SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
JULY 16, 2014

MEMBERS PRESENT:	**Ron LeHoullier, Chair, Marcel Hebert, Alternate City Council Representative, Bob Belmore, City Manager, Aaron Fournier, Paul Maskwa, Alternate and Harold Guptill, Alternate.**
MEMBERS ABSENT:	**Ernest Gallant, Don Berrios, Thomas McCallion, Paul Robidas and Chris Cortez, Alternate.**
STAFF PRESENT:	**Dave Sharples, Director of Planning and Community Development and Tracy Gora, Planning Secretary.**

The meeting was called to order at 6:30 pm.

LeHoullier appointed Guptill as a voting member for tonight's meeting.

1) APPROVAL OF MINUTES

The Board voted to table approval of the minutes but later decided to vote on them. The minutes were voted on under Agenda Item 6.

Motion: Maskwa moved to accept the minutes of the meeting of May 21, 2014.

Seconded by Hebert. Motion carried with a 6-0 vote.

Motion: Belmore moved to table the minutes of the meeting of June 18, 2014.

Seconded by Maskwa. Motion carried with a 6-0 vote.

2) COMMITTEE REPORTS

A) ZBA Report

Sharples reviewed the attached report and stated that the Board approved a variance to build a new home within setbacks on Cole's Pond Road and a variance for a vehicle repair and reconditioning station on Tri City Road. Stated that the vehicle repair and reconditioning station will need site plan approval.

B) City Council Report

Hebert stated that he has nothing to report.

C) Site Review Technical Committee Report

Sharples stated that there were no applications for review so there was no regular July meeting, however, two new applications have recently been submitted so there will be a special meeting next week.

D) Minor Field Modification Report

Sharples referred to the attached report and stated that there were none requested.

E) Strafford Regional Planning Commission Update

None.

F) Vision 2020 Committee Report

Sharples stated that the Committee hasn't met since the last Planning Board meeting.

Belmore stated that Economic Development Manager Christine Soutter is his designee for this Committee.

3) OLD BUSINESS

A) Election of Officers

Sharples stated that the Vice Chair position is open.

Motion: Belmore moved that the nomination for Vice Chair be **TABLED**.

Seconded by Guptill. Motion carried with a 5-0 vote.

B) Any other old business that may come before the Board.

None.

4) NEW BUSINESS

A) Gerrish Park, LLC bond release request.

Sharples reviewed his memo (see attached) and stated that Gerrish Park would like the release of their bond. Stated that it was a two year maintenance bond that originated in 2012 after the City accepted the road. Stated that the Board voted to reduce the bond to $30,000.00 at their May meeting. Stated that the road was inspected by Contract Engineer Joe Ducharme and referred to his email stating that everything is all set and completed. Stated that the Board can be released in good faith.

LeHoullier appointed Maskwa as a voting member for tonight's meeting.

Motion: Guptill moved that the request of Gerrish Park, LLC for release of Irrevocable Letter of Credit #011201 issued by Salem Five on April 30, 2014 be **APPROVED**.

Seconded by Hebert. Motion carried with a 6-0 vote.

B) Crockett's Crossing is seeking a conditional use permit to install a solar photovoltaic array within the wetland buffer on property located at 445 Main Street, in the Residential Single Family (R1) and Agricultural (A) Districts, Assessor's Map 06, Lot 04, CUP #01-2014.

Sharples reviewed his memo (see attached) and stated that the applicant want to put a solar array at the subject property, which will be over and around the wetland complex. Stated that there are no buildings proposed-only panels that will be suspended over the wetlands. Stated that the proposal went before the Conservation Commission, which unanimously recommended approved with one condition regarding plant species. Stated that the Commission was concerned with the loss of vegetative cover.

Henry Brandt, property owner and applicant addressed the Board and stated that Sharples summarized the request very well. Stated that he would like to install a solar array on this

property to generate all the electricity for the common expenses in the site. Stated that this will not replace the individual apartment meters-just the common electrical needs.

Sharples showed a picture of where the array is proposed.

Belmore stated that the plans that he has don't show anything.

Sharples stated that they were submitted to show the site. Stated that there is a ball field on the property.

Brandt stated that there is a soccer field on the property that he makes available to the City. Stated that there was a site survey to find the best location for the solar array. Stated that there are other areas but that the system needs to be tied into the existing infrastructure so he wants to keep it toward the front of the property. Stated that he looked at using the rooftops but because of the pitch and dormers, there is very little roof structure to support what he wants to do. Stated that the other areas he looked at brought it too far from the infrastructure and that are other problems like a mature, dense forest. Stated that when the array is on the ground it is maintained like a field. Stated that it is very steep where the wetland is and that they won't have to do a lot of cutting on the property. Stated that there are other wetlands on the property but that the one where the array will be already has the greatest impact from humans. Stated that the Conservation Commission agreed with that and they like the concept and location. Stated that the wetland will still function normally. Stated that the array will take some sunlight so there will be a changeover in the types of plans so the Commission wants him to watch that. Stated that this will supply power for all common needs on the property.

