CALL TO ORDER
Chairman Roger Duhaime called the regular meeting to order at 6:49 pm.

PLEDGE OF ALLEGIANCE

ATTENDANCE: Roger Duhaime (Chairman), Richard Bairam (Vice-Chairman), Chris Pearson, Phil Denbow, and Jim Levesque, Council Representative

ALTERNATES:

NOT PRESENT: Anne Stelmach and Don Pare (Alternate)

EXCUSED: Gerald Hyde

STAFF: Matt Lavoie (Code Enforcement Officer)

APPROVAL OF MINUTES
December 10, 2019 – R. Bairam motioned to approve the minutes of the December 10, 2019 meeting, with amendments.

Amendment - Page 17. The date on the motion should read February 29, 2020, as opposed to February 29, 2019.

Amendment - Page 17. The date of the next meeting should read January 14, 2020, as opposed to January 14, 2019.

Seconded by P. Denbow. Motion carried unanimously with a vote of 4-0.

R. Duhaime made the applicants aware that there are four members of the Board present and stated they have the option to table their agenda item.

R. Duhaime: Continental Paving, Inc. #Z20-3 will be the moved to the beginning of the agenda.

NEW PUBLIC HEARING:

Continental Paving, Inc. #Z20-3
Bow Gravel Pit Map 1 Lot 1
IND

SAND & GRAVEL EXCAVATION PERMIT:
Requesting an Excavation Permit, #EX20-01, to excavate gravel in Hooksett pursuant to Hooksett Sand and Gravel Other Ordinances #00-14

Morgan Hollis: There are four members of the Board and we propose that this matter be tabled and a site walk be scheduled before the Hearing.
C. Pearson motioned to continue Continental Paving, Inc. #Z20-3, Bow Gravel Pit Map 1 Lot 1, IND to the April 14, 2020 meeting and schedule a site walk prior to that date. Seconded by R. Bairam. Motion carried unanimously with a vote of 4-0.

The site walk was scheduled for March 18, 2020 at 5:00 pm.

Springwood Homes & Dev. Corp. #Z20-1
96 Farmer Road, Map 26 Lot 39-1
MDR

APPLICATION FOR VARIANCE:
From Article 5 Section C.2.b of the Zoning Ordinance to permit: Two single family lots with 139.73 feet of frontage where 175 feet is required. The new lots will be served by municipal sewer, on site well and common driveway.

Open public hearing.

JR Ouellette (President and Owner or Springwood Homes and Development Corp.): The parcel is not currently built on and is located in a MDR area. The lot consists of 4.542 acres/167,867 sq. ft. and has 279.46 road frontage. The lot will be serviced by town sewer. The buildable lot requirement in this area, with town sewer, is 43,560 sq. ft. with 175’ road frontage. I am here to ask the Board to waive the 175’ road frontage required and allow approximately 139’ of road frontage in order to allow for two building lots in lieu of one. The lots will utilize a common driveway entrance requiring only one access point on Farmer Road. The new lots will have more than twice the required total lot area and more than twice the required building area. The lots will be only 35.27’ short of the required road frontage. There are some wetlands in the front portion of the lot towards the SAU property. For this reason the home will be approximately 400’ off Farmer Road and well buffered from view of the abutting properties.

C. Pearson: Are the wetlands on Lot 39.1a precluding you having it’s own driveway?

JR Ouellette: Yes.

C. Pearson: What type of wetlands are they? Could you have come to ask for a variance to disturb the wetlands?

JR Ouellette: There are a considerable amount of wetlands. I am proposing the common entrance be split into two driveways.

R. Duhaime: Do you have a map of the wetlands?

JR Ouellette: Yes.
JR Ouellette showed the Board and abutters the location of the wetlands.

R. Duhaime: The homes will be way back?

JR Ouellette: Yes. The homes will be 400’+ back.

JR Ouellette read the application into record.

Open to public comments.

R. Duhaime: Is there any home directly across from this driveway?

M. Lavoie: It is facing Misty Lane.

JR Ouellette: It faces some vacant trees.

Jim Stencavage (10 Spruce Court): We are on the back side of this lot. When the development went before the Planning Board is was approved as one house and a septic. There is a percentage of wetlands and that is a concern on pushing the house back. The back side of our lot can see the back side of that lot.

