

Nottingham Planning Board

April 14, 2021

*Approved: May 12, 2021*

**Planning Board Members Present:** Dirk Grotenhuis, Chair; Eduard Viel, Vice-Chair; Susan Mooney, Secretary; Gary Anderson, SRPC Rep; Ian MacKinnon; Robert “Buzz” Davies, Alternate

**Board Members Absent:** Tiler Eaton, BOS Rep; Leanne Gast, Alternate

**Surveyors Present:** Scott Frankiewicz, Christopher Berry

**Applicants Present:** Wade DeManche; Joe Fernald; Tami Defrancesco

**Abutters Present:** Keep Watercross its America; Kelly LaPointe; Steve Reynolds; Mary Colvard; Natalie; Cheri Tuck

**Others Present:** JoAnna Arendarczyk, Land Use Clerk; Stefanie Casella, SRPC Planner; Brett Allard, Attorney

**Call to order:** 7: 06pm

The Chair read the following:

**The Chair of Nottingham Planning Board has found that, due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2021-04, boards thereof are authorized to meet electronically.**

**Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor’s Emergency Order.**

**The Nottingham Planning Board is utilizing Zoom for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and if necessary, participate in the meeting.**

**Roll call:** to publicly account for the members present

**Alternates Seated and Voting:** Mr. Davies for the Vacant position

*(italics below indicate language from a public hearing notice)*

**Public Hearing**

- **Case #21-003-SIT (1<sup>st</sup> mtg. March 24, 2021)-** Application from Tami Defrancesco, Trustee of Kubota Trust, requesting approval of a Watercross event to be held three (3) times a year starting in 2021. The property is located at 214 Raymond Road in Nottingham, NH and is identified as Map 69 Lot(s) 8&10.

The Chair summarized the response from the Attorney regarding the use of the commercial property and the proposed change of use of both the residential and the commercial properties. Our town attorney has advised that the applicant be referred to the Zoning Board of Adjustment (ZBA). Issues related to use are items under the jurisdiction of the ZBA and not the Planning Board (PB). Due to this direction the applicant has requested a continuation via e-mail to the May 26, 2021 meeting which is after the May 18, 2021 ZBA meeting. They have also requested an extension to the 65-day window. The applicant would be advised to seek support from staff to be sure all necessary reliefs are sought at one time. The Board discussed holding a site walk in the interim and agreed to invite the ZBA for the site walk as well.

The Chair stated that he would communicate with the applicant and staff a few recommended reliefs to be sought by the applicant. However, ultimately it is the applicant’s responsibility to determine which reliefs are necessary.

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**Motion Made by:** Mr. Viel to schedule a site walk, possibly a joint one with the ZBA on May 5, 2021 at 5:30pm.

**Seconded by:** Mr. Anderson

**Discussion:** Ms. Defrancesco confirmed the date and time were acceptable with her.

**Roll Call Vote:** 6-0-0 **Motion Passed**

**Motion Made by:** Mr. Viel to refer case #21-003-SIT to the ZBA as discussed and to continue the case to May 26, 2021 which would also extend the 65-day deadline.

**Seconded by:** Ms. Mooney

**Roll Call Vote:** 6-0-0 **Motion Passed**

Those in attendance were informed that abutters would receive notice regarding the ZBA case but would not receive notice regarding the continuation for the PB meeting on May 26, 2021.

- *Case #21-006-SIT- Application from Wade DeManche, owner of Precision Cut Lumber LLC, requesting Site Plan approval for a sawmill and furniture production business. This property is located on Old Turnpike Road in Nottingham, NH, and is identified as Map 4 Lot 1 Sublot 1. Public Comment Opened: 8:06pm*

The Chair stated that the application has been reviewed by the Planner. Barrington was notified of the case as well.

**Completeness Review**

Planner Ms. Casella recommended the application be accepted as complete (see review in file).

**Motion Made By:** Mr. Viel to accept the application as complete

**Seconded By:** Mr. Anderson

**Discussion:** Mr. MacKinnon stated that the submitted application has enough detail to allow discussion of merits.

**Roll Call Vote:** 6-0-0 **Motion Passed**

Mr. DeManche summarized that he quickly moved his business to Nottingham due to a rental agreement being canceled by new ownership. He reviewed the notes in a letter "To Whom it may concern, Signed by Wade DeManche" which is in the application file.

Mr. DeManche left the meeting and returned (technical difficulties)

The Chair stated that the plan needs more information on it (eg. Driveway width). He offered to meet with Mr. DeManche outside of the meeting to identifying application/plan requirements that can/should be met and thereby reduce the waiver requests. Mr. MacKinnon also offered to join the meeting.

