

Nottingham Planning Board  
January 11, 2017

**Approved by the Planning Board:** February 8, 2017

**Members Present:** Dirk Grotenhuis, Chairman; Eduard Viel, Vice-Chairman; Charlene Andersen, Ex Officio & BOS Rep; Teresa Bascom;

**Members Absent:** John Morin, CIP Rep; Susan Mooney, Secretary; Gary Anderson, SRPC Rep; Robert "Buzz" Davies, Alternate

**Others Present:** Paul Colby, Code Administrator; JoAnna Arendarczyk, Land Use Clerk, Dennis Fowler Jr. & Mrs., Abutter; Dan Higginson, Surveyor; Sam Demeritt, NCC Chairman;

**Call to Order at:** 7:01pm

**Public Hearing Opened:** 7:03pm

**Public Hearing**

- **Case #P16-014-SIT** – Application for a Change of Use from Higginson Land Services, representing Scott McMichael, operator of Best Buy Auto Sales at 255 Old Turnpike Road in Nottingham, NH. Proposal is to expand the scope of services to include vehicle repair and inspection services. No construction changes to the property are proposed. The property is identified as Tax Map 16 Lot 7.

Representing the applicant was Surveyor Mr. Dan Higginson. He presented the plan to expand the services allowed by providing an inspection station. He stated that there is no intention of starting an automotive shop and there will be no physical changes to the facility. The plan is to inspect the cars out of the back bays.

Mr. Colby stated that he found the application complete and recommends accepting the application.

***Acceptance of application:***

**Motion made by:** Mrs. Bascom to "accept the application for Case #P16-014-SIT as complete."

**Seconded by:** Ms. Andersen

**Vote:** 4-0-0 **Motion Passed**

***Waivers:***

Mr. Higginson informed the Board that they are requesting two (2) waivers:

1. To waive the requirement to complete survey of the property lines
2. To waive the requirement to show wetland locations

Mr. Chairman addressed his concerns regarding the requests. Based on the previous plan there would be changes made regarding parking spaces. The current file does not have a proper survey plan and therefore dimensional offsets are not available.

**Motion made by:** Mr. Viel to deny the waivers

**Seconded by:** Mrs. Bascom

**Vote:** 4-0-0 **Motion Passed**

***Public Comment:***

Mr. Dennis Fowler of 22 Cooperhill Rd., spoke to the Board of his concerns.

- They DO work on cars
  - Late work on cars (though not for two (2) weeks now)
- Trash piling up- even behind the dumpsters
- Septic system very close to the Brook- many trees taken down for this in 2015
- More cars than approved on site (Ms. Anderson agreed she counted 35 cars)

Mr. Fowler also presented a letter from a resident across the street but not an abutter to the applicant's property. (File)

**Public Comment Closed:** 7:20pm

**Board Discussion:**



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Mr. Higginson offered to address some of the issues raised with his client:

- Solidify hours of operation
- Install a Stockade fence
- Address the Dumpster trash (maybe restaurant trash)

Board members also suggested:

- Consider directional signage to aid in the flow of parking lot traffic
- Label a boxed area for display cars and label spaces for public parking
- Identify storage or disposal of new and/or used chemical fluids

**Public Comment Re-opened:** 7:37pm

Inquired about open water and drainage for property in Northwood

**Public Comment Closed:** 7:38pm

Additional Board Recommended Changes:

- Label Site Lights
- Note Pole Heights and Fixtures
- Note Signage
- Identify Access to Dumpster
- Remove:
  - Notes regarding construction
  - "Proposed Septic Systems"
- Add Signature Block for the Planning Board
- DES approval required

**Motion made by:** Mrs. Bascom to continue the case on February 22, 2017 at 7:00pm

**Seconded by:** Ms. Andersen

**Vote:** 4-0-0 **Motion Passed**

**Public Hearing Closed:** 7:43pm

**Public Hearing Opened:** 7:44pm

**Proposed Zoning Changes:**

- **To amend:** Article II Zoning Districts and District Regulations Section 2.J, Requirements/Limitations which currently reads as follows:

J. ADU's shall have no more than one bedroom.

*To be replaced with:*

J. An interior door shall be provided between the principal dwelling unit and the ADU.

**Motion made by:** Ms. Andersen to accept the proposed amendment for the warrant

**Seconded by:** Mr. Viel

**Vote:** 4-0-0 **Motion Passed**

- **To add the following definitions:**

Accessory Dwelling Unit (ADU)

Building Envelope

Lot Line

Multifamily Structure

Setback

Setback Line

**Motion made by:** Ms. Andersen to accept the revised definitions for the warrant article

**Seconded by:** Mrs. Bascom

**Vote:** 4-0-0 **Motion Passed**



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- **To amend:** Article II Zoning Districts and District Regulations Section C.2 Residential-Agricultural Districts- to read as follows:  
There shall be between the property line, water's edge ("reference line" as described in RSA 483-B:4 XVII), and any dwelling, including septic systems, a minimum distance of fifty (50') feet, twenty (20') feet for grandfathered non-conforming lots of less than two (2) acres, as of the date of passage (03/08/94), in all directions. Setbacks for accessory buildings shall be fifty (50') feet minimum distance from the lot frontage property line (20') feet for grandfathered non-conforming lots of less than two (2) acres and twenty (20') feet minimum distance from the side and rear property lines. Special exceptions to this ordinance may be granted by the Zoning Board of Adjustment based on weighing of the following considerations, but in no case shall less than twenty (20') feet be permitted for habitable structures or nonhabitable structures of fifty (50') square feet in area or greater:

The Board agreed on a small language change: ~~including and septic systems~~ **system(s)**,

**Motion made by:** Ms. Andersen to accept the proposed amendment for the warrant article

**Seconded by:** Mrs. Bascom

**Vote:** 4-0-0 **Motion Passed**

**Public Hearing Closed:** 7:34pm

**Public Meeting**

- **Review Town Report Draft**

The Board requested the Land Use Clerk e-mail the Board the draft so all members can review it and make suggested edits/changes.

**Approval of Minutes**

- December 14, 2016

**Motion made by:** Mr. Viel to approve the minutes of December 14, 2016.

**Seconded by:** Mrs. Bascom

**Vote:** 4-0-0 **Motion Passed**

**Board of Selectman and Staff/ Board Members Update**

- Mr. Colby requested Board members make a list of goals to tackle for 2017
  - Discuss further at first meeting after March election
- The Board agreed to cancel the January 25, 2017 meeting
- Ms. Andersen- Board of Selectman update:
  - Warrant Articles for two (2) Solar Panels for Town buildings
  - 21 Board/Committee positions open- mailer being sent to residents regarding the need to fill positions
  - Flood Plain map update suggested for 2018

**Public Comment**

On behalf of Mrs. Mooney, Mr. Demeritt, Chairperson of the Conservation Commission, gave a brief summary of the "Dark Sky" presentation that was given by a resident at the last meeting.

**Adjournment**

**Motion made by:** Mrs. Bascom

**Seconded by:** Ms. Andersen

**Vote:** 4-0-0 **motion passed**

**Adjourned at:** 8:04pm

For the Nottingham Planning Board

JoAnna Arendarczyk, Land Use Clerk