Approved w/changes 4/18/2024

BARNSTEAD PLANNING BOARD
THURSDAY, MARCH 7, 2024
6:00 P.M.
BARNSTEAD TOWN HALL

MEETING MINUTES

1. **CALL TO ORDER:** The meeting was called to order at 6:00 P.M.

2. **PLEDGE OF ALLEGIANCE:** All those present participated in the saying of the Pledge of Allegiance.

3. **ROLL CALL:** N. Carr (Chair), D. Kerr (Vice Chair), B. Weller (Member), T. Eade (Member), E. Swinford (Secretary) left around 8:00 pm, E. Stone (Member) P. Tiede (Select Board Rep.) R. Ferro (Clerk)
Absent: J. Sanchez (Alternate Member)
Town Engineer Jon Armstrong, Right Angle Engineering,
3rd Party Engineer Jeffery Lewis, Northpoint Engineering

4. **MEETING MINUTES:**

02/01/24: E. Swindford made the motion to accept the minutes as presented T. Eade seconds the motion.
02/15/24: T. Eade made the motion to accept the minutes as presented E. Swindford seconds the motion.

a. Fire Chief, A. Poulin wanted to set the record straight from minutes of a previous meeting and he states he is in favor of the residential sprinkler system over the cisterns. He feels as if going with a cistern over an in-home sprinkler system should be overridden. He recommends the board to reconsider the decision of the cistern. He is here for the safety of the Town of Barnstead and left a pamphlet of sprinklers systems for review.

5. **CONCEPTUAL CONSULTATION:** None Present

6. **SITE PLAN REVIEW:**

   a. **Continuation: Robert Abbot proposes to submit an application for a Major Subdivision at Will Smith and Province Road, Map 2, Lot 33. If the application is accepted, the applicant proposes to subdivide this parcel into 7 home lots. Public Hearing to follow.**

B. Weller has recused herself

N. Carr addresses Subdivision checklist missing items: #7, #8, #13, #14, #15, #21, #32, #43, #49, #51, #52, #59, #60, #61, #62, #63, #64.

Attorney Tierney (Mr. Abbotts Representative) approached the Board. He stated that they have addressed all of the plans, however regarding the missing pins on the proposed subdivision maps. They will not be placed until the board approves the subdivision. After its approved and Prospect Mountain Survey has made the revisions, they will then provide updated maps.

Attorney Kish (Mr. Abbotts Representative) advised that Mr. Abbot did show the Fire Chief A. Poulin the Cistern Plans.

Attorney Tierney (Attorney for Mr. Abbott) is willing to put in the ditches along the side.

Attorney Tierney advised that the Prefab Cistern will hold 30,000 gallons of water and asked that the Planning Board impose a condition of approval that the cistern be designed one way or another.

N. Carr said there is no well for the cistern and the board will advise of bond amounts.

Attorney Tierney stated that Mr. Abbot is willing to put the ditches in the side of the road, but the applicant will not be responsible for culverts under Will Smith Road (stream crossing). He asked what the cost is and said he will pay a proportionate share. He stated he does not believe that a larger culvert is necessary for this subdivision.

N. Carr advised Mr. Abbott will need to pay a portion of the road improvements.

E. Stone said the culverts are undersized based on the existing water flow but we have not gained adequate information to confirm or deny that from the applicant. E. Stone asked Mr. Abbotts team if they are prepared to request a decision today without the Bond Amount due to the lack of information from his team.

Mr. Lewis, North Point Engineering said we need to see a ditch design improvement plan to come up with a bond amount. He wants to see the road widened with shoulder widening and ditch improvements. A hydraulic study/analysis, with ditch work at Province Road put into a plan and review the improvement plan on the frontage. He said details for a prefab cistern would be fine. Three driveways at the top of the hill; Lot 33, 33-3, 33-4 are areas of concern with the site distance and site lines.

Mr. Armstrong, town engineer has concerns regarding the 18” culvert. He said it needs to be shown on the plans as considerable constraints regarding slopes and driveways. An option would be to raise the road grades to accommodate a larger structure and replace with a 24” culvert. It is hard to come up with an appropriate bond amount without a design. The proposed retention pond for Lot 33-6 is 15 feet from the house, with more ground water present and surface water that comes off the road, a makeshift turn outs due to the water, concerns channeling the flow and directing to the wetland, he feels this is not a good location for a retention pond. Mr. Armstong said the pond should be constructed before the lots are developed. He voiced a concern regarding the grading and wants to make sure it gets done.

P. Tiede said the roads in Barnstead are in trouble and this is one of the roads before the selectboard.

J. Lewis said improvement plans for the edges of the ditches, and existing shoulder need to be widened.

D. Kerr wanted to know why the cistern is in that location? He asked if they are aware of the specs? Max distance – spec is 1000 feet and the design shows 1300/1400" feet from the last house.

D. Kerr said he is an advocate of the sprinkler system and asks the board to reconsider the sprinkler plan.

D. Kerr mentioned Appendix D9 regarding the cast in place Cistern means cistern is a monolithic structure. Cisterns that are more than one piece are known to leak. The design calls for four structures and this is why monolithic cisterns are in place.

