

**MINUTES OF THE
PLANNING BOARD**

**MEETING OF
September 26, 2023**

A meeting of the Planning Board was held on September 26, 2023 in the Knightly Meeting Room at Salem Town Hall.

PRESENT: Keith Belair, Chairman; Joe Feole, Vice-Chairman; Bianca Carlson, Secretary; Paul Pelletier, Town Council; Sean Lewis; Damon Norcross; Beverly Donovan, Alternate; and Jacob LaFontaine, Planning Director

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance. Chairman Belair introduced the board members and went over the agenda. There were no withdrawals.

REVIEW OF MINUTES

Ms. Carlson said we have one set of minutes from September 12, 2023.

MOTION by Mr. Feole to accept the minutes of September 12, 2023 as written.

SECOND by Mr. Lewis.

VOTE ON MOTION: 6 – 0 – 1 (Mr. Feole abstained.)

OLD BUSINESS

1. SURAJ SITE PLAN – Public Hearing for reuse of 6,000 sq. ft. office/storage building, one new 20,000 sq. ft. storage building, and parking of trailers at 44 Pelham Road, Map 96, Lot 7775. Continued from 4/25/2023.

Abutters: There were no abutters present.

Staff Comments:

The Planning Board accepted this application on April 25, 2023.

It is a phased construction, with the second building, a 20,000 square foot storage building, being constructed at a later date.

There are wetland impact of 4,880 square feet for construction of a new driveway. There is a wetland replication area of 9,800 square feet proposed. They received Conservation Commission approval in May.

New Hampshire Wetland Bureau approval is pending.

They need a conditional use permit and you have the meeting minutes and recommendation from the Conservation Commission.

We have received the outside engineering approval and the State AOT is still pending.

1 He discussed the elevation drawings. We discussed this in April and the Planning Board had a
2 general consensus that a waiver would be acceptable. If the board still feels that way, you can act
3 on the waiver tonight and the applicant would return to the board prior to a building permit for
4 that 20,000 square foot structure.

5 There is a new driveway proposed that will create wetland impact to the east. All truck traffic
6 should be restricted to that easterly drive to prevent impacts from that intersection.

7 A sight distance plan was provided.

8 He read from the traffic memo. This can be incorporated as a condition of approval.

9 We got input from Steve Pernaw. He submitted a memo on September 15. Jacob read his
10 comments regarding truck traffic.

11 In the packet is communication between the Planning Department and the applicant. Their traffic
12 engineer is here. They are here to convince you that it is acceptable. But if you don't feel it's
13 acceptable, we have a condition to potentially address that concern. Steve left it open ended for
14 your interpretation. Mr. LaFontaine discussed the trip generation.

15 There are impact fees and those should be paid prior to occupancy.

16 He discussed the master plan. The existing building meets that intent and their proposal does as
17 well, but we have to wait and see the elevation drawings.

18 There was no sign detail provided, but if the board is OK with that, we can do a condition that
19 the detail is provided prior to issuance of a sign permit.

20 Public safety impact fees are due prior to occupancy.

21 Outside inspections and as built site plans are required.

22 Engineering approval is pending.

23 We haven't received any comments from the Fire Department.

24 We received a memo from Jim Brown today and we can make his comments a condition of
25 approval if the board's concerns are satisfied.

26

27 Nicole Duquette, Greenman Pedersen, is here with Robert Bollinger also from Greenman
28 Pedersen. He is our traffic engineer. Also here is the Singh family who own Suraj Realty. There
29 are a lot of plan changes that you won't see on the rendering, but one you see is the plantings.

30 The Conservation Commission had asked us not to do wetland replication within the upland area.
31 Instead there is grassed area that they would like for that to be planted. The plants we specified
32 within the wooded area adjacent to the wetland, we took that number of species and added that to
33 the grassed area. She discussed what was agreed upon with the Conservation Commission.

