

**MINUTES
GILFORD PLANNING BOARD
JULY 20, 2009
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in regular session on Monday, July 20, 2009 at 7:00 p.m. in Conference Room A in the Gilford Town Hall.

In attendance were: Chair- Polly Sanfacon; Vice Chair- John Morgenstern; Selectmen's Representative- Kevin Hayes; Regular Members: Jerry Gagnon, Richard Vaillancourt, Richard Waitt, and Richard Sonia. Alternates: Dennis Corrigan and Andy Garfinkle.

Member(s) absent: Alternates: Carolyn Scattergood, Wayne Hall and David Arnst.

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

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

P. Sanfacon introduced the first application. P. Sanfacon appointed Alternate D. Corrigan to sit in the place of J. Gagnon who recused himself. J. Morgenstern also recused himself.

1 Town of Gilford

Applicant proposes a Boundary Line Adjustment between Tax Map & Lot #227-132.001 and Tax Map & Lot #254-139.000 in order to implement Town Warrant Article 32 as approved by the voters in March 2009. The article describes the conveyance of .78 (+/-) acres to the County of Belknap, Gunstock Recreation Area from the Weeks Woods Town Forest located in the Resort Commercial Zone. File #2009003613.

J. Ayer said the application does not have to be accepted as complete, as it is a Government application. J. Ayer and Dean Clark discussed the application as being approved as a formal application. D. Clark requested the application be accepted as complete to be approved as a Boundary Line Adjustment.

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

Dean Clark, representing the application, gave a brief presentation to the Board. He explained the purpose of the application and location of the property. He said this project was approved through a Warrant Article at the 2009 Town Meeting. He explained the Town of Gilford will convey the land to the Belknap County because it cannot be transferred with just an easement. He explained the Town of Gilford does not want the liability of Gunstock's ski equipment on the town's property.

P. Sanfacon opened the hearing for public input.

J. Morgenstern asked about the entire portion of the land being conveyed and D. Clark said there is about 20 feet of land that is still conservation property that Gunstock infringes upon. P. Sanfacon explained it is the Board's decision whether to accept the application as complete and approve it. The Board decided to accept and approve the application.

Motion made by R. Waitt, seconded by R. Vaillancourt, to accept and approve the proposed Boundary Line Adjustment as presented. Motion carried with D. Corrigan abstaining.

P. Sanfacon introduced the next application.

2. Town of Gilford

Applicant proposes to install a Directory Sign at the end of Kimball Rd. at the intersection with Lily Pond Rd. to advertise the Town of Gilford's Recycling Center and commercial businesses on Kimball Rd. The sign is to be located at approximately 179 Kimball Rd. within the Kimball Rd. right-of-way in the Industrial Zone.

Scott Dunn, Town Administrator, gave a brief presentation to the Board. He explained the Airport Authority requested the Town of Gilford relocate the existing sign and replace it with the proposed sign so it is located on town property.

J. Gagnon spoke about Federal Express wanting to locate a sign in the town right-of-way and asked if this application would be affected. J. Ayer said the ordinance allows signs to be located in rights-of-way. S. Dunn explained the Board of Selectmen can authorize the location of the sign.

D. Corrigan explained the Town of Gilford can locate the sign in the right-of-way. J. Ayer said the sign is allowed to be located in the right-of-way and complies with the regulations.

P. Sanfacon asked if other businesses could advertise on the sign. S. Dunn said the Board could allow another business to be located on the sign through the site plan application process.

K. Hayes asked if it affects the state right-of-way on Lily Pond Rd. S. Dunn said he did not think so but he would check with the state.

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

P. Sanfacon introduced the next application.

3. McGinley Development, Inc. – Applicant proposes a Commercial Cluster development including three (3) separate buildings for medical/professional offices on Tax Map & Lot #210-010.002 located at 22 Sawmill Road in the Professional Commercial Zone and the Aquifer

Protection Overlay District. Revised Site Plan Review. File #2009003390.
Tabled from the June 15, 2009 meeting.

J. Ayer said the application was accepted as complete at the April 20, 2009 meeting.

Motion made by R. Waitt, seconded by R. Vaillancourt to take the application off the table.
Motion carried with all in favor.

Jeff Lewis, agent representing the application, gave an update to the Board. He explained the previous applications: the consolidation plan, change of use plan and the condominium conversion plan, approved at the June 15, 2009 meeting. He said there is a change to the size of the building with this application and a change to the retaining wall. He said those changes are reflected on the recent plan the Board is reviewing. He explained the slope in the rear will be graded to a 2:1 slope and that complies with the regulations. He explained the parking layout has been changed slightly and will work better for the entire site. He reviewed the minor changes that were discussed in the Site Study meeting and he would make those changes on the final plan and include them as conditions of approval.

J. Gagnon asked about the phase line and prior existing boundary line. J. Lewis said the boundary line will be removed and it will be called a phase line for future development. J. Ayer spoke about the possibility of a second propane tank being added in the future and J. Lewis said they can add a second one and show that it meets the fire safety requirements.

