The open space will become town property at a future time and it would be good to understand what is wetland and what is not in the beginning. P. Basiliere stated the buffer landscaping documents (draft covenants) need approval by the town. P. Basiliere could not understand from Chad's comments if that was done. L. Daley said those have not been received yet. P. Basiliere stated if it is a requirement, he would think a conditional approval could not be done without those documents being provided for review and approval by town employees. J. Langdell indicated that is common practice and has been done in the past. C. Beer asked if the town has received those to which L. Daley said we have not. P. Basiliere said under drainage, the Board will need to determine if the drainage structures will be permitted within the open space/conservation area. Under page 5, stormwater, P. Basiliere continued that there are approximately ten requirements in that area alone and in C. Branon's presentation he noted those requirements were already on the plans but P. Basiliere believes those plans were submitted before the staff memo which is in response to the plans that had been submitted, so the items must not have been addressed in the plan.

L. Daley explained that Fred Elkind has reviewed the revised stormwater plans and responded Monday February 26 that most of his questions have been addressed adequately. The only concern left is the 1" storm event with the high water tables and this condition not being met as well as the AOT criteria in MS-4 areas. Mr. Elkind responded that he is satisfied with the most recent submittal by the applicant. P. Basiliere stated that is a different subject than what he was referring to and indicated the plan set has five items that need to be addressed; the stormwater drainage had three items that need to be addressed. The stormwater permit, had two, one is to develop the NOI that must be issued prior to permit issuance and then additionally the inspector shall be designated. The point is that the plan was submitted before the staff memo which was written with the most recent information, the most recent plan set from the applicant. J. Langdell stated the e-mail from F. Elkind states with the exception of those two points that these concerns were addressed. The Planning Board is considering all these things. The e-mail came in before tonight's meeting. P. Basiliere said he accepts that and that is what he has on comments and observations about the comments in the staff memo. P. Basiliere said the Conservation Commission has comments and responses to some of the concerns dating back to last July. P. Basiliere asked if he should address those now or later in the meeting, to which C. Beer said he would rather address those later in the meeting. L. Daley responded that we should address them now but move forward with the concerns from the public first followed by the waiver requests and drainage in the open space area. J. Langdell said Fieldstone wrote a letter in response to P. Basiliere's concerns and now there is a staff memo dated February 21, 2018 that follows up on that, asking if the Basiliere's have had a chance to read that and have any concerns with the responses provided. P. Basiliere stated the staff memo is dated February 21, we received it February 25, which is a Sunday, and he was not in town. This was a result of e-mails exchanged with L. Daley and a phone call with Attorney Quinn to L. Daley, so this memo was dated prior to the date it was released. L. Daley noted there was an error on the memo, February 21 was an error.

P. Basiliere stated that it was noted last August 16, 2017 in the staff memorandum that there was petroleum contamination on the site. C. Beer pointed out the applicant response to that is that there is no known petroleum contamination. P. Basiliere said that is right, the applicant stated that, but at some point the town thought it knew that there was petroleum contamination on the site. So either there was a mistake made back in August 2017 in the staff memo or there actually was contamination. J. Langdell asked what the source of the information was and can we track when the first statement was made about petroleum being on the site? L. Daley stated he believes it came from the fact that there had been a repair garage of some sort on the property in the past and the applicant has verified there is no petroleum contamination on the property and we have to rely on the information provided by the applicant. C. Branon met with staff December 6 to review this list and questioned the origination of the statement about petroleum being on the site, we have not been able to substantiate that there was ever contamination. There is no basis for it and there is nothing in the file. The files were searched and nothing was found in the past and there has been testing on the site and found nothing substantiating that statement. J. Langdell asked if there was anything disclosed from the seller in the Purchase & Sales? C. Branon said that was explored and nothing was found. C. Branon asked if the town had anything backing up any claim that there was contamination on the site? L. Daley said no. P. Basiliere said he has requested that the developer provide landscaping between Spaulding Street and Wright Street. C. Branon responded that they have submitted landscaping plans. L. Daley added that there are two new trees at the entrance of the new roadway and also landscaping around the detention area to mitigate the visual impact but also to provide opportunities for stormwater management. C. Beer noted that the plan provides the housing layout on the property to show potential for additions. There were no other comments or questions from the public. C. Beer closed the public portion of the meeting.

