



**Planning Board Meeting**

Monday December 11, 2006, 7:00 p.m.  
City Council Chambers, City Hall, Claremont, NH

**Meeting Minutes**

**Meeting Called to order by Chair Anita Engel at 7:01 pm**

**Roll Call**

**Present:** Fred Kuriger, Mayor Scott Pope, Ralph Swift, Anita Engel, Alan Grigsby, Lori Richardson, Russell Fowler, Erwin Caplan, Peter Guillette

**City Staff:** Gerald Coogan, City Planner, Michelle Aiken, Boards and Commissions Coordinator

**Absent:** Richard Wahrlich

**I. Minutes of November 27, 2006 Meeting**

**Motion to:** Minutes of November 27, 2006 Meeting approved as amended

**Made by:** Mr. Grigsby      **Second:** Mr. Kuriger      **Vote:** Unanimous

**II. New Business**

- **Michael Lemieux & Fred Gregoire, 519 Jarvis Hill Road, Claremont, N.H.** — Applicants desire Major Subdivision approval for existing 14.70 acre lot on **Case Hill Road, Claremont, NH 03743**. Proposed Lot 1 to contain 1.13 acres. Proposed Lot 2 to contain 1.89 acres. Proposed Lot 3 to contain 1.45 acres. Proposed Lot 4 to contain 3.50 acres. Proposed Lot 5 to contain 3.68 acres. Proposed Lot 6 to contain 5.00 acres. Map 159, Lot 46; Zoning District: RR.

Mr. Coogan stated the subdivision has a history and was approved as a 13 lot subdivision in 2002. When the application was resubmitted in August 2006, it was initially proposed as a 6 lot subdivision and now is being proposed as an 8 lot subdivision. This application will be considered a preliminary hearing and the applicants request feed back from the Planning Board.

Erin Darrow stated the applicant is proposing an 8 lot subdivision. Two of the lots will have primary access off of Case Hill Road and the other six 6 lots will have primary access off a private road approximately 700ft. The subdivision was approved for 13 lots in 2001, although for various reasons it was not completed. Each lot can support its own well and septic and meets all zoning requirements. The applicants have discussed improvements to Case Hill Road and will conduct further evaluation.

Mr. Kuriger asked why the plan has taken so long to come back to the Planning Board. Ms. Darrow advised that were concerns about excessive expense with third party engineering review being requested by the Planning and Development Office. Mr. Grigsby how much of the city road would be improved. Ms. Darrow stated they anticipate a gravel wearing surface and hope to only have to improve the road up to the private road. They will take advantage of the natural features of the land for the subdivision.

Mr. Swift asked if it was common practice to have the wells overlapping the lots and the lot lines. Ms. Darrow advised that it is not ideal although it is allowable by law and when you are in constrained areas that situation

will occur. Mr. Dombroski advised that the plan is conceptual and not final. The wells will most likely be moved when the final plans are completed.

Mr. Grigsby asked why they are annexing a part of the property to the abutter Tewksbury. Mr. Dombroski advised that the annexation will happen when the subdivision is approved. Mr. Lemiex purchased additional land and the agreement was that Tewksbury was to retain 1.4 acres. There are 2 deeds for this land.

Mr. Fowler stated it is unusual to come before the Planning Board with such an incomplete plan. Ms. Darrow advised that they are here to get input from the Planning Board and from abutters. Ms. Darrow advised that instead of proceeding ahead and having things change, they prefer to identify obstacles early on. Ms. Darrow has completed preliminary road design analysis and will prepare drainage analysis. There is a concern regarding the requirement for third party engineering review.

Chair Engel asked if they had filed the applications for subdivision from DES. Ms. Darrow advised that they have not filed the applications at this time, but each area is based on test pits done in 2001 and the soils are well suited for septic systems. The proposed development conditions will be equal or better than they are presently.

Ms. Richardson asked if the proposed driveway on Case Hill will move. Ms. Darrow advised there is a steep embankment and that is why it was moved. Mr. Grigsby advised that it appears the land looks suitable for this type of subdivision.

