

**Place:** Raymond High School Media Center

**Call to Order:** 7:00 p.m.

**Members Present:** Bill Cantwell, Chairman; Peter Buckingham, Vice Chairman; Steve Naoum, Secretary; Bob Carlberg, Selectmen's Representative; Gretchen Gott; Maurice Titcomb; Jonathan Wood.

**Staff Present:** Ernest Creveling, Community Development Director; Robert Price, Planning Technician.

### **Pledge of Allegiance**

### **Approval of Minutes**

MOTION: Jonathan Wood made a motion to approve the site walk minutes of 08/03/07 as amended. Steve Naoum seconded. The motion passed with a vote of 4-0-3, with Maurice Titcomb, Bob Carlberg and Gretchen Gott abstaining.

MOTION: Jonathan Wood made a motion to approve the minutes of 08/09/07 as amended. Steve Naoum seconded. The motion passed with a vote of 5-0-2, with Bob Carlberg and Maurice Titcomb abstaining.

### **Public Hearings – Verizon Wireless**

*An application for Site Plan Review has been submitted by Verizon Wireless to amend an approved wireless communications site plan to add temporary wireless communications equipment. The property is shown on Raymond Tax Map 28-4, Lot 7; Main Street.*

Community Development Director Creveling stated during the April 2007 flooding, the Town experienced a disruption in phone service for both land lines and cell phones. In the midst of this, Verizon moved a Cellular on Wheels (COW) onto a site owned by Ed Moulton. The applicant is looking to advance from a temporary to permanent installation to be done over a period of time. Tonight, the applicant is looking for approval for the temporary installation to remain in place for up to one year until they amend the site plan to provide for the permanent setup. Mr. Creveling stated antennas will be co-located, which the Zoning Determination specifies is in compliance and meets the spirit of the Ordinance.

Linda Connell, attorney representing Verizon Wireless stated the plan they submitted is the current approved site plan, which shows a compound area of about 50 feet by 50 feet. In order to co-locate on this tower, Verizon Wireless will need to expand the compound area for a new equipment shelter because there is not enough room in the current structure. The plan is to expand about 25 feet on the easterly side. This area was chosen because of the topography of the site. Ms. Connell stated Verizon Wireless would like to keep the COW in place rather than take it away, causing people to experience a drop in service that they have become accustomed to. In addition to the COW, Verizon Wireless installed several microwave dishes on towers so calls could be taken from here to the Hooksett switching station.

Maurice Titcomb asked how the merger that Verizon is currently going through will affect this proposal. Ms. Connell stated it has no effect because the merger is for the land-line carrier, not the wireless carrier.

#### PUBLIC COMMENT

There was no public comment.

**MOTION:** Jonathan Wood made a motion to approve Phase I of the Site Plan of Verizon Wireless, Application Number 2007-017, located on Raymond Tax Map 28-4, Lot 7 with the following conditions:

1. This approval is for the temporary placement of the Cellular on Wheels unit (COW) for a period of up to one year. The applicant is required re-visit the Technical Review Committee on or before February 12, 2008. No other work may occur on the site prior to approval by the Town of Raymond Planning Board. If no site plan application is received from the applicant for the installation of permanent facilities within one year of this approval, this approval shall expire and the COW must be removed from the premises.
2. All fees authorized to be charged to the applicant pursuant to site plan review regulations including, but not limited to, application fees, costs of special studies and legal review, shall be paid by the applicant.
3. Deeds, easements, conservation easements, condominium documents maintenance agreements, and any other legal documentation pertinent to this development shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a.
4. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the plan approval date; August 16, 2007. **Failure to execute the required agreement will result in plan approval revocation.**

Peter Buckingham seconded. The motion passed with a unanimous vote of 7-0-0.