Public hearing opened 6:50pm.

Phillip Smith of 423 Main Street addressed the Board and stated that he would like to know more about what the application does.

Sharples stated that this permit is needed because the City regulates the buffer around the wetland and that portions of the solar array would be in the buffer.

Smith stated that you won't really be able to see it from the road.

Brandt stated that a section of it is obscured but that you may be able to see some of it from Main Street. Stated that the array is not near the soccer field.

Smith asked how high it will be off the ground.

Brandt stated that it is 6 to 8 feet off the ground and about 10 to 12 feet over the wetlands. Stated that there will be minimal impact on the wetlands.

Smith stated that he is good with this and asked if they tap into the grid.

Brandt stated that it does need to tie in but that this doesn't affect people on Main Street at all. Stated that the surplus goes into the grid and then they draw from that in the winter. Stated that it is kind of like a bank account.

Maskwa stated that it looks like he is just under twelve thousand square feet in size for the array.

Brandt confirmed.

Maskwa stated that this area exceeds what is available on the roof tops. Asked if the tilt of the panel is adjustable or moves with the sun.

Brandt stated that they are not adjustable.

Maskwa asked if there is space between the panels for airflow to the wetland.

Brandt confirmed.

Maskwa asked if there are any concerns with people or animals getting back there.

Brandt stated that the animals are not a concern but that kids are so they will probably put a fence in the area. Stated that the panels are almost buffet proof.

Belmore stated that a fence is something that the Conservation Commission would have to review.

Sharples stated that he doesn't remember a fence being discussed.

Brandt stated that the wetlands are connected by culverts so animals can travel back and forth.

Belmore stated that the Planning Board works with the Conservation Commission and would want to know if they weighed in on installation of a fence. Stated that Sharples mentioned needing a building permit but that he thinks an electrical permit is needed also.

Sharples replied yes.

Belmore suggested having an escrow account established for inspections and replacement of vegetation. Asked if further information regarding the fence is needed from the Conservation Commission.

Sharples stated that a fence would trigger the need for a conditional use permit and that he doesn't remember the Commission talking about one. Asked the applicant if he is going to install one.

Brandt stated that he didn't originally consider a fence.

Belmore stated that he is willing to move forward but that if the applicant wants a fence then he would have to go back to the Conservation Commission and then the Planning Board again.

Brandt stated that it is fine with him. Asked if he could get approval for the fence from the Planning Board tonight and still go back to the Conservation Commission.

Sharples replied no and stated that the Conservation Commission cannot approve a conditional use permit and that the Planning Board can only act with a recommendation from the Commission.

Brandt stated that he understands that the approval would only for the array and not for the fence.

LeHoullier asked about the yard for the daycare that is on the property.

Brandt stated that there is a fence already there.

LeHoullier stated that he was worried about the kids at the daycare but that it is okay because of the fence. Asked if this proposal violates anything from the original site plan approval for this property.

Sharples stated that he reviewed all files for this property and found nothing relevant to this request. Read suggested conditions of approval.

Motion: Belmore moved that the request of Crockett's Crossing for a conditional use permit for a solar array within the wetland buffer **APPROVED WITH THE FOLLOWING CONDITIONS**:

1. The applicant shall supply a vegetative cover map of the wetland indicating existing species composition and percent cover of each. After three growing seasons post installation, a cover map will be done again. If more than 20% of the area is devoid of vegetation, appropriate planting shall be reestablished;
2. An escrow account, in an amount determined by the City, shall be established for all necessary building permit inspections to include but not limited to electrical, mechanical, etc.;
3. Installation of a fence shall require a conditional use permit; and,
4. An escrow account for the additional plantings shall be supplied prior to issuance of a building permit in an amount agreed upon by the City.

Seconded by Hebert.

Belmore wished the property owner well and congratulated him on this initiative. Stated that the City is looking into possibly installing a solar array on City-owned property.

Maskwa echoed Belmore's comments.

Fournier agreed and asked if there will be a new utility pole.

Brandt replied no because they are able to put the array at the front of the property.

Motion carried with a 6-0 vote.

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

None.

5) WORKSHOP BUSINESS

A) Groundwater Protection District Ordinance discussion.

Sharples reviewed his memo (see attached) and stated that he requests that this item be removed from the agenda.

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

None.

6) COMMUNICATION AND MISCELLANEOUS

Sharples stated that with new members on the Board it's a good time to refresh with the planning handbook and with training. Stated that he is going to have Gora look into some training sessions that may come up. Stated that he encourages all members to attend. Stated that he will email the Board when there are events.

Belmore suggested having an all boards meeting for the roles of the various boards. Suggested reaching out to the NHMA or other organization to cooperate on something.

Maskwa stated that he thinks that would be an excellent idea.

Motion: Maskwa moved to adjourn the meeting.

Seconded by Hebert. Motion carried with a 6-0 vote.

Meeting adjourned at 7:20 pm.

Respectfully submitted:

Tracy Gora, Planning Secretary
Somersworth Planning Board