

PLANNING BOARD MINUTES

JUNE 18, 2015

Present: Steven Morrison (SM), Rosalind Page (RP), Sandra Butson (SB) and Stephen Knox (SK)

Minutes: Suze Tavernier

HEARING REGARDING AMMENDMENT TO SITE PLAN REVIEW AND LOT LINE ADJUSTMENT

RP It is 6:00pm hearing is being held in the Lisbon Town Hall, for the record the first thing I would like to do is introduce the members of the Planning Board. I am the acting Chair Person this evening, my name is Rosalind Page, Bob Adams is not able to be here tonight, he is the usual Chairman of the Board

SB-I'm Sandra Butson

SK Steve Knox ex officio, Selectmen

SM-Steve Morrison

RP And at the far end of the table is Suze Tavernier, who is our recording Secretary

PR So the first item on this agenda for this evening is Public Hearing; Betsy E. Little and Lisciotti Development brought forward an application for amendment to site plan, Map Reference Lot U4, 41 & 41 located on 145 & 151 South Main Street in Lisbon. What I would like to do is ask the applicant to come forward and give up their presentation, then they would answer any questions the Commissioner have, then if there is any public questions we would take those and if possible all comments with come through the Chair, that would be appreciated and for Suze's ease of taking minutes, if you would state your name and address for the record before you speak, thank you

SK Madam Chair I would like to recuse myself from the hearing

RP So noted

Austin Turner (AT) I am Austin Turner from Boher Engineering, I am here this evening on behalf of Lisciotti Development, you may or may not recall we were here in October of last year for

same site. We have been talking to DOT and through our coordination with them, they have asked us to make some site plan improvements and as part of that process we wanted to come before the Board tonight to show you where we were, and then seek your approval for the changes that were made through our coordination with DOT. The package in front of you all contains site plan, what's changed from what we presented in October, and to sum up what we are doing differently we are essentially flipping the site. Through our discussion with DOT, what they have asked us to do, originally if you recall the driveway here on the Eastern part of the property and the loading and those operational issues along that same property edge, through our discussion with DOT they actually asked us to flip the driveway and see what we could do to accommodate their requests through the Western part, what that does is actually puts that driveway towards the apex of that curve, which improves you site distance along the corridor, not substantially but it's something the DOT asked us to do and something Lisciotti decided to do to accommodate. The floor plan you see before you is identical to what we presented before, it's just flipped so we could accommodate the driveway on the Western part of the property again we have the customer parking in the front of the store, have some additional customer parking along the side and then similar we are going to have loading door where they will be delivering product as well as trash enclosures, we are doing storm water very similar to previous, above ground storm water retention basin along the side of the property. That basin has been designed to contain and infiltrate up to 100 year storm without over topping, that's in excess of DES standards, but consistent with the approach we had done previously. The storm water is contained in that part both roof as well as stationaries; they are directed to a four bay in the front of that basin, crease storm water and allow solids to settled out prior to going into the main basin where it will be returned to ground water. We are providing a screen along the Eastern edge, I believe this plan will work better for neighbors regarding shielding them from the loading operations if you will , where that activity would occur, and has gone above and beyond what previously presented by providing some of that year round screening, will provide that consistent screening through all seasons and done some similar along the Western boundary as well, which is consistent with the previous proposal, what we tried to do there, at a minimum maintain what the Board had approved and then where we could make enhancements on that. The lighting and everything else that we had talked about is consistent with prior plan; the real change of substance is relocating the driveway and the flipping of the site plan. To accommodate that Lisciotti development has rights to purchase the abutting funeral home, they have that parcel under agreement. We are going to take a sliver of that property, one of the items that was filed in conjunction with the site plan review is application for subdivision, subdivision site plan which I think we will be asking the Board to approve, will be seeking approval for that this evening as well, provided the site plan meets your expectations and you find it to be consistent with previous approval. The parcel remaining will be consistent with Zoning we designed if to be consistent with zoning, so it's not going to

present any non-conformities or anything of that nature. The lighting is going to be consistent as before, going to be shielded, you can see with have the light plan in there that shows the photo metrics, even lighting throughout. Operational same as before, will be operating seven days a week, hours of operation 9:00 to 9:00

SB Did the parking increase?

