SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
JULY 17, 2013

MEMBERS PRESENT:	**William Sweeney, Chairman, Anthony Delyani, Vice Chairman, David Witham, City Council Representative, Bob Belmore, City Manager, Ron LeHoullier, Ernest Gallant, Dan Proulx, and Chris Cortez, Alternate.**
MEMBERS ABSENT:	**Paul Robidas and Paul Maskwa, 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.

1) APPROVAL OF MINUTES

Motion: LeHoullier moved to accept the minutes of the meeting of May 15, 2013.

Seconded by Proulx. Motion carried with a 5-0-2 vote with Delyani and Witham abstained and Cortez not yet appointed as a voting member.

2) COMMITTEE REPORTS

A) ZBA Report

See attached.

B) City Council Report

See Council notes attached. Witham stated that the Council had one of its busiest periods on record. Stated that in May the Council approved the FY 2014 budget with a projected increase in the tax rate. Stated that a new Human Resource Manager position was added and that some positions were brought back to full time status. Stated that the Noble Pines project is complete and active and have been getting lots of great reviews. Stated that it is a positive enhancement for the City. Stated that new windows and HVAC systems are being installed at the High School. Stated that the section of High Street that delaminated in the winter has been repaired. Stated that the culvert improvement project on Rocky Hill Road is underway. Stated that the downtown enhancement project is underway and that Unitil has replaced service lines. Stated that the City has gone out to bid and that there are several interested firms and that the Council is expected to act on that in mid-August with work to commence in late August. Stated that the Somersworth/Berwick Bridge work will kick off next spring and that Berwick has agreed to install a universal utility sleeve. Stated that the Planning Board recently worked on zoning changes to the downtown Business district and that Council unanimously approved those changes. Stated that the Council authorized the City Manager to make an offer to purchase the Old Police Station. Stated that the thought is for the City to maintain control of the property during these improvements. Stated that the City took 28 Green Street by tax deed but that it isn't being put on the market just yet. Stated that the Council discussed Horne Street, which is a short road with only three or four driveways on it. Stated that it is in a state of disrepair and needs total reconstruction. Stated that there was a discussion on selling part of the road to Cumberland Farms. Stated that additional clean fill will be brought to the superfund landfill off Blackwater Road. Stated that fencing around the old ball field is being removed and will be reused. Stated that Councilor Pepin is on the COAST Bus Committee and that there has been discussion on where the City stands on advertising on bus shelters. Stated that there is one open seat on the City's Ethics Commission.

Belmore stated that regarding the superfund site, the City did get a grant to explore installing solar panels. Stated that the fencing is being reused at the Community Gardens.

Sweeney asked where the Community Gardens are.

Belmore replied Malley Farm.

C) Site Review Technical Committee Report

Sharples stated that the there were two meetings held and that at the first meeting the Committee reviewed the site plan application for Wentworth Douglass Health Corp., which is here tonight. Stated that at the second meeting the Committee reviewed a site plan application for a new retail building for the property at the corner of High Street and Tri City Road. Stated that there is an existing REMAX building on the property.

Cortez joined that Board and Sweeney appointed him as a voting member for tonight.

D) Minor Field Modification Report

None.

E) Strafford Regional Planning Commission Update

Sharples stated that the SRPC had their annual meeting in May where the City received the 2012 Excellence in Planning Award.

3) OLD BUSINESS

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

None.

4) NEW BUSINESS

A) Robert & Michelle Hebert are seeking a conditional use permit to construct a single family home on property located at 88 Lily Pond Road, in the Residential Single Family (R1) District, Assessor's Map 30, Lot 03, CUP #02-2013.

Sharples reviewed his memo (see attached) and stated that they are looking for a conditional use permit for a single family dwelling on Lily Pond Road. Stated that some clearing of the lot occurred and that a stop work order was issued but the owners responded by filling out all required applications. Stated that some clearing occurred within the 50-foot buffer but that restoration has been proposed for that area. Stated that the applicant appeared before the Conservation Commission and they recommended approval with conditions. Stated that the applicant has received a NHDES Shoreland Permit so there is no need for that condition.

Mike Seraikas of Beaver Brook Environmental Consultants, LLC represented the property owner and addressed the Board. Stated that he got City and State septic approval. Stated that some clearing was done but that they have plantings, which the State is in favor of. Stated that the silt fence is already in place.

Public hearing opened 6:45 pm.