C. Beer asked for input from staff and the Planning Board. J. Langdell noted she wants to be sure the Conservation items in the memo are addressed. C. Branon indicated the response to 3 of the Conservation Commission concerns. The fourth concern says there is an encroachment to the wetland buffer on lot 2-7 for the road; C. Branon noted the road does not actually go into the buffer itself but there is drainage and some grading and some utility work that gets into the buffer. The prior plan with the larger cul-de-sac had the road impacting the buffer. Concern number five regarding the impervious area requiring a stormwater management report, which has been submitted for this development therefore that is satisfied. C. Branon indicated the stormwater management is marked in the open space and is

recommended. The wetlands area is right adjacent to the stormwater area; it is laid out to take advantage of the existing low areas. Concern number 6 is the seasonal high water table; the stormwater management area is designed to not have standing water. Concern number 8 is regarding the water and sewer easement which has been reviewed and approved by town counsel. Concern number 9 was asking about the black boxes on the plan which just signifies the top of the berm. C. Branon stated if the Board feels it is important to delineate the uplands area on the plan that can be done as a condition, but we do not see value of doing so because it is protected land. One has to go through a wetland to get to the upland; once the Conservation Commission realized that, they decided it was not necessary. K. Federico asked if the stormwater concerns were addressed. L. Daley said they were, noting that F. Elkind reviewed the plan and is satisfied with the recently submitted plans. There is concern with the 1" storm, if there is a conditional approval, the environmental coordinator could agree to that. J. Langdell listed the conditions: stormwater permit, easement documents, delineation of open space (easement documents) and upland delineation and ZBA special exception and wetlands delineation.

T. Finan asked what the concerns were of P. Amato? J. Langdell thinks that came up before the site walk. C. Branon said at the site walk, this was brought up and we were trying to prevent the trail from going through someone's backyard. C. Branon said that P. Amato brought that up, then on a subsequent site walk, it was found that it was too wet so there was no need to show the upland area. After that site walk, Andy Hughes walked the other route and found it was very wet and Conservation said they would not support a trail in that area, so the delineation would not be necessary. J. Langdell asked C. Costantino to confirm what Chad just stated as far as delineation of the wetland and the open space. C. Beer clarified the upland area. J. Langdell said it is wetland and upland you don't do one without the other. C. Costantino did not recall that being asked by P. Amato. C. Costantino, Conservation Commission, regarding the stormwater management design, Chad is right, the Planning Board gets to decide where you want that drainage system however the intent of the open space ordinance is all about how the public can use that open space, nowhere in that would a drainage swail fit, so Chad is correct however the open space ordinance is for passive recreation. The Commission sees this as a very small neighborhood with no place for the kids, it is very densely packed, it is envisioned as a neighborhood park and there is no reason why the drainage could not be designed in such a way that it is a usable place for a park where people could walk the dog without being in the street or going through the brambles. This is why the Commission is very interested in accepting this open space, it is full of brambles and great for bird habitat and we'd like to see it stay that way. The drainage swale will be expensive but that shouldn't be the criteria for how it is designed to allow for some sort of a park.

C. Branon said he could go through A-J of the ordinance if the Board desires, but in summary C. Branon feels this development was designed to meet the requirements. We are working with the comments from Conservation. Under 6.04.6 stormwater management areas should be located in the open space area is identified. A number of designs were based on comments and feedback from the Town. J. Langdell said she sees this as a reminder of the parts of the town ordinance when talking about this type of development in a Res-A area versus a Res-R area where there is a lot more land. It's a challenge. C. Beer added that this site has already made compromises because of the challenges inherent on the site. J. Langdell would say they have made some improvements to the plan as we've had discussions going along which people could look at as mitigating and balancing features. C. Beer stated a decision must be made based on the feedback from C. Costantino on that area. C. Beer is convinced that what has been presented meets what has been requested of them and meets the spirit of the ordinance but asked for feedback from other members. K. Federico wants to make sure that the points brought up by P. Amato are addressed and what the Conservation Commission would like to see when it comes to open space, the jury is still out.

