

Nottingham Planning Board  
August 10, 2016

1 **Approved by the Nottingham Planning Board: 8/24/2016**

2 **Members Present:** Dirk Grotenhuis, Chairman; Eduard Viel, Vice-Chairman; Charlene  
3 Andersen, BOS Rep; Susan Mooney, Secretary; Gary Anderson, SRPC Rep; Teresa  
4 Bascom; Robert “Buzz” Davies, Alternate

5 **Members Absent:** John Morin, CIP Rep;

6 **Alternate Member Seated and Voting:** Mr. Davies for Mr. Morin

7 **Others Present;** Paul Colby, Code Administrator; JoAnna Arendarczyk, Land Use Clerk;  
8 Dale Rice, Resident; Raelene Shippee-Rice, NCC; Paul Miliotis, NCC; Samuel Demeritt,  
9 NCC;

10 Call to Order at: 7:00pm

11 **Public Hearing**

12 **Public Hearing Opened:** 7:01pm

13 **Case #P16-007-SUB** – Application from Gary and Lorraine Anderson for a 2 Lot  
14 Subdivision of 5.215 acres on Gile Road in Nottingham, NH. Property is owned by Gary  
15 and Lorraine Anderson and is identified as Tax Map 27 Lot 1.

16 ***Mr. Anderson recused himself as he is the applicant.***

17 Mr. Chairman read a letter requesting a continuation of the case to September 14<sup>th</sup>.

18 **Motion made by:** Mrs. Mooney to “continue case #P16-007-SUB to September 14<sup>th</sup> at  
19 7:00pm”

20 **Seconded by:** Mr. Viel

21 **Discussion:** none

22 **Vote:** 6-0-0 motion passed

23 ***Mr. Anderson was reseated***

24 **Public Hearing Closed:** 7:03pm

25 **Public Meeting**

26 Joint meeting with Conservation Commission- Master Plan work session

27 Mrs. Shippee-Rice came to the table to participate with the Board. The NCC Chairman, Mr.  
28 Demeritt, will attend the meeting after a prior commitment.

29 Mr. Chairman turned the meeting over to Mrs. Mooney as the “liaison” between the PB and the  
30 Nottingham Conservation Commission (NCC).

31 She reviewed the top action items:

- 32 • #1. Natural Resource (NR) 5.6 Incorporate into the Zoning Ordinance (ZO) a permitting  
33 process for outdoor lighting to preserve Nottingham’s dark sky environment.
  - 34 ○ Mr. Colby reviewed ordinances from other communities
  - 35 ○ Modifying a “boiler plate” ordinance from a “dark skies association” or  
36 something with a similar title
    - 37 ▪ Plans to have it available in a few weeks.

38 **7:08pm:** Mr. Demeritt and Mr. Miliotis joined Mrs. Shippee-Rice at the table.

- 39 • #2 NR 1.7 Develop a town wide water resource inventory and management plan  
40 (Consumptive Water Use Plan (CWUP)) consistent with RSA 4-C: 22.
  - 41 ○ Through research Board Members found this law was repealed
    - 42 ▪ Board decided to omit this item.

43 The Board is considering a display for Nottingham Day- with bullets explaining the items  
44 being worked on. The Board will discuss this and have a sign up for manning the booth  
45 at the next meeting.

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- 46 • #3 NR 1.3 Adopt a local Shoreland Protection Overlay District that would focus  
47 particularly on lower order streams not covered by the state Shoreland Water  
48 Quality Protection Act RSA 483-B.  
49 ○ Board members received list titled: “NCC River and Stream List”-(First  
50 Draft 7-12-16)  
51     ▪ Bean and Elliott Rivers  
52         - Source of water from Nottingham Lake  
53         - Classified as 4<sup>th</sup> order  
54         - Under RSA protection.  
55     ▪ Mr. John Fernald was asked about the little brooks connected with  
56 Langley Pond and Cyrus Pond and eventually go to Cedar Waters  
57 (aka Pea Porridge Pond)  
58         - Informed they are more like seeps/ wetlands.  
59     ▪ North River  
60         - 3<sup>rd</sup> order stream to North River Lake  
61         - (Down Stream is 4<sup>th</sup> & 5<sup>th</sup> order)  
62     ▪ Elliott River on Flutter Street  
63         - Comes out of Pawtuckaway Lake  
64         - Protected by the State