#### **New Life Assembly of God**

*An application for Site Plan Review has been submitted by New Life Assembly of God to consolidate lots 63 and 64, and then construct a 3,390 square foot addition. The property is shown on Raymond Tax Map 41, Lots 63 and 64; NH Route 156/Nottingham Road.*

Peter Buckingham stated he is going to recuse himself from this discussion. He stated although he is not officially an abutter, he lives in the vicinity. Additionally, Mr. Buckingham stated he has close ties with the pastor in regards to the July 4<sup>th</sup> events the Town puts on each year. Mr. Buckingham stated he believes that in part because of the pastor's overwhelmingly generosity to the Town, and for the other reasons as stated earlier, he believes he can not look at this case without bias.

Bob Carlberg disclosed that he too has worked with the pastor previously, however this will not have any impact on his ability to judge this case fairly.

Community Development Director Creveling stated the applicant is proposing to put an addition on the existing church. First though, there is a lot consolidation that needs to occur, which the paperwork has not yet been filed for.

Gretchen Gott asked if this application should be two separate applications because there are two different actions taking place. Community Development Director Creveling responded that it does not require two separate applications.

MOTION: Gretchen Gott made a motion accept the application as complete for the purpose of review. Bob Carlberg seconded. The motion passed with a unanimous vote of 7-0-0.

Community Development Director Creveling stated the peer review from Altus Engineering was received today by the Community Development Department.

Eric Mitchell of Eric C. Mitchell and Associates presented the plan. Mr. Mitchell stated there are two applications, but they are running concurrently. The parsonage is located on lot 63, and the church is located on lot 64. Gretchen Gott stated the applicant just said there are two separate applications. She asked if the notice for the meeting is flawed because of the fact that it only specifically mentions one application. Community Development Director Creveling stated the notice covers exactly what will happen in that it mentions the lots will be consolidated first and then the addition will be constructed.

Community Development Director Creveling stated the application we received clearly states 'to consolidate lots 63 & 64, and to construct the church addition.' No one was clear that these were two separate actions that you wanted. He stated a lot consolidation is a voluntary action that does not require Planning Board approval, however it is starting to sound like the applicant wants to treat it that way. Eric Mitchell responded by saying there is a voluntary notice of merger. This requires a form to be completed, and this comes before the Planning Board to acknowledge that the lots were merged. Mr. Mitchell stated they are here looking for a site plan approval. However, if they do not obtain one, then the applicant is not seeking to consolidate the lots at this time. He stated the applicant is looking to have both actions looked at concurrently, so they can be finalized at the same time.

Chairman Cantwell polled the Board to see if the notice is ok as it was written or if it needs to be changed and re-notification needs to take place.

#### POLL RESULTS

Gretchen Gott – Re-notice

Steve Naoum – Ok as written

Peter Buckingham – Ok as written

Jonathan Wood – Ok as written

Maurice Titcomb – Ok as written

Bob Carlberg – Ok as written

Bill Cantwell - Ok as written

Mr. Mitchell stated the primary reason for the consolidation is to create an access to the church property to allow for additional parking, create better access, and to allow for an addition to be placed on the church. He stated the plan is for the addition to become the new sanctuary. The existing sanctuary would become an area for church offices or a greeting area. The current seating capacity is 190. The addition would have a capacity of 230. Mr. Mitchell stated they have received the review comments from Altus Engineering, and most appear to be detail oriented. However, he wants to address one comment in particular; phased parking.

Mr. Mitchell stated the comment from Altus states if the review calculations show you must build 139 parking spaces, then you must build that. When we came out of the Technical Review Committee meeting, it was determined that we needed to base our calculation on the basement as well, which we had not done. However, TRC also said if you do not have a need for all of those parking spaces at this time, you can ask the Planning Board for the ability to phase the parking. Mr. Mitchell stated that way, the necessary parking can be approved, but we only need to build what we currently need at the present time. At the current time, the church does not fill to capacity, and it is not anticipated that they will reach capacity with the addition until sometime down the road. Mr. Mitchell stated we would like the Board to please consider our request to phase the parking.

Mr. Mitchell stated the driveway has undergone a slight revision since the TRC meeting. The State asked us to increase the all-season site distance, and in doing that, the lower driveway was shifted a bit.

