



**TOWN OF GILMANTON  
PLANNING BOARD**

**Wednesday, November 8, 2023 – 6:30PM**

**Town Offices at Gilmanton Academy**

**503 Province Road**

**Gilmanton, NH 03237**

[www.gilmantonnh.org](http://www.gilmantonnh.org)

**MEETING MINUTES APPROVED**

**A. CALL TO ORDER BY CHAIRMAN**

**B. ROLL CALL**

Members present included Nate Philbrook, Jake Dalzell, Brett Currier, Marty Martindale, Selectmen's Rep. Evan Collins, and, along with the Community Development Director Bre Daigneault. Chairman Roy Buttrick and Vice Chair Parker Hoffacker were absent.

With the absence of the Chairman and Vice Chairman, SR Evan Collins was elected to Chair the meeting.

**C. SALUTE TO THE FLAG**

**D. PUBLIC HEARINGS**

- **PB CASE #SUBMAJ2023-550:** Land agents Bryan Bailey Assoc. & Norway Plains Assoc, on behalf of property owners Philip A. Brouillard as Trustee of the Granite State Conservation Trust and the First Congregational Society in Gilmanton, are requesting a Major Subdivision creating 8 total lots from 3 existing lots. The properties are located at 461 Meeting House Rd & Governor's Rd in Gilmanton, known as map 414 lots 50, 52, & 53 located in the Rural zone.

Atty. Phil Brouillard on behalf of Granite State Conservation Trust and the First Congregational Society in Gilmanton along with Bryan Baily of Bryan Bailey Surveyors and Paul Blanc of Norway Plains. They had presented a conceptual plan last February. This is an eight lot subdivision. This involves a class VI road, Governors Rd, that would be brought up to class V standards. This is in the Historic District and would be called Meeting House Village. The homes would be period homes to meet the historic district regulations. The area consists of open fields with beautiful vistas. There are stone walls on either sides of the road that would remain. The engineering design was developed to save the stone walls. All lots would be over two acres with the church lot over 12 acres. He felt these would be pricey houses meeting the historic nature. Bryan Bailey spoke in more detail. The topography, soil, and test pit locations are shown on the plan. The State does need to approve the lots that are less than five acres. This is a consolidation of three existing lots to end up with eight lots on each side of the road. The road has a gentle incline going up (from Meeting House Rd), the at the ridgeline, has a gentle down slope. Either side of the road the water is shedding on the north side to the north, and on the south side to the south. The plan shows proposed building areas and proposed driveway areas. This is not to say that is where they need to go, but that there is sufficient areas for them to go. The area identified as the for the septic system is in fact 4,000 square feet. Today's septic systems typically only require 450 sq ft for a leach field for a 4 bedroom home. There are

no trees on the southern side (of Governors Rd). The north side is mostly fields. The concerns that need to be addressed are with the upgrade to the road. Mr. Bailey feels the road is class V. There is a sign up the road designating where the class VI highway starts. This is shown on the plan. He feels there is only a small section that is not class V. A large turn around would be added that is plenty large enough for emergency vehicles. Mr. Blanc of Norway Plains Assoc. stated they were tasked with bringing the road up to class V standards. They are basically keeping the road profile the same, basically just smoothing it out. The idea is to keep the stone walls. They would be using open drainage to carry the water. It would split at the high point of the road. Half the drainage would go down to one side (towards Meeting House Rd), the other half would go towards the proposed cul-de-sac. The water would collect by a series of catch basins to a treatment swale into two retention basins. On the other side (near the cul-de-sac) there would be open drainage that would collect into a large infiltration basin for stormwater treatment and then discharge. Each of these stormwater practices were designed to meet DES alteration of terrain standards. This project will be reviewed by the State for treatment of storm water. To ensure they wouldn't impact any of the abutters, they had analysis points at the edge of each abutting property lines. There are 16 points of analysis to ensure that there will be no additional water or rate of run-off to abutting properties. Some of the homes would have individual rain gardens. These are basically small depressions in the ground with a layer of engineered soil for the treatment of storm water.

