



Town of Hebron

PO Box 188

Hebron, NH 03241

Phone: 603-744-2631

hebronnh@metrocast.net

Hebron Planning Board

APPROVED Minutes of Hearing 12/6/06

Members Present: Chuck Beno (alternate), Dick Cowern (Selectmen's rep), Tom Gump (alternate), Roger Larochelle (chair), Ellie Lonske (vice chair), Curtis Mooney, Martha Twombly (alternate), David Wall and Sheila Oranch (secretary)

Others Present: Katherine Keon, Anne Hill, Patrick H. Wood (attorney), Richard Delaney, Barbara Delaney, Bill Nobles, Phil Twombly, Betsy Twombly, Jeff Hillier, Alan Barnard, Arthur David Jaques, Polly Alexander, Lee Alexander and Corey Johnston (engineer).

Time Convened: 7:00 PM **Time Adjourned:** 9:55 PM

Next Meetings: 12/11/06 workshop on zoning, 12/18/06 hearing on subdivision regulations, 1/3/07 monthly hearing

Agenda:

1. Administrative Matters
2. Approve minutes of 11/1/06
3. Continuance of Jaques ET AL subdivision and boundary adjustment applications
4. Continuance of Ridgewater Commons Cluster subdivision application
5. Any other matters that come before the Board

Administrative Matters

Roger Larochelle reminded members of the public to sign in and to state their names and interests in a case when being recognized. He reviewed various materials that had been received. Minutes of 11/1/06 were reviewed and corrections were noted.

Curtis Mooney moved/ Dick Cowern seconded approval of the 11/1/06 minutes as amended. PASSED

Continuance of Jaques ET AL subdivision and boundary adjustment applications

Alan Barnard requested and was granted a continuance on the remaining applications. He said they received State approval on the road access from North Shore Road, which will now be about 25' west of the center of the existing road cut. Chuck Beno asked some clarifying questions about road access location and dimensions, which Alan answered.

Continuance of Ridgewater Commons Cluster subdivision application

Richard Delaney, Barbara Delaney, Corey Johnston, Alan Barnard and Pat Wood were present to represent the project. Chuck Beno recused himself as an abutter.

Roger Larochelle acknowledged receipt of new materials. He noted a series of email exchanges between Bill Nobles and Pat Wood, which had been copied to him for the Planning Board. The other Board members had not seen the messages. Roger noted that proper procedure is that all requests for input or feedback from Town Department Heads will come from the Planning Board

and not applicants or interested parties. This will be incorporated into the next printing of the instructions and procedures for applications.

Alan Barnard offered validation that in many towns the Boards submit requests for information to their departments and commissions and distribute the results.

Pat Wood reported that the EIS (Environmental Impact Study) is almost done. He asked if the Board wanted it sent directly to Gove Engineering for review or through the Planning Board.

Roger Larochelle asked them to send it directly with copies to the Planning Board and Carmine Tomas for the abutters group. Roger apologized to Bill Nobles and Pat Wood for not having given copies of the 9/8/06 materials to the abutters group for their engineer to review. This caused a misunderstanding that resulted in the series of email exchanges mentioned earlier. Curtis Mooney asked if the EIS would be electronic or hardcopy and a discussion ensued. Pat Wood concluded that they will find a way to get ten copies of the EIS to the Planning Board.

Pat Wood said he had assumed that anything submitted for the file automatically went to the interested parties. He apologized for any misunderstanding. They are trying to give all the information requested and be as straightforward as possible. The critical issue this night is the road. They cannot go on to discuss lot sizes or planning until the road design is approved.

Roger Larochelle said to Bill Nobles that he has invested a lot of time and stayed close to the case. When the Board received the letter from Leslie Boulton, WAE Design, he assumed Bill had been copied on that. He apologized for not noticing that he had not gotten it.

Roger Larochelle reviewed letters from the Newfound School District of 10/10 and 10/31. He read the letter of 10/31 so the information could be discussed (on file). He also received a memo from the Fire Chief dated 11/1/06 (on file) and read that. The focus is on road design. He asked the applicants' team to review the overall design and then go into specifics.

Pat Wood did the overview and Corey Johnston stepped in to explain specifics. The design was created by Leslie Boulton, WAE Design. On 7/31/06 there was a review letter from Paul Fluet. 9/28/06 Corey Johnston, Northpoint Engineering, who had taken over the case, responded to Paul Fluet's review. Key issues were the alignment of the road, both vertical and horizontal, and whether it met ASHTO and Hebron Town standards. Corey said he had attempted to communicate with Paul Fluet beginning in November. On 11/14/06 he straightened out with Paul that until the road design was approved, all else was not necessary. He exchanged emails with Paul and got the recommendation that the 150' radius curve should be super-elevated. He got from the Fire Department the recommendation to add 2' of pavement to the inside of the curve. Corey believes that the road, as designed, meets Town of Hebron standards and adding 2' of pavement elevates safety standards. With super-elevation of the curve it exceeds ASHTO standards and would be similar to existing roads in Hebron that function without issues. The current road design meets best practice, ASHTO and Town of Hebron standards.

