**NEWMARKET PLANNING BOARD MEETING**

**MARCH 19, 2019**

**MINUTES**

Present: Val Shelton (Vice Chairman), Diane Hardy (Town Planner), Bill Doucet, Jamie Bruton, Sarah Finch, Michal Zahorik (Alternate), Gretchen Kast (Town Council ex officio)

Absent: Eric Botterman (Chairman), Jane Ford, Daniel Lewis (Alternate) – excused

**Agenda Item #1 - Pledge of Allegiance**

**Agenda Item #2 – Public Comments**

None.

**Agenda Item #3 - Review & Approval of Minutes** 01/29/19

Val Shelton appointed Michal Zahorik to fill in for Jane Ford.

 **Action**

 **Motion: Gretchen Kast made a motion to approve the minutes of 01/29/19**

 **Second: Bill Doucet**

 **Vote: All in favor**

**Agenda Item #4 - Regular Business**

***Election of Chairman and Vice Chairman***

This item was postponed to the April 9, 2019, meeting.

***Robert & Phyllis Paige/William Benedetto - Public hearing for an application for Major Site Plan Review, at 10 Norton Lane, Tax Map R6, Lot 11-1, B3 Zone. The proposal is to develop the property as a golf driving range and practice area. The site development will include a new driveway, parking, tee boxes, gravel walkways, putting greens, chipping areas, landscaping, and utilities.***

Bill Doucet recused himself from this application.

 Mike Sievert, MJS Engineering, represented the applicant and owners.

 He stated Norton Lane is a small private road off of Ash Swamp Road. The lot has almost 600’ of frontage on Ash Swamp Road. The lot is about 24 acres. The slope of the land is generally north to south into a wetland area. The majority of the property is wooded. The proposal is to design a golf driving range, with a chipping, putting and practice area.

 He indicated on the plan the driving range location, which was a long, fairway type area extending to the east. He showed the location of the tee box structure, where you stand and hit the balls, and the parking area. There will be a barn with bathrooms and a storage area for maintenance equipment, such as mowers.

 The property is in the aquifer protection district and is sand and gravel. It is mostly a Windsor sandy soil. There is a large excavation involved to construct this to get that narrow, long fairway and along the northerly side there will be a tall bank used for deflection of balls. It will be a 20’+ bank.

 All of the perimeter would stay wooded. Where the wetland and chipping area is would be a mix of woods and cleared area. There is hardly any clearing there, but it would be re-graded where the putting and chipping areas are. It is an old area, where there was excavation in the past, and that would be all smoothed out and built up for the putting greens.

 The excavation required to build all of this and will take 2-5 years to complete. The work will proceed most likely from east to west. The idea is to build it in four acre sections. It will be excavated, graded to the final grade and reclaimed, before moving to the next four acre section. The last would be the westerly section. There is an existing house on about the highest part of the property. A little behind it is a bit taller. That house will remain in place until the very last phase. It is an occupied single family home right now, with well and septic.

 The survey shows all of the existing conditions. Norton Lane goes all the way through the property. There is also a barn in back, which will be removed later on.

 Diane Hardy stated she has reviewed the application and she found a few deficiencies in the application. The plans are substantially complete. She provided a copy of the application to Mr. Sievert and identified the items that needed to be addressed, such as a final signature on the plans and the engineer’s and land surveyor’s stamp. Mr. Sievert had indicated he had a rendering of the buildings on the property and he will share that. She also noted they had asked for a waiver for the hydrogeological study. She did not see the request with the application. Mr. Sievert stated he had planned to ask for two waivers. One of them was for the scale and he submitted that. He was not sure he could ask for a waiver of the hydrogeological study. He would like to. He asked if it was part of the zoning regulations, because it is part of the overlay district. Diane Hardy stated it would have to go before the Zoning Board of Adjustment for a variance. She suggested he work with the Town Engineer to modify the plan. The base grade is a cut from two to twenty plus feet. There is a little bit of fill in some lower areas. They are taking it down to elevation 110 to 112. Right now, it is from 134 to 104. The groundwater table is in the neighborhood of 96 or so. 110 is well above the groundwater table. They have stormwater treatment. They are a good eight feet above the groundwater table. Diane Hardy stated other than those items the application is substantially complete.