S. Robinson asked if the Conservation Commission is opposed to the walking area on top of the berm. J. Langdell understood that the Conservation Commission would like that entire upland area of open space to be usable, to which C. Costantino agreed. It would be preferable if the stormwater area could be redesigned to allow for more of a park-like area. C. Branon indicated there is an area that could be used as a walking/trail area and along the down slope there is more area for walking. S. Robinson said a redesign at this point sounds very complicated. C. Beer agreed and it also contradicts what the Planning Board provided last year for direction. C. Branon explained a little more detail of the open space area that

is usable but catches some of the run off until it gets into the wetland area; because of the reduced cul-de-sac size, the stormwater area was able to be reduced thereby reducing the impacts. The design has gotten better because it has been designed for the project rather than designed for the regulations. The area will not look like the standard stormwater management area because there has been a landscaping component added. S. Robinson asked if that section will appear as a lawn. C. Branon said it will not look like a lawn but will be left in a natural state with a lawn-like appearance which is actually a drainage swale that will be loamed and seeded. J. Lafontaine said he is comfortable with the plan since it meets the ordinance, it would be nice if there were more usable open space but that is not the scope of previous discussions. T. Finan understands where Conservation is coming from but it is allowed in the ordinance.

C. Beer asked specifically about the wetlands delineation; the town will be taking ownership, do we need that in addition? L. Daley asked C. Costantino if there is value in providing that information for the long term use of that area. C. Costantino was not sure if there is value for the wetland, but certainly to have it along the backside of the lots 20-2-6 that will abut the wetland, that's got to be somehow monumented or designated so that landowner knows what is open space. J. Langdell said in the past there has been signage of some kind placed in those areas by Conservation at the expense of the developer. C. Costantino said that has never happened, it never ended up on any plan, so her hope is that this time it will be one of the conditions for approval. J. Langdell thought that was a condition on a Mile Slip development? C. Costantino thought so too, but it wasn't. J. Langdell added that to the list of conditions. L. Daley asked what type of placard is used. C. Costantino said it is a white sign that says "Milford Conservation Land".

T. Finan moved to approve the plan with the conditions cited: 1) open space documents to be supported by Conservation Commission and staff; 2) stormwater plans include the 2-26-18 e-mail from F. Elkind and be approved by staff; 3) ZBA approve the Special Exception for the buffer; 4) deed covenants be reviewed and approved by town counsel; 5) delineation of open space with Conservation Commission signs. K. Federico seconded. All were in favor. The motion passed unanimously. J. Langdell moved to approve the waiver for the 100' frontage minimum requirement. J. Lafontaine seconded. All were in favor. The motion passed unanimously. The waiver for dead end road length was discussed briefly. L. Daley indicated this is in line with what the Planning Board has approved in the past and emergency services has no problems with it and recommends approval. K. Federico moved to approve the waiver request for relief for roadway length. J. Langdell seconded. All were in favor. Motion passed unanimously. K. Federico moved to approve waiver request #3 regarding cul-de-sac. J. Langdell seconded. All were in favor. Motion passed unanimously.

C. Branon reviewed the easement documents today and sent them back to the attorney so he hopes to have them done by the end of this week. J. Langdell indicated the difficulty of doing open space subdivisions in a Res A area. This appears to meet the spirit of the ordinance and is to protect the land and also have a development that is reasonable with the neighborhood. L. Daley said the Board had a lot of discussions in the past meetings and it meets the ordinance. L. Daley is making sure the Planning Board is basing the decision on the ordinance. T. Finan asked if there is precedence of making a decision with conditional approval based upon approval from another Board. L. Daley responded if the ZBA does not approve, the applicant will need to re-design it. J. Langdell said in this case the applicant needs the plans before coming here and then they go to the ZBA for approval. J. Langdell moved to conditionally approve this plan with the conditions cited previously. T. Finan seconded. All were in favor. Motion passed unanimously.