34 Regarding the State permits, we have gotten comments from AOT and DES Wetland Bureau,
35 and we have responded back to New Hampshire DES Wetland Bureau, and we are waiting for
36 their response. We met with AOT and are responding to them this week. Our meeting went well,
37 so we don't see any problems with that. Regarding comments from Steve Pernaw, we discussed
38 it. The summary is, with every project we have impacting wetlands, we have to weigh between
39 the environmental impact and public inconvenience. Right now, we are just shy of 5,000 square
40 feet of wetland impact and to make that driveway accommodate two trucks of that size, it would
41 have to go 50 feet wide, which would be about an additional 5,000 square feet, which would
42 throw us into a major impact permit. We are trying not to do that and keep it narrow and protect
43 the wetland and co-exist with it. We do show a big vehicle on our truck turning plan but we
44 always plan for the worst case scenario. A lot of the tractor trailers trucks are smaller than that
45 and some of the truck traffic will be box trucks and vans. Not only are we showing the maximum

1 size, but the majority of the trucks won't be that size, we are very conservative with our truck
2 turning plans. Bob is here and will explain the breakdown of trucks versus cars to get an idea of
3 how many trucks and what time if any there is a conflict.

4
5 Robert Bollinger is a professional engineer from Greenman Pedersen and traffic engineer on the
6 project. He was last here in April. We went through a full traffic presentation then and Jacob and
7 Nicole have alluded to the remaining issue. Regarding the amount of truck traffic, our
8 calculations indicate that during the peak hour period, it is single digit truck traffic. It's one or
9 two during the peak hour period. On a daily basis, it is approximately 34 trucks total and the rest
10 of the traffic is passenger vehicles. Based on the numbers, in his professional opinion, the
11 potential for conflicts is extraordinarily low. Where you have two large vehicles, the two design
12 vehicles, conflicting at a single point. The drivers who drive those vehicles, these are
13 professional drivers, and are certified with a commercial driver's license. These are drivers who
14 are used to dealing with circumstances that regular people don't encounter. We have all been in a
15 situation with a larger vehicle, taking a wide turn and we have to sit back and be courteous.
16 Based on the low volume of expected truck traffic, in his professional opinion, he thinks the
17 likelihood for conflict and spill back is low.

18
19 Ms. Duquette said, we looked at the area. There are a couple of driveways along Pelham Road
20 that deal with heavy truck traffic and some of them are narrower than ours. She wanted to make
21 sure that there isn't a current problem on Pelham Road with those narrower driveways, and Jacob
22 hadn't heard of any.

23
24 Chairman Belair asked for public input. There was none.

25
26 Mr. Feole said he is good with the wetland replication on the conditional use permit. He is
27 concerned about the condition.

28 Mr. LaFontaine said the condition, which was reviewed with Steve Pernaw, is that 6-9 months
29 after occupancy, they submit the AM and peak period post development traffic counts at the two
30 site driveways on Pelham Road consistent with the scope of the submitted traffic study, to be
31 reviewed by the town's traffic consultant and address any comments as needed.

32 Mr. Feole asked, what size are the 34 trucks?

33 Mr. Bollinger said, on average 34 daily weekday trips and single digits during weekday morning
34 and evening peak periods.

35 Mr. Feole asked, what is the distance from the driveway to the intersection of Stiles/Manor?

36 Mr. Bollinger said it is several hundred feet. It is about 2/10 of a mile.

37 Mr. Feole said, that intersection would have been his main concern, but it is quite a distance.

38 Mr. Bollinger said, we did analyze the signalized intersection as well as Commercial Drive and
39 Sycamore and we didn't see any queuing issues that extended that far back from the signal
40 towards our site driveway. He thinks we can take that out of the equation. Also, our traffic
41 analysis, we believe that we overestimate the trip generation and he explained why. We included
42 the square footage for the future development area in the rear of the parcel. We analyzed 20,000
43 square feet of additional that is not part of this plan. We wanted to put together one
44 comprehensive document. We always try to err on the conservative and that's what we have

1 done here. The truck numbers he cited are based on ultimate full buildout condition, assuming
2 there is further industrial construction in the rear of the site.

3
4 Chairman Belair said that the building down the front is a good looking building. Any work done
5 with supervision is better than what is there now. It's an overall improvement. The traffic
6 problem is really only from 4:30 to 5:00. Commercial Drive and Manor Parkway back up, but
7 Pelham Road doesn't seem to be a problem. He agrees with the traffic engineer. He asked Jacob
8 why we need a waiver and not just a condition of approval for the building elevations.