Denise Ambrose of 46 Otis Road addressed the Board. Stated that she sent an email with an article to Secretary Gora to read.

Gora read the email (see attached).

Sweeney mentioned that he is not sure that the article applies to this applicant.

Ambrose stated that the barrels stated were cleaned up from another property contained chemicals. Stated that the property still needs to be monitored. Stated that she has pictures of barrels that are still there. Read a letter that NHDES had sent her. Stated that there are still more barrels and that the NHDES never showed her proof of testing. Stated that the City well is not connected to the wastewater treatment plant and that she would like clarification on that. Stated that she feels that the new builders should be aware of this and that she didn't know when she built.

Delyani stated that he is not familiar with what Ambrose is talking about and asked if the barrels are on the subject property.

Sweeney replied no and stated that it is in the neighborhood.

Ron Dubois of 90 Lily Pond Road addressed the Board and stated that as long as the applicants meet all State permits and regulations, then he wants to welcome the to the neighborhood.

Sharples mentioned that he and Dubois had spoken of his artesian well and asked if he is all set with that.

Dubois stated that they are okay with that.

Public hearing closed 6:52 pm.

Sharples stated that the applicant mentioned that the silt fence is up but that he is talking about a fence along the 50-foot wetland buffer. Stated that he wants it to delineate the 50-foot buffer.

Motion: Proulx moved that the conditional use permit request of Robert & Michelle Hebert be **APPROVED WITH THE FOLLOWING CONDITIONS**:

1. Add pervious pavers and flagstone walk to the pond;
2. Seed specifications for grass include conservation mix in 1,150 square feet of restoration area;
3. The 50 foot vegetated buffer line is delineated with silt fencing or similar barrier approved by the City prior to the issuance of a building permit and said fencing shall remain in place until a permanent Certificate of Occupancy has been issued for the property. This fencing is for delineation purposes only and shall not be toed into the ground unless part of the sediment and erosion control plan; and,
4. An electronic As-Built Plan of the entire property with details acceptable to the City shall be provided prior to the issuance of a Certificate of Occupancy for the addition. This Certification must be in a dwg or dxf file format and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates.

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

B) Wentworth Douglass Health Corp. is seeking site plan approval for a new building on property located at 23 Work's Way, in the Commercial Industrial (CI) District, Assessor's Map 61, Lot 14B, SITE #03-2013.

Delyani stated that he is a member of the Wentworth Douglass Hospital Foundation and recused himself from the Board.

Witham stated that the interest of full disclosure, his wife works for Wentworth Douglass Hospital but that he doesn't feel there will be a conflict.

Malcolm McNeill an attorney representing the applicant stated that he feels there is no need for Witham to recuse himself for this item.

Sharples read his memo (see attached) and stated that they are proposing an ambulatory surgical center. Referred to the project narrative supplied by the applicant because it was all inclusive. Stated that it will be a new, freestanding building. Stated that this parcel used to be three lots but was merged into one in 2007. Stated that the area of the property where this will be abuts Route 108. Stated that the application went before the SRTC and got a first review from CLD Engineers. Stated that the SRTC had a special meeting because of the applicant's time constraints. Stated that he has talked with the project engineer about the CLD comments and that no waiver requests are needed.

