

MINUTES  
PLANNING BOARD  
July 19, 2023 7:00pm  
In-person/Zoom

**Present:** Deirdre Daley (Chair), Shawn Talbot (Ex-Officio)-in person, Nichole Talbot-in person, Liz Freeman- in person, Craig Smeeth- in person Tim Somero-in person, Bruce Ruotsala-in person, Michael Christiansen – in person, Jennifer Minckler- in person.

**Citizens in attendance** – Sam Benedict- in person, Michael Ploof- Fieldstone Land Consultants, LLC-in person, Greg Somero- in person, Deb Harrity-in person, Timothy Jones-in person, Tyler Seppala-I person, Garrett Seppala-in person, Kirk Stenersen of Higher Design-in person, Eli Leino of Bernstein Shur Law Firm- in person. Greg Somero-in person, David Ward-in person, David Walsh- via Zoom

Open meeting with the pledge of allegiance – 7:05PM

**Selectmen/Chair/Land Use Report:** Selectman Shawn Talbot (Ex-Officio) advised that at last night Selectman's meeting, residents of Matthew Way came to petition the Select Board for the town to take over the road. There will be a site walk this coming Tuesday at 5:00PM then do some fact finding and may schedule for a public hearing.

Selectman Shawn Talbot advised that the Emergency Management Director provided a report on rain and flooding of our region and the damage in New Ipswich was not sufficient to receive State help.

The Finance Advisory Committee is meeting at the Town office on August 8, 2023 to review the budget planning for 2024

Selectman Talbot mentioned the July 4, 2023 retirement of the Fire Chief Meredith and recognized her years of service and her commitment to the community and to other surrounding communities with mutual aid. Gary Somero was pinned as the new Fire Chief last week along with Ben Hatcher and Cody Vaillancourt promoted to Deputy and Gordon Wayrynen to Lieutenant. Gary will be serve for the next year while the Town continues to look into the viability of the combined full time role of Code Enforcement, Fire Chief and Building inspector of which Gary currently holds all of those roles.

The Land Use Clerk advised that the Accura decision letter is ready to be signed. A subdivision application for Ray Aho was submitted and should be heard on August 2, 2023 and abutters notices need to go out. The Planning Board Engineer has not yet reviewed the application. There was a question on the submission of the revised plan for Greg Somero with Mr. Ploof. The revised plans were not submitted but a copy of the plans provided by Mr. Ploof were copied for the members to review

Chair Deidre advised that she has a form for Liz to sign that was missed on a prior change to the Subdivision Regulations. Chair Deidre has a request for Liz and Craig to work with Jen on updating the Planning Board binders which include not only the regulations, but the documentation of historical changes. The updates have not been made in a few years, however Liz noted a cursory view shows the regulations are pretty current. At some point they will be electronic but for now we need to get the paper copies correct first. Selectman Talbot advised the Board of Selectmen had the same issue with the ordinances that were not in the binder. Chair Deidre advised Jen has placed the core Planning Board documents in the in Dropbox with reference material such as site plan review and site plan application that were given out at a prior meeting as a physical handout. Liz confirmed that the objective is to update the binders and then make electronic. Craig objected to fully electronic as he feels the Town or the Planning Board needs to provide an onsite resource to view the materials.

7:15 Public Hearing- Adoption of an amendment to the subdivision regulations, Appendix B. design criteria Paragraph B:02 streets, subparagraph E. Dead –End streets and paragraph 11:02 Development Regulations subparagraph A:4- Chair Deidre advised that we are replacing paragraph E with a new paragraph E to remove verbiage of dead end street. There was court case that related to New Ipswich of the meaning of a dead end street. There was no comment from anyone in the audience. Tim motioned to approve the amendment and

Bruce seconded the motion. Roll Call vote. Motion carries. The document was signed at the meeting by all Planning board members and provided to the Land Use Clerk.

**7:31 Public Hearing** -2 Lot subdivision for Greg Somero-45 Thayer Road Map 11 lot 46 continued from June 21, 2023. Bruce Ruotsala recused himself and sat in the audience. The voting members for this hearing are Tim, Craig, Shawn, Liz and Nicole.

