

SOMERSWORTH SITE REVIEW TECHNICAL COMMITTEE
MINUTES OF MEETING
August 15, 2019

MEMBERS PRESENT: Shanna B. Saunders, Chair, Mike Bobinsky, Keith Hoyle, Paul Robidas, Russ Timmons, and Tim Metivier
MEMBERS ABSENT: Scott McGlynn
STAFF PRESENT: Dana Crossley, Planning Secretary

The meeting was called to order at 10:34 am.

1) Approval of the minutes:

Bobinsky stated in both sets of minutes 'Water Department' needs to be changed to 'Water Division'

Robidas MOTIONED to accept the July 2, 2019 minutes with the stated amendment.

Hoyle SECONDED the motion.

The MOTION CARRIES by a 5-0-1 (Timmons abstained) vote.

Robidas MOTIONED to accept the July 10, 2019 minutes with the stated amendment.

Hoyle SECONDED the motion.

The MOTION CARRIES by a 5-0-1 (Timmons abstained) vote.

2) OLD BUSINESS

A) Any old business that may come before the Committee.

a. No old business discussed.

3) NEW BUSINESS

A) Ian Joseph Campbell LLC, is seeking Minor Site Plan approval, to install 2 *1* solar power arrays on pedestals on a property located at 4 Enterprise Drive, in the Commercial Industrial (CI) District, Assessor's Map 48 Lot 24-C, SITE#11-2019-PUBLIC HEARING

Saunders stated the applicant has submitted an updated layout of the solar array request. The new plan has been passed out to the board. She informed the board that the applicant went through the process to request a variance from the zoning ordinance to allow the array within the setbacks. The Zoning Board denied this request to have the array within the setback. The ZBA had a robust discussion and were ultimately nervous to have the array closer to the road. They also did not find that there was a hardship in that the lot was not unique compared to all the other lots in the CI zone.

Applicant Statement: **Jim Shannon Applicant's Attorney** reviewed the history of the application and proposals. Since the ZBA denied their request, they are presenting a new plan that moves the array to the grassy area that abuts the building. Request is for approval for the single solar array mounted on a pedestal that will be 10' high, 10' is the lowest point of the array (when it is vertical) there will be some overhang into the travel way roughly 2' into the travel way, the grass island has granite curbing they will likely add something like a jersey barrier to eliminate potential concern with the cars traveling near it.

Saunders noted that during the Conservation review it came up that there will be stone under the array will that be the case for this one. Shannon stated yes they would, it would enhance the back boost for electricity generation.

Saunders asked for more information and clarification on the height of the array. She stated there have been various different heights stated. **Packy Campbell** (agent of Ian Joseph Campbell LLC) stated the array is 22' high. He stated the bottom of the array will never be less than 10'2" from the ground. Campbell stated the maximum height the array will be is 31' high when the array is tilted at a 65 degree angle.

Campbell stated the array is designed to be in a parking lot.

Police Department: Russ Timmons asked if there would be any glare from the array. Campbell stated he could not say there would never be a glare but it would not be comparable to a truck.

Public Works Department: Bobinsky stated he did not have any new comments. He stated the stone at the base of the array will need to be maintained (weeded or treated) regularly.

Bobinsky clarified that the request was for one array. Shannon stated yes the proposal is for one array. Campbell stated it will be one 42 panel tracker.

Bobinsky asked if the array will be tied into the existing solar panels. Campbell stated yes.

Fire Department: Hoyle stated he did not have any additional questions.

Building Inspector: Metivier asked for clarification on the height of the array, he stated the handout does not match the numbers that were stated. Campbell stated the array has an extension pole that makes the array a parking lot array that is not depicted on the handout.

Metivier stated the applicant made the statement that they were going to install jersey barriers. He asked for more information on that. He stated he would be opposed to a jersey barrier and would suggest a bollard alternatively.

Campbell stated he would prefer to not install either but would pick a bollard over a jersey barrier if required. He stated that the point of sale machine would create a barrier between the travel way and solar array.

Metivier stated valid concern for the reflection but does not think it will be an issue since it is a tracker.

Planning Board Rep: Robidas stated his previous concern was not that a car would hit the array but more that the movement of the arrays would startle the drivers creating issues. He stated the traffic that is exiting the carwash will be on the far side from the array at this location.

Saunders stated she does not think a bollard would be needed on the side that has the Point of Sale machine. She stated it could be potentially needed on the travel way side. Shannon stated on the map you can see the traffic flow based on the wet pavement and it is far from the arrays.

Metivier asked if they would withdraw the request for bollards. Campbell stated he would prefer to not install bollards but will if the board requests.

Metivier stated he would be in favor of no protection since it is no lower than the car wash. He stated he would be more in favor if they were not proposing the protection.