 **Action**

 **Motion: Sarah Finch made a motion to accept the application as substantially complete**

 **Second: Gretchen Kast**

 ***Val Shelton opened the public hearing.***

Joanie Jones, 330 Ash Swamp Road, stated she is an abutter. They are two or three driveways down from Norton Lane. They have a lot of traffic and problems with people flying on the road. The police are always on the road, which is great, but do they need more traffic for a driving range? They already have a driving range on Route 108 (Newfields). There is also part of a driving range at the golf course. She asked if we needed another one. She also asked if that will be all it is and if there would be lights at night. She also asked if balls would be in their back yard.

 Jeff Jones, 330 Ash Swamp Road, stated his concern was the cut back of the woods and if the trees would be taken out to the boundaries. He was also concerned whether there would be lights at night. They could have lights shining into their back yard until nine or ten at night. He had nothing against them wanting to have a driving range. There was one on Route 152 and it is defunct. He did not know what they were going to do with a chip and putt, but he did not want to find the woods would be wiped out and then he will be looking at a big screen, so the balls don’t come into his yard, and lights. If it is just daytime operation, it is not a big deal. If it is open at night, he did not want it looking like New Jersey or Connecticut, where the lights are blaring at night into his house. They want to still have privacy. The owners did the land clearing there a few years back and they came up pretty close to the boundaries when they cut. The owner originally wanted to get a pit permit there and remove material. He was going to clear the land and put livestock out there and they found out later he changed his mind and wanted to remove material. Then the Town said no more pits in town. He didn’t blame the owner for wanting to make some money and sell his property. The road has gotten very busy in the 31 years they have lived there. Everyone now uses it for a cut-through. They know the police try to be fair with people, but it is a very heavily traveled road. He asked if there would be a bar there or a pro shop. If it is just a driving range and they will have their privacy and there will not be lights blaring in the back yard, they don’t have a problem with it. If it is going to be one of these things where everything is going to be wiped out and they will have a forty or fifty foot net in the back yard, so the balls won’t go in, then he has a problem. He does not live there for it to look like Connecticut or New Jersey. He likes the woods. They have permission to hunt there now and that will be gone, but that’s all right. That’s progress. His big issue was the cut back. A lot of the woods has grown in, where they have privacy and you don’t see the sand pit there that was used for personal use. His issues were the privacy factor, lighting and whether there would be a bar and people are drinking. The road is bad enough as it is.

 Mrs. Jones asked if the house would stay. Mr. Sievert stated it was not staying. There will be no bar or pro shop. The barn will have bathrooms and storage for equipment. He showed on the plan where it stays wooded. He showed the current house location. The house will be there for the first three plus years through the construction and then it will be removed at the end and replaced with the barn.

 Mr. Jones asked what the plan was from the stone wall boundary to the mowed lawn from the driving range. He asked if a buffer will be left there with the woods or would it come right to the boundary. Mr. Sievert asked, when Mr. Jones said the stonewall boundary, was it on the northerly portion. Mr. Jones stated no, they were on the other end where the walls would be.

 Val Shelton asked Mr. Sievert to describe the whole buffer. Mr. Sievert stated there is a 20’ buffer, so the trees will be no closer than 20’ unless they don’t exist or up to 50’ to 70’ off. There is a 75’ buffer across the front. On the easterly boundary, will be a 20’ buffer in one corner and in the other is a 50’ or 60’ buffer. Mr. Jones stated those were not very big buffers. Their property is up on the end. Mr. Sievert stated the driving area is 1,000’ away. Mr. Jones stated 20’ is from here to the wall. That is not a lot compared to what they have now. That is his big thing. The land was cleared, but it has grown back and it’s more or less bushy. They do have privacy in the back. He does not want to be looking at all of this. If you keep enough trees that he doesn’t have to look at it that would be fine. He’s not concerned about the noise, as there won’t be a lot. A 20’ buffer is not a lot, when you require 75’ to build a house from a road or boundaries. Val Shelton stated these will all be items the Board will consider. Mr. Jones stated he did not want to lose his privacy. It will interfere with his quality of life and property value.