Mike Ploof of Fieldstone Land Consultants presented and advised they elected to propose the driveway completely out of the 50" wetland setback. A driveway design and erosion control plan was submitted. Revised plan reflects the legend on subdivision plan, 25' wetland buffer line and 50' wetland setback line. The 50' setback line and the setback line are two distinct line types which are highlighted on smaller plans. Mike Ploof continued to review the plans with the Planning Board members. Mike reviewed the driveway design plan of grading, silt fence which is 1' to the closest point of the wetland setback line. The underground electric is 2' off the setback line and the edge of gravel driveway is 3.5'. The proposed driveway is completely and wholly outside of the wetland setback. Mike showed on plan where the existing paving is on the plan and the saw cut. There is an access utility easement.

Liz asked if the Planning Board Engineer has reviewed the revised plans. There was no update from Bert at this time and he may not have been sent the updates.

Chair Deidre advised we are at completeness phase and opened the floor to questions. Tim asked about the shared driveway agreement which Mike advised was part of the submission package. There was discussion of the shared driveway agreement among the Planning Board. Shawn advised that the town should stay out of the agreement and actually not force the wording of the agreement as that puts liability to the town as that is actually a civil matter between the two property owners. Chair Deidre states that legal has given criteria that must be met and advised we should review and update the regulations to reflect what is required and provide clarification for a common understanding of the Board.

Chair asked for a motion to accept application as complete. Liz motioned to accept application as complete. Motion seconded by Selectman Talbot. Roll call vote. Motion carries.

Chair Deidre moved to compliance and design phase dialog. Tim advised that we need the Town Engineer (it is actually the Planning Board Engineer) to have an opinion that is not here. Liz feel she is not qualified to approve the application until the Engineer has reviewed. Chair Deidre went over the review that Bert provided June 19, 2023, which was - Conclusions: The Plan and submission meets the regulatory requirement of the Town of New Ipswich. The plan has the necessary certification and general information. I recommend approval for Completeness and approval for Compliance with an Erosion Control plan (in the area of the shared driveway by the Planning Board).

Mr. Ploof reviewed the driveway and erosion control. Driveway is at 3% for steepness. Erosion control silt fence is shown 1' off the setback. Stone outlet sediment trap to assist with runoff which is a standard detail. When it comes time to pull a building permit and construct the house, there will be silt fence stone outlet sediment trap which has a scour pad on the other side. Mr. Ploof showed this all on the plan. He advised there is hardly any grading.

Public comment opened by Chair Deidre at 8:00pm. David Ward of 29 Thayer Road requested to see the maps (Plans). Chair Deidre asked Mike why the drive doesn't stay the same height across. Mike said the existing drive is pretty flat and they are trying to disturb as little terrain as possible. There is hardly any difference between 1% and 3%. There is more slope change to get to the building block. The proposal minimizes contour disturbances. Chair Deidre was satisfied with the explanation. Liz is not prepared to approve this until the Engineer approves this plan or that it is conditional on the approval. Selectman Talbot advised the Engineer suggested the approval. Nicole advised that the Engineer did mention in his review approving for completeness and compliance.

Chair Deidre reviewed that the setbacks are there, the building box, the well, driveway, lot lay out, septic systems, drainage and erosion. She asks if the building inspector establish that the silt fences are in place before anything starts. Selectman Talbot agrees. Chair Deidre asked about the permanent markers and Mike Ploof responded that usually they wait and that can be a condition of approval. It will be one granite and one iron

pin. Craig asked why the difference. Mike advised that per the regulations along the road right away are granite and everything else is drill holes, pins or discs. Chair Deidre asked if there is a reason for security. Tim responded he sees no reason for it.

Tim stated he has a proposed condition of approval which is that the Town Engineer (Planning Board Engineer) perform a cursory review of the initial board feedback of the 50" setback of wetland and the resultant changed plans submitted on 7/12/2023 to look for any other than simple errors or omissions. Liz feels that has been done and does not feel the engineer needs to look at that but only the erosion control. Tim will adjust the condition to state the Engineer will review the plans and certify that they comply with the engineered standards. This will be pre-approval condition. Condition of fees and Mylar, also a pre-approval condition. Silt fencing to be installed prior to excavation inspected which will be a post-approval

Chair Deidre closed the public hearing by roll call vote 8:15pm.

Tim made a motion to approve the application as compliant with the following conditions:

**Pre-approval conditions**

- Town engineer to certify that the plans are compliant.
- Submission of payment of fees and Mylar

**Post-approval**

- silt fencing to be installed prior to excavation
- Installation of permanent markers before issuing certificate of occupancy

Selectman Talbot seconded the motion. No further discussion. Roll Call vote. Motion carries.

