

Walpole Planning Board Minutes
January 12, 2021
Meeting via Zoom
7 pm

Roll Call: All Planning Board members and invitees are in separate locations. This meeting is being recorded. WPB Chair Jeff Miller called a voice roll call of the Planning Board members who were present. Those responding as present were Vice-Chair Dennis Miller, Clerk Jason Perron, Zoom Host Jeff Harrington, Jeff Colley, Joanna Andros and Select Board Representative Steve Dalessio.

Recording: Secretary Marilou Blaine. These minutes are unapproved and will be reviewed at the February 2021 meeting for corrections, additions and/or omissions.

Meeting coming to order: Mr. Miller called the meeting to order at at 7 pm.

Minutes: Mr Marcom made a motion to approve the November and December minutes as presented. Mr. Colley seconded the motion and the motion passed unanimously by a voice vote of each Board member.

Public Hearing No. 1.

Invitees and people present at the meeting for the Landry subdivision meeting: Abutters: Cynthia Reeves and Ray Ruseckas, Todd Neilsen, Bronia and Mark Jenson. Wentworth Road homeowners: Tesse Gohl and Hope Higbie.

Subdivision: Jay Landry of Tilton, NH two lots into four lots, Map 17, Lots 5 and 5-1, land between Old Keene Rd. and Wentworth Rd. Land surveyor Joe DiBernardo represented Mr. Landry. Mr. DiBernardo said the total acreage of the parcel is 11.2 acres.

The size of the of the new lots would be:

- Lot 5.1 – 2.19 acres with 200 feet road frontage on Wentworth Road;
- Lot 5-2 - 1.67 acres with 200 feet road frontage on Wentworth Road;
- Lot 5-3 – 1.15 acres with 200 feet road frontage on Wentworth Road;
- Lot 5-4 - 6.22 acres with 203.61 feet road frontage on Old Keene Road and Wentworth Road. 48.5 feet road frontage on Wentworth Road.

The property is located in the Residential A zoning district with the minimum lot size of 40,00 thousand square feet, just shy of 1 acre, minimum 200 feet road frontage and minimum setback of 65 feet from the center of the road. Side and rear setbacks are 20 feet. All these lots meet the zoning dimensional requirements.

The largest lot (5-4) has at least 200 feet of frontage on Old Keene Road but also has frontage of 48.5 feet on Wentworth Road and that is the proposed access to that lot. In addition, Mr. DiBernardo said, Sharon Monaghan delineated the wetlands and Forest Designs is taking care of state permitting of the three lots that are less than five acres in size.

Has state given you approval or not? Mr. Miller asked. Mr. DiBernardo said no that they were waiting for approval.

Abutter Todd Neilsen asked Mr. DiBernardo to explain the circles and boxes on each of the surveyor's map. Mr. DiBernardo said the 75-foot circles represent the well area and the boxes represent the septic area. This is all for state permitting, which requires that there be 75 feet from the well to the septic area and the area for the leach field.

Mr. Neilsen asked Mr. DiBernardo if he was aware of previous incidents where residents have not been getting enough water. Have you done any work on that? Neilsen asked. Mr. DiBernardo said he hasn't done any work on that. Are you aware that people on Wentworth Road are having problems getting enough water from their wells? Mr. Neilsen asked. Mr. DiBernardo said he was made aware of that tonight and that tonight he is not proposing to develop the property only to divide the property. Mr. Neilsen added and "therefore to sell these lots." Mr. DiBernardo said yes.

Mr. Neilsen said his property is next to lot 5-1, which is wooded. He asked if there were any regulations about the amount of trees that could be cut. Mr. Miller said no and Mr. DiBernardo said that he was not aware of any. Mr. Neilsen asked why his driveway was not shown on the plat because his neighbor's driveways were. Mr. DiBernardo said Mr. Neilsen's driveway was at the northeast corner of Lot 5-1.

Cynthia Reeves said her concerns were about water usage as well as water runoff. She sent a PDF to Host Jeff Harrison outlining some of her questions. Four areas on her property have to do with water, she said. All around this area on the hillside there are an extraordinary amount of spring activity, a lot of surface water and then there's pitch to the hillside that means water collects in sheets down the hillside. They personally have done a lot to mitigate the problem, she said.

She mentioned four water features on their property including both a stream on the northern and on the southern boundaries; a spring box that intersected the northern boundary; and a dug well at the top on the southern boundary.

There are marshy areas that abut the Landry property and there is a concern about usage if the Landry lots are developed, Ms. Reeves said. There have been see-saw weather conditions this year. This winter there was a lot of water around Christmas and this summer we had four or five months of drought. Ms. Reeves presented several photos that illustrated her points. One shows a spring box at top of the property. That water comes down through pipes and collects in a cistern in their basement. The water in the cistern is about 4 or 5 feet deep and runs year-round except during the drought when, for the first time in 18 years, it went down to almost nothing. It is pure water, which they use for drinking.