JR Ouellette: The lot is already cleared. There are quite a few trees from where his clearing is. Whether it is a single lot or two lots the houses have to go back there. It was never set up for septic. It was originally designed with sewer. It is part of the sub-division agreement. If there is sewer within 300’ of the septic I have to tie into sewer.

R. Duhaime: It is flat? Does it have trees?

JR Ouellette: It is flat and heavily tree’d.

J. Stencavage: How big are these lots?

JR Ouellette: Each lot will be over two acres. The lots are approximately 4.5 acres cut in half.

Scott Caron (107 Farmer Road): I am across from this property. How close are these houses together? Would they have shared septic and sewer?

JR Ouellette: They will not be close and I am hoping that they will not have shared sewer, but I have to do what the Sewer Department tells me to do.

P. Denbow: How far will the houses be off the back of the property line.

JR Ouellette: An easy 80’ to 100’. Maybe more. I prefer to go further forward but if a customer wants a house further back I have to do what they want.
Close to public comments.

**Close public hearing.**

C. Pearson: I would ask you to work with your neighbors.

JR Ouellette: I will do my best to please everyone involved.

C. Pearson motioned to approve the variance from Article 5 Section C.2.b of the Zoning Ordinance for Springwood Homes & Dev. Corp. #Z20-1, 96 Farmer Road, Map 26 Lot 39-1, MDR to permit: Two single family lots with 139.73 feet of frontage where 175 feet is required. The new lots will be served by municipal sewer, on site well and common driveway. Seconded by R. Bairam. Motion carried unanimously with a vote of 4-0.

Granite Woods LLC/Supreme Industries #Z20-2
47 Hackett Hill Road., Map 17 Lot 7

**COM**

SAND & GRAVEL PERMIT EXTENSION:
Is formally requesting for an Extension of Excavation, Permit #EX17-01 (Sand and Gravel Other Ordinances #00-14 Section 6

Open public hearing.

Pat Leclerc (Supreme): We submitted all of the items requested by the Board to extend the permit beyond February 29, 2020.

R. Duhaime: Where are you on the grades? What do you consider finished grade?

P. Leclerc: We have a reclamation plan with grades on them.

R. Duhaime: How much more material do you need to bring to get this to grade? My concern is that pond.

P. Leclerc: Right now we are well below the pond elevation. We are probably at elevation 240 and the pond is at elevation 246.

R. Duhaime: My concern is that you are bringing in material that will not filter water and give you the same perk so you will have water that will not be able to settle into the ground. That water needs to be contained or it will create a water issue.
P. Leclerc: The reclamation plan has a detention area designed with the final grades for any runoff and also low enough so that it does not infiltrate into the wetland to the pond. It is well below what it is designed to be. It is on the farthest southern portion of the lot.

R. Duhaime: When will that be done?

P. Leclerc: There is no reason to finish the final grades because we have stayed out of that area and there is still water percolating into the ground. That is still sand.

R. Duhaime: Are you going to fill that in?

P. Leclerc: It will get fill into the final grades of the pond and designed to detain that water for the storm events that it was designed for. It does not need to perk through as long as there is capacity.

R. Duhaime: When will that be done?

P. Leclerc: We submitted the landscape plan. We will start doing the slopes and, to show good faith, we are going to get those taken care of in the Spring. We will continue to bring in more material to get to the final grades.

R. Duhaime: When do you think the slopes will be reclaimed and the permanent retention pond be done?

Jim Clark (Supreme): We have already begun the reclamation. Some of the slopes on the northern section of the east side have been loamed and seeded this past Fall.

P. Leclerc: Our reason for submitting the landscape plan is to add some trees. I would say we would start shaping the slopes as the weather improves in the Spring. The trees may not be planted until the Fall when there is a better growing season, but at least get some vegetation going on the southern slopes. By next Fall we should be in good shape as far as what we have submitted on the landscape plan.

R. Duhaime: Can you give me a hard date?

P. LeClerc: October 1, 2020.

R. Duhaime: I feel better that you have submitted the bond because if you can’t do it we can do it. I feel like this has gone down in value and want to see it go up in value.