**Public Hearing-** Site Plan review for Prime Roofing, 485 Turnpike Road Map 11 Lot 96- Tim Somero recused himself and sat in the audience. Chair Deidre advised the voting members for this hearing are to be Craig, Mike, Shawn, Bruce and Liz and Michael is to sit in for this hearing. Chair Deidre advised that the information and plans were in Dropbox and the Engineer did review the materials and had a few recommendations. Chair Deidre advised that we did receive a waiver request but it did not come in 7 days prior to the hearing.

Mr. Stenersen of Higher Design represented for Prime Roofing. The application is for a site plan and the proposal site is 124/123 Turnpike Road. Across the street is the Fire Station and the Town salt shed is to the West of the property. The subject parcel is 10.12 acres which includes the .34 acres being obtained by the NH DOT. A special exception was extended to September. This is the old Turnpike Right of Way abandoned by the DOT. This is in the rural district. Currently the property to be developed is a dirt /gravel storage area, previously used for excavation business for storage.

The proposal is for 12,787 sq. Ft., 4 unit building. Prime Roofing would be the main unit with the majority of the building for 3 additional units for lease with associated parking and access driveway. The proposal is to develop two acres on the southwest corner of the property. The special exception was granted from the Article 6 section C of the Town of New Ipswich Zoning Ordinance for the proposed commercial use and was originally granted on 9/5/2019, with several extensions granted. The last 6 month extension was granted March 2, of this year (2023).

The proposal is to have 32 parking spaces of which the Zoning Ordinance requires 28. There will be 16 parking spaces along the front of the building and 16 on the back side of the building. The back side of the building will have large overhead doors for warehouse/storage space so all parking in the back was not feasible. The access to the site is from Rte. 124. The DOT driveway permit was applied for on June 27, 2023. Traffic flow can go to the backside of the building, west side of the building or across the front of the building. It is designed for WB50 vehicles allows for total access around the business for Fire Safety apparatus.

The septic system has been designed to accommodate for proposed uses. The well has been proposed and is show on utility plan. The storm water runoff from the roof of the building will be captured and diverted through a 12" roof drain to proposed infiltration and detention basin. Storm water runoff from the parking lot and access areas will be diverted to a similar basin swale across the front side and down the easterly side. The sediment on detention basin has been designed to meet NHDES requirement for Alteration of Terrain even though an alteration is not required. The design calculations as far as the storm water basin are conservative and infiltration will occur but in the design calculations he did not account for it. He assumed zero infiltration. The overall peak

rate of flow decreases at all exit points from the pre-development conditions and the post-development conditions for the 2, 10, 25 and 50 year storm event.

There is no plan for outside storage on the site.

The site is proposed to be landscaped as shown on the site plan. The ZBA required a berm to the front of the property to the parking area and Rte. 124 with a 4' high berm that is landscaped.

The site lighting is supposed to be low cast. There is no actual lighting in the parking lot itself. The exterior of the building is to be hardy plank as required by the ZBA. Mr. Stenersen did advise that the Chair mentioned that a waiver request was submitted for section VII.2.Q of the site plan regulations. This allows for partial open drainage system which will capture run-off from the roof via pipes. From Kirk's standpoint in order to do underground piping and have underground piping storage system, a test pit was done and it was very high water table and he was not comfortable with putting a septic system there for infiltration. He showed where the basin will be on the plan. The basin will not be seen from the road which was the Planning Board Engineer's concern.

Mr. Stenersen will provide a letter to the Engineer of the technical comments as he did discuss with the Planning board Engineer.

Chair Deidre asked about the 70' setback from the road and where it came from. Mr. Stenersen noted it was from the ZBA, and the plans for ZBA are a little different and stated the dash lines on the plan show the set back. Liz mentioned exterior lighting plan not being provided and would like to discuss under compliance.

Tim, as an abutter expressed his concern for noise and asked the Planning Board to add a noise element for completeness. Chair Deidre advised this will be covered under compliance. Liz motioned to accept the application as complete. Selectman Talbot second the motion. Roll Call vote. Motion carries.