Chair Collins made the motion to accept the application as complete. Member Currier seconded. **Motion passed 5-0**

Member Martindale questioned the existing classification of Governors Rd. His understanding the difference between class V and class VI is pavement. Staff Daigneault clarified class VI is town owned road not maintained; class V is town owned road maintained. Member Currier inquired if this (Governors Rd) is maintained by the town. Staff Daigneault stated it is not maintained by the town. Mr. Bailey felt the sign is what led him to believe the beginning of the road was class V.

Chair Collins opened to public hearing. He asked all parties to state their name, keep it cordial with differencing opinions, and address the Board.

Jeff Medeiros of 4 Governors Rd.- It is definitely a class VI road. He maintains it and has done so since he bought the property. The pervious owners maintained it before him. There is a steep decline where the cul-de-sac ends. He is concerned the road after that will become ruined quickly. The stone wall is not in good repair, would it be repaired? They also talk of water going in opposite directions. He questioned whether the management plan would handle the volume. Some of the fields are level, but some are not. He also inquired if there was a visual of what types of housing. Would it be the purchaser that builds the homes or a certain company that will be building these homes? The road has a lot of granite outcropping. Member Currier stated the plan is requiring the entire length be paved. Mr. Medeiros stated where the pavement ends, there would be rutted gravel, which would go right down to the beaver pond. He inquired if the cluster of houses changed the zoning or would ever change the zoning. Member Currier stated the application does not change the zoning, but could not say the zoning would never change. Staff Daigneault explained a warrant article would need to be voted on in order to change the zoning.

Chris Keith of 541 Meeting House Rd.- They are talking about the storm water retention ponds on either end to catch the run-off, but they haven't mentioned that one of those is to be built on town land across the street from the Meeting House. He didn't feel the test points were enough to show the run-off wouldn't be dumped on abutting properties. Next to the town property is a hay field that due to wetness now cannot be hayed every year. This may make it less usable. They're proposing a massive change to the property the Meeting House owns. He is not the structure of the organization. He felt the cemetery was a serene place people chose to bury their love ones. This would completely change the landscape of Meeting House and this is something that should be considered. Outside of one resident, he hasn't spoken to anyone that is for this.

Darrell Elliott of 556 Meeting House Rd. and a member of the Historic District Commission- He questioned if the town accepted this as a class V road, he assumes the town be responsible for the maintenance infrastructure and retention ponds or would there be some sort of housing authority required for this maintenance. As an HDC member, any excavation and change in elevation of more than a foot would need to be reviewed by the HDC. He also questioned how the applicant would be filing for permitting on Town land. AOT typically doesn't issue permits on someone else's property.

Donald Guarino of 150 Meeting House Rd- He stated Mr. Bailey spoke of a sign establishing where the class VI started and ended and the cul-de-sac would meet the standards (class V). He questioned if the whole road would be paved. Member Currier confirmed the whole road would be paved. Mr. Guarino asked what the minimum standards of the width of the road is. He had concern with road washout and if the calculations presented take into account the heavy storm events we've had this year. Where do the calculations coming taking water into the catch basins, do they account for the large amounts of rain we had this year. How do address unusual storm events. Member Currier reviewed the road plan and stated the proposal would be for a 26' wide road with 20' paved surface and 3' shoulders. Staff Daigneault solidified this does meet the standards for a subdivision having 0 to 10 lots.

Craig Clairmont from Belmont but here on behalf of the Bartlett's at the beginning of the road. Has it been determined it is class V road? Lack of maintenance for so many years turns it into a class VI road. He read from a excerpt stating that changing classification of road must be done by vote of the legislative body. In other words, it must be approved by the voters at annual meeting. He recommends having a 3<sup>rd</sup> party engineer review the plans. The AOT permit was not checked on the application.

Sheila Bartlett of 469 Meeting House Rd- She questioned who would benefit from all this. Chair Collins stated it would be the land owners, he would assume. Mr. Clairmont felt the owners living out there have a certain level of privacy. It's hard to see things change. Again, he feels there should be 3<sup>rd</sup> party review. Is there any enclosed drainage on the plan?

Chris Keith- Wanted to add that in 2007-2008, he and his wife were under contract to buy a parcel of land at the end of Governors Rd. At the time the town stated they would have to improve the road to a class V road. He feels it should be the same for 1 house or 7-8 houses. There has not been town maintenance on the road.