Bob Carlberg asked if there were any wetlands in the area. Mr. Mitchell stated wetlands do show on the plan currently, but there are no wetlands in the area where the parking will be expanded. Mr. Carlberg asked about lighting. Mr. Mitchell stated there is lighting down the middle of the parking area, and the lights do not broadcast beyond the parking lot.

Jonathan Wood asked for clarification on the phasing of the parking. Eric Mitchell stated phase one will be 79 spaces, and phase two would be 60 spaces.

Jonathan Wood asked if it were possible to look into pervious pavement for the second phase. Mr. Mitchell responded that they have not looked into pervious pavement. He stated his belief is that it would be more expensive than traditional asphalt because it is a newer technology. However, he agreed to look into it.

Bob Carlberg ensured that the detention pond would not permanently hold water, and that it would drain within a few hours. Mr. Mitchell responded that was correct.

There was a brief discussion about days when the church fills to capacity. Three times were specifically mentioned: Easter, Christmas and a Fall Harvest party in October. The pastor of the church stated that last fall during the harvest party, several cars were parking along Route 156. Steve Naoum asked if the church had ever considered asking the police to help control traffic at these busy times. The pastor replied that during last fall's harvest party, they did contact the police to inform them that people were parking along Route 156, and the police responded to only contact them if there was an accident or some other problem.

Steve Naoum requested that the Planning Board be polled as to whether or not the police should be present at the church on these specific dates when the church expects a large group of people. Community Development Director Creveling stated this is more of a police department issue than a Planning Board issue. Chairman Cantwell requested that Police Chief Salois please write a letter to the Board addressing this issue.

#### PUBLIC COMMENT

There was no public comment.

Gretchen Gott asked about landscaping. Mr. Mitchell stated landscaping has been increased over what was presented to the TRC. However, landscaping is a church function. That is why we did not want to show a lot of landscaping. Steve Naoum asked if the trees that have been proposed will interfere with the line of sight when they become full-grown. Mr. Mitchell responded they will not be an issue.

Jonathan Wood asked about the stone wall, and if it were possible to extend the remains of the wall. Mr. Mitchell stated that the wall as it appears is not really much of a wall. He stated perhaps this could be addressed on a site walk.

MOTION: Jonathan Wood made a motion that a site walk be held September 16 at 10:30 a.m. The walk will be open to the public, and Board Members will meet at the site. Steve Naoum seconded. The motion passed with a unanimous vote of 6-0-0.

MOTION: Jonathan Wood made a motion to continue this hearing to September 20, 2007 at 7:00 p.m. Bob Carlberg seconded. The motion passed with a unanimous vote of 6-0-0.

Peter Buckingham returned to his seat for the remainder of the meeting.

#### **Walgreens**

*Continued from 08/02/07 – An application for a one-lot subdivision has been submitted by Arista Development, LLC. The applicant proposes to subdivide one commercial lot into two commercial lots. The property is shown on Raymond Tax Map 29, Lot 25; NH Routes 27 and 156.*

*Continued from 08/02/07 – An application for Site Plan Review has been submitted by Arista Development, LLC to construct a 15,000 sq. ft. Pharmacy. The property is shown on Raymond Tax Map 29, Lot 25; NH Routes 27 and 156.*

*Continued from 08/02/07 – An application for Site Plan Review has been submitted by Arista Development, LLC to construct a 7,000 sq. ft. Auto Parts Retail Store. The property is shown on Raymond Tax Map 29, proposed Lot 25-1; NH Routes 27 and 156.*

Community Development Director Creveling stated we have received a lot of information in the last couple days. We received word that Eric Weinrieb would not have any problem if the Board granted conditional approval of the project tonight, with the usual condition that remaining issues must be cleared up first. Additionally, we have received a sound study, and another revision of the traffic study. Don Rhodes has also sent his reply to the new study.

Doug Benoit of Arista Development, LLC introduced the sound study to the Board. He stated the engineer assumed all 13 units were running at max power at the same time, and they did not take into account any vegetation that would knock sound levels down. The end result was a dba of 62 at the property line, and 54 at the nearest house, which meets the HUD (Department of Housing and Urban Development) regulation and the Town's requirement, both of which are 65 or less.