9 Mr. LaFontaine explained that in our site plan regulations, it specifically says that the elevation
10 drawings are checklist requirements. In speaking with the applicant, we discussed submitting a
11 waiver for that requirement so that they can move forward. They did submit some preliminary
12 ideas.

13
14 Mr. LaFontaine read the following conditions:

15 1. Prior to building permit for phase one, pay for outside inspections per direction of Engineering
16 Department.

17 2. Prior to building permit, submit Engineering approval.

18 3. Prior to building permit, submit Fire approval.

19 4. Prior to occupancy, pay road impact fee of \$12,360 and public safety impact fee of \$10,095.

20 5. Prior to occupancy, provide certified as-built site plan.

21 6. Prior to occupancy, construct all site improvements in accordance with approved plan.

22 7. Note variance waiver and conditional use permit for wetland impact on plan.

23 8. Six to nine months after occupancy, submit AM and PM peak period post development traffic
24 counts at the two site driveways on Pelham Road, consistent with scope of the submitted traffic
25 study, to be reviewed by town's traffic consultant and address any comments as needed.

26 9. Receive Planning Board approval of sign detail prior to issuance of sign permit.

27 10. Receive Planning Board approval for elevations prior to building permit for phase two which
28 is the warehouse storage building.

29 11. Truck traffic shall be restricted to easterly drive.

30 12. Vegetation, landscaping and signage shall be kept low to ground or setback sufficiently from
31 Pelham Road to insure adequate sight distance.

32 13. All representations made by applicant or agents and all notes on plans are incorporated as
33 part of the approval.

34
35 Mr. Feole said that Mr. LaFontaine mentioned that condition 8 was up for discussion. He is OK
36 omitting that, with what he heard from the traffic consultant.

37 Chairman Belair said he doesn't have a problem with that either.

38 Mr. Feole asked, so 12 conditions?

39 Mr. LaFontaine said yes.

40
41 **MOTION by Mr. Feole to grant conditional use permit for the wetland impact and grant**
42 **the waiver for the elevations and grant conditional approval of the Suraj site plan with the**
43 **12 conditions as stipulated by Mr. LaFontaine.**

44 **SECOND by Mr. Lewis.**
45

1 Mr. Norcross asked, Suraj does not currently own the site?

2 Mr. LaFontaine said that’s correct.

3 Mr. Norcross said, this property was cleared and there was a change of use by the current owner
 4 of the property. It is not applicant. This should be addressed. It won’t change his vote; he is in
 5 favor of it. But there is something wrong when someone can clear it, change a use, and not work
 6 with the town and then sell it. He would encourage the town and authorities to look at the
 7 adjacent property and what has been cleared and the current use that exists there. The change of
 8 use has been in place since 2011. He just wants it noted for the record. When we get a new Code
 9 Enforcement Officer, these are the types of things we should be addressing.

10
 11 **VOTE ON MOTION: 7 – 0**

12 **UNANIMOUS**

13
 14 **NEW BUSINESS**

- 15
 16 1. **HEBB REALTY SITE PLAN** – Public Hearing for 3,000 square foot commercial garage at
 17 42 Main Street, Map 89, Lot 1134.

18
 19 **MOTION by Mr. Feole to accept the Hebb Realty site plan application as complete.**

20 **SECOND by Mr. Lewis.**

21
 22 **VOTE ON MOTION: 7 - 0**

23 **UNANIMOUS**

24
 25 Abutters: L&R Realty Corp, SMMD Family Revocable Trust, and Hebb Realty Two LLC were
 26 all present.

