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**Litchfield Planning Board**  
**March 4, 2008**  
Minutes approved 4/15/08

**Members present:**

- Steve Perry, Chairman
- Alison Douglas, Clerk
- Mary Anne Geist
- Leon Barry
- Edward Almeida
- Carlos Fuertes

**Members absent:**

- Jayson Brennen, Vice Chairman
- Raymond C. Peebles, Jr., Selectmen’s Representative
- Marc Ducharme

**Also present:**

- Joan McKibben, Administrative Assistant
- Steve Wagner, Nashua Regional Planning Commission, Circuit Rider
- Lou Caron, L.C. Engineering

**AGENDA**

**1. Cutler and Page, LLC, Rolling Acres IV, Tax Map 2 Lot 88** (off of Page Road)

The Board will continue consideration of an application to subdivide one lot into four single-family, one acre residential lots with one remaining non-residential lot consisting of 88 acres.

**2. Steve Kehoe, Review Rodonis Business Park Conditional approval**

**3. Plex Realty Trust Tax Map 20 Lot 15, 450 Charles Bancroft Highway**

The Board will consider acceptance and possible final or conditional approval of a site plan at the above location for an indoor Laser Tag amusement facility.

Chairman Perry called the meeting to order at 7:05 p.m. Chairman Perry appointed the two alternates Edward Almeida and Carlos Fuertes as voting members this evening.

Chairman Perry asked the gentlemen representing Cutler and Page LLC if the Board could hear Item 2 (Rodonis Business Park) before hearing their case. Item 2 should only take five minutes. They had no objection.

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**1. Steve Kehoe, Rodonis Business Park**

Steve Kehoe and Mark Boisvert came before the Board to discuss the Rodonis Business Park plan. The plan has not yet been recorded.

Mr. Boisvert asked the Board for an extension. They have taken care of the lot numbers. Mr. Boisvert said that he spoke with the engineer last week and he asked for an extension to figure out how to finish the plan. They need to add one item and then the mylar will be done. Chairman Perry asked if there is anything in the ordinance regarding a time frame. Mr. Wagner said there wasn't. There are outstanding fees to be paid. They are asking for a sixty day extension.

Mr. Perry **MOTIONED** to extend the conditional approval of Rodonis Business Park to May 6, 2008, unless otherwise notified of more time needed. Ms. Geist seconded. Motion carried 6-0-0.

**2. Cutler & Page LLC Rolling Acres IV, Tax Map 12 Lot 88. The Board to continue consideration of an application to subdivide one lot into four single family, one acre residential lots with one remaining non-residential lot of 88 acres**

Mr. James Crowley, PE, of Maynard & Paquette Eng. Assoc., LLC, and Attorney Andy Prolman were present representing Cutler & Page LLC, Vatche Manoukian, owner.

Mr. Crowley said he submitted the revised plan on February 15, 2008, an updated plan based on the January 15, 2008 Planning Board meeting. The easement documents were forwarded to Town Counsel for review. There is an issue with the street name approval. The Fire Chief requested Springhill Drive be changed to Spring Drive but the Board of Selectmen approved Springhill Drive, not Spring Drive.

Mr. Crowley referred to Drawing #10 showing Horizon Drive Sign Detail: street number prefix/suffix to be 2 inches high, street name lettering to be 4 inches high, and 36 inches long. Mr. Crowley said they have complied with the Fire Chief's request regarding the street sign. The Fire Department's letter states: "where Weatherstone Drive and Spring Drive intersect with Horizon Drive, we would like street quality signs under the street name with directional arrows showing left is house numbers (0-0) right is house numbers (0-0). This will allow emergency services to know which direction to go at an intersection to a home during an emergency".

At this time, 7:18 p.m. Mr. Leon Barry, being an abutter, removed himself from the Board.

Chairman opened the meeting to Public Comment.

