

**SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
AUGUST 17, 2011**

MEMBERS PRESENT: William Sweeney, Chairman, Anthony Delyani, Vice Chairman, Dave Witham, City Council Representative, Bob Belmore, City Manager, Ron LeHoullier, Paul Robidas, Erwin Grant and Paul Maskwa, Alternate.

MEMBERS ABSENT: Matthew Durkee and Dan Proulx.

STAFF PRESENT: Dave Sharples, City Planner and Tracy Gora, Planning Secretary.

The meeting was called to order at 6:30 p.m.

1) APPROVAL OF MINUTES.

Motion: Witham moved to accept the minutes of the meeting of June 15, 2011.

Seconded by LeHoullier. Motion carried with a 7-0-1 vote with Delyani abstained.

2) COMMITTEE REPORTS

A) ZBA Report

See attached.

B) City Council Report

Witham stated that all of the proposed ordinances regarding changes to the Historic Mill district were passed unanimously. Stated that the roadwork projects around the City are largely complete. Stated that this Saturday at 10:00 am there is an opening ceremony at the new elementary school with tours to follow. Stated that everyone is welcome to attend.

C) Site Review Technical Committee Report

Sharples reviewed the attached report and stated that there wasn't a meeting in July but that at the August meeting the SRTC reviewed a site plan application from Label Tech, Inc. Stated that they should be before the Planning Board in September.

D) Minor Field Modification Report

None.

E) Strafford Regional Planning Commission Update

Witham stated that Tapscott, who is the representative, had no report.

F) Vision 2020 Report

Belmore stated that the Committee hasn't met recently.

3) OLD BUSINESS

A) Any old business that may come before the Board.

LeHoullier asked for an update on the pedestrian bridge at the Mill.

Sharples stated that he has spoken with Attorney Wyskiel, who had some options for reopening the bridge but that he hasn't submitted anything to the City yet.

LeHoullier asked about the possible housing development project in Rollinsford.

Sharples stated that he thinks some money has been appropriated for a conservation easement on the land. Stated that there are discussions that the land may not get developed and may be conserved.

4) **NEW BUSINESS**

A) The Anthony Kurlovich 2003 Revocable Trust is seeking preliminary conceptual consultation of a proposed three-lot subdivision on property located at 93 Cole's Pond Road, in the Residential Single Family (R1) District, Assessor's Map 50, Lot 13.

Sweeney stated that this item has been pushed off until the September 21 Planning Board meeting (see attached memo).

B) Great Baxter Mill, LLC and the City of Somersworth are seeking minor subdivision approval for a lot line adjustment for properties located at 80 Olde Mill Road and 72 Buffumsville Road, in the Residential Duplex-A (R2A) District, Assessor's Map 02, Lots 02 & 03, SUB #02-2011.

Sharples reviewed his memo (see attached) and stated that the proposal is for a boundary line adjustment to move the lot easterly. Stated that the lot is currently nonconforming and that they would like to move it to the southeast corner. Stated that no new lots are being created and that the relocated lot will have the same area that it has now. Stated that it will have 110 feet of frontage, which meets the requirements. Stated that he visited the site and that the new location has adequate site distance and better grading. Stated that he contacted the Fire Chief and that he thinks that the existing fire hydrant is adequate. Stated that he spoke with DPW Director Willis about the location of the driveway and that he didn't have an issue with it. Stated that he was concerned with relocating a nonconforming lot and called the LGC to speak with an attorney. Stated that they didn't find an issue with relocating a nonconforming lot since it will not be increasing the nonconformity. Read suggestion conditions of approval.

Chris Berry, President of Berry Surveying & Engineering represented the applicant and addressed the Board. Stated that he doesn't really have any more to add to what Sharples stated. Stated that he has no problem with the suggested conditions of approval. Stated that the Great Baxter Mill, LLC, is looking to purchase the property from the City.

Public hearing opened 6:42 pm.

Public hearing closed 6:42 pm.

LeHoullier mentioned that this was an abandoned lot and asked if it was built on a cliff.

Sharples replied yes and stated that it drops away.

LeHoullier verified that the proposal is to take a house lot and put it in a better location.

Sharples replied yes.

Witham stated that there is a hydroelectric dam and that he thinks there is supposed to be a hazard mitigation plan. Asked if they need to be notified.

Berry stated that they do not do dam permitting and that he doesn't think that the Great Baxter Mill controls the dam.

Belmore stated that the City does have an emergency plan for that dam and that the State requires it.

Witham stated that he would like a condition of approval regarding notifying all parties associated with the emergency plan of this proposal.

LeHoullier asked if the lot is in a flood plain area.

Berry stated that he checked and that it is not in a flood plain.

Sharples stated that another condition of approval will be to put a note regarding the flood plain on the plans.