Mr. Guillette asked how far is the property from city water. Ms. Darrow advised that there is a hydrant at the crest past Alden Road and they will have to extend the city water about 2,000 feet to hook onto it. This is why the 13 lot subdivision did not happen as it was not financially practical to extend water that far.

Pete Consic, an abutter, stated he has about 500 feet of land bordering Case Hill Road. He has a neighbor who has a dug well right next to the land and he had an artesian well dug and now it is full of iron. They purchase their water and it has already clogged up his hot water system. He opined that additional wells will create more problems with contamination. He borders the proposed subdivision and is concerned about water contamination.

Neil Pinkam, an abutter, stated he does not believe the road is wide enough; it is too narrow between the stone walls. He believes that sewage and drain off will go onto the road.

Steve Crossman, an abutter, stated that back in 2002 it was a 13 lot subdivision; the Planning Board recommended installing a hydrant and bringing city water to the site. He has concerns regarding the number of lots.

Arnold Greenleaf advised the area is not flat and slopes down into his back yard and the abutters, the Hallidays. The Hallidays sent a letter apposing the subdivision. The land is pyramid shaped and he has concerns of having a septic approximately 50 feet higher than his property. The City has repaired Case Hill Road to the foot of Stuart Avenue. He suggested an adequate bond to ensure the road is put back in proper condition. He is also concerned that if there is a water line, there will have to be blasting for the hydrant. Even though part of the road has been paved, there are problems with the hill. If the traffic is increased, he suggested the hill be widened to a two lane width. The other issue is septic; the soil on his side is all clay. He has a lot of clay on his property and that could cause ground water contamination. He expects the Planning Board will consider if this lot can really sustain this type of development.

Mr. Swift asked if there has been any water testing done. Ms. Darrow advised that there has not been any testing done, but the plan as submitted does meet all state requirements for septic systems. Ms. Darrow advised

that they will meet all State requirements and it is in the developer's best interest to build something that is high quality.

Mr. Coogan advised the applicant has received information from the board and the abutters. There are issues that have been identified such as the adequacy of the road, suitability for the on-site water or water line, soil conditions and improvements necessary for Case Hill Road. The applicant needs to address these issues and provide additional information.

Mr. Kuriger asked how do you address the water quality. Mr. Coogan advised that they will need to provide some soil information and water tests with the next application. Mr. Dombroski advised that they had done test pits in 2000 for 13 lots and each lot was sufficient. The abutter that was complaining about clay on his property had been excavated extensively and the original soil is gone and now they are sitting on clay or subsoil. Mr. Lemieux's land has not been disturbed and it has a receiving layer for a septic system. The tests were done in 2000 and it was sufficient then and should be adequate for what they propose. The 4,000 SF area for septic is 10 times the area required.

Ms. Darrow stated that she would like to discuss the third party engineering review. Her client is very concerned and wants to know if the Planning Board is inclined to require third party engineering review. Mr. Grigsby advised that they have requested it previously from large complex plans. It is in the best interest of the City to have third party review done. Mr. Grigsby advised that third party review is not automatic and it is a call they will have to make after they receive more information.

Mr. Fowler advised that third party review requirement would depend on what the Board learns from DPW. Mr. Kuriger asked if the TRC has recommended the third party engineering review. Mr. Coogan advised that when there are complex issues with city water or a sewer line and if the City is expected to take over the private road, which could be 20 to 30 years out in the future, the road should be built to City standards. This is a two step process, review of the engineering and construction observation and inspection. Third party review is another set of eyes and provides for quality control and quality insurance.

Ms. Darrow advised that it is unfortunate that people try to take shortcuts; she is obliged to follow design criteria and ensure that the road meets design standards. As a professional engineer she cannot legally say that it is meeting City standards if it is not. A third party reviewer would not be as familiar with the land. Ms. Darrow provided Planning Board Members with an article from NHSLA opposing third party engineering review.