27
 28 Dan Korrivos, DK engineering, will give a brief presentation. This is located at 42 Main Street,
 29 on the south side of Main Street, and west of Pleasant Street. It is in the Business Office District
 30 1, and is about one acre. The soils are a well-drained sand. It was confirmed in field by a
 31 certified soil scientist. The project consists of demolition of a 1,500 square foot garage and
 32 replace it with a 3,000 square foot garage. The roof runoff and surrounding area will be mitigated
 33 through the use of an infiltration system which goes around three sides of the building. The
 34 calculations for that were based on the extreme precipitation tables by the Northeast Regional
 35 Climate Center. We used something that has 20 percent more runoff than what has been used
 36 before. It is 10 percent higher than the previous 100 year volume. The calculations were
 37 reviewed and approved by Rockingham County Conservation District. There is no sewer or
 38 water services to the garage. In regards to landscaping, we added four arborvitaes for screening
 39 and there is also a large tree there. The trees should be sufficient screening on the back. Two
 40 variances were granted by the ZBA. One is for the setback to the property lines, and that was
 41 granted on May 2nd. The other is for impervious coverage of the lot and that was granted on
 42 September 5th.

43
 44 Staff Comments:

1 The proposal is for a 3,000 square foot commercial garage. This site was last before the board in
2 2018 for the crematorium.
3 They are proposing an infiltration trench to be installed.
4 They received outside engineering review for drainage by Rockingham County Conservation
5 District.
6 They are on town water and town sewer.
7 They propose erosion control.
8 They provided elevation drawings which he explained. They will match the existing building and
9 he thinks is an attractive building, so they adhere to our design guidelines.
10 They will restripe the ADA spaces at the rear of the building. There are two of them. They are
11 installing upright ADA signs.
12 There are impact fees for the warehouse use of \$458 and that should be paid prior to occupancy.
13 There is a cross access easement across the lot which was subdivided.
14 There was a variance granted in May for the setbacks. And in September a variance was granted
15 for lot coverage. Those minutes are in the packet.
16 34 spaces are required and 34 are provided. The Planning Department says that the plan says no
17 change in use and does not account for additional spaces needed. So we asked the applicant to
18 clarify the use. The garage will be where vehicles are housed and won't create additional
19 demand. At the ZBA meeting, there was discussion about what will be stored there and we want
20 to be sure that the use is ancillary to the primary use. He read what will be stored in the garage.
21 That's all ancillary. The concern is that if it is used more for transportation services, than
22 ancillary use to the funeral home. 3,000 square feet is a large garage and will accommodate the
23 additional demand.
24 They are proposing 3 Arborvitaes at the rear to screen the view from Pleasant Street.
25 There are new wall mounted lights but no additional lights in the parking lot.
26 There is a public safety impact fee of \$399 for the warehouse use and that should be paid prior to
27 occupancy.
28 Outside inspections and as-built site plans are required.
29 Recommend - If the board's concerns are satisfied, our recommendation is to grant conditional
30 approval subject to conditions that he has.
31
32 Chairman Belair asked for public input.
33
34 Richard Dewhirst is representing L&R Realty, 2 Pleasant Street. He is here not necessarily
35 opposing or in favor. He just has some questions. There was some talk about the drainage. He
36 doesn't know if Jacob shared the pictures from over the summer when we had a river running
37 through the back of the property all the way out to Pleasant Street. There have been drainage
38 issues there for as long as he can remember. Ms. Davis is here and she had many concerns about
39 drainage. That is with a 1,500 square foot garage. He is just concerned a little that doubling the
40 size of that and taking away 1,500 square feet of drainage area currently, would be an issue. He
41 is curious about that. The area is quite dense with the properties pretty much on top of each
42 other, and creating more density. He is concerned about that. It's a density issue and drainage
43 issue and he doesn't know what will happen to the tree. That tree mitigates a lot of the water. He
44 is afraid that creating that large of a building, will damage the root system of the tree. If that tree
45 dies, that will take away some of the mitigation and he doesn't think 4 Arborvitaes will pick up

1 the slack. He doesn't know what was proposed for drainage mitigation. He was looking at the
2 proposed pictures of the building. There is a 19 foot peak on the building. He believes the initial
3 building was proposed at almost 25 feet, so he is not sure if that will come up later or if this will
4 be the final rendering of that building. He is curious as to the size of the garage doors.

5
6 Chairman Belair mentioned the building height, the plan says 25.

