

MADBURY PLANNING BOARD

13 Town Hall Road
Madbury, New Hampshire 03820

Official Business

NOTICE OF DECISION

You are hereby notified of the decision of conditional approval
of:

NAME: Land Care

DATE: December 17, 1999

C/O: Dan Gordon
P.O. Box 842 Durham, NH 03824

LOCATION SITE: Map 9, Lot 3 Knox Marsh Road

FOR: commercial use in the Commercial & Light Industry Zone

HAS BEEN: approved with conditions
(see minutes of December 15, 1999)

DATE OF DECISION: December 15, 1999



Karen Houston, Chair
Madbury Planning Board

MADBURY PLANNING BOARD

13 Town Hall Road
Madbury, New Hampshire 03820

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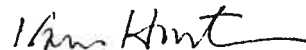
December 17, 1999

To Whom It May Concern:

At its meeting on December 15, 1999 the Madbury Planning Board granted conditional approval to the Non-Residential Site Plan by LandCare for a commercial operation in the Commercial and Light Industrial Zone. The conditions of approval are as follows:

- 1) no retail sales (without application to the Board)
- 2) no sand or salt storage on site
- 3) any additional lighting to be contained on site
- 4) all renovations to comply with building and life safety codes

Yours sincerely,



Karen Houston
Chair

APPROVED:



MADBURY PLANNING BOARD
13 Town Hall Road
Madbury, New Hampshire 03820

MINUTES of the December 15, 1999 meeting

Present: D. Hoff, B. Hodsdon, K. Houston, W. Dunham, D. Sylvester, R. Diberto

Attending: L. Morong, D. Garvey, J. Schreiber, W. Lobdell, K. Weston, T. Baza, J. Baza, D. Gordon, B. Wyman

Minutes of the December 1, 1999 meeting were approved as amended.

Minutes of the December 8, 1999 meeting were approved as amended.

D. Garvey appeared for the continuation of the deliberation session on the Route 9 cluster site development (Map 1, Lot 38). Garvey indicated to the Board the changes that had been made to the plan since the last meeting. Changes noted include the moving of the right of way to between lots 9 and 10 and the reconfiguration of the septic design on those lots questioned by the Board at the December 1, 1999, meeting. K. Houston read into the minutes information from soil scientist Mike Cuomo (copy attached). The applicant's drainage engineer, K. Weston noted that the site breaks down into three different drainage areas. One area drains through a culvert under the old logging road, one to the east of the new road being constructed and under Route 9 to the Bellamy, and one through the conservation area toward the Murray property. The largest of the areas involves the first area which drains under the old logging road. Weston provided the figure of 14 cubic feet/second of drainage flow under the current conditions with an increase to 17 cubic feet/second after development in first area. Weston indicated that the current logging road should not be removed as it provides a restrictive dam for water flow and brings the drainage in this area down to 13.5 cubic feet/second as the water is in essence retained in a pond format until it can travel through the culvert under the logging road. D. Hoff asked if site prep work included ensuring that the current culvert under the logging road and the road itself would withstand the pressure of holding back water for a prolonged time to ensure the 13.5 cubic feet/ second of drainage. Weston indicated that it would. the drainage study was based on a 10 year storm analysis. D. Sylvester asked how net change could be equal with new construction creating more impervious surfaces. Weston indicated that the areas ability to act as a pond and hold the water back allows this to happen. R. Diberto asked about the perched water table in the area and how the drainage would impact it. Weston indicated the roadway ditches would adequately handle the problem and not impact septic setbacks or the perched water table. Houston noted that all of the information associated with the plan needed to be reviewed by an outside source and looked for input as to how to best accomplish this need. After discussion the Board agreed that Houston should recontact the outside source and discuss an appropriate fee structure. Garvey made the recommendation that the Board contact the consultant used by the Lee Planning Board. Board members felt that we should pursue our original option. Hodsdon noted that the two test pits which measured only 20" to the seasonal high water table concerned him given the proximity to the proposed septic design for the one of the lots. The deliberations were continued to January 5, 2000, at 7:15 PM. It was noted that any and all fees incurred as part of the Board's review process would be passed on to the applicant.