McNeill stated that George Vierra, the Director of the Works Health and Fitness Center is here and that his operation owns the property. Stated that the site will be owned by the applicant and leased to the user. Introduced the others that are present. Stated that the traffic study has been updated because of a concern from an abutter. Stated that they have had meetings with the NHDOT and that they have visited the site. Stated that this property is at the corner of Work's Way, which is a private road and Route 108, which is a State highway. Stated that all surrounding properties are commercial in nature. Stated that the property is 47.2 acres in size and have been merged over the years. Stated that this will be a multi-specialty surgical center for minor surgeries and will be 6700 square feet in size. Stated that the building has been designed from the inside out with the operating rooms closest to Route 108. Stated that the front of the building is in the back and faces the Works. Showed what the building will look like from different angles. Showed a floor plan of the building and stated that the entry way has a covered drop off area. Stated that the idea is to link the look of the archways from Wentworth Douglass Hospital to this building. Stated that there will be professional landscaping and that the parking lot lights will be turned off a night. Stated that the property is in the CI district and that no variances or waivers are being requested. Stated that the site is fully taxable. Stated that the procedures that will be performed are not for emergencies or acute care. Stated that the surgeries comply with the codes for shorter than one hour in length. Stated that patients will not be sick and there will be no overnight patients. Stated that ambulances will not be rushing in and out of the site. Stated that family members will drive patients to and from the facility. Stated that the hours of operation will be from 7:00 am to 4:30 pm Monday through Friday and that they will see about 15 patients a day. Stated that the site is flat and will be accessed from Work's Way. Stated that they will use porous pavement for their 37 parking spaces. Stated that doesn't have this use to figure parking requirements so they used an office use to determine the number of spots they will need. Stated that only 27 parking spaces are needed but they want to have 37. Stated that the NHDOT has visited the site and offers no recommendation for a traffic signal. Stated that this is a small facility compared with what is on Route 108 and that they expect the traffic impact to be diminutive. Stated that the applicant went before the SRTC and that they have responded to all the comments. Stated that they have responded to CLD but that they have not done their final review. Stated that they are asking the Board to accept and approve the project because the hospital wants to complete it as soon as possible. Stated that they feel this will be a comforting place for patients for minor services. Stated that level 1 and 2 environmental studies have been done and that there is no evidence of hazardous waste. Stated that the traffic study has been updated and that there are no buffer requirements for commercial uses. Stated that the existing fence is owned by the storage facility and is in good shape. Stated that there will be no additional runoff from the site.

Public hearing opened 7:16 pm.

Peter Pope, owner of Somersworth Storage at 240 Route 108 addressed the Board. Stated that he has no objection but he has a property concern. Handed out a letter and asked Gora to read it.

Gora read letter (see attached).

Pope reviewed the pictures that were attached to the letter he submitted, which show the fence from different angles. Stated that the fence is being held up by brush and is concerned what will happen when the brush is removed. Stated that when he developed his property, the Planning Board was concerned with the boundary between the two properties.

Cortez asked how long the fence is and if he owns the entire thing.

Pope stated that he owns the fence to the end of the Work's property but that he is only talking about the section that is about 277 feet long.

Daniel Sprague, the Project Manager for Dr. O'Connell's property at 7 Work's Way addressed the Board and stated that they have some concerns. Requested that a new traffic study be done because he was informed that the one submitted was done four months ago, before 7 Work's Way opened. Stated that they have several practices in their building and that they expect traffic to increase. Stated that their second concern is signage and that they feel that the existing Work's sign doesn't conform to what is in the area. Stated that they are concerned with how the Works can lease the land and have the existing sign where it is. Stated that they are concerned with the cost of the project and the State Medical Board. Stated that lastly, if the project is approved, then they would like every effort be made to minimize dust and debris during construction. Stated that they don't want vehicles to park on Work's Way.

Public hearing closed 7:27 pm.

Belmore stated that, regarding the comments from the public hearing, could there be an updated traffic study.

McNeill stated that they have done an updated traffic study. Stated that, regarding the fence, they comply with all buffers. Stated that their use and the storage facility use are both commercial. Stated that Pope's property extends beyond the storage facility and goes to a mobile home park. Stated that the situation is that they are proposing to build an attractive facility with landscaping and that Pope also wants them to repair his fence. Stated that he has no issues with the proposal. Stated that if he bought a house lot and built a house on it, he wouldn't expect to have to fix his neighbor's fence. Stated that he doesn't feel it is appropriate. Stated that, regarding the traffic analysis, the engineer will address that. Stated that, regarding the sign, it is a legal sign with no violations and he had the right to use it. Stated that, regarding a Certificate of Need, that is not a zoning issue but that the hospital has been through the process and doesn't need a Certificate of Need. Stated that the Work's has existed for many years and has been a conscientious facility. Stated that they will be as clean as possible through the construction phase.

Dana Lynch with Civilworks, Inc. addressed the Board. Reviewed the plans and the proposed building layout. Stated that they oriented the building beyond the required 50-foot setback and that it looks like the parking lot is in the back of the building with a large front yard that will be landscaped. Stated that no vehicles will be parked between the building and Route 108. Regarding drainage stated that they will use porous pavement, which is currently used at the Works and was installed in 2008. Stated that all parking spaces will be porous pavement and access ways will be standard pavement. Stated that the roof drains are directed to an

underground system and the front yard has an overflow mechanism if needed. Stated that currently all drainage crosses Work's Way and passes under Route 108 but that they will be eliminating that flow. Stated that there will be virtually no runoff in a 50 year storm event. Stated that all utilities are available. Stated that the parking lot lighting will be identical to the Works. Stated that they have an extensive landscaping plan with a lot around the parking area and in front of the property.