Karl Dubay of MHF Design Consultants went through the second Altus Engineering Review, and provided his response to select items. Specifically, Mr. Dubay mentioned that Altus suggested the light poles be lowered in height. Mr. Dubay stated they have no problem with this.

Mr. Dubay stated they have addressed the Jacobs' concerns as they received at the last meeting. He stated Altus Engineering agrees with MHF's response to the letter.

Mr. Dubay stated there was some confusion as to whether or not a waiver request would be necessary for the length of a parking space. He stated Altus was unsure if a waiver was required or not. Mr. Dubay stated the criteria for the width of the spaces is met, and also the width of the aisles is met. The length of spaces is supposed to be 20 feet. However, we have an aisle width of 25 feet, which is 5 feet wider than required. He stated if the Board believes a waiver is required, then I have a completed waiver request form here.

Chairman Cantwell polled the Board as to whether or not the applicant needs a waiver for parking space length.

#### POLL RESULTS

Gretchen Gott – Yes; to avoid setting a precedent

Steve Naoum – Yes

Peter Buckingham – No

Jonathan Wood – No

Maurice Titcomb – Yes

Bob Carlberg – No

Bill Cantwell – No

It was determined that due to the information provided by the applicant, and the fact that the overall number is met, just in a slightly different configuration, the applicant does not need a waiver.

Eric Eby of GPI discussed traffic issues with the Planning Board. He stated there have been 4 additional memorandums prepared since the application was submitted. He stated he has been working back and forth with Don Rhodes of Norway Plains. Mr. Rhodes had three concerns with the initial report:

- Analysis of summertime traffic volumes at the intersection;
- Signal warrant analysis for the intersection;
- Location of the site driveway on Route 27.

Mr. Eby stated in response to the first concern, since there was some discrepancies in data, they went out and physically counted the traffic at the peak hours last week. The obtained data was used to re-analyze the intersection as opposed to the factors that were used previously. The result was that the intersection was still a Level of Service F, which remained the same.

Mr. Eby stated they re-ran the signal warrants using updated factors that just recently became available. The result was that the intersection meets the 4-hour signal warrant. Typically however, the DOT does not want to install a signal unless one of the 8-hour warrants are met. Mr. Eby stated it was discovered that once the site is built, there would be just enough traffic (2 cars) to push them over one of the 8-hour thresholds.

Mr. Eby stated the driveway on Route 27 is optimized in regards to the site. It allows for better flow, and it meets state standards for spacing from intersections.

Mr. Eby stated they have no objection to put some funds toward a signalization escrow account.

Chairman Cantwell polled the Board as to whether or not \$12,500 is an acceptable figure for Walgreens and the Auto Parts Store to each put toward an escrow account.

#### POLL RESULTS

Gretchen Gott – Yes

Steve Naoum – Yes

Peter Buckingham – No

Jonathan Wood – Yes

Maurice Titcomb – No

Bob Carlberg – Yes

Bill Cantwell – Yes

The Planning Board discussed the widened shoulder, and whether or not it would be better as a full right-turn lane. Several Board members expressed concern with the fact that this was a widened shoulder and not a travel lane. Mr. Eby offered an explanation as to how the widened shoulder is safer than a lane in this location, and he also stated they have met with the State and the State has no issues with that they had presented. The

Board also discussed the one-way in and one-way out access driveway, and whether or not it would be better to eliminate the exit option. Jonathan Wood stated no one, be it the Town's Review Engineer, the Traffic Review Engineer, Technical Review Committee or Town Staff has brought this issue up. Mr. Wood stated the DOT has also looked at this since these are State roads, and they have not mentioned this as an issue either.