 Jamie Bruton stated they had asked about how late lights would shine. She did not think that got addressed. Mr. Sievert stated it will not be open at night and will not be lit. None of the driving range is lit. There will be four lights in the parking lot just so people can get out of there if they drive golf balls until dusk and for security.

 Val Shelton stated this should be moved to a TRC. She recommended a site walk. Diane Hardy stated she needed to coordinate the TRC, but the Board could set up a site walk. A site walk was scheduled for Saturday, April 13, 2019, at 8:00 a.m.

 Val Shelton asked for volunteers for TRC. She stated she was happy to serve on it. Jamie Bruton volunteered and Eric Botterman was appointed.

 **Action**

 **Motion: Gretchen Kast made a motion to continue to the April 9, 2019 Planning Board meeting**

 **Second: Jamie Bruton**

 **Vote: All in favor**

***Town of Newmarket/New Cingular Wireless PCS, LLC - Public hearing for an application for Minor Site Plan & Special Use Permit, at 4 Youngs Lane, Tax Map U3, Lots formerly 48 & 49 (lots recently merged into one lot), B2 Zone. The proposal is to construct a new tower-based personal wireless service facility, consisting of a 150’ monopole telecommunications tower and related equipment.***

 Val Shelton stated they would hear the Special Use Permit first.

 Elizabeth Kohler, an attorney with Downs, Rachlin, & Martin, represented AT&T Wireless, which is the new Cingular Wireless. She showed a PowerPoint presentation. She stated First Net came about after 9/11. A commission was put together and made a strong recommendation that there needed to be better coordination with first responders and public safety. They recommended the FCC to commission a nationwide public safety network. The recommendation came out in 2010. In 2012, the FCC put out the work to build this nationwide network which took place over a series of years. In March of 2017, there was an RFP and A&T was selected to be the company to build and manage this public safety network. Every state in that process had an option to opt in for AT&T’s contract and have them do this work for them or they could select someone else. Every state elected to have them build and manage the network. That is why they are here tonight. Through that process, AT&T is aggressively expanding its network, it’s improving existing sites to work with the First Net frequencies and trying to fill in coverage areas. Newmarket was an area of particular concern for NH public safety, because of the lack of coverage. It was one of the first batch of sites that AT&T budgeted and is working on to complement the public safety network.

 First Net is a private/public partnership. First Net frequencies and existing AT&T frequencies will work to support the First Net deployment. The deployment of the network, for example, the new coverage they hope to bring to Newmarket will also serve AT&T subscribers. The frequency is not exclusive to public safety. It is designed to require priority access in any emergency.

 The focus is First Net needs to be available to first responders and be interoperable and there is a lot of new development going on that will bring new services.

 She showed a map of AT&T’s coverage and a plan showing the site. There were a host of meetings that led to the selection of this location and it was a very cooperative process. The location is currently a developed site. There is a small tower adjacent to the fire station now. AT&T has negotiated to lease a 100’x100’ parcel there. The lease will be executed upon getting all of the permits. The site will be accessed using part of the existing paved road. There will be a 12’ wide gravel extension to the location. They are proposing underground utilities. The facility itself is composed of a 150’ monopole that will support 9 antennas. It is being designed to support additional colocation of up to four carriers. There is also space reserved for municipal public safety.

 It is a fenced compound. It is proposed as 60’x60’. There will be a concrete pad housing an 8’x8’ equipment cabinet and a backup diesel generator. They are not proposing any lighting.

The FCC has signage requirements for safety and security purposes. That will be the only signage proposed.

 She showed a coverage plot that showed existing AT&T 700 coverage. AT&T operates two spectrum bands in this area. The 700 is the spectrum assigned for First Net. There is also a 1900 spectrum. The difference in propagation is the 1900 is a higher frequency that does not propagate as far. There was no coverage showing in this area. She showed a plot of anticipated coverage with the tower. She also showed a 1900 plot. This supplements that 700 spectrum band. The 700 spectrum gives significantly more coverage along Route 108.