Alan Barnard commented that when Corey Johnston said "maintained by the Town" he meant that the road would qualify to be accepted as a Town Road.

Roger Larochelle said all roads must be built to Town standards and can only be accepted by a Town vote. He asked the Board members if they had any questions.

Ellie Lonske asked if everyone was okay with how the proposed road meets West Shore Road.

Pat Wood said everyone on their team thinks it is acceptable.

Ellie asked Bill Nobles if he was satisfied. She also asked Corey Johnston if the super-elevation was okay with him and also the additional 2' of pavement on the inside of the curve.

Richard Delaney said that Corey Johnston told him it can be done. If the Planning Board requires it, they will do it.

David Wall said that if what he heard was accurate, the road as designed without the super-elevation and additional 2' of pavement meets Town of Hebron and ASHTO standards.

Roger Larochelle clarified that this was correct with a 20 mph speed limit.

Corey Johnston responded that as designed it meets Hebron standards but not ASHTO standards without the super-elevation.

Ellie Lonske said Paul Fluet has consistently said that either a 10% grade or 150' curve radius would be okay but both together could present a safety concern.

Corey Johnston said he spoke with Paul Fluet on the phone and pointed out that the road doesn't come out onto West Shore Road until after it levels out for quite a distance. Paul Fluet has made no written response for the Planning Board since his 9/28/06 letter. There was some discussion with the Board about how the engineers and reviewers should relate.

Corey Johnston said the radius of the curve has nothing to do with the grade of the road. Design speed is the determining factor. They used ASHTO criteria for a low-traffic, dead-end road.

Ellie Lonske pointed out that if you go down a long, steep slope into a tight curve it is difficult.

Corey Johnston said anyone coming out of the development had to go in and would know what the road is like, because it is a dead end. He answered questions about super-elevation. He said he drove up to Hebron Country Estates and tested what speeds seemed comfortable on a long stretch going into the curve.

Alan Barnard explained various roads in Hebron with similar topographic characteristics.

Martha Twombly questioned where the road is 10% and for how long and whether any of the road grades could be reduced.

Corey Johnston said he didn't design the road, but he believes if they lowered the elevation at the top of the development they would have to disturb a lot more land. The current road design meets ASHTO standards at 10%.

Roger Larochelle passed around drawings of elevations and put two illustrations on the board. The road design contains about 1950' at 10% grade.

Phil Twombly asked if Paul Fluet had given a final report.

Roger Larochelle said they had a review report from Paul Fluet, a response from Corey Johnston, and the back and forth discussions. The Board would like to have a site walk including Paul Fluet.

Phil Twombly asked if Paul Fluet commented on the redesigned access from West Shore Road.

Roger Larochelle asked Corey Johnston about the status of that.

Corey Johnston said he has been trying to get a written response back from Paul Fluet. Depending on the Planning Board, some points may not be necessary. He doesn't think Paul Fluet has actually reviewed the new design. He will be on vacation another week or so. If the Board wants his review, they will have to ask him to write it.

Bill Nobles said his mind is boggled about why abutters had to be the ones to question the turning radius.

Ellie Lonske said the site walk and final response from Paul Fluet are needed.

Anne Hill asked how large the apron from West Shore Road would be.

Corey Johnston and Alan Barnard consulted the design and estimated that from edge to edge it would be about 110' where it meets West Shore Road.

Chuck Beno asked if this was the State approved design.

Richard Delaney replied that yes, this is the design approved in August.

Anne Hill asked about super-elevation and if the road was going to look like Wal-Mart's.

Alan Barnard said that curve won't be visible from West Shore Road due to the vegetative buffer and the elevation.

Roger Larochelle asked Corey Johnston to clarify how a super-elevation is made; which he did.

Anne Hill asked about overall elevation and fill and what will be visible.

Corey Johnston said there will be no wall, just a steep slope. He said when an engineer takes over from another design firm, they have to review and stamp the plan. He looked at road design, drainage, etc. The Delaneys had to pay for that all to be looked at again.

David Wall asked what might be seen if one were walking south on West Shore Road from north of the entrance.

Corey Johnston replied that you probably would not see any of it. As the slope gets steeper, there may be small areas of rip rap needed.

Lee Alexander questioned the policy of the Board. Seeing that the turn in the road is almost 180 degrees, if you were the State designing a West Shore Road with that volume of traffic, would you approve this design?

Ellie Lonske said that is not the question. It appears that this road meets Town standards.