The discussion led to a poll of the Board as to whether or not further discussion needs to take place on the entrance and exit drives:

POLL RESULTS

Gretchen Gott – Yes

Steve Naoum – Yes

Peter Buckingham – No

Jonathan Wood – No

Maurice Titcomb – No

Bob Carlberg – No

Bill Cantwell – No

**MOTION:** Jonathan Wood made a motion to approve Subdivision Application #2007-006 by Arista Development, LLC for Tax Map 29, Lot 25, subject to the following conditions:

1. The conditions of approval designated as conditions precedent must be fulfilled within six (6) months, unless otherwise specified or this approval shall become null and void. The following are conditions precedent:
  - a. Applicant must receive all required local, state and federal permitting for the project;
  - b. All fees authorized to be charged to the applicant pursuant to Subdivision and Site Plan Review Regulations including, but not limited to, application fees, costs of special studies and legal review, shall be paid by the applicant **prior to signing the Mylar;**
  - c. Deeds, easements, conservation easements, condominium documents maintenance agreements, and any other legal documentation pertinent to this development shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
  - d. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the plan approval date; August 16, 2007. **Failure to execute the required agreement will result in plan approval revocation.**
2. The following items must be completed within twelve (12) months of Planning Board approval of this project to constitute "active and substantial development or building" pursuant to (RSA 674:39):

a. *Property pins placed to delineate new lot.*

3. This approval is subject to the following waivers as granted by the Raymond Planning Board:

a. *Subdivision Regulations Article IV; Section 4.4 "Lot lines for newly proposed lots shall be perpendicular to the right-of-way" GRANTED August 2, 2007.*

Bob Carlberg seconded. The motion passed with a unanimous vote of 7-0-0.

Chairman Cantwell polled the Board with regard to the addition of a condition stating that light-pole height must not exceed 25 feet.

POLL RESULTS

Gretchen Gott – Yes

Steve Naoum – Yes

Peter Buckingham – Yes

Jonathan Wood – Yes

Maurice Titcomb – Yes

Bob Carlberg – Yes

Bill Cantwell – Yes

MOTION: Jonathan Wood made a motion to approve Site Plan Application #2007-008, as presented by Arista Development, LLC, Tax Map 29, Lot 25-1, subject to the following conditions:

1. The conditions of approval designated as conditions precedent must be fulfilled within six (6) months, unless otherwise specified or this approval shall become null and void. The following are conditions precedent:

a. Applicant must receive all required local, state and federal permitting for the project;

a. All fees authorized to be charged to the applicant pursuant to Site Plan Review Regulations including, but not limited to, application fees, costs of special studies and legal review, shall be paid by the applicant;

b. Deeds, easements, conservation easements, condominium documents maintenance agreements, and any other legal documentation pertinent to this development shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;

c. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the plan approval date; August 16, 2007. **Failure to execute the required agreement will result in plan approval revocation.**

- d. The applicant shall address to the satisfaction of the Town's Review Engineer, any remaining engineering issues identified as a result of this peer review. Written concurrence, from the Town's Engineer and the Raymond Community Development Director, with the design corrections of any identified engineering issues shall be required prior to final plan approval.
2. The following items must be completed within twelve (12) months of Planning Board approval of this project to constitute "active and substantial development or building" pursuant to (RSA 674:39):
  - a. *Completion of sufficient site work to enable installation of site infrastructure, including the site drainage network and related structures, water supply and other underground installations, as well as the construction of the building foundation.*
3. The following items must be completed to constitute "substantial completion of the improvements" pursuant to (RSA 674:39):
  - a. *Construction of the proposed building and connection to septic system and installation of all fencing, screening, landscaping and other items designed to mitigate impact on abutting properties.*
4. Bonding, for on site earth construction, as determined by the Planning Board and/or its designee, shall be in place prior to the start of site work. Bonding for maintenance or any other purpose shall be posted prior to the issuance of a Certificate of Occupancy.
5. This approval is subject to the following waivers as granted by the Raymond Planning Board:
  - a. *Site Plan Regulations Article VII; Section 6.2 "Parking Areas shall be set back no closer than 10' from street or lot line" GRANTED August 2, 2007.*
  - b. *Site Plan Regulations Article VII; Section 8.2 "Loading areas shall not be permitted within 50' of an abutting property line" GRANTED August 2, 2007.*
6. Other Conditions Imposed by the Planning Board:
  - a. Light-pole height may not exceed 25 feet;
  - b. Applicant must contribute \$12,500 toward an escrow account for future traffic control signalization of the intersection of Route 27 and Route 156; to be paid within 30 days of the plan approval date; August 16, 2007, in consideration of the traffic contribution of this site plan. **Failure to present payment will result in plan approval revocation;**