65 Mr. Demeritt informed Board members how “orders” are defined:

- 66 • 1<sup>st</sup> order- “nothing else going into it- it’s all by itself”  
67 • 2<sup>nd</sup> order- is two 1<sup>st</sup> orders coming together  
68 • 3<sup>rd</sup> order- is two 2<sup>nd</sup> orders coming together  
69 • 4<sup>th</sup> order- is two 3<sup>rd</sup> orders coming together  
70 • If a 1<sup>st</sup> order and 2<sup>nd</sup> order come together it is still a 2<sup>nd</sup> order stream/river.  
71     ○ The higher the order number, 4<sup>th</sup> order and higher, the more likely the  
72 stream/ river is protected by the state and RSA.

73 The NCC is researching which rivers in Nottingham exist under the State protection and  
74 seek local protection for 3<sup>rd</sup> orders and lower. The protection they seek is similar to the  
75 state protection i.e. set-backs to minimize erosion and protect the quality of the water.  
76 With this protection the Town has the power not DES. The PB would be enforcing the  
77 protection during the Subdivision phases. The Board agreed that if this ordinance change  
78 is to be created a lot of thought has to go into it and it may take a year or more. The plan  
79 is to have this ready for the 2018 Town Meeting. The NCC drive for this ZO change is  
80 due to the fact that there aren’t any safe guards for these lower order streams and rivers  
81 and everything in Nottingham goes into Great Bay.

82 The plan moving forward:

- 83 • determine what order the streams are  
84 • what sub watershed the streams belong to  
85 • Locate the streams in Town  
86     ○ Priority:  
87         ▪ those on large properties  
88         ▪ those that feed into the North River

89 Mr. Demeritt will check with the Lamprey River Water Association (LRWA) if there are  
90 local ordinances to protect the lower orders streams.

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- 91 • #4 NR 1.9 Amend and update the current commercial soil-stripping ordinance to
- 92 create an earth extraction ordinance consistent with RSA 155:E.
- 93 ○ Has been taken care of previously
- 94 • #5 NR 1.8 Amend the Aquifer Conservation District to incorporate all stratified
- 95 drift aquifers.
- 96 ○ Mr. Anderson has checked with Kyle Pimental (from Strafford Regional
- 97 Planning Commission (SRPC))
- 98 ○ Mr. Pimental is ok with getting involved with mapping and working with
- 99 both Boards.
- 100 ▪ indicated a Zoning Change will be necessary
- 101 ○ Staff will contact Mr. Pimental re:
- 102 ▪ Attending next joint meeting
- 103 ▪ Cost for mapping
- 104 ▪ Joint meeting scheduled for October 26, 2016.

105 The PB discussed future agenda items.

- 106 • Zoning Ordinance Changes need to be worked on
- 107 • Continue work on Master Plan with NCC

108 **Public Comment**

109 None present

110 **Board of Selectmen and Staff/ Board Members Update**

- 111 • Ms. Andersen gave a Board of Selectmen update:
- 112 ○ Continuing work on Policy and Procedures
- 113 ○ RFP out for fuel
- 114 ○ RFP out for Solar
- 115 ○ About six (6) small Town owned land pieces will be up for bid- abutters
- 116 will receive notice first- all under two acres
- 117 • Mrs. Mooney gave an NCC update:
- 118 ○ Conservation Easement Deed for the Sweetser property on Ledge Farm
- 119 Road has been signed
- 120 • Mr. Colby informed the Board
- 121 ○ Upcoming cases
- 122 ○ All Land Use applications are now available on Town web page
- 123 ○ Waiting for Impact Fee Update materials from Mr. Mayberry

124 **Approval of Minutes**

125 Minutes were tabled until the next meeting.

126 *Signed All Aboard plans Case #P16-008-SIT*

127 **Adjournment**

128 **Motion made by:** Mrs. Bascom to adjourn

129 **Seconded by:** Mr. Anderson

130 **Vote:** 7-0-0 **motion passed**

131 **Adjourned at:** 8:01 pm

132 For the Nottingham Planning Board

133 JoAnna Arendarczyk, Land Use Clerk