Shannon reiterated that applicant would prefer none.

Robidas stated he likes the new location. He asked for clarification since the agenda states the request is for two arrays.

Saunders explained the original request was for 2 but with the ZBA denial they have changed the request to one array.

Robidas MOVED that the request of Ian Joseph Campbell LLC for 1 solar array with 42 panels be APPROVED.

Hoyle SECONDS the motion.

Discussion: Metivier suggested condition that applicant withdraw barriers. Saunders stated that would not be needed since it was just part of the discussion not on the application. Saunders stated that stone under the arrays should be included and that the height is limited to no higher than 35'.

Robidas and Hoyle were in agreeance to the modifications to the motion and seconds.

Motion to approve the request for 1 solar array on a pedestal with 42 panels with the following conditions:

- There shall be stone under the array.
- The array shall be no higher than 35'

The MOTION CARRIES by a 6-0 vote.

B) Ian Joseph Campbell LLC, is seeking Minor Site Plan approval, to install 4 solar power arrays on pedestals on a property located at 413 High Street, in the Residential/Commercial (R/C) District, Assessor's Map 36 Lot 3A, SITE#12-2019-PUBLIC HEARING

Saunders explained that this item needs a Conditional Use Permit for the location of the arrays. She stated that since it is required to go before Planning Board for the CUP approval a site plan is required to be associated with it. Saunders stated her position is that the item should be removed from the Minor Site Plan approval agenda and go directly to the Planning Board for review and approval.

Saunders explained that the Conservation Commission has reviewed the Conditional Use Permit and have recommended approval.

Shannon (applicant's attorney) added that they requested a variance to allow the arrays within the setbacks and the Zoning Board granted the variance with the condition that the arrays must meet a 20' setback.

Shannon stated he voluntarily withdraws the application from the Minor Site Plan agenda.

C) Linda & Daniel Burbank and David Zrimsek are seeking a lot line adjustment between the properties located at 34 & 24 Rocky Hill Road, in the Residential Single Family (R1) District, Assessor's Map 26 Lots 05 & 2A, SUB#01-2019

Saunders stated the applicant had previously sought a variance to allow a garage to be built within the setbacks and was denied by the Zoning Board. The Zoning Board felt that there were other options for the location of the garage.

Applicant Statement: David Zrimsek stated he is proposing to buy a small portion of land from his neighbor and then build a garage on his property. He stated he had previously sought a variance to building the garage within the setback but was denied. In result is seeking a lot line adjustment with his neighbor to be able to meet the setbacks with his addition. He stated the land that will be transferred in the adjustment is a 30' section along with a 10' section.

Saunders clarified what the setback would be to the current structures after the lot line adjustment. Zrimsek stated the property line would be 75' from the current house.

Police Department: No Comments.

Department of Public Works: Bobinsky stated his department had worked with the applicant during the initial request in regards to the potential water hookup.

Fire Department: Hoyle stated he had no comment.

Building Inspector: Metivier asked if the proposed garage would affect the existing stone wall. Zrimsek stated it would not.

Planning Board Rep: Robidas had no comment.

City Planner: Saunders had no additional comments.

Robidas MOVED to send the application to Planning Board.
Hoyle SECONDED the motion.

The MOTION CARRIED by a 6-0 vote.

Bobinsky requested that the City of Somersworth be the next item of the agenda reviewed. Saunders asked if the board had any issues with the switch. The board allowed the agenda change.

D) City of Somersworth, is seeking conceptual site plan and conditional use permit review for upgrades to the Waste Water Treatment Facility located at 99 Buffumsville Road, in the Agricultural and Industrial (A&I) District, Map 01 Lot 01, SITE#13-2019 and CUP#06-2019.

Applicant Statement: Bobinsky informed the board of the aspects of the upgrade for the WWTF. He explained that Wright-Pierce recommended 30 Million dollars in upgrades. This included expansion and machinery upgrades. Bobinsky stated there is a Conditional Use Permit also attached to this application because the structure is within the shore land protection zone.

Bobinsky stated this is an informational review. He stated they have completed 90% of the engineered design. He stated construction cannot start until they receive DES approval. They expect

to have engineering completed in the fall and then to put the project out to bid in November or December.

Out of the recommend 30 Million in upgrades they are moving forward with an actual 13 Million in upgrades.

Gary Lemay City Engineer reviewed the existing conditions of the WWTF. He explained there are a number of expansions and items that will be replaced in kind or have a system upgrade. He reviewed the new site layout with the board.

Lemay explained a third clarifier is being added to the site. He stated the parking lot will be redone and other miscellaneous modifications to the inside of the plant and lower building.