1  
2 Mr. Barry suggested that the sign lettering be bigger so it can be easily read. He was told  
3 it is the standard size lettering. Talk ensued regarding the signage.  
4

5 The street addresses were reviewed for Phase III and Phase IV. Phase III addresses were  
6 assigned because the road west of Weatherstone Road intersection was to be a different  
7 name. Horizon Drive is to be the name for the west section as well as the east section.  
8 The street numbers will be changed and new drawings for Phase III plan to be recorded.  
9 The Litchfield Fire Dept. is in charge of issuing house numbers and re-numbering phase  
10 III. The Tax Maps will be revised as determined by the Town of Litchfield.  
11

12 Mr. Crowley explained the location of the fire hydrants. There is a requirement that  
13 houses have to be within 500 feet of a hydrant. This has been met.  
14

15 Chairman Perry closed public comment session.  
16

17 Mr. Lou Caron went over his comments stated in his letter dated March 4, 2008.  
18

19 Note 28 had been revised and now says: “No building permits shall be issued for Phase  
20 IV until infrastructure for Phase III is substantially complete”. Mr. Caron’s letter reads  
21 that originally it referenced Spring and Village (now Horizon) as needing to be  
22 substantially complete prior to the issuance of building permits for Phase IV. The note  
23 now only includes the infrastructure of Phase III. He recommends that the original note  
24 be included in the plans. Attorney Prolman and Mr. Crowley agreed it will be added.  
25

26 Mr. Caron’s letter further states that: “There are some drainage design revisions that  
27 include drain pipe layouts for Phase III. We are concerned about revisions to a previously  
28 approved project which legally is beyond the control of the developer or town to enforce.  
29 In light of this, we recommend that the owner of Phase III provide written concurrences  
30 that they approve the changes proposed on their project and that the changes approved for  
31 Phase IV also represent approved changes to Phase III subdivision”. Mr. Caron said the  
32 Board needs something in writing as to the timing of the phasing.  
33

34 Attorney Prolman said on February 14, 2008, he submitted two drainage easements for  
35 Phase IV and a draft cross access easement. He has not heard from Town Counsel to  
36 address Lou’s concerns. The easements will be changed and Mr. Prolman will re-send  
37 them to Ms. McKibben and Town Counsel.  
38

39 Talk continued. Mr. Caron’s letter further states: **Note 4 on plan sheet 5** states that the  
40 final grading and paving of Weatherstone Drive is the responsibility of Rolling Acres  
41 Phase III. This is another case of one development dependant on the construction  
42 schedule and performance of another entity. It should be clear that certain approvals for  
43 Phase IV will not be granted until Phase III improvements are constructed and accepted.  
44

**Litchfield Planning Board**

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1 Talk went on as to active and substantial completion. It was suggested the Board define  
2 what active and substantial completion is and that it be noted on the plan. The Board  
3 agreed it was not necessary to define active and substantial completion; it is not a  
4 requirement of the ordinance.

5  
6 It was agreed to take out Note 24: “Any future extension of ROW towards the west from  
7 the Weatherstone/Horizon intersection shall have a different street name to maintain  
8 continuity of assigned street numbers per Phase III Planning Board approval”.

9  
10 At this time, the Board reviewed Mr. Wagner’s notes.  
11 Note 2. Add Weatherstone Drive to Note 28 – Substantially Complete  
12 Note 3. Mr. Crowley said on Drawings 5 & 8 states: “Retention Basin A all measures for  
13 construction of Retention Basin A shall meet as a minimum the best management  
14 practices set forth in the stormwater management and erosion and sediment control  
15 handbook...”

16  
17 Talk ensued in regards to the vernal pool area and whether it is actually a vernal pool.  
18 Mr. Crowley said that Mark Jacobs, Soil Scientist, defined it as moderate. Attorney  
19 Prolman added that it may not be a vernal pool.

20  
21 Grading was discussed. Mr. Crowley said that the north side is 191 ½, 188 lowest, 3 ½  
22 feet at the most. It should perk before it hits the wetlands. It will be more filtered than it  
23 is now. Ms. Geist asked about a fence being installed. Mr. Crowley referred to Drawing  
24 8, erosion control. A silt fence and a standard orange fence to be installed.

25  
26 Mr. Almeida asked if the changes made to Phase IV are going to help the situation with  
27 the rest of the phases. Mr. Crowley said that once Phase IV is built, it will upgrade a lot  
28 of the phases and drainage as well. Phase IV will enhance the whole site.

29  
30 At this time, Attorney Prolman talked about vesting issues he had mentioned at the last  
31 meeting. He is requesting that the Board consider a three (3) year starting construction  
32 so it would be null and void from changes because of the down economy and growth  
33 management. His client wants to accumulate enough certificates to go forward and work  
34 on open space issues. RSA674 states vested projects are protected from changes in  
35 zoning for one year unless the Board feels otherwise. He is looking for three years and  
36 then it would be easier to obtain financing because they would have enough certificates.  
37 At that time, they should have at least 7 to 8 certificates. At this time, they have a couple  
38 of certificates for Phase III. Phase III and Phase IV consists of a total of 11 lots.

