

Approved December 17, 2007
GILFORD PLANNING BOARD
DECEMBER 3, 2007
CONFERENCE ROOM A
7:00 P.M.

The Gilford Planning Board met in regular session on Monday, December 3, 2007 at 7:00 p.m. in Conference Room A.

In attendance were: Chair Polly Sanfacon, Selectmen's Representative Connie Grant; and Regular Members Jerry Gagnon, Richard Waitt, and Richard Vaillancourt.

Member(s) absent: Vice-Chair Carolyn Scattergood, Regular Member John Morgenstern and Alternate David Arnst.

Also present were John B. Ayer, Director of Planning and Land Use and Stephanie Verdile Philibotte, Administrative Assistant.

Chair P. Sanfacon opened the meeting, led the Pledge of Allegiance, introduced the Board members, and staff, and read the rules of procedure for the meeting.

P. Sanfacon introduced the first application.

J. Gagnon recused himself from participating on the application.

Lyman Brewer Properties, LLC

Applicant is proposing a four (4)- lot subdivision on Tax Map & Lot #202-045.003 with lots ranging in size from 2.13 acres to 28.76 acres. The property is located at 159 Stark Street and Sleeper Hill Road in the Single Family Residential Zone. Subdivision Plan Review. Application #2005002609.

J. Ayer stated the ZBA approved the special exception for the wetlands crossing and said the application could be accepted as complete.

Motion made by R. Vaillancourt, seconded by C. Grant, to accept the application as complete. Motion carried with all in favor.

Bryan Bailey, representing the application, gave a brief presentation to the Board. He explained the location of the subdivision and the changes to the plan from the previous approval in the spring. He said the previously approved driveway location for proposed Lot #301 had to be moved out of the PSNH easement so they had to revise the driveway location. He said the previous driveway location (from Stark Street) was proposed for that location due to it having the least amount of impact on the wetland. Because of the relocation of the driveway, the impacts to the wetland increased and the plan had to go back to the Conservation Commission and the ZBA for review and approval. He said due to the relocation of the driveway the impacts increased to 2800 SF of fill that had to be added. He asked the Board if the agricultural soils and prime agricultural lands have to be addressed again as they were approved with the original

subdivision.

The Board discussed whether the soils have to be addressed again with this application and the Board decided to hear the application and they would discuss the soils issue during deliberations.

P. Sanfacon asked B. Bailey if he has received an approval from the NHDES that reflects the changes and B. Bailey said yes.

J. Ayer discussed recent conversations staff had with NHDES about the permit stating the applicant has received approval for “a 18” culvert” and the revised application states “two 18” culverts”. There isn’t an approval for the revised application. P. Sanfacon said the NHDES approval needs to reflect what the applicant is currently proposing. She said the Board needs something in writing from NHDES approving the changes.

The Board discussed having a condition of approval to include the applicant receiving and submitting an amended permit from the NHDES.

J. Ayer spoke about the current application form needing to be corrected. He explained it now states they are proposing a BLA but that was already approved with the original application in the spring. He added that the current plan does not reflect the approved BLA because it does not show the correct frontage for the lot on Sleeper Hill. B. Bailey said he would correct the plan and the application form.

P. Sanfacon opened the hearing for public input. There being none, she closed the public hearing.

P. Sanfacon introduced the next case. J. Gagnon rejoined the Board.

Randolph & Patricia Pike

Applicants are proposing a Boundary Line Adjustment between Tax Map & Lot #212-074.000 and #212-075.000 in order to correct a setback encroachment created by the accessory garage on Lot #212-075.000 located at 29 Knollwood Drive in the Single Family Residential Zone. Boundary Line Adjustment Plan. Application #2005002611.

Motion made by R. Waitt, seconded by R. Vaillancourt, to accept the application as complete. Motion carried with all in favor.

Frank Yerkes, representing the application, gave a brief presentation to the Board. He said they are proposing a BLA to correct a minor setback problem. He said the applicant built a garage that does not comply with setbacks. He said they are selling the house and they have to perform a BLA in order to have the garage comply with the zoning regulations.

P. Sanfacon asked if there would be enough buildable area on the other lot after the adjustment. F. Yerkes said yes and he will add that note to the plan.