Lemay stated the fence line is moving and the parking lot will be restored with potential for additional parking. He noted that C5 of the site plan shows the proposed layout with the grading plan. He stated they do not expect to have a change in grade outside of the new clarifier. He explained C6 of the site plan shows the drainage plan. Lemay stated there will be increased runoff as a result of the new clarifier.

Police Department: Timmons had no comments.

Fire Department: Hoyle asked what the increased capacity of the plant would be after renovations. Lemay stated that capacity is still under discussion with the DES and they have no numbers to share at this time. Lemay stated the upgrades will allow for extra biological loadings, but not necessarily an increase in flow.

Planning Board Rep: Robidas asked if the capacity of the plant does not increase how it will allocate for growth in the City. Lemay stated the WWTF does not have a capacity issue at this time but they are looking to be able to treat more biological loadings and meet the standards that are in place.

Bobinsky stated the loadings are starting to push the limits which are why they did a facility assessment. The State is appreciative of the upgrade. He stated they are dealing with the inflow issues that need to be addressed. He stated they will also be improving the operational safety of the plant.

City Planner: Saunders stated she is hoping they will use silt sock during construction to limit the impact to the river. She noted that during the Conservation Commission's review it was stated that the new clarifier will be lower than the other two clarifiers and might be in the floodplain.

Building Inspector: Metivier stated that based off the flood plain maps and recent floods that the clarifier would likely be in the flood plain. He noted that he did not see any elevations in the plan set. Lemay stated it is a gravity fed system and the clarifier will be deeper than the existing clarifiers. He stated this will allow for more volume. He stated that flooding is a concern and they will bring it up for discussion with Wright-Pierce.

Saunders thanked Lemay for the presentation.

E) Steven E. Brown, is seeking an After the Fact Conditional Use Permit to allow earthwork activities within the 100' wetland buffer on properties located at Commercial and Willand Drive, in the Commercial Industrial (C/I) District, Assessor's Map 43 Lots 1-G, 1-I & 1-K, CUP#05-2019

Saunders explained this is one agenda item but covers three lots.

Applicant Statement: **Bob Stowell** of Tri-Tech Engineering attended the meeting to represent the applicant. Stowell stated that the applicant owns four lots in this area and three of those abut wetlands. He stated in the process of doing some cleanup the applicant has impacted the wetland buffer. Stowell stated he is seeking a conditional use permit to allow the work that has been done to remain.

Stowell supplied a copy of the plans and reviewed the plans with the board. He explained the areas of impact with the board. He stated the lot 1-K has the most impact and work done within the buffer.

Stowell stated the application was reviewed by the Conservation Commission the night prior. E stated they have scheduled a site walk for August 22nd.

Saunders stated this is an after the fact application. The department got notice of work being done in April and a stop work was issued at that time. She stated that the Conservation Commission noted there are existing loam, gravel and rock piles that are not all depicted on the plan. She stated the plans are going to be updated.

Police Department: Timmons had no comment.

Department of Public Works: Bobinsky asked if there was erosion control in place currently. Stowell stated the applicant installed erosion control when the work started. He stated the impact is to the buffer only and not any DES wetland impacts.

Bobinsky noted they have gotten complaints in the past for illegal dumping at this site. Saunders stated the property owner is aware of that issue.

Fire Department: Hoyle stated they have been notified of illegal parties and burning at this site too.

Saunders noted for some undeveloped sites property owners choose to put up chains to limit access to the property.

Building Inspector: Metivier asked if there was a stock pile on lot 1-G closer to Commercial Drive. Stowell stated he did not think so, stated there was one in May that was outside the buffer. He stated he thinks it has been removed.

Metivier asked if all work has ceased. Stowell stated all work within the buffer has ceased. Saunders cautioned the applicant from doing additional site work because it would infringe on the site plan process. She noted that the surrounding properties have done their site plans based on drainage patterns and those cannot change without notice.

Metivier asked if transient storage would be considered an impact. Saunders stated to her understanding is that the property owner is not bringing in material anymore. She stated the Conservation Commission will make recommendations to the Planning Board. She noted the various recommendations the Conservation Commission might make.

Site Review Technical Committee
Minutes of Meeting August 15, 2019
Page 7 of 7

Metivier questioned the SRTC roll in this application. Saunders stated for applications that will be going to Planning Board would like this board to review. She stated it ensures if one of the departments has a comment or concern it can be addressed.

Metivier MOTION to make no decision and send the application to Conservation Commission and Planning Board.

Bobinsky SECONDED the motion.

The MOTION CARRIED by a 6-0 vote.

F) Any other new business that may come before the Committee.

No other business.

Motion: Robidas MOTIONED to adjourn the meeting. Hoyle SECONDS the motion. The motion CARRIED at 11:37 by a 6-0 vote.

Respectively submitted:

Dana Crossley, Planning Secretary
Site Review Technical Committee