D. Gordon appeared for a public hearing on a non-residential site plan review for a commercial property in a commercial/light industrial zone located on Route 155 (Map 9, Lot 3). W. Dunham

read the notice as it appeared in *Fosters Daily Democrat*. Given that there are no major alterations proposed for the site the Board did not require a formal checklist. Gordon changed the name on the plan to reflect the new ownership, added the Bellamy River setback line and noted the addition of two overhead garage doors. **MSC Dunham, Diberto** to accept the plan for consideration. **Motion passed** (6 - 0). Houston opened the hearing to the public at 8:15 PM. Gordon presented his plan to the public. J. Schreiber asked about the risk to water supplies. Gordon showed the proposed area in the building for storage of hazardous materials and noted that it would be 400+ feet from the River and 90+ feet from the well on the property. A yearly inspection of the site by the state occurs. All vehicles will be on site during non-use hours. Smaller equipment will be kept indoors. A total of 12 vehicles are involved. There is no anticipation that bulk oil or waste oil will be stored on the site. Maintenance activities will occur within the structure. Gordon has contacted the NHDOT and will not be required to add any turning or deceleration lanes. The issue of signage was discussed. The proposal is for a lower sign to replace the current sign in the same area. The applicant was referred to the appropriate Ordinances for further information. The concerns of Harvest Broadcasting regarding storm runoff were discussed. The Board felt that given the land configuration and the swale currently on site between the lots the concerns would be adequately addressed. The public hearing was closed at 8:50 PM. **MSC Dunham, Hoff** to accept the application with the following conditions: 1) that no retail sales be generated from the site, 2) that no bulk sand/salt be stored on site, 3) that any additional lighting be contained on site, and 4) that all renovations to the structure incorporate current building and life safety codes. **Motion passed** (6 - 0).

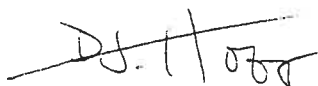
A completeness review on the Trafton subdivision (Map 10, Parcel 11) application was conducted. The Board noted that setback lines were missing, that only one test was completed in reserve soils on some lots, that driveways may not been flagged yet, and that a note for wetlands on the site was missing. Given reservations and concerns voiced, no public hearing will be posted for at this time.

Houston recused herself at 9:20 PM. Houston appeared before the Board for a completeness review for a two lot subdivision located on Cherry Lane (Map 5, Lot 13). Board members requested that the existing well and septic be shown on the plan and that a second test pit be done on the new lot if the plan is to be approved before Town Meeting in March. With these additions the Board will review the application for consideration and following an acceptance by the Board a Public Hearing on January 5, 2000, at 8:00 PM.

Houston returned at 9:35 PM. Houston informed the Board that there would be funding available for a matching grant for a circuit rider for work that comes out of the Master Plan process. It was decided that the grant should be for a total of 100 hours work.

There being no further business the meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Hoff", with a horizontal line drawn through it.

Douglas Hoff
Clerk



PO Box 842
DURHAM, NH 03824
TEL: (603) 743-3559
FAX: (603) 743-4540

November 18, 1999

Town of Madbury
Town Hall
Madbury, N.H. 03820

LandCare Associates, Inc. is a local company offering services with the following components:

- Landscape maintenance and lawn mowing, shrub trimming, Spring and Fall Cleaning, tree trimming and removals, landscape installation of shrubs, trees, walks, walls, gardens.
- Parking lot sweeping – commercial sites.
- Snow removal – residential and commercial
- Light trucking – deliveries of mulch, plants and miscellaneous supplies

We operate with a total of 10 vehicles, the smallest being a Ford F250, the largest a Ford F700 tree truck with boom.