39  
40 It was said that the three year out would not affect the impact fee rate because it is added  
41 to the plan and effective at time recorded. Mr. Perry and Mr. Wagner had no objection to  
42 the three year request. The Board agreed it be noted on the plan.

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44 Mr. Perry opened the meeting to public comment.  
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Mrs. Joan McKibben, Conservation Commission member, asked about the vernal pool. Mr. Crowley said in your Best Management Practices you will probably work in there after April, or summer, and the regulations allow this to do grading. Mrs. McKibben asked about drainage from the street. Mr. Crowley said there is a control swale right now so you will get some treatment.

Mr. Perry closed public comment session.

Attorney Prolman said his clients are hoping to submit their application to the State shortly. He will submit an extension request to the Board.

Mr. Perry **MOTIONED** to continue Rolling Acres IV until April 1, 2008. Mrs. Douglas seconded. Attorney Prolman interrupted to inquire about acceptance of the request for the 3 year, Active and Substantial development. Mr. Perry withdrew his motion.

Mr. Perry **MOTIONED** to accept the requested extension Active and Substantial Development for three years. Ms. Geist seconded. It will be noted on the plan. Motion carried 5-0-0.

Mr. Perry **MOTIONED** to continue Rolling Acres IV to April 1, 2008. Mrs. Douglas seconded. Motion carried 5-0-0. The applicants left at 8: 30 p.m.

Mr. Barry returned to the Board.

**3. Plex Realty Trust, Proposed site plan converting former Crofters Pub into a Laser Tag Game facility**

Mr. Gregg Jeffrey, LLS, Jeffrey Land Survey LLC, representing the applicant came forward. Applicants Wayne Caulfield & Michael Accomando were present. The applicant is proposing about 3,000 sq. feet of public area with 1,900 sq. ft. of main playing field and another 300 sq. ft. A 20x15 laser maze. No prepared food is proposed or public use of tap water.

**Acceptance of Application:**

Fees were paid and abutters notified.

The waivers were discussed. 120.13 Building Orientation: this is a pre-existing building. 150.4 Traffic Study: It is felt this is not needed. 150.7 m Soils: Pre-existing septic, not applicable. 150.7 p buildings, driveways within 200 feet: Greenfields is out 200 feet so exceeds site distance. 150.7 q Stormwater Drainage Plan, the contours are flat where the sign is, a catch basin that drains, no detention basins or drainage structures. They will not be repaving the driveway. Mr. Caron asked for a drainage report in writing. This will be done. 150.7 r, s, 2 foot Contours, Existing Topography. This will be done.; 160

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1 Bufferyards - not needed. Back to storm water, drainage should be evaluated by an  
2 engineer and submitted to the Board, and two foot contours.

3  
4 Chairman Perry opened the meeting to public comment. There was no public comment.  
5 Public comment session closed.

6  
7 Mr. Perry **MOTIONED** to grant waiver 120.13 Building Orientation. Mrs. Douglas  
8 seconded. Motion carried 6-0-0.

9  
10 Mr. Perry **MOTIONED** to grant waiver 150.7 m Soils. Mrs. Douglas seconded. Motion  
11 carried 6-0-0.

12  
13 Mr. Perry **MOTIONED** to grant waiver 150.7 p Buildings, driveways within 200 feet.  
14 Ms. Geist seconded. Motion carried 6-0-0.

15  
16 Mr. Perry **MOTIONED** to grant waiver 160 Bufferyards. Mrs. Douglas seconded.  
17 Motion carried 6-0-0.

18  
19 Mr. Perry **MOTIONED** to accept the application for Tax Map 20 Lot 15. Mr. Barry  
20 seconded. Motion carried 6-0-0.

21  
22 **Plan Approval:**

23  
24 Mr. Jeffrey said they are proposing one lamp, shielding to be added to existing lights to  
25 reduce sky glow and glare, and an ADA ramp added to the rear. They will be moving the  
26 dumpster to the adjacent property (that they own) and the walk-in cooler inside to  
27 become storage. They will put siding to match the other buildings, Greenfield's and Tee  
28 Off, and they will clean up the area. They will be redoing the bathrooms. It was also  
29 stated that there will be no food or drinks served.

