

Planning Board Meeting  
June 16, 2015  
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Present: Chair Morris Klein, Vice-Chair Dorianne Almann, Selectmen's Rep. William Nebelski, Stefan Zielonko, Roberta Cook, Dwight Smith, Clare Hudon and Alternate Sean Leary. Alternate George Benedict was excused. Seven members of the public were present.

6:30 pm: The meeting was called to order. Chair Morris Klein introduced Alternate Sean Leary to the Board. Chair Morris Klein read the public notice for an Application for Development Review Minor Site Plan submitted by Yogendra Patel, tax map 9 lot 4, 220 Northfield Rd., in the Rural Agricultural District. Applicant proposes to modify Site Plan Approval to all 24 hour gas pumps with card reader. Selectmen Nebelski made a motion to accept the application. He was seconded by Dorianne Almann. Motion passed unanimously. David Bergeron representing Brickstone Land Use Consultants LLC explained that no physical changes will be made to the existing Site Plan. They only wish to amend the Site Plan to add hours of operation for the gas pumps usable with a card reader 24/7. They have a fire protection system that is working well and it is linked with Mutual Aide.

Hearing no further questions from the public, Chair Morris Klein closed the public portion of the meeting and asked for questions from the Board. Dorianne Almann asked about the lighting at night. (Canopy lights will remain on but the parking lot lights are on a timer, the same as the hours of the store. Mr. Bergeron explained that there aren't any houses close enough to be affected by the canopy lights). Selectman Nebelski made a motion to accept the Site Plan with the revised date of May 25, 2015. He was seconded by Dorianne Almann. Motion passed unanimously.

Chair Morris Klein read the public notice for an Application for Development Review Subdivision Plan submitted by SVE Associates, tax map 24 lot 101 and tax map 25 lot 15, L/O Off Monument Rd., in the Commercial/Industrial District. Applicant proposes to divide 25-15 into two lots. Chair Morris Klein then read the public notice for an Application for Development Review Boundary Line Adjustment submitted by H&K Properties, LLC, tax map 24 lot 101 and tax map 25 lot 15, L/O Off Monument Rd., in the Commercial/Industrial District. Applicant proposes to adjust the lines between 25-15 & 24-101. Stefan Zielonko made a motion to have the Board accept and address the applications together having the applicant's permission to do so. He was seconded by Selectman Nebelski. Motion passed unanimously. Rob Hitchcock representing SVE Associates was at the meeting in Russ Huntley's absence. Mr. Huntley drew up the plans. Rob Hitchcock presented the plan for the Boundary Line Adjustment and the Subdivision. Map 25 lot 15 will go down to 8.6 acres. Map 25 lot 15-3 will be created and be 13.5 acres. Map 24 lot 101 will become 105 acres. Map 25 lot 15-2 remains the same. Road frontage for Map 25 lot 15-3 will be 121 ft. The purpose of creating a new lot is for NH Solar. The Boundary Line Adjustment is conditional upon approval of the subdivision. Washburn Way will be the access to the new lot. Maintenance of Washburn Way will be handled by Mr. Baldwin and NH Solar. Chair Morris Klein asked for comments and questions from the public. Serena Benedict, abutter, was concerned about the subdivision, she felt that previous plans showed that Washburn property went to the back of her property and would like research on this. She also was concerned about the trees that were cut on the property and asked what amount of a buffer is supposed to be left between abutting lines. (Mr. Harcke explained that there was an adjustment years ago the affected Washburn's boundary line). The Board explained that a 30 foot buffer should exist between boundary lines.

Hearing no further questions from the public, Chair Morris Klein closed the public portion of the meeting and asked for questions from the Board. Board members discussed the Site Plan and noticed a clerical error that should be corrected. Map 25 lot 15-3 has the total frontage of 349 ft. This amount includes frontage from Washburn Way. Rob Hitchcock explained that the note will be removed, it is incorrect and isn't necessary. Stefan Zielonko made a motion to approve the application for Boundary Line Adjustment/Subdivision dated 5/28/15 with the amendment. He was seconded by Roberta Cook. Motion passed unanimously. Amended plans will be submitted to the Board. The corrected mylar shall be given to the Board for signature.