P. Tiede spoke stating she liked and voted for the sprinkler system.

N. Carr asks if the board wants to revisit the waiver for the sprinkler system.

E. Stone opposes the sprinkler system, she advises the subdivision regulations requires a cistern.

P. Tiede stated we should have a revisit with the subdivision's regulations for sprinklers.

E. Stone stated everyone is in agreement and an advocate for the sprinkler system and stated there is no reason why the applicant cannot install sprinklers in all of the homes. The question is whether we are going to accept sprinklers in lieu of the cistern and currently the Cistern is a requirement of the subdivision regulation. It would behoove us based on previous applicants where we have denied previous applications requests for sprinklers.

Attorney Tierney asked about the existing nonfunctioning dry hydrant. He asked how much would it cost to fix it?

P. Tiede stated she does not know and the Fire Chief would have to address that question?

N. Carr asked Attorney Tierney if he will be speaking with Mr. Abbott about the dry hydrant and his response was yes.

N. Carr advised the ditch design plans need to go with the driveway sites.

E. Stone advised N. Carr of the outstanding list based on compiled notes N. Carr read out loud the outstanding list.

E. Stone asks if the applicant is willing to extend to April to bring all of the necessary information in front of the board to make a decision? She stated there is quite a bit of outstanding information that

is necessary to put together a bond amount. We want road, culvert and a cistern design plan. We Need the design plans for the ditch improvements so we can come up with a bond amount.

Attorney Tierney asked what the board wants from him regarding the road.

E. Stone advised that we need the design plan for the ditch improvements. When we get the design plan in front of our Town Engineer and third-party Engineer it could confirm whether the necessary improvements are needed for that section of Will Smith and then based on that, the Board could make a unanimous decision as to whether or not we want more improvements to Will Smith. Based on the traffic study alone whether the road needs to be paved.

D. Kerr. suggests the town to do the ditching initially, then the balance of the work including, box culvert(s) and paving in proportion to the impact on Will Smith Road by the new development. The Town has a priority regarding culverts & road improvements. He asked if the town could commit to the road improvements on Will smith?

Mr. Armstrong Suggested FEMA Geotech exploration as a recommendation to do paving correctly. Ditch designs, culverts are crucial and poses safety concerns.

Mr. Lewis feels as if applicant would be partially responsibility for the under-road stream crossing due to the traffic increase. Mr. Lewis said we still do not have a detailed ditch design plan.

Mr. Armstrong said the town should pursue FEMA mitigation money. He also asked if
The Town of Barnstead will provide the cost to repair the dry hydrant on Will Smith Road. He advised a road ditch design will help substantiate what improvements will help with Will Smith Road. He will need an assessment of how wide the road is as well as the crown of the road? He asked to put it in a letter to both the town engineer and the third-party engineer to provide exactly what they are looking for regarding plans.

Attorney Tierney said the applicant is requesting a continuation for 30 days and presented to the Planning Board Clerk in writing.

T. Eade made the motion to continue the subdivision application for 30 more days.

D. Kerr seconds the motion. Planning Board voted in favor of the 30-day extension for RM Abbott.

Public Hearing opens: 9:06
Kevin Riel, Abutter asked where are the test pits dug and asked where the leach fields are going? Mr. Riel is not in favor of the subdivision, stated he is upset that the road has not been maintained and he feels it's not Mr. Abbotts responsibility to fix the road. If the hydrant was functioning this could have been streamlined.

Mr. Cusson has urged the board to head up the science behind the fire sprinklers. He states there is a real solid option and he wants the board to reconsider the waiver and put it to vote. He said #9 was added as a condition – he feels his character was imputed – he is not invested, not biased, tonight he feels like he was publicly defamed by E. Stone and N Carr. Upset about defamation of character. *Mr. Cusson publicly threatened a lawsuit against two board members for defamation of character and that his attorney would be in touch.*

B. Weller states she wanted to respond to Fabs comment. She said that Mr. Abbott had called Fab and asked him to attend the Planning Board meeting. She said he is a friend of Mr. Abbotts and that this has not just been pulled out of thin air. She said it has been stated that Mr. Abbott has worked for Fab in the past.

E. Stone emphasized the word or when referring to the draft checklist.

D. Kerr said the Fire Chief does not like to use dry hydrants due to debris.

Public Hearing closed: 9:20pm
Anthony Palmieri would like to be an alternate on the Planning Board. He stated he is a Medical Record Writer for documents that go to the FDA

N. Carr asks for a motion P. Tiede makes an alternate on the Planning Board. and T. Eade 2nd the motion. The Planning Board voted in favor of A. Palmieri becoming and Alternate. N. Carr will let him know when he can come to town hall to be sworn in before the next Planning Board Meeting.

7. OLD BUSINESS:

a. **LRPC**
D. Kerr stated (Lakes Region Planning Commission) is Preparing for the eclipse. He voted against the bike pedestrian plan. He stated its too expensive on most highways to pave the shoulder.

b. **Space Needs:**
P. Tiede urged us all to go to the school meeting and vote.

c. **Board of Selectmen:**
Go to the town meeting and vote.

d. **Master Plan Committee:**
N. Carr stated they will schedule something in April

8. NEW BUSINESS:

a. Public Hearing on proposed changes to the subdivision regulations.
The Planning Board is proposing changes to #7, #8, #9, #10 and #11.

N. Carr opened the Public Hearing at 9:36
N. Carr closed the Public Hearing at 9:37 after no comments from the public.

E. Stone made a motion to accept the changes to the Subdivision Regulations #7, #8, #9, #10 and #11, T. Eade seconded the motion. All voted in favor of the changes.

9. ADJOURN:

a. Meeting 9:38

Next Meeting April 4, 2024 at 6:00 PM at Town Hall.