Ms. Richardson asked why the opposition to the third party engineering review. Are you assuming a third party engineer would not conduct the review as you would and who is to say that the engineer brought in would not be as professional as yourself. Ms. Darrow advised that internally she always tries to have quality control; there is sometimes a competing company that can sometimes come in to play. The stamp of an engineer comes with integrity. When a project is large and complicated, the third party review can be beneficial. The applicant and agent want to know if this will definitely be required.

Mr. Lemieux stated he has done a lot of subdivisions in Claremont and he is willing, at his expense, to make improvements to Case Hill Road. They were told from the beginning that they had to have a third party engineering review before plans were finalized. He asked Mr. Coogan what triggers a third party review requirement and he advised that it was because it would involve complicated road improvements. He could easily pay the money but he feels that it adds time and expense to this project. It will be a couple thousand more dollars and he does not believe it is necessary. This is a gray area and he wants to make sure that there is some consistency when requesting third party review.

Mr. Pope asked if TRC has requested the third party engineering review. Mr. Coogan advised the TRC requested the engineering review since there were issues with the proposed road and Case Hill Road. In August 2006, the staff requested engineering information related to the proposed road in order to fulfill the Section 4 Plan Requirements of the City's Subdivision Regulations. This project in its present configuration has been ongoing for more than a year and could have been approved if the applicant provided the required information in a timely manner. Mr. Grigsby advised that they need to see what triggers a request for a third party engineering review.

Chair Engel advised that she knows the TRC meetings do not have minutes, but it would have been useful to have copies of those discussions. Mr. Coogan advised that when he does a plan review he incorporates the information from the TRC meeting.

Ms. Darrow stated that in May she submitted a preliminary design for the widening of Case Hill Road which included cross sections at 50 foot increments and a road profile that showed the existing and proposed road grade. This road design was discussed at a preliminary level with Mr. Temple and Mr. Lemieux. Mr. Temple advised that he wanted them to add the existing road grade along with the proposed grade with cross sections. They met DOT specifications and she provided fully stamped drawings.

Mr. Coogan asked if the information was provided to DPW or the Planning and Development office. Ms. Darrow advised that it was submitted in May 2006 to the Planning and Development office. Mr. Grigsby stated that the road cross sections had been brought to a TRC meeting. Michelle Aiken, the Boards and Commissions Coordinator advised that this information was not submitted with the application in August 2006. Mr. Coogan stated the application submitted in August lacked information and thus this meeting is a preliminary review. There was no engineering submitted for Case Hill Road or the Private Road. The applicant submitted information in March or May but no new information was submitted with the August submittal as required for such an application for subdivision approval.

Chair Engel advised that when the applicant is ready to submit a formal application, all the appropriate information should be submitted at that time. They would also request the input of DPW and make sure that everything is in one packet so that it can proceed.

Mr. Fowler stated that he cannot advise the applicant whether or not the Planning Board will require a third party engineering review until the Planning Board sees the complete plans as required by the Subdivision Regulations. The Planning Board will request recommendation from the DPW on the road engineering.

### **III. Other Business**

Mr. Coogan advised that there will be some effort to encumber funds for the Master Plan. Mr. Pope advised they are trying to work through schedules and have a Master Plan Advisory Committee meeting before the end of the year. They would like to meet as a group prior to meeting with Mr. French. About 12 to 13 people have agreed to serve on the Master Plan Advisory Committee.

### **IV. Report from Boards and Commissions**

Chair Engel advised the next meeting will be the election of officers, Chair and Vice Chair. Mr. Pope will open the meeting and take nominations for board positions and then the new person can take over. Chair Engel advised that this will be her last meeting as Chair of the Board. Mr. Pope advised that he wanted to thank her for her service on behalf of the board and the City Council.

Mr. Coogan advised that there are no applications for the meeting on January 8<sup>th</sup> so that meeting can be rescheduled or even canceled. The Boards and Commissions coordinator will advise everyone of the next meeting date.

**V. Adjournment**

**Motion to:** Adjourn

**Made by:** Mr. Caplan

**Second:** Mr. Kuriger

**Vote:** Unanimous

**Meeting Adjourned at:** 8:17 pm

**Respectfully Submitted,**

**Michelle Aiken**

**Boards and Commissions Coordinator**