J. Gagnon spoke about having islands located at the end of the isles in the parking lot. He said in the winter it makes it difficult to plow and causes the site to lose parking spaces. J. Lewis explained the islands are an effort to increase internal landscaping but he agrees with J. Gagnon that the islands can be difficult to plow. J. Ayer explained the landscaped islands are a standard in the regulations and are there for aesthetics and help with traffic flow. K. Hayes agreed and said the islands help with traffic flow.

K. Hayes spoke about sheet 9 of 13 and said he should add one shield around the catch basin. J. Lewis agreed.

R. Waitt asked if Pad B will be built at this time and J. Lewis said it will not be built at this time.

R. Sonia asked about lighting and if it will be the same style as the hotel and J. Lewis said yes.

D. Corrigan asked about the trees in the staff recommendation. J. Ayer said that issue had been addressed in an earlier revision of the plans.

R. Vaillancourt asked if the flag pole will remain on the site and J. Lewis said yes.

J. Morgenstern spoke about the unfinished phases of the site and if they would have to seed and loam unfinished phases. J. Ayer clarified that unfinished phases will not be required to

be stabilized.

P. Sanfacon opened the hearing for public input.

J. Gagnon asked about the concrete walkway because he said they have a lot of problems with concrete sidewalks at Village West and they require a lot of repair due to the use of salt. J. Ayer said concrete sidewalks are required in the regulations.

M. McGinley, applicant, spoke about granite curbing and the interior of Sawmill Rd. He said after three years of salt and sand and plowing, the curbing has held up very well and it has protected the interior landscaping. He recommends it for this type of development.

P. Sanfacon closed the public hearing.

The Board entered into the deliberative portion of the meeting.

DELIBERATIONS

Town of Gilford Directory Sign

McGinley Development, Inc- Revised Site Plan Review

Motion made by R. Sonia, seconded by R. Waite, to approve the application with the following conditions:

- 1 The applicant shall submit a revised plan including the details discussed at the July 13th Site Study meeting prior to the plan being signed.
- 2 Unfinished phases, except undisturbed areas, shall be loamed and seeded and perennial grass growing until construction of such phases is ready to proceed.
3. The applicant shall obtain any other federal, state, or local approvals that may be required.

Discussion on the motion.

P. Sanfacon suggested the second condition include unfinished phases “except undisturbed areas”. R. Sonia agreed.

Motion carried with all in favor.

J. Lewis spoke about the final coat of asphalt and signage that remain as unfinished issues in order for the certificate of occupancy to be finalized for the building. J. Lewis said that M. McGinley is willing to submit a letter of credit. J. Ayer said that would be acceptable. The Board agreed to allow M. McGinley submit a letter of credit that will be reviewed by J. Ayer and S. Morgan in order to proceed so the certificate of occupancy can be issued. J. Ayer told the

Board he received an as-built on July 20, 2009 as part of the certificate of occupancy process.

Other Business

Minutes –Motion made by R. Sonia, seconded by R. Waitt, to approve the minutes from July 6, 2009, as amended. Motion carried with all in favor.

Herb Furnee/Marjorie’s Walk Subdivision – Fire Pond – Public Hearing

R. Vaillancourt recused himself from discussion on the application.

J. Ayer gave a brief history to the Board and explained Town Counsel recommended that since the Board suspended the subdivision at a public hearing, the Board should hold a public hearing to lift that suspension.

Motion made by R. Waitt, seconded by K. Hayes, to lift the suspension of the original subdivision approval for Herb Furnee’s two (2) lots which are Gilford Tax Map and Lot #229-062.000 and #236-023.000, and to allow said lots to be transferred. Motion carried with all in favor.

School Board letter regarding the Meadows.

D. Corrigan said he is in favor of the Meadows project and does not want his previous comments to mean he is against the project.

K. Hayes discussed the phasing issue and said the NHDES only allows a certain amount of area disturbed at one time. He suggested the letter include some wording they will only allow 100,000 SF to be disturbed at any one time and thus phasing the project may be required.

The Board agreed with K. Hayes suggested changes to the letter to the School Board.

Approval of the By-Laws

P. Sanfacon spoke about approving the By-Laws as amended by D. Corrigan.

The Board discussed approving the By-Laws with a few changes.

Motion made by R. Waitt, seconded by J. Morgenstern, to approve the by-laws. Motion carried with all in favor.

J. Gagnon spoke about CIP Committee and suggested D. Corrigan to represent the Planning Board on that Committee. D. Corrigan said he would consider it but informed the Board his wife sits on the Budget Committee and he asked if that would be considered a conflict. The Board decided to discuss that issue and who the CIP representative could be in the fall.

J. Ayer discussed the Cheapo Depot violations on site at Paugus Bay. He submitted pictures to

the Board showing additional trucks parked on site and not in the approved location. K. Hayes said there should not be any permits issued until he comes into compliance with the approved site plan.

P. Sanfacon asked about the status of the B. Mae's subdivision plan. J. Ayer said the applicant is probably going to let the approval expire and come back to the Board with a revised plan.

Adjournment – Motion made by R. Sonia, seconded by K. Hayes to adjourn at 8:10 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Technical Assistant