

MINUTES
Business Meeting
Sanbornton Planning Board

Meeting Date and Time: Thursday, November 21st, 2019 at 7:00 PM

Meeting Place: Town Offices, 573 Sanborn Rd

The meeting was called to order by Chair Deb Schneckloth at 7:00 PM

Roll Call

Regular Members present: Will Ellis, Selectman John Olmstead, Don Bormes, Chair Deb Schneckloth, Jody Slack

Alternate Members present: Andy Sanborn, Kalena Graham (seated as member)

Absent: Justin Barriault, alternate

Others Present: Town Planning Assistant, Stephen Laurin

Minutes of 11/7 – Selectman John Olmstead made a motion to approve the draft minutes of 11/7 with corrections. Jody Slack seconded the motion and the motion passed unanimously.

Minutes of 11/18 – Chair Schneckloth explained that the draft minutes of the 11/18 meeting are still in process but a partial draft was provided for review; she made several suggested edits.

Public Hearing

******For further details on the engineering review please refer to the audio recording of this meeting

Site Plan Application Continued from October 17th meeting: Solar farm proposed at 63 and 71 Tower Hill Rd, Tax Map 22, Lots 14, 19-2, 19-3 and 19-5 - Andrew Keller and Michael Redding of New England Solar Garden explained that they have received notes on their site plan from Planning Board engineer Northpoint Engineering. Michael explained that they are still working through drainage plans and need to meet with the Fire Chief regarding access points to make sure they are usable for emergency vehicles. He stated that the crossings over wetlands are considered to be a minimal impact according to the State because there is already an existing crossing but it would need to be widened to 20 feet. He stated that 5,100 square feet of wetlands would be affected. Abutters stated that there is not an existing crossing. Don Bormes asked for clarity on this from Northpoint Engineering.

There is a lot line adjustment application in process which was requested by the Planning Board, and Michael still needs to discuss the part of the solar arrays that will fall in the Historic District with the Historic District Commission. Don noted that he does not see a problem with the solar arrays that are in that area but would want to see a letter from the Commission confirming this. Andrew Keller explained that the visual screening mentioned by the Planning Board at previous meetings can be accomplished, but would like to decide on specific locations and types of vegetation once the arrays are in place. He stated that the screening may look a certain way on the plan but need to change once the panels are in place. Steve Laurin asked if these plans show potential screening and Andrew responded that they do, but these are approximate locations based on feedback.

Michael stated that the plans show amount of clearing as mentioned at a previous meeting; Steve asked for clarity on “limit of clearing” and “limit of disturbance”. Michael responded that clearing would include cutting and stumping an area while disturbance would mean cutting limbs or trees. Woodchips from logging on the properties will be used for the edge of access roads for erosion control. Michael explained that the alteration of terrain permits and wetlands impact permits have not been applied for. He stated that the wetlands permit may not be obtained before the site plan is approved, so there may need to be a conditional approval regarding that piece.

The detention basins for runoff have been modified so a State dam permit is not needed; the grade has been changed. This does not change the retention amount. Abutter Michelle Jackson asked if blasting will need to occur to build the basins; Michael responded that they should be able to use a pneumatic hammer. Northpoint had requested riprap outlet protection for the basins which is being worked on. Michael stated there is no clear access to the basins for maintenance from Hunkins Pond Road because there is a piece of property between the solar array property and the road, but he is still going to meet with the Fire Chief to see if there is a better point of access elsewhere. A construction permit with the State would not need to be filed until 30 days before construction would begin.

Michael stated that Northpoint wanted to ensure that the site plan complies with the goals outlined in Sanbornton's Solar Energy Ordinance regarding screening, public safety, etc.; Michael thinks that this has been achieved. Will Ellis asked if any of the array will be seen from the road, and Andrew explained that there is 400-1,000 feet of natural buffer around the arrays so they will not be seen from the roads. Michael stated that flagging will be done where clearing will take place and the panels would be near those flags.

Michelle Jackson stated that the plans include buffers that are on abutters' properties and asked what would happen if those trees were cut by those owners. Andrew responded that there is still a substantial buffer of trees on the solar array property side. He noted that there was a concern from the Planning Board about distance from arrays to abutting properties, and the arrays are at least 100 feet from the property line. Deb Schneckloth asked why there is a 50-foot buffer being discussed; Michael stated that he presumed that was the requirement and in some spots there is even more than 50 feet of buffer.