As Mr. Keller from NH Solar was running late the Board took up Board Business. Selectman Nebelski made a motion to approve the minutes as amended dated May 19, 2015. He was seconded by Clare Hudon. The motion passed with Dwight Smith and Alternate Sean Leary abstaining. CDC Kathryn Lynch brought an issue to the Board's attention. Wal-Mart has had overnight parking of motor homes in their parking lot. One of the conditions on an approved Site Plan dated September 18, 2007 was "Applicant shall not allow overnight parking of motor homes on the site". Due to this condition the Building Inspector has written Wal-Mart a letter notifying them and explained that if they would like to ask the Board to reconsider this condition they would need to apply to the Planning Board.

7:30pm Chair Morris Klein read the public notice for an Application for Design Review Major Site Plan submitted by

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Washburn Way Solar LLC, tax map 25 lot 15 & tax map 24 lot 101, L/O Off Monument Rd., in the Commercial/Industrial District. Applicant is requesting the town allow a community solar array to be built on the grounds of H&K Properties, LLC's land to provide discounted electricity to the community. Roberta Cook made a motion to accept the application. She was seconded by Selectman Nebelski. Motion passed unanimously. Andrew Keller represented Washburn Way Solar LLC explained that he recently came to the Board looking for guidance with the solar project on Washburn Way. CDC Kathryn Lynch sent the proposed Site Plan to the Town's Engineer. The Town's Engineer felt that all of his concerns have been addressed. He is here now to update the Site Plan per the Town Engineers request.

Andrew Keller replied to the Town Engineers concerns:

1. The plans state that no topographic survey was completed for this project. The Town's Site Plan Review Regulations require buildings, structures, public and private utilities, topography at a 2' interval, etc. (Section IV) be shown on the plans. This information must be provided or a waiver granted by the Planning Board. On the field check I noted that the array area is not a flat surface but has mounds and depressions (5' to 10' high) within the array area and although a note indicates no grading will be completed it appears that some grading may be required. (We will provide a waiver for the TOPO considering the site is mostly flat with a few mounds the site contract will smooth over after trees/stumps are removed & due to the fact that solar can work on imperfect elevations, up to 15 degrees).
2. Wetlands are depicted on the plans but there is no indication as to when the wetlands were flagged and by whom. Wetlands in the vicinity of any work must be flagged by a Certified Wetland Scientist and appropriate certification/stamp added to the plans. Note that wetlands are close to the proposed work north end of the site. (We will provide a waiver for the wetlands per the letter from the engineer stating the wetlands are not on the parcel we plan to use).
3. Proposed grading and grading limits must be shown on the plans. Surface treatments (grubbing, loam and seed, stone, gravel, etc.) must be indicated on the drawings. If the proposed surface treatments indicate an increase in flow or change in flow patterns a storm water management study must be provided that demonstrates no impacts to abutting properties or any resource area. (As long as the town engineer does not require a cul-de-sac, all details related to grading and surface treatment will be included in the detail page along with existing erosion control measures).
4. The proposed plan includes clearing to the property line adjacent to a residential property. The Planning Board should consider what type of natural buffer or screening would be appropriate in this area. (Mr. Keller was not aware of the close proximity of the neighbor or the timber cut. Plan to walk to property with the abutter and come to a solution. Mr. Harcke also explained that the Board can contact him by cell and walk the property line also).
5. There is inadequate information on the plans to determine the legal status of Washburn Way. This needs to be clarified to verify proper access can be provided to the site. (This was taken care of with the prior approval of the subdivision/boundary line adjustment).
6. The proposed turnaround will not allow large vehicles (emergency vehicles) to turnaround (radius=30'). As a point of reference the Subdivision Regulations require a radius of 90' for cul-de-sacs. The turnaround should allow large vehicles to turn around for emergency access and maintenance. (Waiting on town engineer to comment on the fact that this is a driveway, not a town road and there is sufficient space for a fire truck or police car to turn around. There will be a temporary construction road. Crushed stone will be put down and they will pick it all up and seed that area after construction). Board asked CDC Kathryn Lynch to communicate with the Town's Engineer pertaining to the cul-de-sac and get an opinion by next meeting.
7. The gravel access roadway detail does not indicate the proposed material specification, depth of material, type of geotextile fabric or cross slope. The detail must be revised. (We will add this info into final site plan).
8. Although no proposed grading is shown it appears that the disturbance area will exceed 100,000 SF. An Alteration of Terrain Permit and SWPPP (EPA) may be required. (We will take care of this too and based on the current open space and area to be cleared, we may be below this threshold and may not require this permit, but would be happy to have it be a condition of the final approval if more than 100,000 ft. to be are cleared).