Gallant asked if the proposed parking lot lighting is adequate. Stated that he is concerned for the winter when it gets dark early.

Lynch replied yes and stated that it will cover the parking lot.

Gallant asked where the entrance to the parking lot is because he is concerned with getting in and out.

Lynch referred to sheet 11 of the plans and stated that they are eliminating a curb cut and will use the curb cut that is farther down Work's Way. Stated that it is about 400 feet from Route 108.

Gallant asked if there is adequate space for a fire truck.

Lynch stated that it wasn't designed for a fire truck specifically but that there will be a fire hydrant. Stated that there is space for an ambulance.

Gallant asked if there will be a dumpster.

Lynch replied no and stated that there will be an emergency generator that will be screened by a stockade fence. Stated that medical waste will be retained in the building.

Gallant stated that he is looking at the parking lot as a whole and that he is concerned with lighting. Asked where the snow will be put.

Lynch showed the lighting on the plans and stated that it will be adequate. Stated that snow storage is at the far end of the parking lot.

Witham stated that he feels that the lighting is good and works well. Stated that he loves the idea of porous pavement. Asked about the need for relief from the parking requirements.

Sharples stated that they have enough parking but that the regulations say that if you want more parking than what is required, then you have to submit justification.

Witham stated that the parking seems to be an attempt to blend in with the Works. Stated that the Works has a clean property but little to know landscaping in their existing parking lot. Stated that he would like to see landscaping there for the traffic islands. Asked if there are details on the screening for the generator.

Lynch referred to sheet 8 of the plans for the location of the generator. Stated that it is located there so that it meets proper setbacks. Stated that at a minimum there will be a stockade fence on two sides of the generator with lilacs around the fence.

Witham stated that he really likes the use of porous pavement and that soil conditions in this area are favorable to that. Stated that it was mentioned that the front yard would be sculpted for major storm events and asked what that will look like from Route 108 or Work's Way.

Lynch referred to sheet 5 of the plans and pointed out the porous pavement areas. Stated that in most storm events the proposed drainage will be enough to infiltrate all of the water. Stated that if there is, for example, a 100-year storm event that last for days at a time, then the drywell could overflow. Stated that that excess runoff could fill the shallow depression which is about a foot and a half deep.

Witham confirmed that that area will be seeded and mowable.

Lynch confirmed. Stated that there is just a little bit of sculpting.

Sharples stated that it is just under two feet at the deepest point.

Lynch stated that it will look like a front lawn.

Witham confirmed that no additional freestanding signs are being proposed.

Lynch stated that they are proposing one directional sign. Stated that there will be a building sign and they will add to the Work's existing sign.

Sweeney stated that you drive in to Work's Way and then turn left but that is parking for the Works facility.

Lynch stated that there will be demarcation for the new building.

Sweeney asked if there will be curbing between the two parking areas.

Lynch clarified and stated that there will be directional signage.

Cortez asked the fuel type for the generator.

Lynch stated that it will be diesel fuel and that trucks can get in there.

Sweeney asked if there will be air conditioner units on the roof.

Lynch stated that he will let someone else speak to that.

Jeff Dirk the traffic engineer with Vanasse & Associates addressed the Board and stated that a full traffic study was submitted in accordance with NHDOT guidelines. Stated that they did traffic counts at Work's Way and Route 108 in April. Stated that they discussed the need for a signal at the intersection and reviewed the total traffic volume for the 12-hour period of 7:00 am to 7:00 pm. Stated that they used road tubes and got a good profile for traffic patterns and speed data. Stated that about 19,000 vehicles a day travel this area with an average speed of 42 mph. Stated that there are no sidewalks or bike facilities on Route 108 but that it is wide and there is a COAST Bus stop. Stated that the left hand turn out of Work's Way is difficult and that there is congestion and queuing but no safety deficiencies. Stated that he based the sight line at 45 mph which requires 360 feet and they have more than that. Stated that the project will generate about 50 vehicle trips a day with a morning peak hour at 15 vehicle trips and the evening peak hour at 25 vehicle trips. Stated that the traffic is consistent with the abutter at 7 Work's Way. Stated that they did traffic counts in April and that they looked at possible development along Route 108. Stated that they obtained a copy of the NHDOT permit for 7 Work's Way and added that information to their own traffic analysis. Stated that they did a supplemental analysis and that the net impact didn't change. Stated that they compared a no build level of service to a build level of service and that there is no change. Stated that the queue for taking a left hand turn out of Work's Way gets longer by about one vehicle. Stated that they made sure that the intersection for the driveway for this building is not at the queue

and does not interfere with the operations of Route 108. Stated that the NHDOT made recommendations which deal with signs and pavement markings. Stated that CLD Engineers has concurred with everything. Mentioned formalizing a right turn lane.