Of primary concern for Ms. Reeves is preserving the water quality in the natural springs located at the top of their property on the eastern boundary. The Spring House is marked on the plan and this water feeds the cistern in the main house. How close can any new structure/leach field come to an active spring? she asked. Another photo showed the cistern in the basement.

How close are property lines next to the spring? Ms. Reeves asked. What will be the impact on aquifers? In severe weather, what happens when the land abutting our property has pavement, dug foundations, etc? It will compound the intensity and volume of water coming off the hillside, she said.

On both the northern and southern borders there are streams that are active year-round, Ms. Reeves said. The southern stream isn't marked on the plat that was presented. One photo is of a dug well at the top of the property's southeast border, which originally fed the main house with water.

Other photos showed what happens when there is runoff in severe weather and during the more usual winter runoff. Water runoff mitigation issues have been: the driveway has been regraded several times due to water runoff in severe weather, which is to some degree mitigated by the streams on the southern and northern boundaries. Given the strength of some storms, the entire hillside is overwhelmed with water, and effects are shown in several photos. One shows a trench dug by the

Town of Walpole road crew along the western boundary along Old Keene Road in an effort to redirect water coming off the hill, including a new culvert under Old Keene Road, which was put in this summer.

Ms. Reeves said water should be considered as part of this subdivision. It's so bad sometimes it runs down Hillside Acres. Its impact directly bears consideration. It underscores what Mr. Neilsen said before about management of storm water that is to going to affect all the abutting properties.

The drought this summer was serious. A neighbor had to dig a new well. Friends up on Wentworth Road ran out of water. Ms. Reeves said she is wondering if it is viable to reasonably think we can continue to build more houses without looking at some of these issues. Also, perhaps the town water can be continued to some of these newly constructed homes.

My concerns are such, Ms. Reeve said, that she thinks an environmental impact study should be done.

Mr. Teese Gohl, whose home at 31 Wentworth Road, is the last one on that road to have town water. Mr. Gohl said that after talking to the head of the water department that he believes that town water is already stretched to the limit. He's also like something done about the traffic on that Wentworth Road, although he said because of Covid, there are more people and families walking.

Hope Higbie at 105 Wentworth Road expressed the same concerns about water and fears having to lose access to her water in the future.

Mr. Neilsen said he was new to this process of public hearings. What powers do we, as abutters, have? Mr. Miller said basically you have the power to object, appeal the decision in superior court. The Planning Board basically has to make sure all the boundaries, size of lot, setbacks and zoning requirements are followed.

Mr. Miller said that when a subdivision of about 8 to 10 homes was planned on land in the Wentworth and Hooper Road several years ago, there were the same concerns about water. Mr. Miller suggested the Board take a second look at that independent study of the impact on water supply on that area. Ms. Andros said there are already two or three more driveways off of Wentworth Road and more building.

Mark Jenson agreed with Ms. Reeves about runoff. He said that water comes down the road, down through a neighbor's property and sheets of water go through his property and settles. He said that right now you could skate on a pond at the bottom of the field. He added that he too has had water issues in the past.

Ms. Reeves said you have all these homeowners who have had periods of problems with water. She asked about building homes when potential homeowners may have the a potential problem with water. It is not in the spirit of Walpole of shared good will among neighbors. All the legal requirements may be met but are potential buyers going to be told about the existing problems with water.

There should be an environmental impact study with a focus on water and if this moves forward, what happens if new homeowner runs out of water their first year?

Mr. Miller said regarding this subdivision the Board needs to do more homework on this and look at the conditions discussed.

Ms. Andros said that the Town of Walpole has had to do a lot of remediation on Old Keene and Wentworth Road. It is very costly.

Mr. Miller said the Board does not have to make a decision tonight and he proposed that the Board find the study of the area of Wentworth and Hooper Roads about runoff and look at that. He asked the secretary to look in the files for the study and the minutes.

Mr. Marcom agreed that we have to learn more about the situation and runoff and he said he'd like to meet with Mike Rau, Walpole's road agent, and discuss these issues as well as discuss storm water.

Mr. Miller said this has been going on a long time, it's nothing new. This public hearing will continue to be on the agenda in February.

Public Hearing No. 2:

Site Plan: Bed and Breakfast at Watkins Tavern, owner Fred Dill (Walpole D and D LLC), 116 Prospect Hill Road, Map 8, Lot 61-1, Residential A. Cindy Westover represented Fred Dill. Prospective owners are Eric Brandolini and CJ Letterman. They, as well as Doreen Brandolini were on the audio portion of Zoom.