Roger Larochelle said the Planning Board is not a policy-setting body. The Planning Board is an enforcer of regulations. Previously, the Board denied a request for a road turn radius waiver. The major concern is safety considerations. The engineer engaged by the Town suggested adding super-elevation to the curve and the developer is willing to do that. The Fire Chief suggested adding two feet of paving to the inside for the curve and the developer is willing to do that.

Lee Alexander said when you require different standards, you are influencing future policy.

Alan Barnard said the analogy is not valid. This will be a dead-end road with open space preserved up back, serving only 19 homes. If it were a through road with a high volume of traffic, it would be different.

Jeff Hillier commented on the rip rap issue, and encouraged another site walk. When you are up there, please consider the following points. His comments come from having worked in a school system in the “flatlands” where the kids are not as hardy as up here. School policy changes over time and could be different in the future. Once you go up a hill do you know how to come down? That is not necessarily true. Your perception of a slope on a well designed road is not the same going up as coming down. He encourages consideration of guard rails, drop offs, and a possible ditch of rip rap. One argument in favor of the waiver that was denied was the amount of fill. How has that changed?

Corey Johnston and Alan Barnard checked the plans and said it would be about 14 feet.

Jeff Hillier continued about the EIS. Assume that the road has impact as well as the homes.

Roger Larochelle asked the applicants’ team for a response to that.

Pat Wood said the EIS assumed the proposed road design.

Roger Larochelle explained that the EIS assesses what is there so if there are changes they can be measured. Drainage for this plan has been studied very thoroughly.

Jeff Hillier asked if the Board feels there is enough documentation for run-off issues.

Roger Larochelle said yes, for the road. But the EIS covers the whole property.

Jeff Hillier said his concern is Hebron Bay marshlands, where there is not much more than 5’ of depth to the water and run-off will have an impact. When the State increased the culvert last summer it allowed more flow and put in an additional culvert.

Chuck Beno asked Corey Johnston if they were coming tonight seeking approval of the road design. His concern is still small children coming down to a bus stop. Are there design considerations for pedestrians, particularly young and small ones? Corey Johnston said there is always a solution and a cost. There are 4’ shoulders in addition to the 20’ width. He has an 8-year-old and an 11-year old and no way would his kids be allowed to go to a bus stop alone.

Chuck Beno asked if there is anything they can do to make the shoulders better for walking.

Ellie Lonske said as one who walks a lot, she can speak to the variability of the road shoulders in town. She would endorse the suggestion to take walkers into account.

Corey Johnston said the shoulders are designed with the same compaction as the paved road, same pitch required by the Town to facilitate drainage.

Betsy Twombly said she is concerned about the road for walking, which she does a lot along West Shore Road. Now that it is freezing out, there is sheer ice from water coming off that hill. What will another road do to that?

Alan Barnard responded that’s why the State wanted the entrance to be widened and a new ditch line and catch basin to be made. They will have to re-excavate that ditch. When this road is

constructed, there is a good chance that issue will be eliminated because now there is no ditch line on West Shore Road and the water bubbles up onto the road. Also, to answer the question about school policy, they don't have to serve a road less than 1.5 miles long. Just for the record, we do not have a four-foot shoulder on any road in Hebron yet. When this road is built there will also be underground drainage, proper gravel and drainage fabric. Nobody has been hurt in Hebron yet from walking along a road.

Jeff Hillier spoke of recent incidents of children being hurt in other towns on holiday floats and safety measures that could have been taken in advance. Let's not wait until after someone is hurt.

Roger Larochelle asked if the plan includes guard rails.

Richard Delaney said yes, but they are not sure where yet. They had agreed to make them steel. Richard said he had two concerns. He wanted to clarify the agreement with the Planning Board and abutters group that any additional comments from Paul Fluet would be billed to the abutters. Questions come from the Planning Board, and the bill goes to the abutters if it is extra issues. His second concern is about the site walk. They agreed to visit the site after the road center line is staked. They couldn't stake it until the design is approved. Soon it will be frozen and possibly covered with snow. Every month's delay costs him thousands of dollars. If the Planning Board wants Paul Fluet to be involved, Richard doesn't want to pay for his time.

Roger Larochelle responded that Paul Fluet has reviewed the design. He had no new issues. We do need to get that in writing for the file.

Ellie Lonske said Paul Fluet said in his emails that until he actually sees the land, he can't have a final opinion.

Roger Larochelle took the discussion back to the Board.

David Wall said from what he heard tonight about the road design and how it might exceed standards, he is comfortable with the design as presented. We need to light a fire under Paul Fluet and get his written responses.