Sweeney asked for clarification on the sidewalk.

Dirk stated that the sidewalk in the area does not extend all the way down Work's Way. Stated that the bus stop is in isolation.

Sweeney asked if they should have a sidewalk on Work's Way.

Sharples stated that a sidewalk would not connect to the bus stop.

Sweeney stated that people use this empty part of the lot to walk on to access the bus stop but that now it will be developed.

Dirk stated that an agreement would be needed with the NHDOT if a sidewalk was put on their right of way.

Witham stated that he is not alarmed by the traffic. Stated that there will be a minimal number of employees and the patients and doctors will have intermittent flow. Stated that he doesn't see this project making the queuing and traffic worse. Stated that he doesn't think much of the sidewalk but that pavement markings would be good. Stated that Work's Way is private and asked if they have proper easements.

Dirk replied yes.

Belmore asked if all the recommendations from the traffic study have been incorporated into the plans.

Sharples stated that all of them except for the sidewalk connecting the Works to this facility because they didn't want to make a connection between the two uses. Stated that there was no recommendation to connect to the COAST Bus stop.

Lynch stated that they don't want to have a sidewalk to Route 108 because there is no sidewalk on Route 108. Stated that they don't want to introduce the temptation.

Witham stated that the regulations require that there be communications with COAST Bus and asked if that has been done and what their thoughts are.

Lynch stated that they didn't contact COAST Bus directly. Stated that when the property across Route 108 expanded, the NHDOT asked for a turn lane and made more room for the bus stop.

Sharples stated that this project is exempt from having to contact COAST Bus and read the regulations.

Sweeney asked if their thought was to not put in the sidewalk because they don't want to encourage people to use the bus stop.

Lynch stated that it is a safety issue because there aren't pedestrian facilities for safety.

Sweeney stated that they are taking away the walking path that is there now.

Witham stated that there are many areas where sidewalks empty to a road where there are no sidewalks. Stated that he agrees that people visiting this building probably won't use public

transit but that people using the Works may use it. Suggested making the pedestrian area on Work's Way better.

Lynch suggested widening the shoulder.

Sharples asked Sweeney where he would envision the sidewalk going; to the bus stop across the street or the one on the same side of the road.

Sweeney replied to the freestanding sign and suggested moving the bus stop.

Belmore asked if there are any sidewalks on the other side and stated that he is not in favor of dead-ending a sidewalk to cross Route 108.

Witham stated that making the shoulder wider appeals to him.

McNeill stated that the facility won't have bus utilization and won't lend itself to public transportation. Stated that there needs to be a rational nexus for it. Stated that he agrees that nothing should be done to facilitate people crossing the road. Stated that they are willing to widen the shoulder. Stated that he feels that the NHDOT should be the one to determine if anything should happen in their right of way. Stated that he doesn't see the use of Work's Way by pedestrians.

Sweeney stated that he recognizes that patients won't use the bus stop but asked about employees using it.

McNeill stated that he doesn't know how likely that is. Stated that the current Works employees don't use public transportation.

Sweeney stated that he would at least like to see a wider lane.

McNeill stated that they would be willing to expand the shoulder from three to five feet. Stated that he hopes they have responded to all the Board's questions and that he would like the Board to accept and approve the plans. Stated that he doesn't think there are any components of the CLD comments that would warrant another hearing. Stated that they would like to move on and get built. Stated that it will be a good alternative for medical needs.

Belmore stated that he doesn't disagree with McNeill's feelings regarding Pope's fence but that he is concerned with something happening to the fence during construction.

McNeill stated that if they damage the fence, then they will fix it.

Sweeney asked about AC units on the roof.

David Soares with Wentworth Douglass Hospital addressed the Board and stated that the AC units cannot be seen from the ground. Stated that the plans show actual views and you cannot see the units. Stated that they are smaller units than typical.