- b. **Ronald and Loreen Racicot, 21 Old Wilton Road, Tax Map 14 Lot 10.** C. Branon, representing the applicants Ronald and Loreen Racicot, presented the plan for a storage warehouse, indicating this site borders the B&M Railroad. There is a residential property to the east and a self-storage development in the northwest corner with a 2400 sf warehouse building with access to the road and parking area. The drainage and utilities come from Old Wilton Road with an infiltration area. Some side landscaping and lighting will be done on this property. This 2400 sf building would be used as warehouse space for inventory for the Son's Chimney business located on the Milford oval. Currently the business has limited space at 50 Nashua Street. Initially the applicants met with staff about a garage on this site. Through this

discussion, it was determined that because this is for a business it had to come before the Planning Board with a formal site plan. They want to build a garage for inventory storage. When going through a site plan, a number of other elements also must be satisfied. There is an existing paved driveway and this property connects to a proposed parking area. This is a 60 x 40' warehouse space. There is no office space, it is just storage. A detailed stormwater management report satisfies the stormwater requirement. Landscaping is proposed on the north boundary as a shield from Elm Street. There are 260' separating the proposed building and the residential property to the east. The landscaping meets the requirements of the ordinance.

C. Branon said the final design plans are not available tonight. Photos of the type of building they are proposing were made available to the Board. C. Beer asked if any signage will be on the building. C. Branon said not at this time. C. Branon indicated the picture of the building type shown is actually bigger than this proposed building. The landscaping will soften the view from Elm Street. The design is consistent with the surrounding developments in the corridor. The buildings in the area are mostly the metal type buildings. The architectural features will be consistent with the surrounding facilities. There are no waiver requests.

J. Langdell indicated there is a small house owned by Hendrix in this vicinity, is that a residence? L. Daley said that is unclear. J. Langdell asked about the white pines being proposed. C. Branon responded that is just to follow what is currently there. J. Langdell appreciates them trying to re-develop this area since it is a gateway to Milford. T. Finan asked if the railroad has frontage on Elm Street. C. Branon responded no. S. Robinson asked about trees and if they will go all the way to the line. C. Branon responded there are mature trees out there to help buffer the residential property. This is a very low intensity use, it is an area where supplies will be stored but is not an industrial site where people are manufacturing. There will be no outdoor storage. C. Beer indicated on the plan it indicates outdoor storage, is that temporary? C. Branon responded that is not permanent, it is a temporary stockpile area. J. Langdell asked if traffic movement could be added. Matt Racicot said the staff will be in and out 3-5 times per day. Deliveries will be minimized as much as possible. C. Branon continued that the stormwater report had test pit information but now the data is available on the site. The stump pile is required on the checklist. Very few trees will be cut for this project; the soils are not well drained soils.

C. Beer asked if there were any other questions from the Board. J. Langdell stated this is Industrial zoning, the residences are grandfathered. This is a commercial use and is a mixed use, is this allowed? L. Daley responded this commercial mixed use is allowed in this zone; in the West Elm District it points it out how it is allowable. J. Langdell just wanted to be sure it was allowed. C. Branon said residential use is not allowed, but it is grandfathered and the use being proposed is allowed. It would be a conforming project. L. Daley noted warehouses are mentioned in the ordinance as an acceptable use. J. Langdell stated the business could also move down to this location and then would we have an industrial building down there. C. Branon said a change of use would change another site plan. L. Daley indicated if it includes other uses it would need site plan approval. L. Daley said a lot of the items needed have been addressed already, but the landscaping is ineffective along Elm Street and for the residential property. There are two uses on the property now and they want to provide screening for the residence. C. Branon said the stormwater items have been addressed; the 20,000sf triggered a stormwater permit which has been submitted. The copy of the NOI gets into more detail and will be addressed in the next submission. There were no further questions or comments from the Board. C. Beer opened up the meeting to the public for questions or comments.

Dave Palance, Heritage Commission, provided comments, stating this is a sensitive site. The Hutchinson Family Singers were born on this site and there was also a Tavern. If any artifacts are unearthed in the building of this warehouse, he would ask that they be taken out intact and preserved. Dave Foscette asked about the trees at the corner and if they could also be taken down; he also pointed out there is a water issue. There were no other comments. C. Beer closed the public meeting. C. Beer asked if any other discussion is needed. L. Daley asked about the elevations. J. Langdell said the landscaping should hopefully be enhanced for drivers as they go by. L. Daley said it depends on how much you want to enforce the standards; finding a balance is important and allows flexibility. S. Robinson asked if the barn

will be antique red like the photo. Matt responded there is a debate about which red will be used. Items still needed: Landscaping plans, finalized elevation for the building, drainage analysis for the property.

