PLANNING BOARD
TOWN OF PETERBOROUGH, New Hampshire

Minutes of March 8, 2010

The Peterborough Planning Board held its regular monthly meeting on Monday, March 8, 2010 at 7:00 p.m. in the Selectmen's Meeting Room of the Town House.

Members Present: Chairman Leandra MacDonald, Vice Chair David Enos, Rick Monahon, Michael Henry, Ivy Vann, Carl Wagner, and Barbara Miller, *ex officio*.

Staff Present: Laura Norton, Administrative Assistant, Office of Community Development.

Chair MacDonald called the meeting to order at 7:00 p.m. She introduced the Board members and staff. She noted the only case on the agenda was an application for a technical subdivision at the Well School.

The Well School:
Karen Fitzgerald introduced herself as well as Akhil Garland also from the Well School and Chris Rice, the project engineer for TF Moran. Chair MacDonald asked Ms. Fitzgerald to begin by orienting the members. Ms. Fitzgerald did so by pointing out the location of the lot line adjustment. She used a graphic that showed the merging of two lots to create the new lot that the Well School would own. She noted that the school currently leases the land from the Garland Family Trust, "but with this subdivision the school will own the campus." She went on to give a brief history of the school (serving pre-kindergarten through eighth grade and an all-time-high student population of 130 students). Ms. Fitzgerald spoke briefly about the timing of their financing to purchase the lot as well as the benefits of owning their campus (including capital improvement projects and fundraising efforts). She noted the problem of the cabins having been built several years ago as an accessory use to the school and that the cabins were not to be included in the newly created lot. She noted they had been to the ZBA the week before and that their request for a Variance to permit the existing cabins on Parcel ID No. R010-005-000 to become the principal use on a separate lot (proposed as R010-005-001) was granted with conditions on March 1, 2010.

The members were in receipt of a copy of that Decision and a brief discussion about the access through the school campus being protected by an access easement. It was noted that that easement would be part of the Deed. The members also discussed the condition that the cabins could only be used as an accessory to The Well School for faculty or staff housing and that the cabins would lose the Variance if The Well School no longer maintained its association with them.

Chris Rice introduced himself and gave a brief overview of the acreage of the lots involved. "It is pretty straight forward" he said. He went on to explain how ownership of the property would help ground the school to the town. He clarified the location of a secondary, emergency access which Ms. Fitzgerald noted had been approved by the Fire Department.

Mr. Monahon noted that the school was going through the same thing the Dublin School did 25 or 30 years ago and noted the importance of knowing the fundraising efforts are going to the school and not the land owner. "It is more than just a way to raise funds, it is really to be able to put into perpetuity the purpose of the school" he said.

A brief discussion about a cross-easement on the driveway and the locations of the leach field and well followed with the Board requesting all three be shown on the plan. Chair MacDonald noted that the size of the parcel was large and acknowledged the applicant's request for a waiver to have the entire lot surveyed "but as a general rule we like to see the whole plot" adding "in the future adding more details will avoid problems."

There were no more questions or comments about the application and the public hearing closed at 7:20 p.m.

Chair MacDonald noted the next agenda item was a discussion with Craig Hicks and the Peterborough Commerce Park. She noted she would first entertain a motion in the Well School application. A motion was made/seconded (Monahon/Miller) to waive a full survey of the parcel, approve the technical subdivision and request TF Moran provide an amended document that shows the whole parcel but particularly the septic and well locations on the subdivided back portion with all in favor. A second motion was made/seconded (Enos/Henry) for a lot line adjustment to merge the subdivided lot R010-005-001, with all in favor.

Public Discussion with Peterborough Commerce Park:

Craig Hicks introduced himself as owner of the Commerce Park as well as Gordon Auth and Gene Kellogg as representatives for Divine Mercy Church. He noted "we are here for a very informal conversation, there is no application yet." Mr. Hicks went on to point out sections of the Commerce Park District on a graphic. He pointed out the cul-de-sac and the screening planted years ago. He noted the parcel was on town water and sewer and would have buried 3-phase power. He reminded the Board that the District had been re-zoned to allow churches "and on Gordon's and Gene's authorization we are here for a preliminary conversation with you on whether to move forward or not on a church project."