AT-yes a by a few

SB I thought so

AT yes, the changed did accommodate for a few more spaces, 4 or 5 more parking spaces on the side. Part of the original application sought waiver in the amount of parking spaces, we will be seeking the same waiver

RP Question for you regarding the drainage basin, there is no emergency or overflow are you saying that it won't, that it will adequately handle a hundred year storm

AT correct, it is designed to handle a hundred year storm, the basin nearly a foot higher than you would anticipate a hundred year storm water elevation to be , I designed the emergency overflow, in the event you get a very high intensity storm, all be it rare but could occur, it's design that the reinforced channel would have stone and constant with the existing hydrology the flows could be directed along the edge of the property to the low spot a very wide flat channel that exists today, that would require maintaining the grade to some degree, and then it would follow the natural course where the water flows continues

RP What is the, I don't see anything in the plans for a maintenances schedule. My experience with drainage basins is that they work really well when first installed but if there is no maintenance they get filled up with shopping carts and trees start to grow in them, then they don't work over a period of time, so is there a plan that Dollar General is required or any subsequent owner is to follow in order to maintain the drainage basin

AT Yes, there is we included that document in the application which is consistent with DES exceptions for that actually a document, that was included with the drainage report. With the Board approval that would be attached to that Dollar General will maintain in accordance with that

RP And if Dollar General doesn't and the drainage basin malfunctions who is the policing authority?

AT The Board and the State as well

RP And it states that in your maintenance agreement that the Town of Lisbon has the authority to come in and enforce the property owner maintain basin

AT It does not state that in the maintenance manual, it's more of a when they have to maintain and to what extent they have to do it. The Board obviously could make that a condition of approval, to require that Dollar General or land owner be responsible for maintenance of basin in accordance with maintenance manual

RP I think the land owner, Dollar General may not be here forever, but whoever the land owner is should really be responsible for maintaining it because if a drainage basin fails it negatively impacts the neighboring property owners and the state highway

AT Absolutely, one of the things I should point out about basin, to your point about the potential of failure, although I don't anticipate it, that was part of the original approval as well, a leaching catch basin at the bottom as, what that allows it to do if something should happen at the bottom it still allows the water to get to that low spot, and the bottom of that basin will actually be a pea stone and that is consistent with DES standards.

RP So it's not a structure it's a stone lined swale at the bottom of the basin

AT Here on the rendering, that heavy black line that will be stone at bottom we have a catch basin, your typical drainage unit, but it's perforated

RP Is part of your maintenance plan to have that catch basin, that drainage basin cleaned out, it that is to become filled, it that catch basin with the percolating galley in it, if that were to become plugged then that would fail as well so is that part of the maintenance schedule that structure be cleaned out periodically

AT Yes

RP If I may ask another question regarding the sight line, you said that the driveway was moved in order to improve the sight line in both directions can you tell me what the sight line is?

AT The State requires 400 feet in either direction, which we have provided on the previous application. DOT through our conversations had requested to bring this driveway if possible to a more clear sight distance, part of that they had expressed concerns about a couple of vegetation that are existing, nothing we could really do anything about, but in term of working with the State we tried to accommodate their request if possible, hence the reason for shifting of the driveway and reconfiguration

RP I did see something in the email about it, but I believe in the email sent by the State to the Board which talked about getting a sight line easement on the property to the

AT to the property, yes that's correct. Part of our application with DOT for this particular driveway includes a sight line easement along a certain triangle, really just involves the immediate frontage that is going to preclude any structure from being placed in that area allows Lisciotti Development to control viability rights, if you will

RP And does it state that the heights of the plantings or signs or anything like that, that can be put in?

AT We are working out that detail with the DOT, standard rule is about 3 and ½

RP Could you talk to us a little bit about the sign, the business sign that is proposed

AT Free standing sign with the Dollar General logo. That is done separately as part of the Building permit package, I believe that the sign will go through the building department and that it will be consistent with the Town Zoning regulations, we are not seeking relief for size. It will be a free standing sign, single faced with the cap that will go on it

RP Will that be illuminated at night?

AT It will be illuminated, eternally laminated

RP So that will stay lit up, I think you said in your presentation the lights on the site will be dimmed at night

AT That's correct, during operations they will be fully lit, they will be on for a period of time while Dollar General employees close up and secure the facility at which point there is no one in the facility , light are either lowered to security levels or 25% of lighting or off completely

RP Does anyone have any other questions?

RP The row of trees along the East side is that a single row of trees?

AT That is correct a single row

RP And that is a five foot wide strip?