Motion: Witham moved that the minor subdivision application for a lot line adjustment for the Great Baxter Mill, LLC and the City of Somersworth be **APPROVED WITH THE FOLLOWING CONDITIONS:**

1. An electronic plan of the subdivision, in a dxf or dwg format and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates, shall be submitted to the satisfaction of the City prior to recording the Mylar;
2. The applicant shall pay all necessary sewer permit fees prior to the issuance of a building permit;
3. The final plans shall show granite bounds at the relocated lot corners that abut Buffumsville Road;
4. A granite bound shall be set at the easterly corner of Tax Map 2 Lot 2 along Buffumsville Road prior to the issuance of a Certificate of Occupancy;
5. A granite bound shall be set 607.50 feet westerly from the easterly corner referenced in condition #4 to mark the change in direction of Buffumsville Road prior to the issuance of a Certificate of Occupancy;
6. The final plans shall bear the stamp and signature of a Licensed Land Surveyor (LLS) and the accuracy certification shall also be signed by the LLS;
7. The final plans shall show all sewer manholes and lines located on or within 100 feet of the relocated lot identified on the plan as Tax Map 2 Lot 3. In the event City sewer is located on the relocated lot, an easement shall be provided by the applicant to the satisfaction of the City that will require review by the City Attorney at the applicant's expense;
8. The final plans shall provide the S.C.R.D. Book and Page numbers of all easements shown on the plans;
9. Appropriate parties associated with the hydroelectric emergency response plan for the dam are notified of this proposal at the applicant's expense; and,
10. Flood Zone FIRM designation shall be noted on the final plans. The lot shall be located outside of the 1% annual chance flood zone.

Seconded by Robidas. Motion carried with an 8-0 vote.

C) Any other new business that may come before the Board.

None.

5) WORKSHOP BUSINESS

- A) Appledore Engineering and the Piscataqua Region Estuaries Partnership (PREP) to meet with the Planning Board to begin discussions regarding a new Low Impact Development (LID) Stormwater ordinance.

Sharples stated that PREP has been chosen to work with the Planning Board to develop a new LID Stormwater ordinance. Stated that they are here to meet with the Board to get an overview of what this is. Stated that there will be more workshops to follow.

The Board took a recess at 6:49 pm so set up for a presentation.

The Board returned from recess at 6:55 pm.

Derek Sowers from PREP gave a Power Point presentation to the Board (see attached copy of presentation). Stated that he is based out of UNH and work to protect the Great Bay and drinking water. Stated that they partner with the 52 communities in the watershed. Stated that surface waters are used for drinking water and the he has been working in this for about 15 years. Stated that Brad Mezquita from Appledore Engineering is also here tonight and is working on this project as well. Stated that they recently did a project in New Durham with a great final product. Started the Power Point presentation. Stated that the point of this is to update Somersworth's Subdivision and Site Plan Regulations to include LID. Stated that this is called for in the City's Master Plan. Reviewed the proposed project schedule with tentative completion in January. Stated that stormwater is precipitation that runs over the surface of the land. Stated that water has to go somewhere and that this is the coastal area with large population growth. Stated that the impact of development is that less stormwater goes into the soils. Stated that increasing runoff effects the health of streams. Stated that coastal watersheds are getting impervious and showed a chart of the percentage of land in Somersworth that is impervious.

Witham stated that Somersworth is only about 10 square miles in size.

Sowers reviewed some of the impact of polluted runoff and stated that public health is at stake. Reviewed what is in the water and how it effects the water. Stated that this is happening region-wide and not just in Somersworth. Stated that this is a local and regional issue and that the water in Somersworth doesn't meet clean water standards.

Belmore asked about Lily Pond.

Sowers stated that he doesn't have the data on Lily Pond. Showed examples of conventional stormwater management and stated that they don't usually do anything for water quality. Stated that studies have shown that the conventional systems failed 2/3 of the time.

Witham asked if it is fair to say that the existing conventional systems perform poorly because they are not maintained.

Sowers replied yes and stated that there needs to be a maintenance regime. Stated that some solutions to this are smart development, protecting the land and the streamsides. Stated that a better method is to match the predevelopment runoff conditions. Stated that LID means smart development and doing it right the first time.

Sweeney stated that commercial development have maintenance plans and pondered if the issue could be coming from residential uses.

Sowers stated that it depends because it is site-specific.

Sharples stated that stormwater management plans are to take care of what they propose.

Sowers stated that defining the standards is critical so that there is a measuring device.

Witham stated that an example is that the number of parking spaces that are required is based on the Site Plan Regulations.

Sowers stated that in a site plan, LID means conserving sensitive areas, having minimal disturbance, minimizing pavement and showed examples. Showed examples of aesthetically pleasing LID examples.

Delyani asked what the difference in cost is between porous and traditional pavement.

Sowers stated that you have to look at the whole site and overall maintenance costs.

Mezquita stated that porous can be more expensive but that it is not dramatic. Stated that the business he works for has experimented on their own site and that there is a maintenance cost.

Sowers stated that there are test lots at UNH also. Stated that there is less ice build-up with porous pavement because it infiltrates. Stated that there has been a lot of test with porous pavers, tree filters, curb cuts and green roofs. Stated that gravel wetlands were the star performer. Stated that this is all science-based and that LID are most efficient.