Zannah Richards- Along with everybody, she has a hard time swallowing the class V road. The stone walls on either side make it real narrow. Would the stone walls be removed and put back in place? She asked if the subdivision would come with any convenience or deed restrictions. She sees they are meeting town setbacks but the proposed housing locations

are close together. Would this stay or would the houses be set back further? She concurs, the road has not been maintained by the town.

Sandy Guarino of 150 Meeting House Rd- She feels putting houses in there would take away from it being "god's country". It would change the landscape and the whole feel of the area. She questions the legality of the non-profit, Meeting House Congregational Church. Is it just George Roberts? Is it even legal for him to do this as a non-profit? How can he do it without addressing the people of the congregation? It takes the feel from Old Home Day.

Don Guarino- The class V and VI road definitions have been discussed and the acceptance would go to vote after the job is complete. He questioned when has it been the developer is allowed to use the Town land and should this go to town vote whether town land should be allowed to be used for the development.

Darrell Elliott- Commented on Mr. Brouillard's statement that this would not be a low rent district being in the HDC. He clarified there is no requirement for size or price in the HDC. A smaller house could be built.

Mr. Brouillard responded to some of the concerns. He stated this is a town road, they would be bringing it up to town standards. They were told previously to run the water under the road. This is the town road and would be running water onto the town land. These are more than 2 acres lots, these are what the Zoning Ordinance allows. They will be submitting to State permitting. They submitted a 300 page drainage report. He felt they had done a very thorough job. He doesn't think it would make sense to remove stone walls to widen the road. A great deal of effort was made to make sure things stay the way they are. In the end, it's the Town's road. They are going to be paying for the upgrades so the taxpayers do not have to. He felt the first step was to have the subdivision approved, then work with the Selectmen or go to Town meeting. Mr. Brouillard stated AOT would be the third party review. If they don't have the subdivision, they can't go forward with requesting the road be accepted as class V. He asked of Mr. Blanc to address the drainage questions. Mr. Blanc stated this would be reviewed by the State of NH AOT. They specifically would look at the drainage to protect the abutters around there as well as the natural resources. AOT requires the drainage meets the treatment process. They would be looking at the disturbed or altered terrain. Road design is something AOT does not look at this. He felt if the Board had a 3<sup>rd</sup> party engineer firm, they would look at road design. There was a question regarding the intensity of rain events. They go by what DES requires by law. They evaluate a 10 year storm event and 50 year storm event. Intensity is a different topic. The intensity can change, however, he can only use the data provided by law for intensity storms. They did put closed drainage which is why the pipes going under Meeting House Rd are so large. Each of the abutting properties have an analysis points. He stated, they need to match or decrease the rate at which the storm water gets there. All the water that comes off the road, would be a town issue. The small rain garden is a bio retention cell that removes contaminants coming off from roofs due to air pollution. Again, these are sized for what the law allows now. The location of the housing can be changed; however, each rain garden has a certain square footage and footprint that would need to be maintained. Mr. Blanc agreed there is ledge out there. It will be a task. They will need to put down a certain amount of gravel to go right across the top of it.

George Roberts of Meeting House Rd- He feels his name was used incorrectly. The First Congregational Society is a church, it is a 501C3, but still a church. People who want to become members of the church take a vow to either contribute 10 working hours for the

Church or contribute \$100 for the year. If people have not kept up their membership, they will no longer be notified of meetings. The First Congregationally Society meets annually on the 2<sup>nd</sup> Monday in June. They voted twice to sell this property. They were not successful in the first pass. Mr. Roberts wanted to clear the air that if you are a member and come to meetings and pay the membership fees, you can come and vote. The areas are pools, not ponds (drainage basins). These are areas you do dig up and plant aggregates with vegetation over. The voters voted over 200 years ago, that the Selectmen would sell land on Meeting House, but they didn't.

Bryan Bailey- Wanted to add one thing to the drainage to the road alignment in respect to the proposed houses. All of the houses are set down from the ridgeline, they would not affect drainage. This entire project is an effort to solve the problems of drainage. If having identified the class V falls on anyone, it is on himself.