Mr. DeManche stated that Peter Landry, of Landry Surveying, is still working on the Site Plan. However, he cannot get to the remaining work until a later date.

Mr. Viel stated that a determination needs to be on the difference between Commercial vs. Industrial as the two have different setback requirements. Noise levels should also be taken into consideration. Mr. DeManche stated that the saw is quiet enough to have a conversation with someone while standing next to it. He added a few other points:

- Electric vacuum kiln is used
- Customers are rarely on site
- If on site all equipment is shut down
- Water usage is very low for the business

**Motion Made By:** Mr. MacKinnon to continue Case #21-006-SIT to April 28, 2021 at 7:00pm.

**Seconded By:** Mr. Viel

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**Discussion:** Mr. Davies asked how many members can meet with the applicant before it is considered a meeting and should it be noticed? It was agreed that two is the limit and that it is okay for Mr. MacKinnon and Mr. Grotenhuis to meet with the applicant this coming week.

**Roll Call Vote:** 6-0-0 **Motion Passed**

- *Case #21-004-SUB (1<sup>st</sup> mtg. March 24, 2021)- Application from Owl Ridge Builders, LLC, requesting to Subdivide a lot into two (2) separate lots for two (2) single family homes. The property has frontage on both Stevens Hill Road, a scenic road, and Deerfield Road in Nottingham and is identified as Map 52 Lot 10.*

Christopher Berry of Berry Surveying, shared his screen with the updated plan and pointed out the changes as noted in the letter submitted with the changes from Berry Surveying to the Chairman and Members of the Nottingham Planning Board dated April 6, 2021 (in file). He also addressed the Nottingham Conservation Commission (NCC) comments made in their letter to the Planning Board dated April 13, 2021 (in file). The biggest concerns he addressed per the NCC comments:

- The recommendation to increase the culvert size to 24" and to sink it deeper into the ground.
  - Mr. Berry stated that this recommendation would make sense in some areas but in this case the 12" culvert as depicted allows for proper coverage and drainage as well as reducing the amount of alteration of terrain required.
- The recommendation to relocate the shared curb cut.
  - The change does not reduce the amount of disturbance and line of sight was reviewed and agreed on by the Director of Public Works (DPW). To agree to this change means an unnecessary additional meeting with the ZBA.

Ms. Mooney stated that she agrees with the slope recommended by the DPW.

The other recommendations by the NCC were agreed to by the applicant.

**Motion Made By:** Mr. Viel to allow the 12" proposed culvert vs. the 24" culvert recommended by the NCC.

**Seconded By:** Mr. MacKinnon

**Discussion:** Ms. Mooney was asked why the NCC recommended the larger, box culvert. She replied that it was for easier wildlife passage as well to increase flow in heavier rain events.

Mr. MacKinnon in many cases he would agree with the larger box culvert but not in this case.

**Roll Call Vote:** 6-0-0 **Motion Passed**

The Land Use Clerk, JoAnna Arendarczyk, stated that a stone wall picture had just been submitted by Owl Ridge Builders, via e-mail.

**Public Hearing Opened:** 8:22pm- No one spoke

**Public Hearing Closed:** 8:23pm

**Board Discussion:**

Fire suppression sprinklers are not required because to a dry hydrant is located 0.75 miles away.

**Motion Made By:** Mr. MacKinnon to approve Case #21-004-SUB with the items listed in staff review and copies provided to the Town.

**Seconded By:** Ms. Mooney

**Roll Call Vote:** 6-0-0 **Motion Passed**

**Public Hearing Closed:** 8:26pm

**Staff/ Board Members Update**

**Susan Mooney-** Reminder that the School and Town Deliberative sessions are Saturday at the school.

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**Ed Viel-** The BOS is listing town owned properties for sale. Complimented the group who did the community center fields clean up.

**Stefanie Casella- SRPC-** Resiliency Round Table- CHAT- Community for Healthy Aging & Transitions coming up for Northwood, Barrington and Nottingham. She will forward the information to the Board.

**Ian MacKinnon & Ed Viel-** Reminded people of the open positions on the Board.

**Minutes**

February 24, 2021

**Motion Made by:** Mr. Viel to approve the minutes of February 24, 2021 as edited.

**Seconded by:** Mr. Davies

**Roll Call Vote:** 6-0-0 **Motion Passed**

**Adjournment**

**Motion Made by:** Mr. Viel

**Adjourn at:** 8:33pm

For the Nottingham Planning Board ~ JoAnna Arendarczyk, Land Use Clerk