AT Yes, approximately five to six feet wide

RP You are stopping the trees about ¾ of the way back is that correct? Because you are saying, you are recommending utilizing the existing trees and are those trees on the subjects property or neighbor's property

AT Those trees are on the line or just shy of it, we designed the grade as well along that edge to minimize the root ball, we were sensitive to that to keep them viable

RP If those trees were to die as a result of the construction would the applicant be willing to them and extent the tree line to the end of the property?

AT That would be a question for that gentlemen

RP So we could make that part of the condition. Any other questions? At this point if there is anyone from the public that wishes to speak on this application if so please give your name and address for the record.

Robert Cook 2625 Pearl Lake Road I have two questions I guess. One of my questions is, now that you are acquiring the other property what is your plan for that property?

AT I am not aware of any plan for that property

Robert Cook- So you are just going to leave building there? You are acquiring the other property to expand the driveway correct?

AT That is correct

Robert Cook so you must have plans for that property, so my question is what is going to happen to that building?

AT Right now the plan is to leave it alone

Robert Cook and is there any part of that application that states what they are going to do with that building

RP No

Robert Cook is there anything you can do about that so we don't lose another building in Town? Not sure how that would work, that's why I am asking

RP An application typically is just pertaining to the lot that it is concerned with

Robert Cook and not the two lots

RP Right, the other thing they will need to do is get a lot line revision to add land from the Ross Funeral home to the Little Property in order to facilitate the requirements of the State plan. I don't believe that they then have to show what could or could not happen on the remainder of the Ross Funeral Home property

Robert Cook Is that a subdivision

RP I believe

AT It's a lot line adjustment

SB It's a lot line adjustment

AT Correct the plans that support that are in there and are in accordance with the States subdivision and will be recorded

Robert Cook ok that's not really going to be addressed then. Ok you said in the it's going to be open 9:00 to 9:00 is that something that is set, so you can't come back and be open from 6:00 to midnight

RP I supposed that could be made as part of the conditions but I don't think that is legally permissible

Robert Cook so if you grant this, the construction of this store the town doesn't have any control over opening hours

RP I don't think so, I supposed you have to take position that Dollar General may not be here forever and it might turn into some other kind of store or maybe it would turn into a restaurant which might have totally different opening hours, so I don't know whether we can

SB Put a condition on it

Robert Cook I guess there is no one from Dollar General that can speak about that other building. So they can take it down without any other approvals

RP Yes. Is there anybody else that has any questions or comments?

Sigmund Hudson 2661 Pearl Lake presented the Board with two documents and pictures. Sigmund read from one of the documents (documents attached to minutes for the record)

RP For the record, I will number them or letter them

ST Number

RP I will number will just count them off 1, 2....17 there are 17 pages which will be documented and made part of the record

Betsy Little- I am the owner, I am Betsy Little and we have had a business in that home, at that present property from 1969 until 2008 so it wasn't just residential it was also a business

RP Thanks you, I think it's my understanding that this zone B, commercial uses are permitted, retail uses are permitted within this zone so. I understand that people may not want certain kinds of uses to take place but unfortunately or fortunately the fact of the matter is as per the present zoning this is a permitted use in this zone

Robert Cook I have a couple of questions and a couple of comments too, in reference to Dollar General we have a small town that is in need of growth, I see it as a touristic way in northern New Hampshire we don't have a lot of businesses that are running up here to set up shop a Dollar General Store is a big business and we have other pieces of property for sale right now that more suitable, it's just my comment that it to take advantage of that and not disrupt the beauty of the town, moving forward when you have opportunities to use a more appropriate spot, and not disrupt a pristine setting, not appropriate. I hope you look at that further Lisbon is a beautiful town, it's just starting to turn the corner and have some positive growth, using our natural resources and I think it's a shame and you are setting precedence here

RP Thank you, anything else from the public?

SM No I just didn't realize that the Ross Property was two separate lots, thought it was just one until looked at this tonight, it appears to be two, so we are splitting one of them is that correct?

RP Is that correct?

AT Correct

RP I do have to ask you one more question, sorry I did not bring it up before. The spaces I noticed on the site plan are 9x20 as opposed to 9x 18 I know it's only two feet but you are creating a lot of impervious surface here, you have a 42 foot isle between the parking, which I can understand if for trucks to turn around in, but it's still a lot of impervious area for this property so it there a particular reason your parking spaces , especially in the front, needed to be 9x20 rather than 9x 18?