 Val Shelton stated they are going to be dealing with application acceptance this evening and some of this is applicable to the Special Use Permit information. They are getting into details and the application has not been accepted yet.

 Diane Hardy stated the application is substantially complete. She reviewed it against the checklist for the permit. She recommended acceptance for the Special Use Permit for technical review.

 **Action**

 **Motion: Bill Doucet made a motion to accept the application for Special Use Permit as it is substantially complete**

 **Second: Michal Zahorik**

 **Vote: All in favor**

 Elizabeth Kohler stated the first criterion is in the public good. The improvement of wireless service in the community touches on that. The aesthetics is a big criterion. She ran through the photo simulations that demonstrate this location minimizes aesthetic impact. They did a balloon test on October 31st. The balloon was up to 150’ and photos were taken in various locations. Most locations were within a mile of the site. It was difficult to find locations, where this was visible beyond the mile radius. It was visible from 19 New Road, but very difficult to see. You could see it from 128 Yale Road, but it was obscured. 23 Dartmouth Road was one of the more visible sites. There was a significant focus on siting this to make it minimally visible from downtown and residential areas. It is a well-sited project.

 Bill Doucet asked if there was an inventory of other towers and whether there was room for colocation on those. Attorney Kohler stated yes, there were no existing towers that could achieve this coverage objective. They also looked at existing structures. They looked at the water tower and ruled it out from a construction capacity standpoint. They looked at a number of other Town owned properties and they would not work. They looked at a pole on Granite Street and the police station. They looked at Mule Park, which would have been ideal, but given the nature of the use and proximity to residential, they ruled that out. They looked at the senior center on Beech Street Extension, but the residential area ruled that out, too.

 Frank Kelley (also with AT&T) stated that Mule Park worked well. That site is one of those listed in the permitted use district. The Town preferred the fire station. This site requires a Special Use Permit. It is a better site. The park is a densely populated area and there is a playground there. The fire station is a better site.

 Attorney Kohler stated another criterion was natural environment. AT&T is an FCC licensee and a carrier is required to go through a full NEPA (National Environmental Protection Act) process for these projects and that is underway. They will submit the complete NEPA when it is done. The federal shutdown slowed it down. This also includes the historic impact analysis. Preliminary reviews suggest no adverse impacts.

 Lighting is another criterion. The FAA will not require lighting on this.

 Impact on property values is a criterion. There are quite a few studies commissioned that demonstrate homes in proximity to these wireless facilities are not impacted negatively on property values. The opposite is true. People are not selecting homes where there is inadequate coverage.

 For tower safety, she submitted exhibits that touch on the tower’s safety. They have a letter that says the tower will meet all of the engineering requirements.

 There is also a radio emissions safety report that demonstrates the level of RF emissions meets the FCC standard of safety of human health.

 The traffic impacts is another criterion. This site is an unmanned facility, so there is only one once a month a maintenance visit.

 Public safety and services will be helped and she touched on that. There will be no impacts to existing services.

 They are designing it for future colocation. Bill Doucet asked if each colocation was limited to municipal. One of the gentlemen associated with the application stated that under the lease that was negotiated with the Town, if other carriers occupy space, there will be additional revenue coming to the Town.

 Attorney Kohler stated the criteria for bonding are addressed in the lease. If AT&T abandons the tower, they would remove it and restore the property. It is required to be maintained and insured.

 She stated there is a sign criterion and she had already talked about signage.

  ***Val Shelton opened the public hearing.***

There were no comments.

 ***Val Shelton closed the public hearing.***

Gretchen Kast inquired about the other smaller tower at the site. A gentleman associated with the application stated there is a smaller tower next to the building. They asked the Fire Department about them possibility making space available for them on the new tower. They did not pursue that because it would be too long of a run from their equipment room inside the station. The equipment could not work up there. They have made space on the new tower, if they want to move it over there in the future. Attorney Kohler stated the existing tower is used by the Fire Department and it has a whip antenna that supports their dispatch.

 Diane Hardy stated the criteria for telecommunication towers is in the Zoning Ordinance and it does have a table identifying several Town-owned sites. Unfortunately, Youngs Lane is not listed. In the ordinance, it provides the option for the Planning Board for a Special Use Permit to provide for other locations. She reviewed the application against the criteria.

