

The Planning Board for the Town of Derry held a public meeting on Wednesday, April 20, 2016, at 7:00 p.m., at the Derry Municipal Center (3rd Floor Meeting Room) located at 14 Manning Street in Derry, New Hampshire.

Members present: David Granese, Chairman; John O'Connor, Vice Chairman; Michael Fairbanks, Secretary; Charles Foote, Town Council Liaison; Mirjam Ijtsma, Frank Bartkiewicz, Lori Davison, Jim MacEachern (7:11 p.m.), Members; Marc Flattes, Elizabeth Carver, Alternates

Absent: Randy Chase, Mark Connors

Also present: George Sioras, Planning Director; Elizabeth Robidoux, Planning Assistant; Mark L'Heureux, Engineering Coordinator; Captain Scott Jackson, Derry Fire Department

Mr. Granese called the meeting to order at 7:00 p.m. The meeting began with a salute to the flag. Mr. Granese noted the emergency exits, the location of meeting materials, and introduced the Board members and staff.

Mr. Flattes was seated for Mr. MacEachern.

Escrow

None.

Minutes

The Board reviewed the minutes of the April 06, 2016 meeting.

Motion by O'Connor, seconded by Flattes to approve the minutes of the April 06, 2016 meeting as written. The motion passed with all in favor.

Correspondence

The Board is in receipt of a copy of correspondence from FEMA, inviting the members to the upcoming Risk Mapping, Assessment, and Planning discovery meeting scheduled for Friday, May 6, 2016. The Board has been provided with an updated member contact list, and information regarding complete streets prepared by Mrs. Robidoux.

Mr. Granese welcomed one of the new alternates, Ms. Carver.

Other BusinessComplete Streets

Mrs. Robidoux advised the complete streets notes provided to the Board were those she compiled during the recent Advisory Committee meeting at the Southern New Hampshire Planning Commission. The information provides a bit of background on some complete streets projects in New Hampshire, complete street components, and some of the associated costs. The information was provided to give the Board some background information in advance of the May 4th meeting with Sylvia von Aulock.

Review of Policy and Procedures – Second Reading

As there were no proposed changes to the Policy & Procedures, the Board moved to a vote.

Motion by O'Connor, seconded by Bartkiewicz to accept the Policy & Procedures as written.

Flattes, Foote, O'Connor, Ijtsma, Davison, Bartkiewicz, Fairbanks, and Granese voted in favor and the motion passed.

Request to extend approval – Lou's Custom Exhaust

Mr. Sioras advised this is the first request to extend approval for this project. They are requesting an additional six months so that they can finalize the escrow. They are working with the bank, but need a bit more time.

Motion by O'Connor, seconded by Bartkiewicz to grant a six month extension of the conditional site plan approval granted on October 21, 2015, Lou's Custom Exhaust, PID 05037, 82 Rockingham Road. This is the first extension of approval. The new expiration date of the approval will be October 21, 2016.

Flattes, Foote, O'Connor, Ijtsma, Davison, Bartkiewicz, Fairbanks, and Granese voted in favor and the motion passed.

Workshop – Proposed changes to the LDCR – Capt. Jackson, Derry Fire Department

Captain Scott Jackson, Director of Fire Prevention, advised he was present at the workshop this evening to go over the proposed modifications to the Land Development Control Regulations with regard to Fire Department access to lots. The intent is to have one location for the street, access, and driveway requirements for developers and builders so that the process is streamlined for the subdivision and site plan process. He has found during the TRC meetings that this aspect of plan review can get overlooked with regard to the Fire Department driveway access until the plan is approved. He does not want to backtrack with the developers or require it later. The

current language does not have requirements with regard to minimum width, clearance and grade of access roads to buildings and structures for the Fire Department apparatus. The current regulations covers road and driveway aprons.

The Code he follows is 2009 NFPA 1. Under those regulations the Fire Department can require an access that is up to 20 feet wide to reach buildings and structures that are over 400 square feet in size. This is overseen by the State Fire Marshall, but review of this element would take place after the fact. He would like to have standards in Derry that address their needs and apparatus.