J. Lafontaine moved to continue to the March 27, 2018 meeting. K. Federico seconded. This passed unanimously.

- c. **Leighton A. White, LLC for the property located at Tax Map 42, Lot 1, Mason Road.** J. Langdell moved to accept the application for review. K. Federico seconded. All were in favor. J. Langdell moved no regional impact per the RSA. T. Finan seconded. All were in favor. Abutters list was read into the record and the following abutters were present: Beaver Brook Association, Town of Milford, Leighton White LLC, Fieldstone Land Consultants. C. Branon was representing the applicant and landowner Tom Lorden. Dale White is here tonight representing Leighton White LLC and noted a portion of the property is in the Wetland Overlay District. Osgood Pond is to the east and Great Brook and residential properties surround this property. Access to this property is from Perry Road; the existing conditions are that this lot is primarily wooded with a clearing line where it was logged.

C. Branon explained Leighton White LLC is proposing a gravel operation on this site. The work will be done North to South in two phases. The site will be stabilized as they go through. A wetland scientist determines where the wetland boundary is. The first phase is 5.2 acres and the second phase is the remainder of the property. The work zone and five acres of active operations is within the permit totaling 10.4 acres. It is proposed to reclaim the site to a field area. This will be done in a five year period. There will be nine trucks per day on average, based on market demand. The access is from Perry Road, maintenance of the Perry Road will be done by the town and NE Sand & Gravel. The applicant met with DES for the AOT and met with Fish & Game in December w017. Ultimately, approval is required from them both. A number of questions were addressed in those two meetings. The criteria are outlined on the plan. The criteria for this excavation is the same as the Brox excavation. The applicant is confident these approvals will be granted. Fish and Game and AOT asked that the slopes be left in an unreclaimed state for nesting of species and that is addressed in a note on the plan. The shared maintenance of Perry Road was reviewed with the Town Administrator. The existing bridge over Tucker Brook was deemed acceptable. Bonding will be addressed in phasing. 5.2 acres will be bonded for Phase 1 and Phase 2 will begin once Phase 1 is complete and meets state standards. Hours of operation being proposed is to be the same as for the Brox operation which is 6 a.m. to 7 p.m. The early hours of 6-7 a.m. are for truck loading only. It is being requested to have Saturday hours 7 a.m. to 2 p.m. as needed.

Staff comments have been addressed in the latest plans. C. Branon said that Osgood Pond does not influence this site based on elevation. We always recommend test pits be performed during operations. The design is based on the perimeter and we also establish a procedure to check and maintain. C. Branon met with staff but he is unsure if there is any recent communications with Fred Elkind. A 50' buffer will be maintained. This proposal has been submitted to AOT and we are awaiting their review. C. Branon explained this site is surrounded by vacant land and the work will be done at a lower elevation with a berm separating where the residences are located. Fish & Game is happy about the buffer being left between Great Brook and this lot. They may ask for additional things such as a fence. C. Beer asked for any further questions from the Planning Board. S. Robinson asked how the gravel is taken. C. Branon explained there might be a screening operation on site, some gravel/soil might go right into a truck and shipped off. D. White explained the soil that is there is suitable to be loaded on a truck and go. Some of it might need to be screened. There is no plan to crush materials. S. Robinson asked what the screening process is. D. White explained that process noting this site has the noise projected to the north. We have a west-east wind out there so the sound will carry west-east. There will be a water truck on site, that is normal procedure. The screening part is not dusty, but if it is, we add water. The models are much tighter now than they were before. J. Langdell asked if the tree buffer will remain. C. Branon said it will. C. Beer asked for questions or comments from the public.

