

Approved: _____ Approved with changes: 11/04/21

**Effingham Planning Board
Meeting Minutes
September 30, 2021**

Members Present: Theresa Swanick (chair), Grace Fuller (scribe), Elaine Chick, Paul Potter, George Bull, Gary Jewell, Dave Garceau (alternate, not seated), Lenny Espie (Selectmen's representative)

Members Absent: none

Others Present: Nate Fogg (Land Use Clerk), Tammy McPherson (abutter), Bill Bartoswicz (abutter), Patricia Bartoswicz (abutter), Tammy McPherson (abutter), Tim Otterbach, Jacob McConkey, Mark McConkey (applicant's representative), Vicki Garceau, Neha Garg (applicant), Ponkaj Garg (applicant), Knute Ogren, Matt Howe (GMCG), Rich Fahy, Brian Taylor, Corey Lane

Via Zoomcall: Blair Foltz, Bob Newton, David Smith, Lori Dunn, Mark Longley, Robert Lovitt, Susan Marks, Tara Schroeder, Mark Hempten,

Meeting called to order at 6:33 pm. Quorum present.

1. Review of site plan application for Meena. Application not formally reviewed at previous meeting due to incorrect address for abutter. This meeting will entail a review of the application to ensure completeness.
 - a. Documents provided: plat (9/17/21), Christopher William engineer's plan for storm water, Site Plan Review Application
 - b. Mr. Otterbach: can plan be projected on wall so that abutters can review? Result: Copy displayed on easel.
 - c. Ms. Fuller: the plan shows 2 apartments although the application lists 3. Mr. McConkey advised that the applicant had decided to stay with 2 apartments and not add a third.
 - d. Land Use Clerk Review: Mr. Fogg advised that all abutters were appropriately noticed with correct addresses; he added one more abutter (Hartley) which is across Rt 25 but appears to be close enough to include; the public notice was posted in the Conway Sun newspaper on 9/17/21. Mr. Fogg checked green cards; 2 were not returned this time but had been previously returned; no envelopes were returned as undeliverable.
 - e. Ms. Swanick asked for clarification on a document provided which was not legible. Mr. McConkey advised this is the septic approval for the old septic system which will be used for the store. He advised that the new septic system (for the apartments) has received state usage approval.
 - f. Mr. Otterbach asked for the date when revised maps were received at the Town Offices. Ms. Swanick advised that was 9/20/21.
 - g. Review of application per Major Site Plan Review Submission Requirements

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(Section 6.2 Subsections A-D). No issues noted unless noted by Item # below.

- i. B8: is indication of travel indicated? Decision was that none were noted nor were needed.
- ii. B9: Driveway permit provided in supplemental package. Sight distances not noted on plat. Mr. McConkey advised that the data was listed on the state driveway application.
 1. No issues were identified with sight lines, although the Board requests notations with the sight lines on final plat.
- iii. C3: question on storm water drainage system. Mr. McConkey advised that the state had taken it into consideration and had no issues (email provided by the state). Christopher William, certified engineer, provided diagram and information.
 1. Mr. Bull advised that partial waiver had been provided for that.
 2. The information provided meets the application requirement; merits of documentation will be discussed in later sessions.

h. PUBLIC COMMENT:

- i. Mr. Otterbach, Ossipee Lake Alliance, Green Mountain Conservation Group:
 1. Public should have opportunity to review documents. Documents that were sent out are not what is being reviewed tonight.
 2. Location/naming of Phillips Brook is missing and is within 200' of boundary
 3. Sealed site plan by civil engineer does not have signature on it.
 4. Sight lighting is not noted on plans, with type of light and model #
 5. 6.2.B.9: egress and ingress points are not noted on driveways
 6. No landscaping and buffers are shown
 7. Snow removal/disposal locations not noted
 8. Storm water management plan (per Mr. Otterbach, the NH Alteration of Terrain Bureau advised this is a requirement for disturbance of 10,000+ square feet)
 9. Spill and containment management plan is missing
 10. Positive limiting barrier not noted
 11. Spill containment sump not noted
 12. Means of care of disturbed soil/landscaping not included
 13. Culvert locations not noted
 14. Driveway widths not noted
 15. Sight distances should be noted
 16. Septic operation approval – is that provided? (Mr. McConkey – Yes)
 17. Were driveway permits issued by DOT? (Mr. McConkey – Yes)
- ii. Mr. Garg provided information on the issues that have been resolved with the installation of the new septic system
- iii. Board held discussion regarding the requirements of application completeness versus the merits of the application.
 1. Discussion re elevations and possible requirement for engineer's signature on the plat. Were the elevations provided by qualified individual? Mr. McConkey advised these were provided by the state

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- certified septic designer.
2. Mr. Otterbach: Is the septic designer a registered civil engineer? Mr. McConkey: he is not. Mr. Otterbach: therefore it appears that the application is incomplete since it does not include a storm management plan by engineer. Ms. Swanick clarified that the opinion of the Board is that this is not a requirement for the application.
 3. Mr. Bull advised there is no requirement that the application documents require a stamp from a registered engineer.
 4. Mr. Garg expressed concern and confusion regarding the requirements from the town. Mr. Bull advised that usually a storm water plan is presented when there is any potential of water runoff. Mr. Garg advised that he had received information from DES that the berm added when RT 25 was built had been designed to handle water runoff issues.
- i. Next meeting for application review: Thursday, 4 November at 6:30, with potential to move into Public Meeting after application review. Documents must be received 21 days prior to. Notice will need to be made prior to 10 days before meeting.
 - j. Additional questions:
 - i. Mr. Garceau asked for clarification on contour lines. Mr. McConkey advised that these had been done by a qualified septic person. He will verify and provide information. Jacob McConkey advised that he shot many survey lines to help develop the plan. Ms. Swanick recommended following the guidelines provided by AOT.
 - ii. Mr. Otterbach inquired re driveway permit for the Leavitt Road exit. Ms. Swanick advised that the Leavitt Road driveway predates any requirements for driveway permits. Mr. Otterbach inquired re power line easement. Mr. McConkey advised they will check and provide.
 - k. Application review suspended at 8:28.
2. Meeting minutes:
 - a. 08/19/21. Section 2, minor spelling correction to subdivision from sub-division. MOTION made by Paul Potter; seconded by Elaine Chick. Passed.
 - b. 09/07/21 MOTION made by Gary Jewell to accept as amended; seconded by Paul Potter. Passed.
 3. Next work session will cover the proposed changes to Zoning regs; see documents sent out by Ms. Swanick previously.
 4. MOTION: Ms. Chick made a motion at 8:52 to adjourn; seconded by Mr. Espie. PASSED.
- Minutes prepared by Grace Fuller

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