Bob Carlberg seconded. The motion passed with a vote of 6-1-0 with Gretchen Gott opposed because of the issues with the traffic, the widened shoulder, the right-in right-out driveway, and the allowed left-turn onto Route 156. She stated she is not opposed to the project otherwise.

MOTION: Jonathan Wood made a motion to approve Site Plan Application #2007-007, as presented by Arista Development, LLC, Tax Map 29, Lot 25, subject to the following conditions:

1. The conditions of approval designated as conditions precedent must be fulfilled within six (6) months, unless otherwise specified or this approval shall become null and void. The following are conditions precedent:
  - a. Applicant must receive all required local, state and federal permitting for the project;
  - b. All fees authorized to be charged to the applicant pursuant to Site Plan Review Regulations including, but not limited to, application fees, costs of special studies and legal review, shall be paid by the applicant;
  - c. Deeds, easements, conservation easements, condominium documents maintenance agreements, and any other legal documentation pertinent to this development shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
  - d. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the plan approval date; August 16, 2007. **Failure to execute the required agreement will result in plan approval revocation.**
  - e. The applicant shall address to the satisfaction of the Town's Review Engineer, any remaining engineering issues identified as a result of this peer review. Written concurrence, from the Town's Engineer and the Raymond Community Development Director, with the design corrections of any identified engineering issues shall be required prior to final plan approval.
2. The following items must be completed within twelve (12) months of Planning Board approval of this project to constitute "active and substantial development or building" pursuant to (RSA 674:39):
  - a. *Completion of sufficient site work to enable installation of site infrastructure, including the site drainage network and related structures, water supply and other underground installations, as well as the construction of the building foundation.*
3. The following items must be completed to constitute "substantial completion of the improvements" pursuant to (RSA 674:39):
  - a. *Construction of the proposed building and connection to septic system and installation of all fencing, screening, landscaping and other items designed to mitigate impact on abutting properties.*
4. Bonding, for on site earth construction, as determined by the Planning Board and/or its designee, shall be in place prior to the start of site work. Bonding for maintenance

or any other purpose shall be posted prior to the issuance of a Certificate of Occupancy.

5. This approval is subject to the following waivers as granted by the Raymond Planning Board:
  - a. *Site Plan Regulations Article VII; Section 6.2 "Parking Areas shall be set back no closer than 10' from street or lot line" GRANTED August 2, 2007.*
  - b. *Site Plan Regulations Article VII; Section 8.2 "Loading areas shall not be permitted within 50' of an abutting property line" GRANTED August 2, 2007.*
6. Other Conditions Imposed by the Planning Board:
  - a. Light-pole height may not exceed 25 feet;
  - b. Applicant must contribute \$12,500 toward an escrow account for future traffic control signalization of the intersection of Route 27 and Route 156; to be paid within 30 days of the plan approval date; August 16, 2007, in consideration of the traffic contribution of this site plan. **Failure to present payment will result in plan approval revocation;**

Bob Carlberg seconded. The motion passed with a vote of 6-1-0 with Gretchen Gott opposed because of the issues with the traffic, the widened shoulder, the right-in right-out driveway, and the allowed left-turn onto Route 156. She stated she is not opposed to the project otherwise.

### **Adjournment**

MOTION: Jonathan Wood made a motion to adjourn. Bob Carlberg seconded. The motion passed with a unanimous vote of 7-0-0. Meeting adjourned at 10:08 p.m.

Respectfully submitted,

Robert Price  
Planning Technician