AT It's a Dollar General preference, they have identified a 20 depth and we try to maintain their standard

RP At this point if there are no further questions I would entertain a motion on this application

SM I make a motion to approve

SB I second motion

RP May I just add something for consideration

SM Yes, please do

RP In the event that the existing trees along the south east border if they are found to die as a result of the construction that the proposed landscaping, planting be extended to all the way to the rear property line

SM I agree with that

RP And that the drainage maintenance plan be included as part of the approval

SM Fair enough

RP Suze want to read that back to us

ST In the event that trees die as a result of construction planting of trees will be extended to the rear of southern property line, up to the remaining vegetation that is alive and that the drainage basin maintenance plan be included approval

RP Motion has been made and 2nd All those in favors, opposed abstention

SM,SB, RP voted in affirmative

RP Motion carries

RP So we have to consider the lot line revision

AT Quick question I don't recall hearing the approval for the parking waiver, it is part of the approval or should it be address separately

RP Why don't we make a separate motion just in case, so I believe we need a motion to waive the requirement of parking spaces, 45 parking spaces are required the applicant is proposing 35. The Town of Lisbon parking requirement are one for every 200 feet gfa, your 35 would calculate out one for every 250 feet?

SM motion to waive the required 45 parking space to proposed 35 parking spaces

SB 2nd motion

RP All those in favors, opposed abstention

SM,SB, RP all voted in the affirmative

RP Motion carries

RP So this is a plan for subdivision for Development 145 South Main Street, Lot 40, 41 and 42 Map U04 Town of Lisbon Grafton County Date June 18, 2015. Do you want to speak to this?

AT I certainly can, parcel roughly 9/10 of an acre, increasing lot size by approximately 25-30 feet to accommodate the site plan, they are existing two parcels, this is more of a lot line adjustment than a subdivision and prepare the plan according to State standards for a that , this lot line is to accommodate

SM Looks like you are merging those two lots? 41 and 42

AT Correct the parcel that was originally proposed back in October will absorb that strip of land into it and become one parcel

SM I get that what the Ross property lot 41 and 42 the plan say this line to be removed

RP Right now there are three lots, changing to two

AT Correct

SM So you are merging two lots together, then chunking off a little to go into the third

AT Correct

RP Do you have any knowledge about the water, sewer and utilities for the existing funeral home, do you know for sure they do not go under the proposed strip of land that is going to become of the Betsy Little property

AT That is what we understand, that the utilities will still be maintained on that land

RP If it turns out that they are?

AT Then, we will untangle that if it happens. We are not aware of any utilities on that property

RP So lot 42 right now that is a non-conforming lot

AT Not sure it's non-conforming, has the frontage on Dickinson Street, basically just grass

RP Any other questions

RP It says on here iron pin to be set, but in the note it says property corners have been set

AT They will establish that boundary

SB Should be monuments I believe, concrete monuments on road corners

AT State requires

SB Town of Lisbon does now too

RP It's a requirement at the angle points, that they be monuments

AT I can have surveyor amend that plan and send for signature if you want

RP yes, either note number 5 says all property corners have been installed should be removed or iron pin to be set should be changed so they agree the note and the map should agree. So we will eventually need a fixed line Mylar for signing of this and that would need to be presented at our next meeting

AT Ok can send it up with changes to be signed then pick it up to record it

RP is that correct?

ST We record it

RP Any other questions?

SB Do we want to go down through the check list just to make sure

RP Sure

Board went through check list

RP Called for a motion

SM made motion to approve with the following conditions, concrete monument on angle points on the street where required. Iron pins on notes and Plan to be in agreement and current zoning to be included

SB 2nd motion

RP All those in favor, opposed abstention

SB, SM, RP all voted in the affirmative

RP If you could have Mylar, and three paper for next meeting

OTHER BUSINESS:

Stephen Knox returned to meeting

SB made motion to accept the minutes from prior meeting SK 2nd all in favor

Board Reviewed correspondence

Board reviewed building permit, requested physical address be noted on application

Scenic By Ways- Rosalind will accept the appointment to be Town's representative

North Country Counsel has agreed to a join meeting with the Planning, Zoning and Conservation Commission on September 17th at 6:00 to discuss current Zoning Regulations

SK Made motion to adjourn SM 2nd so voted meeting adjourned 7:46