Witham mentioned landscaping at the other traffic islands at the Works. Stated that he would like the ones that are part of the access to have some landscaping.

Soares stated that he will look at them.

McNeill stated that low-lying shrubs would be good.

Sharples stated that he has suggested conditions of approval. Stated that he struggles with the idea of the sidewalk. Stated that there is a ten-year plan for Route 108 that includes sidewalks and bike lanes. Stated that he has a suggested condition of approval that a sidewalk be conceptually shown on the plans for if sidewalks get put in on Route 108.

McNeill stated that he believes that this use is nominal and that just widening Work's Way would be fair. Stated that it is unreasonable to require a plan for sidewalks at this time.

Sharples stated that it is not unfair to look at the site in its entirety and the collective use.

McNeill stated that the only thing that is changing is this small area and there is a nominal increase.

Sharples stated that there is no intent to engineer anything on the plans. Stated that it was just a note for the plans.

McNeill asked what that means.

Sharples stated that it would just be a note that if sidewalks ever got put onto Route 108 then they could be put on Work's Way at that time.

Lynch stated that widening the right of way would allow room for a future sidewalk.

McNeill stated that they don't mind showing it but that his concern is being mandated to do it. Mentioned all of the medical uses on Route 108 and stated that this seems inconsistent. Asked that the Board rethink mandating this.

Belmore asked if the drainage would need to be reconfigured if a sidewalk was installed in the future.

Lynch stated that Work's Way is pitched to the north so they wouldn't need catch basins.

Witham stated that this is a prominent project in a prominent area with an attractive building. Stated that he is amenable to moving this project along.

Sharples reviewed his suggested conditions of approval including the ones based on tonight's discussions. Stated that one of the suggested conditions is that the plans would need to be revised based on CLD's final comments.

Belmore asked if they need to specify the type of landscaping.

Sharples stated that it would have to be in accordance with the landscaping standards.

Soares stated that everything new will be irrigated but not what is existing.

Sharples read the suggested conditions of approval and mentioned the suggested condition for a conceptual plan for a sidewalk in the future.

Gallant stated that he is not sure the conceptual note should be in there.

Proulx stated that he is amendable to the majority of the conditions but that he personally doesn't think the conceptual note should be in there. Stated that he doesn't think there is a need for it.

Witham stated that the issue with foot traffic isn't about sidewalks but about access to the bus stop. Stated that he is not a big fan of the conceptual idea.

Sweeney stated that they will strike that suggested condition of approval.

Cortez asked if they need to have a condition of approval for the fence if it gets damaged.

Sharples stated that it would be a property dispute that the City wouldn't be involved in.

McNeill stated that it is a matter of law and that if they damage their fence, they will fix it.

Belmore stated that the matter is not in the City's jurisdiction.

Motion: LeHoullier moved that the request of Wentworth Douglass Health Corp. for a site plan for a new building be **APPROVED WITH THE FOLLOWING CONDITIONS**:

1. An escrow account, in an amount agreeable to the City, will be established for site and building construction inspections prior to any site work;
2. A preconstruction meeting with the City is initiated and scheduled by the applicant and held prior to any site work;
3. An electronic As-Built Plan of the proposed development with details acceptable to the City shall be provided prior to the issuance of a Certificate of Occupancy (C/O). This plan must be in a dwg or dxf file format and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates;
4. A copy of the completed Inspection & Maintenance Log in the Stormwater Management Inspection and Maintenance Plan dated June 2013 shall be provided to the City annually on or before January 1st. This requirement shall be an ongoing condition of approval and noted on the final plans;
5. The final plans shall show a fire hydrant in front of the new structure with the location approved by the Somersworth Fire Chief;
6. The final plans shall bear the stamp and signature of the engineer, licensed land surveyor, and the landscape architect;
7. The applicant shall pay all necessary sewer permit fees prior to the issuance of a building permit;
8. All detectable warning panels shall be constructed of cast iron or similar durable material approved by the City of Somersworth;
9. All landscaping shown on plans shall be maintained and any dead or dying vegetation shall be replaced in a timely manner as long as this site plan remains valid;
10. All outdoor lighting (including security lights) shall be down lit and shielded so no direct light is visible from adjacent properties and roadways;
11. All current and future CLD comments shall be addressed to the satisfaction of the City prior to signing the final plans and any unresolved items shall be brought back to the Planning Board in a timely manner;
12. A copy of an updated NHDOT Driveway Permit shall be submitted to the City prior to the issuance of a building permit;
13. Construction vehicles shall not park on Work's Way during construction. Dust and debris control shall be implemented as appropriate with the determination of appropriateness resting with the City;
14. Additional landscaping acceptable to the City shall be provided on the traffic islands to the west of the proposed parking area to the islands on the western side of the access to the proposed surgical center. This area is shown on the Sign Layout Detail on 11 of 15 of the approved plans; and,
15. A paved shoulder three to five feet (3'-5') in width shall be provided along the southerly side of Work's Way from the existing sidewalk to the Route 108 right of way.