Traffic Impact Information:

Summer:

(3) office employees, (2) work 5 days per week, (1) works 3 days per week
(9) laborers, all of whom work 5 days per week, weather permitting

33 times is the average per day during the summer for entries and exits from the property. This includes people arriving in the morning and departing in the evening, and additional miscellaneous traffic during the day.

Winter:

(3) office employees – same schedule as above
(5) laborers – working doing snow removal – weather dependent. Below information is based on traffic when there is snowfall.

25 times is the high end per day during the winter for entries and exits from the property. This includes people arriving in the morning and departing in the evening, and additional miscellaneous traffic during the day.

Site Plan Review Regulations

Article 6 - Standards

Section 1 – Off site impacts:

See attached for traffic flow information. We anticipate far less traffic than what is current. We believe this shall greatly reduce traffic hazards. We intend to paint the building a more neutral color and follow through with a complete landscape renovation including the planting of protective screening to further reduce possible annoyance to our abutters. In renovating our landscape, we anticipate less erosion or surface water runoff because of plant and soil absorption. We believe our beautification of the building and landscape shall greatly enhance the neighborhood and town.

Section 2 – Landscaping:

As cited in Section 1, in addition to landscape renovations, LandCare Associates intends to irrigate planted areas as well.

Section 3 – Parking:

The current asphalt parking lot is rated for approximately 24 cars with an 8.5' x 19' space allocated for each. Including all employee vehicles, we anticipate 10 – 15 cars to use the lot during the summer and 5 – 7 cars during the winter. We anticipate one space to be dedicated as handicap parking.

Section 4 – Loading:

Adequate off street loading is provided. Assuming there are extra spaces already available in the existing parking lot, this can accommodate anticipated truck traffic. The site also has an additional 35' wide side gravel parking area should additional space be needed.

Section 5 – Erosion:

Measures shall be taken to minimize dust and dirt. We anticipate sweeping our parking lot as often as is needed to keep it free of dirt, dust and debris. There shall be no addition to the existing parking lots or building that shall create erosion and storm runoff. Our landscape renovations may reduce current runoffs through plant and soil absorption.

Section 6 – Storm water runoff:

In no case shall we interfere with the existing storm water run drains, swales or systems.

Section 7 – Nuisances:

Exterior building lighting shall be directed on site only. LandCare Associates shall contain noise, vibrations and odor so as not to be discernable off the premises.

Section 8 – Highway Access:

Access to the public highway shall not change from its current status.

Section 9 – Water & Sewer:

The existing water supply and sewage disposal facilities were designed to meet the current business needs of daycare for 40+ children each day and after school activities for 60+ more. We anticipate the systems to facilitate the needs for 3 –5 full time on-site employees and 10 – 12 full time off-site employees.

Section 10 – Utilities:

All utilities shall remain “as is”.

Section 11 – Emergency Services:

As instructed by the Madbury Fire Chief, we will need to upgrade interior doors between the existing gymnasium and offices. The gymnasium is proposed to become our shop facility and all office area shall remain as is. We will also need to make all walls between the shop and offices comply with fire safety codes using a 5/8” sheet rock overlay. The Chief will also want us to reverse the direction of the existing interior stairs to point out to the existing exterior doors. All other aspects and proposed changes were approved.

Section 12 – Hazardous Materials:

Any fertilizers and pesticides shall be stored inside the building and/or per NH Statutes and Code of Administrative Rules (Section 802.02.L). The following is a list of materials anticipated for storage for off-site use.

- 10 (50lb) bags fertilizer with Sevin
- 4 (50lb) bags fertilizer with Dursban
- 16 (50lb) bags fertilizer with Dimension
- 4 (33lb) bags Dylox
- 20 gallons liquid fertilizer
- 160 (40lb) bags crabgrass pre-emergent with fertilizer

In accordance with NH Statutes and Code of Administrative Rules (Section 802.02.L), we will provide the Fire Department with this same information