Marcy Mason asked about Perry Road maintenance, to be done by the Town and NE Sand & Gravel. D. White met with Mr. Bender and Northeast and knows there is a road off Perry Road that Northeast uses; we have both agreed to take responsibility for certain parts of the road. Dale has worked with Northeast

on other projects and they have a good relationship. M. Mason asked about plowing and sanding for emergency services? Where is the liability for maintenance of Perry Road? Dale White said he will personally take care of the first part of Perry Road to the gate. Chris Labonte said that is the only section he is concerned about. Mark Bender met with Chris and Marcy and felt an agreement was reached, there were some subsequent issues. M. Mason and Chris Labonte are okay with having Dale maintain the road.

S. Fournier said there was a waiver request in December for the Saturday hours like Brox has, but they do not have Saturday hours. People are also out there on the trails; this is another reason to not have Saturday hours. Another reason S. Fournier is here it to look at off-site improvements. She also asked about the outstanding bills that have not been paid. K. Federico responded that the Town Administrator and Finance Director looked into that and e-mailed him today to let him know that both bills have been paid. D. White explained that they predominantly do not desire to work on Saturday, but because of the clientele being serviced especially in winter, there are opportunities when we can load trucks on a Saturday. C. Beer closed the public portion of the meeting.

K. Federico asked if Saturday would be fewer trucks than other days. D. White said it is weather related, it could be 20 trucks; he does not want to not have the ability to service towns with sand in an emergency situation. C. Branon clarified that he did not present that he proposed the same hours as Northeast. L. Daley asked if the Saturday hours would be just in winter? Dale White responded primarily yes, winter, that is the intent. L. Daley said weekends are hard and he understands the demand from towns for sand, maybe restrict this to winter months. Dale White said 7a.m.-2p.m. was asked for but he could do 7-12 p.m. instead. J. Langdell added that the intent in the six day week is for the occasional Saturday during storms when sand is needed. C. Beer has not seen justification for this application to need the Saturday hours. C. Branon said it is a business need on occasion to have hours on the weekend. That is because there are no hours on Sunday. If you have weather back and forth, and are constantly treating the roads, you would need to go into the pit for sand. He needs to be reactive for his clients. The regulations are for this type of use in town. This is one of the best locations for this activity. This area has no abutters because of the buffer and the berm. C. Branon indicated because of the location it is a good location for Saturday hours of operation. We believe it is required; it would be an undue hardship for the business to not have the Saturday hours. C. Beer asked for justification of the earlier start time and later end time in the waiver? C. Branon said it is about loading the trucks and getting on the road.

L. Daley explained the bonding would be done in two phases, the first Phase would be bonded and then role it into the second phase once the first phase is complete. C. Branon said you would never have more than five acres of active pit being worked on. When ready to go into Phase 2, the town would go out and take a look before Phase 2 was started. C. Beer asked if it is a second document. L. Daley said yes, and approved by the Town and applicant. T. Finan asked how does the five acres get tracked. C. Branon said the operations area is five acres of active pit and if over that we would be in violation with the organization that approved the AOT. L. Daley said he could check on bonding but feels confident that it could get tracked and follow through the project. L. Daley said we do that with road bonds as well.

Waiver requests for Saturday hours, L. Daley asked if it will only be utilized for weather and storm related activities. Dale White answered that is the intent. He feels it is reasonable to request. C. Branon has other clients in this business and other scenarios like the Mother's Day flood where this is important. L. Daley said the White's have a long and good reputation with the town and the next person who might have the same request could abuse it. T. Finan suggested that the approval include the intent of why the Saturday hours are approved. If the intent is clear and is in the notes that should be sufficient.

J. Langdell moved to grant the waiver for extended hours during the week (6 a.m. – 7 p.m. and Saturday 7 a.m. – 12 p.m.) due to the unanticipated time-sensitive need for product. K. Federico seconded. All were in favor. Motion passed unanimously. J. Langdell moved to approve the application with conditions as listed: 1) Bonding; 2) Perry Road maintenance agreement; 3) approval of AOT. K. Federico seconded. All were in favor. Motion passed unanimously.

4. Adjournment

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The meeting was adjourned at 10:55 p.m. on a motion made by J. Langdell and seconded by K. Federico. All were in favor.

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

MINUTES OF THE 2/27/18 MEETING WERE APPROVED 3/27/18