 She stated written proof must be provided to the Planning Board that the proposed use meets the purposes of the overlay district. There are eight points listed in her memo and the applicant has done an excellent job addressing them and she felt the criteria has been addressed. The proposed site is consistent with the purposes of the overlay district.

 She stated the second criteria was an evaluation has taken place showing that the sites listed in subsection (b) (1) of the Zoning Ordinance are unavailable and unworkable for a new telecommunication facility or co-location on an existing tower/alternative tower. It was clearly explained in the application there are range of towers, but they do not fill the needs of the provider. She recommends the Board approve the application for the Special Use Permit, with two conditions. One that the cell tower be subject to site plan review, as required in Section 32- 159 Paragraph C of Telecommunication facility procedural requirements and all provisions of Section 32-159 Paragraph D be complied with.

 **Action**

 **Motion: Bill Doucet made a motion for approval of the Special Use Permit based on the application information provided and the recommendation of the Town Planner, with the conditions, as noted**

 **Second: Gretchen Kast**

 **Vote: All in favor**

Val Shelton stated the second part of the application is for site plan review. Diane Hardy stated she went through the checklist and for the most part the application is complete. A few things caught her attention. One was regarding the conceptual nature of the site plan and the question was raised whether more detail was needed to evaluate storm drainage and road construction and the impact. She reviewed that with the Town Engineer and he had some recommendations for additional information, which he outlined in a memo to the applicant’s engineer, Mr. Russo. They also had a question about redoing pavement on site and he addressed that to the DPW Director, but he has not gotten back to them yet. Some revisions were made to the plan. She just saw the plans this morning and the Town Engineer does not have them yet. She suggested they should get feedback from the engineer and get some clarity on whether there is enough information in the new plans to make sure they have everything needed to start the site plan process. They have a proposal from the Town Engineer to do the review. She is inclined to say to hold off until they hear from the engineer or it could be a plan acceptance provided the information is acceptable. This is just for acceptance of the application. She is confident the applicant will come forward with the information. Val Shelton stated she was inclined to accept the application as being substantially complete.

 **Action**

 **Motion: Gretchen Kast made a motion to accept the application as substantially complete**

 **Second: Sarah Finch**

 **Vote: All in favor**

Diane Hardy stated she would like to set up a TRC committee for this. All of the Department Heads will be invited. Bill Doucet volunteered. He stated Eric Botterman had said he would do it.

 **Action**

 **Motion: Jamie Bruton made a motion to continue to the April 9, 2019 meeting**

 **Second: Sarah Finch**

 **Vote: All in favor**

There will be a site walk on Saturday, April 9, 2019 at 9:30 a.m.

 ***Walter Cheney/The Nature Conservancy - Public hearing for an application for a revision to the plan titled “Revised Final Site Plan, for Moody Point”, dated and revised April 1987 by Frederick Drew Assoc., recorded at the Rockingham County Register of Deeds on 10/14/87, as Plan No. D-17107, and a modification to the Environmental Management Program for Lot 13, recorded on 07/01/15, at BK 5632, PG 0619, which was a condition of the Planning Board’s approval of said Revised Final Site Plan pursuant to the Town’s Alternative Design Subdivision Regulations as noted on said plan and subject to the General Laws of the State of NH governing said approval. The lot is located at Cushing Road, Tax Map R2, Lot 36-13, R1 Zone.***

Val Shelton recused herself, as an abutter, and Bill Doucet also recused himself. Val Shelton stated Jamie Bruton will be chairing this application.