Michael stated that they have identified number of arrays but have not shown exact position on plan as this may change. Steve noted that he believes the arrays would qualify as structures and therefore need to be 75 feet from wetlands per the Ordinance; Don noted that they would need to get a variance from the ZBA for this. Planning Board members felt that the basins and fences are not structures.

Abutter John McCarvill asked if specific tree species and how many per foot for screening will be provided ahead of time; Andy stated that even just some guidelines and a diagram showing screening possibilities would be helpful although exact placement can be left for after the arrays are in place. Michael responded that they can work on this.

Michael asked if the Planning Board would like to see the actual grade amounts on the plan as there are some steep slopes; Will responded that he would like to see this info. The soil/erosion control plan is still being worked on for the next submitted of the site plan, as well as a possible silt fence plan and addressing best construction practices.

Steve noted that the NE Solar Garden's escrow account needs to be replenished and that is being addressed, per Andrew Keller. Andrew noted that their plan will include a decommission assurity where they will outline the costs of taking down arrays and is an insurance policy which would be updated each year. Michelle Jackson stated that she would like the Planning Board to require a specific buffer for this plan. Michelle also asked if there will be a bond required for any road issues that would arise from heavy equipment coming in and out of the property; Andrew Keller responded that the equipment that comes in to do the pile driving for the arrays is only there for a short period of time. Deb Schneckloth stated that she is worried about the maintenance of her shared driveway which would be used as access to this project. Andrew responded that they could put in a stipulation in the plan that the shared driveway must be kept up to standard.

Deb also noted that she is concerned about water draining on to her property as it sits lower than a proposed access road on the plan. Steve noted that some acreages on the plan are not accurate; Andrew stated that they will look at these issues. Will noted that he would like to see the house that is on Range Rd, though it's not located on the solar array property, on the site plan maps.

Kalena Graham made a motion to continue the site plan hearing March 19th, 2020. Jody Slack seconded the motion and the motion passed unanimously. Don Bormes made a motion to extend the decision deadline to May 30th, 2020. Jody Slack seconded the motion and the motion passed unanimously.

The Planning Board discussed a site walk of the property so that they have an idea of where the arrays will be. Andrew Keller responded that it could cost thousands of dollars to flag the property for that purpose. Will Ellis stated the whole property does not need to be flagged but just wants an idea of locations of clearing and arrays; Don noted that the Board just wants to see where wetlands, point of access, fence and arrays will be. Andrew Keller responded that the Board should look at the plans and mark a dozen areas they would like clarity on and those can be addressed during the site walk.

Don Bormes made a motion to hold the site walk on Saturday, April 11th, 2020 with April 18th as a rain date. Jody Slack seconded the motion and the motion passed unanimously.

New Business

(Chair Schneckloth returned; Kalena Graham unseated)

- a. **Pursuant to RSA 674:41(d), recommendation to Selectmen regarding use of a private road for access to Park View Drive, Tax Map 25, Lot 48, Ralph and Bethany Lavin, owners, for a garage and dwelling** – Steve Laurin explained that the BOS heard this case last night but need the PB to recommend before allowing him to issue the CZC (building permit). A hold harmless waiver has already been signed by the applicants. Will Ellis made a motion to recommend that the Select Board allow the permitting officer to issue a CZC to Ralph and Bethany Lavin. Jody Slack seconded the motion and the motion passed unanimously.
- b. **Conceptual Consultation –Subdivision Requirements. Applicant: Carol Fucarile. Property Owner: Wareagle, Office of Public Guardian Subject Address/Tax Map & Lot: 171 Eastman Hill Road, Tax Map 09, Lot 046. Description: Discussion of subdivision requirements for a shared driveway** – Chair Schneckloth stated that the applicants were not able to stay to discuss this; they had spoken with Highway Department Director Johnny Van Tassel about upgrading Isaac Rd per the last meeting. Johnny had told the Fucariles that it would be expensive to upgrade the road and may want to pursue a shared driveway instead off Eastman Hill Rd. Planning Board members stated that they would still need to meet the 220 feet of road frontage requirement and Isaac Rd would not count, as it is Class 6. Chair Schneckloth stated that she could not find anywhere in the Ordinance that says road frontage must be on a road classified as Class 5 or higher. Selectman Olmstead read from RSA 674:41 which states that the road must be Class 5 or higher. Steve Laurin noted that the Fucariles could technically subdivide if their frontage is on a Class 6 road but could not build until brought up to Class 5.

Meeting adjourned at 10:30. The next meeting is scheduled for **Thursday, December 5th at 7:00.**

Respectfully Submitted,

Audry Barriault