7 Mr. Korrivos said, that was an earlier plan. It is 19 feet. The infiltration system that we are
8 proposing, it is designed to infiltrate 100 percent of the 50 year storm. Not only will it infiltrate
9 the additional 1,500 square feet, but also the total of 3,000 square feet, so it will reduce the
10 runoff in the area. Regarding the tree in back, there is the infiltration system in the back. There is
11 no water that can get from the building to the tree, so the tree isn't doing anything. The trees we
12 propose in the back are for screening mainly and if that tree dies, we'd put one or two more in
13 there to screen the building where that was. It will reduce the amount of runoff from that area.
14 Chairman Belair asked about the garage door height. We went over the drainage, which has been
15 approved by both the town and county?

16 Mr. Korrivos said that's right.

17
18 Sue Davis, 4 Pleasant Street, said if anyone will be affected by this change, it's her property
19 because she is at the rear. She is not concerned about runoff coming off of this building. Her
20 concern, and she supports the size of the building, there is supposed to be 30 feet setback to her
21 house, and she is allowing him to come 9.7 feet from her lot line. She is doing that because, for
22 years she has been trying to get the former owners to take care of the runoff from the parking lot
23 that was redone. This parking lot is what causes the river to run down. She had 6 holes go
24 through her foundation this past winter. Her basement gets flooded and she has a sump pump.
25 She spoke with them at the funeral home and for the first time they are trying to help her with
26 this problem and they are putting in drainage that will try to keep the water from coming into her
27 house. She understands the building will be bigger, but they are guaranteeing her that the
28 infiltration system that they are putting in, will handle the parking lot and that is what her
29 concern is, the runoff from the parking lot. That is what causes the flooding alongside her house.
30 It doesn't cause any problem for 2 Pleasant Street. The maple tree in the front of her house, it
31 was Helen Woodbury who owned the home before and she put in the maple tree. Ms. Davis
32 discussed the lot line and the fence that was put up. The runoff now is on the other side of that
33 fence, but it is still saturating the ground and she is the only one being affected by this. If the
34 funeral home is willing to work to mitigate that problem, she appreciates it and that's why she
35 supported the project.

36
37 Mr. Lewis asked, what is the current use of garage?

38 Mike Collins said, it is pretty much the same. They store vehicles and containers for the
39 crematorium.

40 Mr. Lewis said he heard the word workshop.

41 Mr. Collins said, it is for assembly for the boxes for the crematorium.

42 Mr. Lewis asked, they are not wood?

43 Mr. Collins said no.

44 Mr. Lewis asked about the trench.

45 Mr. Collins said, our intention is to try to help her out.

1 Mr. Lewis mentioned that Ms. Davis talked about those trenches being able to handle all the
 2 runoff from the parking lot. That is what you are telling us tonight?
 3 Mr. Collins said no. He is telling you, we are doing something to attempt. We are trying to
 4 mitigate it. The garage will be raised. It is in dirt now, and it will be raised up and it will be
 5 pushing away rather than pushing over towards her yard.
 6 Mr. Lewis asked, between the trench and the regrading, you feel confident that the water will be
 7 taken care of?
 8 Mr. Collins said it will help her out substantially.
 9
 10 Mr. Pelletier said he is hearing that this garage is no longer a property of Dewhirst Funeral
 11 Home?
 12 Mr. Collins said, there is a four family in front of the garage, the white house, that was
 13 subdivided off the site in about 2018.
 14 Chairman Belair said that the bulk of the permissions were granted by another board. We are
 15 here looking at elevations and the site conditions to make sure the drainage works, right?
 16 Mr. LaFontaine said yes.
 17
 18 Mr. LaFontaine read the following conditions:
 19 1. Prior to occupancy, submit Fire Department approval.
 20 2. Prior to occupancy, pay road impact fee of \$458.80 and public safety impact fee of \$399.60.
 21 3. Prior to occupancy, construct all site improvements in accordance with approved plan.
 22 4. Prior to occupancy, provide certified as-built.
 23 5. Applicant must operate business so that parking capacity is not exceeded.
 24 6. All representations made by applicant or agents and all notes on plans are incorporated as part
 25 of the approval.
 26
 27 **MOTION by Mr. Feole to grant conditional approval of the Hebb Realty site plan with the**
 28 **6 conditions as stipulated by Mr. LaFontaine.**
 29 **SECOND by Mr. Lewis.**
 30
 31 **VOTE ON MOTION: 7 - 0**
 32 **UNANIMOUS**
 33
 34 2. 155 BROOKDALE LLC SUBDIVISION PLAN – Preliminary Hearing for lot line
 35 adjustment at 153 & 155 Brookdale Road, Map 104, Lot 7715 and 7716.
 36
 37 **MOTION by Mr. Feole to accept the 155 Brookdale LLC subdivision plan application as**
 38 **complete.**
 39 **SECOND by Mr. Lewis.**
 40
 41 **VOTE ON MOTION: 7 – 0**
 42 **UNANIMOUS**
 43
 44 Abutters: There were no abutters present.
 45