P. Sanfacon opened the hearing for public input. There being none, she closed the public hearing.

P. Sanfacon introduced the next case.

GCV Realty Holdings, LLC

Applicant is proposing to subdivide Tax Map & Lot #254-074.000 into 2-lots with lots ranging in size from approximately 5.05 acres to 18.27 acres located at 20 High Point Lane in the Natural Resource Residential Zone. Subdivision Plan. Application #2005002612.

Motion made by J. Gagnon, seconded by R. Vaillancourt, to accept the application as complete. Motion carried with all in favor.

Jonathan Ring, representing the application, gave a brief presentation to the Board. He explained the location of the subdivision. He spoke about the driveway location for the lot with the new house and the new driveway will include an easement over the original lot to the new lot. He spoke about the driveway being located in the side setback and they are requesting a waiver from the Minimum Road Standards and submitted that letter to the Board.

J. Ayer asked J. Ring about additional excavation that has taken place on site. He asked if it was done in order to increase the area that includes less than 15% slope. J. Ring said yes they excavated to add another lot.

J. Ayer said the subdivision sales information states they are planning to subdivide the property again for another lot. J. Ring said yes.

J. Gagnon has concerns about the runoff to the area now that they have excavated more land area and he is concerned about the site having more run off in the spring. He spoke about waiting a full season to see what happens with runoff during spring thaw before approving additional lots.

J. Ayer said the waiver request for the Minimum Road Standards to allow the driveway within 15' of the side property line has to be approved by both the Board of Selectmen and the Planning Board and suggested the application be tabled in order for the applicant to obtain the waiver from the Selectmen. The Planning Board may make a recommendation to the Board of Selectmen regarding the waiver.

P. Sanfacon opened the hearing for public input. There being none, she closed the public hearing.

P. Sanfacon introduced the next case.

Gilford Community Church

Applicant proposes to expand its sanctuary, remodel and expand its kitchen and fellowship hall, add a youth center, reconfigure the parking lot, raze the Laura Weeks Hall and move the former parsonage and use it for storage on Tax Map & Lot #226-079.000 located at 19 Potter Hill Rd.

in the Single Family Residential Zone and Historic Overlay District. Site Plan. Application #2005002612.

R. Waitt recused himself from this application.

J. Ayer said the application is complete and the Board can accept the application.

Motion made by C. Grant, seconded by R. Vaillancourt to accept the application as complete. Motion carried with all in favor.

Steve Smith, representing the application, gave a brief presentation to the Board. He explained the location, existing conditions and buildings on site. He said municipal sewer and community water serve the site. He said the site has some non-conforming issues and he explained the proposed agreement with the Library to have a shared driveway in order to prevent having two access points off Potter Hill Rd. He explained he submitted a request for a waiver for the proposed shared driveway from the Minimum Road Standards to the Planning Board and the Board of Selectmen. He said they are going to relocate the parsonage on site and it will be used for storage with the historic facades to remain intact. He explained they are currently in the application process with the HDHC. He spoke about the changes to the existing church building and the removal of the Laura Weeks building. He explained the existing 10,000-gallon cistern on site will serve the buildings and it will be accompanied with a 20,000-gallon cistern to supply the Youth Center. They are proposing a dry hydrant stand to be located between the buildings. He spoke about changes to the egress on the site as far as parking and the shared driveway. He explained the porous pavement proposal for the parking areas and they are upgrading catch basins on site. He said since the existing site is non-conforming to coverage standards, the porous pavement will enable the site to meet the coverage standards instead of increasing the non-conformity. He said they are going to upgrade the water and sewer connections and they need an Alteration of Terrain permit from the NHDES. They would accept a condition of approval that the permit must be obtained.

He introduced Peter Stewart, architect, who provided a video presentation of how the proposed structures and the site will look. He explained the youth center will be partially built into the slope and all the exteriors of the new buildings will match existing structures. They will try to preserve as many trees on site as they will even relocate trees.

Discussion about lighting and P. Sanfacon spoke about the Library working on their lighting plan and S. Smith said they would be interested in cooperating with the Library regarding lighting. There will not be any new signs on site. The dumpster will be enclosed and located on a concrete pad. S. Smith said there will be 95 parking spaces.

P. Sanfacon opened the hearing for public input.

Sandy Perry, abutter, asked about the new human capacity the addition will provide. S. Smith said the capacity would be for 125 people. She said on Sundays parking is overloaded and she said it sounds like there is not enough parking to meet the new capacity. S. Smith said they may share parking with the library and noted other uses on site would not be in progress during

Sunday services.