Mr. Hicks noted he would likely subdivide his land into about five 2 to 25 acre parcels. The church would occupy a 10-acre lot with an approximately 8000 square foot building. He told the Board the other lots would be sold as office and business buildings. He pointed out the suggested entrance to the parcel and that the church would be able to accommodate 300 people as well as a church hall able to accommodate 150 people. He noted the church would like the opportunity to be able to expand in the future and that the structure would be comparable to other religious structures in town and that while the sketch included 250 parking spaces "we are planning on 150 spaces to start." Mr. Hicks pointed out the vast wooded area surrounding the parcel and advocated it may be more efficient to *not* put vegetative islands in the parking area. He noted "you put in the islands and the next thing you know it can be self- defeating." He asked "is that acceptable or something you might be amenable to?" "This is premature" replied Mr. Monahon adding "we would need to review actual plans but we are absolutely sensitive to further discussion." Mr. Hicks acknowledged the necessity for a real plan and said he was just trying to get a feel for the consensus of the Board.

Mr. Kellogg noted he and Mr. Auth were members of the new church building committee. He noted "this is a basic rendition of where the church could be, but there are still many discussions with Craig ahead." He reiterated the discussion was "conceptual, just a beginning."
A brief discussion about the traffic pattern and the central location for the church followed. "There will be a lot of issues that come up but a church is a permitted use and it is certainly a beautiful location" said Chair MacDonald. Chair MacDonald said she was pleased the church committee had come to discuss the site ahead of time. She noted that when the church was considering a parcel on High Street "they never came before the Board for a conceptual discussion" adding "we could have suggested some solutions if they had come in."

The conceptual discussion ended at 7:50 p.m.

Mr. Hicks then took the opportunity to present another conceptual discussion to the members. He pointed out the south side of the pond located on his property and told the members about a plan to remove 230,000 cubic yards of rock from that location. "Again, this is preliminary" he said "but I want to blast it, crunch it and sell it." He reviewed the uses in the district and told the members "this is not an excavation, it is an incidental use." "How long a process?" asked Mr. Monahon with Mr. Hicks replying "it is market driven" adding ""but I am not peddling it to people, the professionals will come in, market it and ship it." General discussion followed and the second conceptual discussion ended at 8:05 p.m.

Wetlands Proposal:
Board of Selectmen Liaison Barbara Miller asked for clarification of the scientific evidence that the wetlands need further protection than they have now. She asked "what is the reason why we are doing this? Did something precipitate this?" She told the members about a meeting to review the ordinance with the Business Support Group scheduled for Friday morning and she would like to be as informed as possible to answer their questions.

Chair MacDonald replied "clearly we have some big beautiful wetlands but we also have a tremendous amount of smaller wetlands with zero protection." The discussion that followed included functional values of wetlands and the flexibility of the proposed amendment. Mr. Enos noted "right now the regulations say we don't care about a wetland if it is less than a half acre in size." The members discussed the role of planning from the beginning of the application process. Ms. Vann spoke about connectivity of roads, protection of wetlands and "how we want the town laid out."

The members discussed the approved methods for a functional analysis of wetlands and who may be certified to conduct the process. One member noted "the proposal is not to restrict people, it is to help make better use of their land." Ms. Miller replied "some examples for Friday morning would be helpful." A member interjected "people are very afraid out there" with Ms. Miller replying "we need to respond to their concerns and questions." She went on to note "we are being called anti-business out there and it is just not true." A brief discussion about the Shoreland Protection Act followed with Ms. Miller noting "we all want to protect our rivers as well but there is a lot of misleading information out there." Mr. Enos spoke briefly about increased protection through shoreline regulation and how the state has realized the impact of nonpoint source pollution. A brief discussion about the economy of tourism in the area followed

with the value of our waters and great forests being realized. One member noted “if we don’t protect them we drive away income.” “That needs to be said” interjected Ms. Miller.

The members concluded the meeting with a few examples of how special cases make bad law. They also briefly discussed the potential for a hockey rink in town and the value of a conceptual discussion about that project.

A motion was made/seconded (MacDonald/Eos) to approve the minutes of February 8, 2010; February 22, 2010 and February 25, 2010 as written with all in favor.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant

Approved as corrected April 19, 2010