30  
31 Talk went on as to the leach field that is located to the rear of the property and may be  
32 partially on Joan Durocher's property. They do have an option to purchase that small area  
33 as a lot line adjustment. Ms. Durocher has no problem with the proposal (letter rec'd  
34 from Ms. Durocher see below).

35  
36 Talk went on about the traffic pattern and spaces. The Board reviewed notes from Roland  
37 Bergeron made on the plans. He recommends taking out some of the parking spaces. The  
38 applicants agreed with Mr. Bergeron's suggestion and also to taking out two additional  
39 spaces on the end of the parking lot.

40  
41 The sign is pre-existing and considered to be grandfathered. It was determined the sign  
42 does meet the 32 square foot requirement and they agreed to take off the top of the sign if  
43 possible (where former clock was) and replace the fascia.

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45 Mr. Wagner's List:

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1. Add building setbacks. 2. Provide both parking calculations for the Board's info.

The Board discussed the parking calculations for compliance. Even after the elimination of the spaces there are still 44 spaces left. They meet the requirement of the ordinance.

3.They still need a letter from the Fire Department. It was said that the occupancy of the building is 90.

4. DOT curb cut permit. The property has two driveways. The State could not find a curb cut for the property. They will call the State because it is beneficial to keep the two driveways for easier traffic flow in and out of the property.

5. Location of leachfield and future easement or land acquisition potential

6. Eliminate 12 spaces at northend to maintain traffic flow

7. Show drainage feature in island. Mr. Jeffrey said there is a catch basin and that is it. This will be added to the plan.

8. Sign – they will replace the fascia sign.

9. The lights to shut off at closing around 11:00 on Friday and Saturday. They said that the business would not be opened during the winter. They agreed to list the hours of operation on the plan.

Chairman Perry read two letters from abutters. One letter is from Ms. Joan Durocher who states she has no objection with the proposal. Mr. & Mrs. Sally and Ron Bouchard say they have no objection at this time but they mentioned golf balls landing in their driveway from the driving range and nothing has been done. The applicant said they spoke with Ron Bouchard and they will be removing the ball shed for better sight of the driving range and if need be they will put up a netting. They have a maintenance person who is on site so this should help. It was felt that the golf balls heading in that direction towards the Bouchard's seems to be done on purpose.

They have spoken with Chief Schofield and he has no problem with the proposal. They are putting in a new alarm system.

The Board reviewed Lou Caron's letter dated March 3, 2008:

Mr. Caron recommends an existing conditions plan be provided as part of the submission. Section 120.14 needs to be waived requiring green space and tree cover. He recommends that an evaluation of surface drainage flows be made and a brief report with the evaluation results be filed with the Planning Board. Also need information on the sheet as to type of fixture and luminaire. Need to list dimensions on site plan for paring spaces, aisle widths and other dimensions as needed for proper layout of the parking lot.

There is a second floor and they said it will not be used other than for storage, or a small office. This should be noted on the plan.

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Mr. Perry **MOTIONED** to continue to April 1, 2008, Tax Map 20 Lot 15. Mrs. Douglas seconded. Motion carried 6-0-0.

**Growth Management/Allocations**

The Board discussed the allocations of certificates. There are seven (7) allocations to be issued in March 2008 and six (6) in September 2008. March allocations as follows: Fallon Estates I 2; Heron Drive 1; Morin Windsor Drive 1; Rolling Acres III 1; Blackbird Lane (formerly Moheban)1; Boucher 1.

Mr. Perry **MOTIONED** to approve the Discretionary Building Certificate Allocations as noted on the sheet provided by Mr. Wagner (listed above). Mr. Barry seconded. Motion carried 6-0-0.

Mr. Wagner explained Section 2106.00 of his handout. The Board might consider suspension of the Growth Ordinance if the number of building certificates requested for three (3) consecutive years is less than 75% of the sustainable rate of development in the prior year. So, the sunset clause could end in 2011.

**Irwin Marine**

The Board is in receipt of a letter from Roland Bergeron, Code Enforcement Officer, regarding a sign for Irwin Marine. It states the sign is being replaced in kind, in place, so no permit is needed other than an electrical permit to be issued a licensed N.H. Master electrician. They will use the same framework.

There being no further business, Mr. Perry **MOTIONED** to adjourn the meeting. Mrs. Douglas seconded. Motion carried 6-0-0. The meeting adjourned at 10:35 p.m.

Lorraine Dogopoulos  
Recording Secretary