Martha Twombly said the Board needs to direct Paul Fluet in writing to respond in writing to:

1. Review the permit.
2. Look at the updated road access.
3. Look at vehicles exiting onto West Shore Road going north.
4. Summarize his discussions with the engineers.
5. If he needs a site walk, schedule it.

Roger Larochelle said Paul Fluet has provided what the Planning Board requested. He reviewed the additional designs and did not raise any flags. He discussed it with the engineers, which is documented in emails. Roger read his copy of Paul Fluet's email to Corey Johnston (on file). He is not ready to ask for an approval on the road design but would like a consensus read from the Board. We agree that we need to get a site walk with the center line staked out.

Curtis Mooney said it is good to have Corey Johnston here and to hear some details. Adding the super-elevation and additional 2' of pavement along with a posted speed limit makes him more comfortable with the design. The Board is also waiting for a beefed up erosion control plan.

Ellie Lonske said what do you mean waiting for Paul Fluet's formal report? We already have his email stating his concerns. He stated that the combination of 10% grade going into a 150' radius curve is a possible concern. It is the one remaining reservation. But the land is what it is and that may not be able to be avoided.

David Wall said picking up on what Ellie said, he heard in what Paul Fluet said that if the developer added the super-elevation that alleviated the concern.

Ellie Lonske added that it was the Fire Chief who wanted to add the 2' of pavement. Still, although the design may not be ideal, it is judged adequate.

Corey Johnston said he cannot interpret Paul Fluet's comments about his concerns. As an engineer, he cannot respond to feelings. He provided engineering documentation that this road design is adequate. If someone gives him an engineering concern, he can respond with an engineering answer.

Roger Larochelle said he wanted to get back to planning a site walk.

Alan Barnard said he can flag the center line, but cannot stake every 50 feet. That would be a four-day operation and he is almost shut down for the season.

Pat Wood said they need a consensus. Is this road design alignment acceptable?

Roger Larochelle said he is not going to bind this Board into this design with a vote, but he will have each member weigh in with impressions.

Tom Gump said I think the road looks fine to me now. I am a little concerned about coming down into a curve, but a lot of roads in Town do that.

David Wall said "Ibid" (meaning "what he said"). He is comfortable with the design in general.

Ellie Lonske said "Ibid."

Martha Twombly said she agreed. The improvements are important. We do have steep slopes and have to deal with it. The speed limit and vigilance will help.

Alan Barnard said about the site walk, don't you want to do more than just look at the road?

Roger Larochelle said only a few of the current Board members were on the first site walk. Really, they want to see where the road will come in, where water flows and at least have flags if not stakes for the center line.

Alan Barnard said to please make sure Paul Fluet is available. We don't want this to come back at us later if he hasn't seen what he needs. Roger Larochelle and Alan Barnard discussed when they thought Paul Fluet would be available. Corey Johnston said he was pretty sure Paul said he wouldn't be back until the 16th.

Ellie Lonske brought up the Board's concern about house lots. Now that you have a sense of the road, will you be likely to redesign the lots? Why look at the site before that redesign?

Alan Barnard said you will want to have the EIS before the site walk. When will that be in?

Roger Larochelle asked Alan Barnard when he could have the road flagged. They went back and forth about dates, and Alan said that December 21st is the first date he could guarantee. If it is done sooner, he can let the Board know.

Pat Wood interjected that there has to be public notice for a site walk, and abutters have a right to participate, so set a date that allows enough time.

After further discussion the Board set a site walk for 12/21/06 at Noon. Board members and interested parties should meet at the Selectmen's Office parking lot to car pool.

Pat Wood requested a continuance to the next monthly hearing on 1/3/07 and it was granted.

9:22 PM Break

Other Matters

Roger Larochelle gave an update on the Hebron Country Estates performance agreement. The plan was recorded and the agreement signed simultaneously so construction can start next week.

Reviewing the agenda for the rest of this month, the work session 12/11/06 will be to discuss and organize for zoning changes. The meeting 12/18/06 will be another hearing on subdivision regulation updates.

Ellie set the stage for 12/11/06 with a focus on gravel operations. She asked Dick Cowern to bring in some sample wording and Martha Twombly to bring some ideas about wetlands buffer zones and overlay districts. Also, in response to the Master Plan, we can look at steep slopes as well as very steep slopes.

Roger Larochelle said that DES is coming out with model ordinances for very steep slopes.

David Wall reported on the last meeting of the CIP committee. It was productive. The report is in editing with Derry Riddle and David will be working with Lee Alexander on exhibits.

9:55 PM Curtis Mooney moved/Dick Cowern seconded a motion to adjourn. PASSED

SUMMARY OF MOTIONS:

Curtis Mooney moved/ Dick Cowern seconded approval of the 11/1/06 minutes as amended. PASSED

9:55 PM Curtis Mooney moved/Dick Cowern seconded a motion to adjourn. PASSED