 Jan McClure, Director of Land Protection, at The Nature Conservancy (TNC), represented Walter Cheney, the landowner, as they have an option to purchase his property. She showed photos of the property. They have been working to protect that marshland for a number of years, but she was going to summarize the last five years. She showed a PowerPoint. They have been working with Walter Cheney even before 2013. By 2014, they had a plan in place. He sold an easement to then USDA Natural Resource Conservation Service (NRCS). TNC negotiated an option to purchase. The USDA and NRCS easement covered almost all of the property. The option to purchase covered the entire property and stipulations about how Mr. Cheney could not change the land at all. The exercise date for the option was 2017. He wanted some time before he closed the property, so they were patient. In 2015, the Town recorded Notice of Development Restrictions on the entire parcel. It gave them pause, because those restrictions dated back to the 1980s and were somewhat antiquated and they could tell they were going to cause problems for TNC, as the landowner with the Town holding the easement. There were funky stipulations about various things that would be very difficult to monitor. It is one of those things towns have learned over the years about making sure their restrictions and easements are able to be monitored effectively. In 2017, they decided they could not exercise their option shortly before it was to expire. They began conversations with the Town and NRCS to see if there was a solution to removing or amending the restrictions to make it possible for them to acquire the property. They worked closely with the Town and NRCS told them what they had envisioned was that NRCS would extend their easement over the two areas that were left out of the Wetlands Reserve Program (WRP) easement. They eventually determined they could not do that, because of the Federal regulations and bureaucratic paperwork that would be required. They started with the Town pursuing other options and the Town’s counsel recommended a solution removing the Notice of Development restrictions and placing other restrictions on the two pieces that were not part of the WRP easement and that is what is before you tonight.

 She showed a plan of the lot and gave an overview of it.

 She stated what they hoped would happen at this meeting was to lift the Town restrictions that are currently on the entire parcel and agree that TNC would grant conservation covenants on the two other pieces to the Town, so that the end result would be that TNC would own the property, but there will be legal protections in place on the entire property, so it is fully protected.

 The Town will revise the Moody Point site plan of 1987 and modify the environmental management plan and recommend the rescission of the Notice of Development restrictions, which are part of the environmental management plan. Also, a replacement with the Declaration of Restrictive Covenants on the exclusion areas.

 This has to be approved by Town Council and, once that process is approved, TNC will close on the property, the restrictions of the Town will be lifted and TNC will grant restrictive covenants back to the Town on the two areas that were not covered by the WRP easement. Once all of the documents are together, this will all be done at the same time.

Diane Hardy stated she did not have much to add to Jan’s excellent presentation. There was a lot of discussion and, a few tweaks, and as of 4:00 pm this afternoon, we said we thought we were finally done. She recommended that the Board vote to accept the application.

 **Action**

 **Motion: Sarah Finch made a motion to accept the application**

 **Second: Michal Zahorik**

 **Vote: All in favor**

Diane Hardy stated the next step is for a vote on whether to approve the application 1) revision to the Plan titled” Revised Final Site Plan for Moody Point” dated and revised by Frederick Drew Associates, recorded at the Rockingham County Register of Deeds on October 14, 1987, as Plan no. D- 17107; and 2) modification to the Environmental Management Program for Lot 13, recorded on July 1, 2015, at BK 5632, PG 0619, which was a condition of the Planning Board’s approval of said Revised Final Site Plan pursuant to the Town’s Alternative Design Subdivision regulations as noted on said plan D-17107 for review by the Planning Board. with the following condition: The rescinding of the “Notice of Development Restrictions”, as found in Document dated July 1, 2015 on file at the Rockingham County Register of Deeds, BK 5632, PG 0618 and replacing it with the proposed “Declaration of Restrictive Covenants” (Attachment 1) following final approval by the Town’s legal counsel and Newmarket Town Council and recording at the Rockingham County Register of Deeds simultaneously with the conveyance of Lot 13 in its entirety (in fee) from Walter Cheney to The Nature Conservancy.

 ***Jamie Bruton opened the public hearing.***

Gerry Gerbereux, 123 Cushing Road, asked about hunting and if it would be allowed. Jan McClure stated the Declaration of Restrictive Covenants does not have any prohibition against hunting. TNC does not generally prohibit hunting on their properties, but there are State regulations about how close hunting can happen within residential areas. She did not think that the area of Lot 13 qualifies. There have been goose hunters on the marsh. That will continue. Ms. Gerbereaux asked if they could post it. The tree buffer hides her house from the hunters and they come right up to the shoreline and shoot up into the trees. Jan McClure stated their stewardship staff will look at that, but they generally do not post areas, unless there is an issue. Ms. Gerbereaux asked about the downed trees. Jan McClure stated they would also get together with her about that. TNC will be equally constrained by the easement.