P. Sanfacon closed the public hearing. The Board entered into deliberations and R. Waitt rejoined the Board.

BUSINESS

Lyman Brewer Properties, LLC

J. Gagnon recused himself from discussion.

The Board discussed the NHDES permit needing to be updated, the frontage needing to be corrected, the application form needing to be corrected and the agriculture soils needing to be addressed.

Motion made by R. Vaillancourt, seconded by R. Waitt, to approve the application with the following conditions:

- 1) Allow Lot 3 to have a smaller than required frontage because it meets the requirements of Section 5.1.2(d) of the Gilford zoning ordinance.
- 2) The DES and ZBA approvals shall be noted on the plan as well as the correct frontage of the lot located on Sleeper Hill Rd.
- 3) The applicant shall submit an updated permit from the NHDES reflecting the changes from one 18" culvert to two 18" culverts and the application is for a 4-lot subdivision not a 3-lot subdivision.
- 4) The applicant shall obtain any other federal, state, or local approvals which may be required.

Motion carried with all in favor.

The Board determined in a motion made by R. Vaillancourt, seconded by C. Grant that:

1. Portions of the land were improperly classified as Prime Agricultural Soil or Agricultural Soil of Statewide Importance according to evidence provided by surveyor Bryan Bailey which shows that the slopes are over eight percent (8%); and
2. Pursuant to Section 5.1.1(b) of the Gilford zoning ordinance, move to allow the improperly classified soils, which may include Agricultural Soils of Statewide Importance, to be included in the calculation of buildable lot area as the size and location of these soils make them unsuitable for agricultural use.

Motion carried with all in favor.

Randolph & Patricia Pike

Motion made by C. Grant, seconded by R. Vaillancourt, to waive checklist item #14 regarding providing topographic information as the information would not affect the proposed changes and approve the application with the following conditions:

- 1) Approval is subject to the applicant obtaining any federal, state, or local approvals that may be required.
- 2) A Note shall be added to the plan showing both lots have adequate buildable area.

Motion carried with all in favor.

GCV Realty Holdings, LLC

The Board discussed the waiver request from the Minimum Road Standards the applicant is seeking and if the Board of Selectmen had received the request.

J. Gagnon and C. Grant discussed their concerns about the site enduring a full season before they approve additional lots. J. Gagnon said there has been a lot of clearing on the site and would rather have the site go through another season to see how the runoff would impact the area

Discussion ensued about tabling the application until the spring to see how the additional clearing will impact the area.

Jeff Caley, property owner, said they would post additional bonding for site security to address runoff issues. J. Ayer said additional bonding may not address the issue.

J. Gagnon wants to table the application to do an on-site inspection with the Board. The Board requested J. Ayer discuss the site with the NHDES.

Motion made by R. Waitt, seconded by R. Vaillancourt, to table the application until January 7, 2008 in order to hold a on-site review on December 13, 2007 with a rain date for December 14, 2007 at 2:30 p.m.

Motion carried with all in favor.

Gilford Community Church

R. Waitt recused himself from discussion on the application.

Discussion ensued about the parking requirements and P. Sanfacon said the Library and the Church are planning on sharing parking.

C. Grant spoke about people still parking on the street and said the area is small for the two new developments and if parking in the Library would alleviate parking congestion. She spoke about installing “no parking” signs to be respectful to the neighbors.

S. Smith said there is a loop in front of the Church that is used for a drop off area it is not used for parking.

Motion made by R. Vaillancourt, seconded by C. Grant, to approve the application with the following conditions:

- 1) Obtain approval from the Board of Selectmen to waive the Minimum Road Standards requirement for a 15-foot setback for driveways.
- 2) Obtain approval from the Gilford Historic District and Heritage Commission.
- 3) Approval is subject to the applicant obtaining any federal, state, or local approvals that may be required.

Motion carried with all in favor.

Other Business

J. Ayer provided the Board with copies of a petitioned Zoning Ordinance Amendment submitted proposing to change a section of zoning along Route 11 in the vicinity of Ames Farm from Residential Commercial (RC) to Single Family Residential (SFR).

Minutes

Motion made by R. Vaillancourt, seconded by C. Grant, to approve the minutes from November 19, 2007 as presented. Motion carried with all in favor.

Adjournment

Motion made by R. Vaillancourt, seconded by C. Grant, to adjourn the meeting at 8:35 p.m.
Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant