

Nottingham Planning Board

May 13, 2020

Approved: June 24, 2020

Board Members Present: Dirk Grotenhuis, Chair; Eduard Viel, Vice-Chair; Tiler Eaton, BOS Rep; Gary Anderson, SRPC Rep; Joseph Clough, CIP Rep; Ian MacKinnon; Leanne Gast, Alternate

Board Members Absent: Susan Mooney, Secretary; Robert “Buzz” Davies, Alternate

Others Present: JoAnna Arendarczyk, Land Use Clerk; Stefanie Casella, SRPC Planner; Barb Thompson, Applicant; Bob Berner, Eversource; Christopher Berry, Surveyor; Jim Franklin, Surveyor; Mike Dougherty; Stephen Curwood; Matthew & Seonaid Eaton, Applicants; Matt Eaton- Jackson Associates Rep; Dennis & Jennifer Buck; Nicole Pirog Marvell; Patricia Roix; Unidentified caller; Unidentified caller

Call to order: 7:00pm

Alternate seated and voting for: Ms. Gast for Mrs. Mooney

Emergency declaration read by Mr. Grotenhuis:

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 2020-08, SRPC and committees 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 Committee 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 via the link and Meeting ID found on the website.

Roll call: to publicly account for the members present

Italic font below notes public hearing notice language

Public Hearings

Rescheduled to May 13, 2020- Eversource- Scenic Road tree trimming/removal- Notice is hereby given that the Nottingham Planning Board will hold a Public Hearing in accordance with RSA 231:158 II, on **Wednesday, March 25, 2020** at 7:00 PM, in Conference Room 1 at the Municipal Town Office, 139 Stage Road, Nottingham, NH 03290. The purpose of this hearing is to discuss a request from Eversource Energy for tree trimming/removal on the following scenic roads: Stevens Hill Rd., Case Rd., Gile Rd., Ledge Farm Rd., Mitchell Rd., and Poor Farm Rd. Eversource rep. Robert Berner presented the details for the proposed tree trimming/removal on the above listed scenic roads.

Mr. Viel stated that Mrs. Mooney communicated via e-mail that she requests all necessary nesting and wildlife material (brush included) be left untouched as possible.

Public Comment Opened: 7:13- No comments

Public Comment Closed: 7:14pm

Motion Made by: Mr. Anderson to approve the request from Eversource as presented to trim or remove trees on the following scenic roads: Stevens Hill Rd., Case Rd., Gile Rd., Ledge Farm Rd., Mitchell Rd., and Poor Farm Rd.

Seconded by: Mr. Eaton

Discussion: None

Roll call vote: 7-0-0 **Motion Passed**

Case #20-002-LLA- *Application for a Lot Line Adjustments from Leslie & Barbara Thompson (38 Lamprey Drive), Michael Dougherty Revocable Trust- Michael Dougherty & Beth Phillips (40 Lamprey Drive), Michele Lefebvre Revocable Trust- Mark & Michele Lefebvre (18 Indian Run), Matthew & Seonaid Eaton Revocable Trust- Matthew & Seonaid Eaton (6 Lamprey Drive), 70- 25 LLC- Kevin Bassett, to adjust the lines between Map 70 Lot 25 and Map 68 Lots 5 and 6 and Map 70 Lots 11 and 12. These properties are located in Nottingham, NH.*

Mr. Grotenhuis informed the Board that the town attorney gave guidance stating that the LLA is ok because the applicants are increasing their land with that of the same use.

The Plan was shared via screen share by the Land Use Clerk.

Ms. Casella stated that no waivers are needed for the case.

Mr. Grotenhuis read the list of edits noted on the memo from the Planner's review. He added that existing structures must also be labeled on the plan.

Matt Eaton, applicant, noted that the public hearing notice lists Map 70 Lots 11 and 12, however it should be Map 70 Lots 11 and 13.

Mr. Franklin spoke the request to note right of way dimensions- Lamprey Drive does not have a dedicated width of access out to Route 156.

Application Acceptance-

Motion Made by: Mr. Viel to accept Case #20-002-LLA as complete.