Chair Morris Klein asked for comments from the public. Board reviewed a letter sent by George Benedict, abutter. His primary concern was the buffer between his property and the project. He doesn't have any issues with having the project next to his property with the exception of visual effects. He hopes that the consideration would be to leave a natural buffer between the project site and any abutting residential property. He urged the Planning Board to consider this to protect the value and appeal of the residential properties that may be affected. Mr. Benedict also commented on issues related to the TIF and the Applicants proposal of providing discounted electricity to the community. The Board explained that TIF and

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electric discounts are a matter for the Selectmen. The Board discussed the buffer which is on page 56 of the Zoning Ordinance. It states that the buffer should be no less than thirty (30) feet. Use of existing vegetation will be encouraged by the Hinsdale Planning Board; however, if not feasible, new plantings approved by the planning board shall be required. Serena Benedict, abutter, commented that research should be done pertaining to the wetlands. She also asked if there would be any additional cutting. Previously the lot that she abuts had timber cut. She was woken at 4 and 5am numerous times from the machinery that was cutting the timber. The Noise Ordinance is clear that all work cannot start prior to 7am. (Mr. Keller is unaware of cutting previously on this land). She asked what would maintain the growth around the solar panels. She has livestock and gardens and hopes that herbicides would not be used. (Low grow grass is seeded. The grass that grows is maintained by cutting a couple times a season. There are no herbicides used to prevent grass growth). Serena also asked about the life span of the solar array, (20 to 25 years). Serena commented that the decommission plan for the solar array should be included on the Site Plan per Site Plan Regulations. She also asked if there are any adverse health effects related to the array, will there be noise or lights? (No). She commented also that there has already been increased traffic due to the timber cut, she does contact the Police and they do respond. The Board explained if the Police are responding then there is no issue. Lisa Bomba commented that prior to cutting all the trees that were cut someone should have marked the trees within the buffer area and not cut them. Mr. Harcke commented that the Board is welcome to walk the site. He also commented that he had timber cut on this property as owner. The thinning of the timber lot is necessary for good growth.

Hearing no further questions from the public, Chair Morris Klein closed the public portion of the meeting and asked for questions from the Board. Board discussed having a special meeting for Development Review. This application will be seen June 30, 2015 at 6:30pm. Applicant will submit all information to CDC Kathryn Lynch by June 23<sup>rd</sup> so the Board can review prior to the meeting. Selectman Nebelski made a motion to approve the Application for Design Review dated May 26, 2015. He was seconded by Stefan Zielonko. Motion passed unanimously.

Board Business:

Selectman Nebelski made a motion to go into non-public session per RSA 91-A:3, at 8:00pm. He was seconded by Stefan Zielonko. The motion Planning Board Meeting passed unanimously.

At 8:30pm the board ended its non-public session.

With no other business to discuss, Selectman William Nebelski made a motion to adjourn. He was seconded by Dorianne Almann. The motion passed unanimously and the meeting ended at 8:30pm.

Respectfully submitted,

CDC Kathryn Lynch