C. Pearson: I would like to hear a summary from Terra Environmental.

Phil Peterson (Terra Environmental): In 2014/2015 there was an AOT permit received from the state. I was brought in to develop a plan to oversee any material that came into the site and lay
a framework of what type of material we could take. It was given to the state and approved. Any material that comes in is tested and verified that it meets the criteria. We inspect the property from time to time. As far as the material that was covered, during the process of bringing in the material, during the winter, there were a couple of loads that had an odor to it. The dozer operator noticed it. We were on site for one of our inspections. We field screened it and, after discussions with the drivers, found out they were putting diesel fuel into the beds of the trucks as a release agent. We told them that was unacceptable. We piled the material onto poly and tested it. We were in the process of trying to get them to remove it from the site. The owner of the company had passed away so it took longer than usual. Eventually it was removed from the site. We oversaw the removal.

R. Duhaime: Were there any monitoring wells done?

P. Peterson: We have not tested groundwater, but there is a well that is going to go in.

J. Clark: Once it was removed you tested below?

P. Peterson: We tested the soils below where the material was.

P. Peterson explained the monitoring process of the material.

C. Pearson: Which basis do you make a decision?

P. Peterson: We have guidance from the state. If it comes from a natural source we can accept it.

C. Pearson: Is your criteria more stringent than at the state level?

P. Peterson: It is.

R. Duhaime: Has there been any groundwater testing on this site?

P. Peterson: Not that I have done.

R. Duhaime: So you don’t have any baseline?

P. Peterson: No.

J. Clark: I think the aquifer was tested but not for any contamination due to these loads.

P. Denbow: What is the criteria for where the well will be located?

J. Clark: It is located on the landscape plan we submitted. Down grade and south from where the material was stored.
C. Pearson: If we come out in June will we see progress?

J. Clark: Yes.

C. Pearson: Will you have a test well at that point?

J. Clark: We can. It was not a direct request. We have been living by your decision made in December.

R. Duhaime: It would be good to have a baseline.

J. Clark: Agreed. We do have a structured approach to the soil.

R. Duhaime: Unfortunately there were some mishaps.

J. Clark: And they were dealt with.

R. Duhaime: How do you know?

J. Leclerc: It was property handled.

J. Clark: we are to bring sewer across the road to the property.

C. Pearson: Where would that be coming across.

R. Duhaime: That is Phase 3 of the TIF district. We are years away from that.

J. Clark: We heard that north had approved a water tower north of the property.

Open to public comments.

No public comments.

Close to public comments.

Close public hearing.

C. Pearson: If we were to go ahead with a June time frame would we see progress on the slopes.

J. Leclerc: Yes.

R. Duhaime: I would like to see water testing done.
J. Clark: We can get that done. It was not a direct request. We do have a structured approach to the material.

R. Duhaime: And there were mishaps.

J. Clark: That were handled appropriately.

P. Peterson: It was property handled. It was isolated immediately.

J. Clark: We will put in the well and get it tested.

R. Duhaime: I was hoping that was already done. Is Jeff Larrabee still part owner in this?

J. Clark: The partners are looking at separation agreement.

R. Duhaime: You are majority owner?

J. Clark: Yes.

C. Pearson: I feel as if this has turned a corner and has been turned around and this is moving in the right direction.

R. Duhaime: I would like to see you do the groundwater and the monitoring well.

J. Levesque: All of the material that was taken out until the end of February has to be reconciled with the assessing department on the taxes that were paid on the soil. The records for that are in the warehouse and have be provided to the town? That will be brought up at the Town Counsel meeting and I want to have an answer.

J. Clark: Yes.

C. Pearson motioned to grant the extension through July 21, 2020 with the following conditions: (1) The applicant appears at the July 14, 2020 Zoning Board meeting; (2) A site walk is scheduled for June; (3) The driveway is paved; (4) Substantial completion is done on the slopes; (4) Water testing is performed for both groundwater and with a water testing well; (5) Inbound material may be resumed. Seconded by P. Denbow. Motion carried unanimously with a vote of 4-0.

A site walk was scheduled for June 16, 2020 at 5:00 pm.

C. Pearson motioned to adjourn. Seconded by P. Denbow. Motion carried unanimously.

Next Meeting April 14, 2020 @ 6:30 pm
ADJOURNMENT

The meeting adjourned at 8:05 pm.

Respectfully submitted by:

/s/ AnnMarie White

AnnMarie White
Recording Clerk