1 Neil McCarthy from Promise Land Survey, will walk through the plan. This is a simple lot line
2 adjustment. If you look at the site, formerly the northerly portion of the plan was an access
3 easement for the property towards the front. We went to the ZBA to get a variance for this
4 configuration so that the parcel in the rear accesses across its own property with a driveway,
5 rather than through an easement. We are also asking for waivers because the configuration of
6 these lots were pre-existing, non-conforming. So they don't meet the requirements of size and
7 shape. The angle in the side property line we are proposing is to meet the setbacks on the
8 existing house.

9
10 Staff Comments:

11 They are transferring about half an acre from lot 7715 to 7716. It divides the lot proportionally
12 and provides access to the rear lot without impacting the wetland on the northern section.

13 There are wetlands on site. There is a buffer that was disturbed, which he showed. They are
14 willing to mitigate that. He showed the existing condition prior to site work. He discussed the
15 lines on the plan.

16 We recommend a condition of approval for that buffer to be marked in the field and to be re-
17 established. It was an entirely vegetated site and the buffer was disturbed during site work.

18 We have communication from Health Officer Brian Lockard, that the applicant should verify that
19 the system still meets appropriate setback from wetlands. The applicant has agreed to that
20 condition.

21 Regarding sight distance, this should be reviewed by the Safety Officer. There is some existing
22 vegetation along the front, and in situations like this, we like to have the Safety Officer go out
23 and see if anything can be mitigated.

24 They require a waiver for the odd shaped lot for the building envelope. They are not able to fit it.
25 A variance was granted in August this year to allow lot 7716 to have 44 feet of frontage. That is
26 an increase of what it had. And a waiver is required from side lot lines that are radial and
27 perpendicular to the street for 150 feet. They wanted to divide the lot proportionally and put the
28 entire septic field on this lot for this new dwelling.

29 You have approvals from Engineering and the Fire Department.

30 We received comments from the Fire Department regarding the length of the driveway. Due to
31 the length of the driveway, the dwelling will be required to be sprinklered. Its greater than 400
32 feet so they need residential sprinkler systems, and there is a regulation for turn around radius.

33 The Health Officer gave comments.

34 Assessing Department suggested approval.

35 He has conditions if the board is satisfied.

36 Recommend - grant waivers, move to hear in one hearing and grant conditional approval subject
37 to conditions he has.

38
39 Chairman Belair asked for public input. There was none. The house in back is not built?

40 Mr. LaFontaine said that's correct. The site work was performed, when he went out in August
41 but there was no foundation.

42
43 Mr. Feole said, the applicant has four waivers on the request letter and we have three.

44 Mr. LaFontaine said he spoke with the applicant and the Engineering Department about the
45 waiver request from site topography. That is more for a multi lot subdivision and we don't

1 typically require it for a lot line adjustment so we felt it would be appropriate to forego that
2 request.

3 Mr. Feole said, there are two variance and three waiver requests. Why do we even have zoning?
4

5 Mr. Lewis said, looking over list of requirements, he mentioned the septic system. That is for
6 pre-existing? There is a home that is occupied, and there is a septic, and that is what we are
7 trying to verify?

8 Mr. LaFontaine explained that this is for the proposed septic. They have a State septic approved
9 system for the proposed dwelling and they received that prior to delineating the wetlands, so the
10 State doesn't require you to delineate the wetland for a septic plan, but they do require setbacks
11 from the wetlands. So now that we have had the wetland delineated, we want to make sure that
12 the setback is met. It will be for the proposed. He showed what is on the plan. The Health Officer
13 just wanted to verify it.