Mr. Blanc stated the only reason they are going to AOT is to collect the stormwater from the road. If they were to just pave it, they would not need AOT approval. They are here to address the drainage and do the right thing.

Chair Collins stated he agrees it is a town issue. He, personally, would not sign off on the plan without having the 3<sup>rd</sup> party engineer.

Jeff Medeiros- Would like the applicant to address the road below where the pavement ends. Mr. Blanc stated that was a good point. At this time they have just feathered it off. He feels bringing the project a little further, not up to town standards, but something that is passable. It could be considered a maintenance path and they could extend using ledge pack.

Don Guarino- He inquired what happens to the major snowmobile trail that exists there and do they have an easement. Mr. Bailey stated there was no easement. Member Currier stated that someone from the club had addressed this. The abutter Mr. Medeiros had offered an area for the trail to be rerouted. Member Currier stated that it is up to the property owner whether or not to allow the snowmobile trail across their property. Ms. Guarino questioned the legality of who says the Congregational Society has the right to do this. Member Currier said that was not a purview of the Planning Board.

Chair Collins inquired of who would actually give permission for the retention ponds on Town lands. It was confirmed the Selectmen would give final approval.

Stephanie Verdile inquired if there were fire suppression provisions. It was stated there was a dry hydrant not too far on Meeting House Pond. The fire chief did not recommend or require anything additional. The dry hydrant is just the other side of the cemetery.

Mr. Medeiros felt this was an expensive, well thought out plan.

Chair Collins read two letters into the minutes. The first letter was from Anne Onion of 359 Meeting House Rd, among other things, had concern with changing the historic nature. The second letter from an abutter Jesse Fogg voiced concern with the impact to their hay field. (Copies are attached)

Mr. Blanc addressed the impact to the field and explained they calculate the amount of run-off that goes there in the pre-construction conditions. A rate of flow is calculated into cubic feet per second (CFS). After construction, the rate must be either matched or lessened. The 2 year storm management can either be calculated by rate or volume. Here it is rate.

With no further comments, Chair Collins closed public hearing portion of public meeting. Chair Collins stated he would not feel comfortable on signing off on this if there was not an engineer review. Member Currier felt it was engineered already. Member Currier stated

the land owners would need to maintain the road until such time the legislative body votes to accept it. Member Martindale felt the Selectmen could ensure the town road is up to standards to accept as class V. This is a town road; it would be different from accepting a private road. Member Currier stated the only reason people were allowed to enjoy the fields there because the land owners kept it that way. If someone doesn't want a subdivision to happen, then they need to buy the land themselves. Member Currier did not feel like any corners were being cut. Member Philbrook felt that being in the HDC, these are going to be aesthetically pleasing houses. Member Currier stated they were meeting the subdivision regulations. There were no waivers requested. Member Dalzell felt there should be a bond and it should be kept in place for a year after completion of the project on the road. There could potentially be a 3<sup>rd</sup> party engineer or clerk of the works to oversee the road improvements. Chair Collins agreed, he would like to see a 3<sup>rd</sup> party engineer. Mr. Brouillard asked for clarification if the board was saying they would want a 3<sup>rd</sup> party review the plans prior to voting or if they are saying to monitor during construction. Member Dalzell stated he would want the clerk of the works ensuring the construction is to the plans. Mr. Blanc felt that was a good idea. Mr. Brouillard concurred, that way, for the developer, it would ensure it is being done according to the plan. Member Currier read the comments from the town planner to include requiring a consulting engineer to review the plans and oversee the road improvements. The applicants would have to prepay for these services and funds would be placed in an escrow account. The Board should consult with the Selectmen on improving the road. Any legal documents should be reviewed by the Board's attorney. The cul-de-sac minimum interior radius is 60'. The fire chief agreed the minimum cul-de-sac standards should be met. The Cemetery Trustees stated there were no known cemetery or burial grounds. Member Currier felt the plan already had an engineer stamp on the plan and the State would be reviewing the plan. He felt it would be redundant. Chair Collins would like to see a 3<sup>rd</sup> party review. Members discussed whether a 3<sup>rd</sup> party engineer would be necessary to review the plans or if a clerk of the works should be sought to oversee the project. Atty. Brouillard stated engineers at the State level would be reviewing the plans. The consensus of the majority of members would not require an engineer but would require a clerk of the works to oversee the work to be picked by the town. A portion of the bond would be kept for a year. Atty. Brouillard felt 20% of the bond would be the usual amount kept. Staff Daigneault felt there were some procedural questions, such as where to go with the road approvals. She recommended continuing to December. She inquired if the Board was requiring a 3<sup>rd</sup> party engineer to review the plan or monitor the work. Member Currier felt pushing it out further could stir up more controversy in town. Member Dalzell felt the plans already had an engineer stamp and they're going to get checked by two different departments in the State.