 John Badger, 508 Cushing Road, introduced Trish Simon, 510 Cushing Road. He stated they represent the Moody Point Community Association. He read a statement in support of the ownership and easement changes.

 ***Jamie Bruton closed the public hearing.***

**Action**

 **Motion: Sarah Finch made a motion to approve the application of Walter Cheney and The Nature Conservancy consistent with the recommendation and the condition presented**

 **Second: Gretchen Kast**

 **Vote: All in favor**

 ***Maplewood & Vaughn, LLC - Public hearing for an application for revisions to conditions of approval for 6 & 7, B2 Zone. Said revisions clarify the language as to when “permanent vesting” beyond five years will occur.***

Rob Graham, Maplewood & Vaughn Holdings, LLC, stated they were here to ask for a clarification of language regarding vesting, in their Developer’s Agreement. It is the last housekeeping issue in the document. They have a couple of sites, where they will be making major improvements, they will build an intersection for the State of NH, and they will like their sites to be vested going forward when they have pad ready sites or the intersection is re-built. They were here to ask the Board to clarify that language and amend the Notice of Decision.

 Bill Doucet asked what a pad ready site was. Rob Graham stated that is a site that shows the improvements built as shown on site plan. The drainage controls are in, the slopes are stabilized, those types of things. The things you would reasonably expect to do prior to building a building, but not things you would rework when it is time to build. Val Shelton stated all excavation and drainage facilities would be complete per the site plan. Rob Graham stated the site would be stabilized and steep slopes would be reclaimed. Regarding drainage, the structures would be put in but the parking lots would not yet be in. Pad ready means the site is at subgrade and utilities are within a certain distance of the pad. They have municipal water, but will connect to sewer based on a tenant’s demand.

 Rob Graham stated they have a one year permit with NH DOT to build the intersection. They are not going to build the intersection and not build a building. This is really a semantic language issue in the document.

 Bill Doucet asked, as this is a unique site, but regarding pad ready vs. constructing, could they get some confirmation from the engineer stating there are not going to be drainage problems. Rob Graham stated they are monitoring for drainage problems until they are at that pad ready stabilized state. Underwood would end up monitoring that. It is also governed under State Alteration of Terrain permit. Bill Doucet asked, where this will not be a completed site, it will be brought to some static position, would that static point work from a drainage standpoint. Rob Graham stated it is a sand pit. Bill Doucet stated this is probably easy, but the Board not being experts in drainage, it might be helpful to have a letter saying regarding pad ready they have reviewed the drainage design of this site and seeing no concern. Rob Graham stated they could do that.

 **Action**

 **Motion: Bill Doucet made a motion to approve the revised language and conditional approval for both Lots 7 & 6, as stated, with the condition, as discussed**

 **Second: Gretchen Kast**

 **Vote: All in favor**

 ***Consideration of Alternate appointment – Michal Zahorik***

 **Action**

 **Motion: Sarah Finch made a motion to appoint Michal Zahorik as an Alternate, term to expire in 2022**

 **Second: Jamie Bruton**

 **Vote: All in favor**

**Agenda Item #5 - New/Old Business**

 ***Discussion – Master Plan***

Val Shelton stated they had mentioned, at the last meeting, they would like to get a committee together.

 Gretchen Kast stated there was a comment from Town Council on economic development, because the Town is currently contracting with the consultant and they felt they should wait until they have done their work.

 Val Shelton and Jamie Bruton volunteered to be on the committee.

***Planner’s Report***

 Diane Hardy and Val Shelton thanked Janice Rosa for her service on the Planning Board.

 She stated the spring OEP conference is coming up in May or early June. Register early.

 ***Committee Reports***

 ***Conservation Commission***

Sarah Finch stated they are working on the photo contest.

**Agenda Item #6 – Adjourn**

 **Action**

 **Motion: Jamie Bruton made a motion to adjourn at 9:03 p.m.**

 **Second: Sarah Finch**

 **Vote: All in favor**