Chair Deidre advised the Planning Board to move to compliance. She opened for public comment. Tim, as an abutter questioned a wetland boundary on the plan but does see it on the notes. He is concerned about wetland seepage and wants that clarified. He mentioned junk down the slope and would like the Planning Board to have that information or awareness that it will not continue. The noise is also a concern to him. Tim Jones, an abutter was in agreement with Tim Somero about the noise. Mr. Jones is also concerned about the lights and the parking in the back regarding lights. He encourages the Board to walk the site. It will dramatically change the quality of life. Garrett Seppala wants less lighting than what the Engineer suggested. The property is not used at night. Tim requested resolution for parking in the back with the lights. Chair Deidre advised fencing may help. Garrett advised the prior owner was an excavation company and Prime Roofing will not have dump trucks. Tim would like to have a measurement of noise included. Garrett advised the typical hours will be 8am-5pm. The employees parking there will only be there in the morning. The employees may leave the location to their work location at 6am. The sheet metal employees come in at 7am. Garrett does work late sometimes in the office and has no concern with shutting the lights early. There will be only salesmen, no public customers on the property. Garrett advised there may not be tenants and Prime Roofing may use additional space for themselves. Bruce asked about the site plan as someone advised it is a two story building. The second story is a small part of the building. Mr. Stenersen advised that it is all one height and there will be offices on top. Concern of the fire department being across the street and the large trucks being in the way was addressed by Craig. It was confirmed that deliveries will take approximately a half an hour. Deliveries will be in the afternoon and are never in the morning or evening.

Mr. Stenersen advised that the parking is for 25 employees which calculates to 28 parking spaces. There are a total of 30 parking spaces. Septic loading is 300 gallons per day/30 employees at the maximum.

The ZBA decision letter was read by Mr. Stenersen. The use applied for on the ZBA application was office and warehouse space. Liz advised that in order to change the use, a need to go before the ZBA for a special exception would be required.

Chair Deidre advised that many business in town cannot be seen from the road and asked about dual parking in the back and is there a way to do that. Selectman Talbot advised Dollar General has front parking as well as the School. He advised there is a limited amount of space that they are working with. Kirk Stenersen addressed this and does not see this as feasible and turning the building around would not fit. Regarding the landscape it was

brought up with the ZBA and showed where landscaping will be on the plan. The berm is to be 4" high as previously advised. It will be 10' wide.

Eli Lieno, Attorney for Bernstein Shur Law Firm advised there is a noise ordinance in town and the applicant is not looking for a waiver. Tim Jones disagreed with him as the town doesn't have ability to measure noise. There is no monitoring. Chair Deidre stated we should review the noise ordinance before the next meeting. Chair Deidre advised we cannot go too much further as we cannot hear the waiver until the next meeting. A site walk is scheduled for August 2, 2023 at 7pm for Prime Roofing. To view the site and also view the site from the Jones residence. Chair Deidre would like flags along where the back of the parking area would be and a cone where the septic is going to go. Tim Somero also suggested the Planning Board view the property from his driveway.

Selectman Talbot motioned to continue this to August 2, 2023 at 7PM at 485 Turnpike Road. Michael seconded. Roll call vote. Motion carries. Liz motioned to continue this hearing after the site walk. There was much discussion but no motion for a second nor a roll call vote.

Mr. Stenersen spoke of lighting and Bert's need for more lighting. Chair Deidre does not believe it is as requirement to light the parking lot nor may there be a requirement to have on at night.

New/Old Business: Chair Deidre asked who would like to be on Gravel Pits as Tim will be the lead with Bruce and Shawn will go (note: also check with Lou G) Two gravel pits may be closing this year-Kouropolous and Kuusisto. They will need to reclaim. There may be a drive-by for the Gravel Pit on Ashby Road to ensure nothing has changed. The Board will refine the list as we reach out to some idle pit owners.

Selectman Talbot advised that last year \$25000.00 was approved for driving the Masterplan and would like an update as the Selectmen are finding pressure to reallocate the money. Chair Deidre advised the Planning Board will get on that. It depends on how long the CIP takes. She then asked if we approved a plan tonight and she asked Tim to complete the decision letter finding of the facts. The Land Use Clerk will assist. Chair Deidre's goal is that many members will participate in drafting decision letters as the process will strengthen the Board and likely improve deliberations as Board members write the justifications for the decisions.

**Minutes of June 21 2023:** Motion to accept the minutes with minimal amendments by Tim. Motion seconded by Liz. Roll Call vote. Motion Carries.

**Minutes of July 19, 2023 work session:** Motion to accept the minutes as amended by Tim. Motion seconded by Bruce. Roll call vote. Motion carries.

Motion to adjourn at 10pm by Bruce. Motion seconded by Tim

Respectfully submitted,  
Jennifer M. Minckler