14 Mr. Lewis asked, are we going to see them again for the second house?

15 Mr. LaFontaine said there is one existing house and this will allow them to build a house on the
16 proposed lot on the new lot. You are approving the subdivision and the new lot line.

17 Mr. Lewis asked, do they come back for site plan review?

18 Mr. LaFontaine said no, this will be the final review prior to building permit.

19 Chairman Belair asked, so the assumption is, if the lot was not reconfigured, it would be tougher
20 for them to fit a house and septic on there?

21 Mr. LaFontaine said he thinks so. He explained that they would have had a lot of easements
22 granted by the property on the front.

23 Ms. Donovan said, she hears the frustration regarding Mr. Feole's point, but this does seem to be
24 a practical solution to the issue.
25

26 Mr. LaFontaine read the following conditions:

27 1. Prior to recording plan, submit Engineering and Fire Department approval.

28 2. Prior to recording plan, note waivers on plan.

29 3. Prior to recording plan, set or bond monuments.

30 4. Prior to recording plan, verify that the septic system still meets appropriate setbacks from the
31 delineated wetlands.

32 5. Prior to occupancy, mark and re-establish 20 foot wetland buffer in field.

33 6. Prior to occupancy, sight distance should be reviewed by Safety Officer and addressed if
34 needed.

35 7. New dwelling shall have residential sprinkler system for fire protection and turn around radius
36 shall be met.

37 8. All representations made by applicant or agents and all notes on plan are incorporated as part
38 of the approval.
39

40 **MOTION by Mr. Feole to grant conditional approval of the 155 Brookdale LLC**
41 **subdivision plan with the 8 conditions as stipulated by Mr. LaFontaine, hear plan in one**
42 **hearing, and grant 3 waivers for lot shape, building envelope shape and lot lines.**

43 **SECOND by Mr. Lewis.**
44

45 **VOTE ON MOTION: 7 – 0**

1 **UNANIMOUS**

2
3 **PUBLIC MATTERS**

4
5 1. EV Charging Station at Mall

6
7 Mr. LaFontaine said, we were talking about the EV charging station at the mall. He wanted to
8 give you an update. There was discussion on how to approach these proposals. He showed what
9 was proposed. They widened that parking aisle to accommodate no net losses in space, so it will
10 remain the same spaces as proposed and have the proposed access to the charging stations.
11 Another consideration we discussed was loss of vegetation given the EV charging station, and
12 the other one removed vegetation from the median. The applicant here said they will replant a
13 new tree. So essentially it is no net loss of spaces or vegetation on site. He thinks the board was
14 comfortable with this proposal last month. We asked about relocating it to the northern side of
15 the aisle and they said they can't be in an adjacent row of parking because it was too close to the
16 mall's agreement with Electrify America. The minimum distance is about 100 feet and the
17 existing underground utility lines don't allow Tesla to place their charge posts or foundations
18 where they would need to if they relocated them. So they said they can't relocate them, but they
19 can reconfigure it so we don't lose any spaces or vegetation. We are looking at other
20 communities and maybe we can do an amendment to our site plan regulations. We will see more
21 of these in the future.

22
23 2. Farmhouse Roasters

24
25 Mr. LaFontaine said there was an email in the packet from Nicole Duquette regarding
26 Farmhouse Roasters. That plan was approved in June 2021, with a condition that additional
27 seating is contingent with the results of a parking study to be performed 6 months after approval.
28 It has been more than 6 months but they didn't go forward with construction of additional space.
29 They added additional seats and they did an informal parking study and their peak demand is at
30 2:45 pm on a Monday. Does the board have any concerns?

31
32 Chairman Belair said he thinks the business owner's intent is to make it work. There isn't
33 anything nefarious.

34
35 **MOTION by Mr. Feole to adjourn.**

36 **SECOND by Mr. Lewis.**

37
38 **VOTE ON MOTION: 7 – 0**

39 **UNANIMOUS**

40
41 The meeting adjourned at 8:09 p.m.

42
43 For further information, kindly refer to the DVD dated 9/26/2023, located in the Planning Office.

44
45 Minutes by: Susan Strugnell, Planning Board Recording Secretary

- 1 Approved: Planning Board
- 2 Date: October 10, 2023, approved