Seconded by Gallant. Motion carried with a 7-0 vote.

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

None.

5) WORKSHOP BUSINESS

A) Discussion on the creation of an Open Space Subdivision Ordinance.

Motion: Belmore moved to defer this agenda item and adjourn the meeting.

Seconded by Cortez.

Proulx asked about what there is to review tonight and how long it could take.

Sharples stated that the timeframe is up to the Planning Board and that he has a draft open space ordinance for review. Stated that at the last meeting, the Board had comments on the draft so he has incorporated those comments into this draft.

LeHoullier asked if there is a timetable that could be affected if they adjourn.

Sharples stated that it would push off the discussion until the August meeting, which could possibly interfere with stuff coming in.

Sweeney stated that there is a potential buyer of the property and that this ordinance wouldn't be available to them. Asked for a brief overview.

General consensus to withdraw the motion to adjourn.

Sharples reviewed his memo (see attached) and stated that at the last Planning Board meeting there were five comments made and he made four changes to the document based on that. Stated that he didn't add the goals of the Master Plan to the purpose statement because the Master Plan is a rolling document that could change in the future. Stated that he made all other recommended changes and referred to the highlighted sections of the draft. Stated that page three of the draft indicates that all subdivisions are required to be open space subdivisions but that page four of the draft gives the Planning Board the power to develop under the regular subdivision regulations.

LeHoullier stated that he thought that which regulation to use would be a choice.

Sharples stated that he feels that most developers will want to develop this way but that he feels that the decision should lie with the Planning Board.

LeHoullier stated that he feels that the applicant should have the choice.

Sweeney stated that he likes that the Planning Board would have the final say.

Witham stated that if the Planning Board chooses to allow a subdivision under standard regulations, then the Board should have to articulate why they came to that decision.

Sharples read from the draft proposal and stated that page six describes what is required with a yield plan. Stated that he took out a sentence referring to a court case for the same reason as not wanting to put in the goals of the Master Plan. Passed out an updated copy of the draft and stated that he recommends 10,000 square feet of lot area with 80 feet of frontage. Stated that it would be a five foot setback, which would apply to accessory structures as well. Referred to

Section VII.A on page eight and stated that he changed 50% of buildable area to 35% because he doesn't think 50% is realistic for this area. Stated that there are four uses allowed for the open space and that he left the use of snow mobiles in there.

Gallant stated that D.4 contradicts D.3.

Belmore suggested striking D.4.

General agreement among the Board.

Sharples referred to Section VII.E and stated that he reduced the parking area to 10%.

Sweeney asked why there should be any at all.

Sharples stated that on larger parcels it could be a turning area for public access. Stated that the next step for this process is to either be done with it or have a public hearing.

Sweeney stated that they could have a public hearing next month for public input.

Witham stated that he likes the idea of moving this to a public hearing. Stated that he is not sure if this is a good idea overall but that he feels that a public hearing may be a good way to help move forward.

Motion: LeHoullier moved that there be a public hearing on the proposed Conservation Subdivision Ordinance at the August 21, 2013 Planning Board meeting.

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

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

Sharples gave an update on the COAST Bus shelter advertizing proposal. Stated that this was an agenda item for a while but by the time COAST Bus supplied new language, the Board had other things going on. Stated that they will get back to this proposal after the Conservation Subdivision Ordinance.

6) COMMUNICATION AND MISCELLANEOUS

None.

Motion: Proulx moved to adjourn the meeting.

Seconded by LeHoullier. Motion carried unanimously.

Meeting adjourned at 9:17 pm.

Respectfully submitted:

Tracy Gora, Planning Secretary
Somersworth Planning Board