Mezquita stated that your regulations want to allow for options because it is what is best for each situation.

Sowers stated that it is very site specific and that not a lot of systems do anything for nitrogen removal. Stated that smarter development saves money. Stated that local regulations offer consistency and local control of water quality.

Witham stated that a lot of focus is on wastewater treatment plants and asked if LID has a role in that.

Sowers stated that he thinks it does. Showed a chart on how Somersworth compares with the other 52 communities in the region. Conclusion of Power Point presentation.

Brad Mezquita with Appledore Engineering addressed the Board and stated that he has reviewed the City's Zoning Ordinance, Subdivision and Site Plan Regulations to see what the City is currently doing. Stated that the Zoning Ordinance does call out a groundwater protection district, which has retention of a 10-year storm, which indicates infiltration. Stated that there is a Riparian and Wetland Buffer Ordinance. Stated that the Subdivision Regulations have a section on stormwater maintenance but that it just looks at peak rate but that you may want to look at volume. Stated that there has to be infiltration to control volumes. Stated that there are regulations about having to have curbing but that the Board may want to look at areas to have sheet flow into a rain garden.

Witham stated that the Board usually discusses curbing but that they tend to be more concerned with the type of curbing.

Mezquita stated that it is good to know what the Board likes to visually see with a development. Stated that the Site Plan Regulations do call out for LID but that it is only for nonresidential development where the applicant is proposing to have more parking spaces than required.

Delyani asked if the Board should be thinking in terms of putting a maximum on the size of parking lots.

Mezquita stated that it is a two-sided discussion. Stated that big box stores know what they want. Stated that if there is a maximum they will just request waivers. Stated that he doesn't think that a lot of developers want to build more than they need. Stated that a shared parking approach can compound the problem.

Robidas asked if Mezquita had ever seen an example where some of the parking was on gravel.

Mezquita stated that he hasn't seen it on gravel but that he has seen the use of porous pavement.

Robidas asked Mezquita if he has ever seen a developer walk away from a community who has these requirements.

Mezquita replied no. Stated that he often gets asked what the City will see differently with LID and he said that just looking at plans from 10 years ago and there is a difference from what they look like today. Stated that studies show that past practice doesn't always work as good and that development today is based more on science. Stated that you'll see more vegetation and less volume, smaller discharge pipes and better-looking development.

Witham stated that moving in this direction makes sense. Stated that he thinks the Board has been trying to work with developers for low impact designs. Stated that he thinks the Board needs to weave aesthetics into design. Stated that he thinks the Board should look into the notion of how much parking is too much parking. Stated that he doesn't think the Board should dismiss the curbing requirements but that they can take a look at it.

Sweeney stated that stores have their numbers for what they need for parking but that there are ways to take care of it. Stated that having good LID could be a marketing tool for stores.

Mezquita stated that a lot of what they are talking about is not groundbreaking and that the DES already mandates this for very large projects. Stated that a lot of this is already in DES regulations.

Witham stated that the existing stormwater maintenance plans require an annual report to be submitted to the City but that maybe the Board can beef that up. Stated that it seems too broad now.

Sharples stated that they require an annual report with logs and that if someone follows the management plan than they are fine.

Sweeney stated that most of LID is about infiltration where we don't have that now.

Sharples stated that most projects he has been a part of have infiltration as a component. Stated that people have to maintain their systems.

Witham stated that policing of that is by the property owner.

Sharples stated that the City Engineer used to do some monitoring.

Mezquita stated that there are companies out there that are third-party monitors.

Witham stated that the City wants to be business friendly but can sprinkle it in.

Mezquita stated that he would like to have a workshop with specific agenda items. Stated that it would be helpful to have someone from the Public Works Department to discuss maintenance. Stated that they can talk pros and cons and incorporate new things into the regulations.

Belmore asked if there is grant money available.

Sowers mentioned that there are 319 Grants. Stated that some towns use money to retrofit.

The Board discussed the best time to hold an extra meeting to move forward with this. Sharples will email the Board with the best dates to meet and a time will be scheduled.

B) Any workshop business that may come before the Board.

None.

6) COMMUNICATION AND MISCELLANEOUS

Sharples informed the Board that the GIS fieldwork has been completed and that there is a lot of useful information on sewers, culverts, etc for use.

Witham asked for an update on the property in front of the Works.

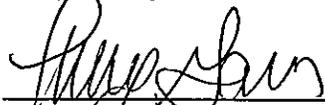
Sharples stated that a building permit has been pulled and that it is valid for one year. Stated that the owner has let him know that he is dealing with financing and that the work will get done periodically during the summer. Stated that the shell of the building will be up by the fall and that they will finish by the spring.

Motion: Witham moved to adjourn the meeting.

Seconded by Delyani. Motion carried with an 8-0 vote.

Meeting adjourned at 8:21 pm.

Respectfully submitted:



Tracy Gora, Planning Secretary
Somersworth Planning Board