Capt. Jackson reviewed the proposed changes to LDCR 170-26A.16.a, Driveways. They would like to extend the current 40 foot construction requirement for the length of the driveway. They would want to see a minimum 12 inch depth of NHDOT 304.3 gravel put down that can accept the loads for the entire length. The driveway cannot be put over wet material and would need to be dug down to an acceptable surface. Any driveway that is over 150 feet in length would need to be 14 feet wide with an additional two feet of clearance on either side to allow for snow and other accumulations on the sides of the driveway. This provides the access for the apparatus to reach the house in the event of a fire or medical emergency. There would also need to be a 13' 6" vertical clearance; this allows an ambulance or fire apparatus to be able to get in to the lot. Any driveway over 150 feet in length would also need to have a hammerhead or other means to allow the apparatus to turn around; they would look at that at the time the plan is submitted. Finally, no driveway can exceed a 15% grade.

Capt. Jackson then reviewed pictures of current apparatus that showed the width of the vehicles. Engine 1, the newest engine, is 9' 10" wide; ten feet tall and 33 feet long. Typical over road width for vehicles such as oil trucks are 8 feet, 6 inches. The fire engines are larger because they have safety enhancements such as the roll over enclosures installed in them. They need 16 feet in width to get out of the truck when both crew doors are open. There are also steps affixed to the sides. The trucks need room to turn and maneuver. The standard operating width is eighteen feet which includes the hose, etc. That can be challenging based on the area of town.

Capt. Jackson advised he received permission from private homeowners in the rural areas to take the trucks into their driveways. Typical driveways are ten to 12 feet in width, with no additional clearance. They don't typically run into an issue in the downtown areas. Grades and vertical clearance are dependent upon length. He reviewed the pictures, noting none of the homes can be identified. The first driveway was 10 feet, 4 inches wide. It would be hard to get a truck into the driveway, especially with snow pushed to the sides of the driveway. The second driveway shown was 11 feet wide with a 15% grade and a fairly significant drop off to the left hand side. He advised he would not put a 9' 10" truck up a driveway that steep. In inclement weather they would not want the truck to roll back and hurt anyone. Capt. Jackson reviewed another picture which showed Engine 2 (8'6" width) on an 11 foot wide driveway that had curves and is about 400 feet long. There is about a foot of clearance, with no snow, on either side of the fire truck. The issue with the driveways is becoming a problem. The Fire Department has managed to date but would like to address any future driveways and make them accessible.

Mr. MacEachern entered the meeting and was seated.

Mr. O'Connor asked if the requirement for 12 inches of NHDOT crushed gravel was sufficient to carry the weight of a truck 75,000 pounds or more. Capt. Jackson said putting a weight limit may create an issue in the future if the weight of the vehicles changes, but he believes, based on his discussions with Mr. L'Heureux and Mr. Côté that the proposed specification will be sufficient to meet the minimum standards for highway rating. His answer would be yes. Mr. O'Connor asked if all of the trucks had the pneumatic lifts to stabilize the vehicles; if so, does that go out beyond the 12-14 feet. Capt. Jackson said the ladder truck does, but he would not put a ladder truck up close to a residential building; the ladder truck would be staged closer to the street. They don't allow large, high structures out in the residential districts.

Mr. Fairbanks asked if the wording could be tightened up on item iii. He wanted to make sure it was clear that Capt. Jackson was not asking for a width of 12 feet for the first 150 feet of a driveway and then for any remaining length, the driveway would need to be 14 feet wide. Capt. Jackson confirmed he would be looking for a minimum width of 14 feet for the entire length of the driveway for any driveway over 150 feet in length. The verbiage will be adjusted to clarify that requirement.

Mr. Flattes asked if any wording should be included with regard to culverts in driveways and what should be over those; the culverts would also need to carry the weight of the apparatus without being crushed. Capt. Jackson explained the driveways would need to meet the standard. The Fire Code does not go to that depth of detail, but they need to be able to get a vehicle into the lot in order to respond to emergencies. Mr. L'Heureux advised the culverts in a new subdivision or on new lots would need to apply for a wetland crossing permit from NH DES and that agency has a more strict requirement package for culvert installation. He does not feel the Board needs to do anything with regard to culverts. Mr. Flattes asked how these changes would affect private utility poles that run back to further structures. Capt. Jackson said developers will run the poles either way if they need them. Some poles go through the woods and others are along the driveway. So long as they are set back the minimum width from the driveway, they should not interfere. Any new driveway will need to meet this standard; it is likely they would not look at this requirement for existing structures.