Ms. Westover stated the Tavern property is a little over 8 acres and subdivided from the golf course. A hand-drawn map showed the Tavern in yellow and parking area in pink as well as a barn and pro shop that are part of the golf club operation. The new owners have applied for a LLC and the place will be called Watkins Hill Tavern and Inn.

The second and first floor layouts are the same as now. On the second floor a half bath in room No. 2 will become a three-quarter bathroom. The pink area is where they are going to live. The first floor will remain as is with the exception of installing a bar in the room next to the kitchen that will also serve the adjoining porch. The owners need to get a liquor license from the state. There is already a handicap bathroom on the first floor and an ADA approved ramp. The porch will remain as is.

Ms. Westover said there is no change in use. As of last week all of the rooms were rented and have been over the last couple of years.

Mr. Dalessio said three things:

Mr. Dill had a fire and safety engineer install certain features, which should remain:

When the kitchen opens there must be grease separation traps in all of the three sinks and dishwasher.

The new owners should retain all the ADA items including the ramp.

The new owners, who are on their way to New Hampshire from Utah, were in a hotel in Iowa. One of the owner said that he was excited that they would be stewards of a historic property and grateful to have the opportunity to make it a community space. The kitchen wouldn't be open right away for cooked food, but sufficient grub will be available for food and drink for golfers. First they are planning on renting out four room to guests.

When there were no more questions from the public or Board, Mr. Miller closed the hearing. Mr. Marcom made a motion to approve the bed and breakfast proposal on the condition that the Board gets all the information from Mark Houghton regarding fire and safety. Mr. Perron seconded the motion and with a roll call of the Board, each Board member approved the motion.

Request for a Public Hearing for a site plan.

Walpole Creamery, 532 Main Street LLC, owner Robert Kasper, Map 12, Lot 14, commercial district.

Mr. Kasper said that Scully Architects are doing the drawings, a Boston company is doing the technical work, Mark Houghton plumbing and heating and Bergeron Construction.

Three 40-foot trailers that are behind the building will be removed. One of the trailers is a freezer. The wash and dry is no longer there. The interior will be remodeled. The freezer storage area will be in that space on the west wall. There is also storage in the rest of the building and additional storage space will be on the north side of the building.

The production area will be in the middle of the building. A loading dock will be added off the back of the building. That will mean that pallets of ice cream can be loaded directly onto a truck. It requires that a door be removed and a garage-size door added.

There will be an addition to the north side as well as installing a holding tank for milk on the east side connected to a storage area in front of the holding tank. The ice cream parlor remains where it is now. The new plant will produce two to three times as much as it does now. Sales have gone through the roof with this pandemic, Mr. Kasper said. Everyone is eating pizza and ice cream.

Mr. Marcom made a motion to have a public hearing for the Creamery next month. Mr. Perron seconded the motion and the motion passed unanimously by individual roll call vote.

Finishing up the meeting: Mr. Miller said the water study of the Hooper Road property should help us. It includes road drainage and runoff. Driveways have to be permitted.

Mr Dalessio said that it appears now that the subdivision is legal.

Mr. Miller read from Site Plan Regulations G. Storm Water management and erosion control. That sections says:

G. Storm Water Management and Erosion Control:

The applicant shall submit a storm water management and erosion control plan when one or more of the following conditions are proposed: - A cumulative disturbed area exceeding 20,000 square feet.

- Construction of a street or road.
- The disturbance of critical areas- such as steep slopes, wetlands, floodplains.
- Standard agricultural and silvicultural practices are exempt from these provisions
- All storm water management and erosion control measures in the plan shall adhere to the "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire", published by the Rockingham County Conservation District, and the "Model Storm Water Management and Erosion Control Regulation", published by the NH Association of Conservation Districts, Water Quality Committee.
- The applicant shall bear final responsibility for the installation, construction, and

disposition of all storm water and erosion control measures required by the Planning Board. Site development shall not begin before the plan is approved.

Mr. Miller said we owe it to the abutters to see what can be done. He planned to make a few phone calls.

Mr. Marcom said the Planning Board handbook on page subdivisions, page 71, says that in making a decision on subdivisions , the Planning Board had to look at the full development of the parcel.

Ms. Andros made a motion to adjourn. Mr. Perron seconded the motion and roll call of the board showed that they unanimously agreed.

Respectfully submitted,
Marilou Blaine

cc: WPB, ZBA, Town Offices, Walpolean

Posted: Inside and outside Town Offices, on the bulletin outside the Post Office, www.walpolenh.us

*A copy of Ms. Reeves photos will be attached to the minutes that are filed in the WPB files and the minutes kept in the Select Board's office.