Member Currier made the motion to approve the application with the following conditions:

1. Receive approval from BOS for the upgrade of Governors Rd to a class V with pavement as proposed
2. A clerk of the works will be hired by Town of Gilmanton, to be picked by the Town of Gilmanton, and paid for by applicant. The funds for this position will be put into an escrow account, held by the Town and dispersed by the Town to the clerk of the works as the job progresses.

3. The road will be bonded with 20% retained after completion for 1 year to ensure the asphalt holds up and the drainage stays intact. The cost of the bond would be determined by the engineer.
4. The end of the cul-de-sac will be depicted on the plan where it meets the class VI road to depict having ledge pack to make the ease of coming off the asphalt better from the end of the road.
5. No building permits will be issued on this until the road has been bonded.
6. The radius of cul-de-sac must meet the regulations at 60'.
7. Correct any typographical errors on the plan including the map number.

Member Dalzell seconded. **Motion passed 4-1**

- **OLD- None**

**E. MINUTES OF-** October 12, 2023 Member Martindale made the motion to accept as written. Chair Collins seconded. Member Dalzell abstained. **Motion passed 4-0**

#### **F. CORRESPONDENCE**

- Stephanie Verdile, LRPC  
The Lakes Region Planning Commission meeting voted on adopting the regional housing assessments. The majority of communities voted to adopt the plan without the fair share table. There was discussion about Lakes Region forming their own comprehensive economic development strategy (CEDS). Regional planning commissions have CEDS where they can pool their resources for regional economic development. These make you eligible for grants for infrastructure. The North Country & Lakes Planning Commissions are currently in one CEDS. There was discussion that Lakes wants to be their own based on needs and would apply to EDA to be their own CEDS. She would need a letter of support stating that Gilmanton supports Lakes in becoming their own CEDS. This would require a motion of the board to authorize the chair to sign a letter of support. Member Martindale made the motion to support the Lakes Region Planning Commission to become their own Comprehensive Economic Development Strategy. Chair Collins seconded. **Motion passed 5-0**  
Ms. Verdile stated the Chairman of NH Association of Regional Planning Commissions spoke to Lakes and stated LRPC is only commission without a rep. They act as the main governing body over planning commissions. Ms. Verdile willing to be representative of Lakes to the Assoc. of Regional Planning Commissions.  
Motion Martindale made the motion to have BOS nominate Stephanie Verdile as the LRPC representative to the NHARPC. Member Currier seconded. **Motion passed 4-0**

#### **G. OTHER BUSINESS/PUBLIC COMMENT**

- Capital Improvement Program

- Zoning Ordinance Warrant Articles

Member Currier inquired about removing the irregular shaped lot regulation in the subdivision regulations. He feels the board tends to waive this rule. He is unsure if there is a reason to have it, if they are constantly waiving it. Member Martindale explained what he felt what the original intent was. Chair Collins feels it is too vague. Members would discuss this further. Subdivision Regulations can be voted on at public hearing.

Staff Daigneault stated Chair Buttrick had reviewed the updated site plan for 110 NH Rte 106. He requested the Board review the plan and the property condition. The Board felt the newly planted trees did not extend the length of the berm (that parallels Rte 106) as indicated on the plan. Additional trees should be added to the berm as depicted on the plan.

#### H. ADJOURNMENT

Chair Collins made the motion to adjourn. Member Currier seconded. Motion passed 5-0

Authorized by \_\_\_\_\_

*Chairman C. Roy Buttrick*

Date: \_\_\_\_\_

*1/11/24*