Mr. MacEachern commented on the requirement that driveways over 150 feet in length need a turnaround. What does Capt. Jackson mean by "or other approved means"? Mr. L'Heureux said that could be a roundabout. Mr. MacEachern asked if the hammerhead could be grass, gravel or does it need to be paved. Could it be a grassy area that is kept clear? Mr. L'Heureux said at a minimum it should be a gravel area. The Board noted the driveway did not need to be paved for the entire length. Mr. MacEachern said he did not want to put an undue burden on the homeowners. Capt. Jackson stated gravel driveways are acceptable but they would not pull apparatus off a paved or gravel area because they have no way of knowing what is underneath. Mr. MacEachern said he thought it would be helpful to know what that requirement would be. Ms. Ijtsma concurred; she has a nice grassy area, but at this time of year it is soaking wet. Mr. MacEachern said he wanted to make sure the Planning Board would be interpreting the regulation correctly when the plans came in for review. With regard to the 15% grade, has the town done any preliminary mapping to see where and how many of these types of driveways

there might be? It seems as though only the tough to develop lots are left. He does not want to minimize the potential of a property. Mr. Sioras said the town had not done mapping of that type.

Mr. Granese asked if the Board could review driveways in excess of 15% on a case by case basis. If an applicant can't meet the requirement, they could ask the Board for a waiver, or the Board could ask to conduct a site walk. Mr. Sioras felt it would be best to deal with these on a case by case basis. These proposed changes are not in the Zoning Ordinance. The Planning Board can waive its own regulations. The Board would determine the hardship. There may be a case where the Board says a waiver is appropriate on one lot, but not on another. In addition, when a request for a waiver affects a specific department, that department is asked to weigh in on the request.

Mr. L'Heureux advised the existing regulations have a 40 foot platform requirement so that the roads are not built into a wall of earth. There is a fine line between being too restrictive. The enforcement after the first 40 feet would be by Code Enforcement as part of the building permit process. The requirements would need to be met in order to receive the Occupancy Permit.

Ms. Davison asked if the new regulations would affect everyone, or would some lots be grandfathered. Mr. Sioras explained that anyone applying for a driveway permit, if this passes, would have to comply. Mr. Granese questioned if someone wanted to resurface their driveway, would the new regulations apply. If someone ripped up their driveway for a rebuild, would they have to comply? Mr. Sioras advised this change applies to new driveways only. Capt. Jackson said the Fire Department is not interested in enforcing this with existing driveways or renovations of existing driveways. They want to address any future issues. Ms. Davison confirmed any current approvals in place fall under the older regulations. Mr. O'Connor asked if the Board should add a Section viii which would require the Board to hold a site walk on driveways over a 15% grade. The Board discussed the suggestion. Mr. MacEachern said the current wording should be okay, because any waiver requests would be at the Board's discretion.

Mr. Sioras advised if the Board has no issues with the current wording, the draft can be brought to the Board at the next meeting and a date scheduled for the public hearing. The tentative date is May 18th for a public hearing.

Mr. Flattes expressed a concern that there was nothing in the proposed changes about curves or bends in the driveways. He would not want to be too restrictive but should the language cover that? He would not want to see a truck get bottlenecked in a driveway. Mr. MacEachern felt that could be picked up and discussed during plan review. Mr. L'Heureux added Code Enforcement and Fire Prevention both need to get up the driveways to perform their inspections and would be aware of a potential problem. Capt. Jackson said he would also look for that during TRC and could make observations at that point.

Mr. Fairbanks did not see any issues with the proposed wording. Mr. MacEachern asked that the small grammatical change to Section a.iii be included in the next draft. He asked if the words "without approval of the Planning Board" be added to the end of subsection vii. Mr. Granese felt

that would negate the ability to request a waiver. Mr. Sioras said he could see where Mr. MacEachern was going with that but Capt. Jackson would provide input on any waiver request and he would address the issue during TRC. The Board opted to not add the wording.

There was no further business before the Board.

Motion by MacEachern, seconded by Flattes to adjourn. The motion passed with all in favor and the meeting stood adjourned at 7:33 p.m.

Approved by: _____
Chairman/Vice Chairman

Secretary

Approval date: _____