Seconded by: Mr. Anderson

Roll call vote: 7-0-0 **Motion Passed**

Public Comment Opened: 7:35pm- No comments

Public Comment Closed: 7:36pm

Board Discussion-

Mr. Franklin responded to a concern that the Lot Line Adjustment (LLA) would be creating backlots by assuring the Board that the access easements would be remaining the same. He offered to add a note explaining the perpetuity of the gravel drive and that the plan does not represent acceptance of the road. Ms. Casella stated that she would check with the Town and maybe the Town Attorney to be sure the language is accurate.

Mr. Franklin stated that language would be added to the plan as written in the memo explaining why a Variance was not required for the LLA.

Motion Made by: Mr. Anderson to approve Case #20-002-LLA with the condition that staff comments as listed in the SRPC memo are met.

Seconded by: Mr. Clough

Discussion: None

Roll call vote: 7-0-0 **Motion Passed**

The Conditions must be met within one (1) year.

Case #20-003-SUB- *Application for a 14 lot Subdivision from Robert Diberto. Two new roads will be constructed as part of the subdivision. The property is identified as Tax Map 7 Lot 1N and is located off Mitchell Road, a Scenic Road, in Nottingham, NH.*

Mr. Grotenhuis read the comments/ edit requirements in the memo from the planner's review.

Ms. Casella stated that she recommends the application be accepted as complete.

Christopher Berry from Berry Survey and Engineering and landowner Robert Diberto were present. Mr. Berry presented the plan adding that historical review needs to be done. Best practices for wildlife and the environment will be applied. He has filed an Alteration of Terrain permit. He added that the Traffic Impact Analysis as well as the Environmental Impact Assessment have been submitted contrary to the notes in the memo.

Due to the concerns of a burial ground on the parcel Mr. Berry stated that a Ground Penetrating Radar (GPR) method will likely be used as it seems necessary for this location.

Steve Curwood, closest abutter to the proposed subdivision, commented that he is concerned about the impact on the endangered or threatened species on the property.

Mr. Grotenhuis stated that those impact reports are still forthcoming.

Mr. Curwood asked why the application would even be considered for acceptance as complete when more information is needed. Other information is needed, like how wetlands would be mitigated.

Mr. Grotenhuis stated that the wetlands impact is a state permit and the Town would not approve the subdivision without that approval from the state.

Mr. Berry noted that he has started the wetlands application and that he wants to meet with the Conservation Commission before submitting the application.

Mr. Curwood expressed further concerns: Fiscal impact (school)? If there is a grave site in the parcel where will the lot lines be adjusted to? Impact to the already burdened gravel scenic road, will it be paved?

Mr. Grotenhuis stated that all that information will be needed but they are not required for acceptance of the application.

Patricia Roix asked about the proposal to include Barrington. She was informed by Mr. Grotenhuis that the application does not indicate that is part of the proposal.

All the concerns above were echoed by Nicole (Pirog) Marvell of 4 Sutton Street, Nottingham.

Mr. Berry noted that there is material that have been raised as "missing"; however, that material is not listed as required to consider the application as complete to allow further discussion and investigation into the viability of the proposed development.

Application Acceptance

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

Seconded by: Mr. Mackinnon

Discussion: Mr. Clough noted to the abutters that their concerns are not taken lightly, and they will be taken into consideration moving forward.

Roll call vote: 7-0-0 **Motion Passed**

The Land Use Clerk informed the abutters that they will not be re-notified of further hearings on this case and advised the residents to stay informed by checking the agendas on the websites.

The Board and the applicant discussed a timeline for the continued hearing after other documents and a technical review with all town agencies as well as the Town Engineer has been completed. They settled on June 10th at 7:00pm.

Motion Made by: Mr. Viel to continue Case #20-003-SUB- Application for a 14 lot Subdivision from Robert Diberto to June 10, 2020 at 7:00pm.

Seconded by: Mr. Anderson

Roll call vote: 7-0-0 **Motion Passed**

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Acceptance of Bylaws and Rules of Procedure- tabled until the Board resumes meeting in person

Minutes

April 22, 2020

Motion Made by: Mr. Viel to approve the minutes of April 22, 2020 as edited

Seconded by: Mr. Clough

Roll call vote: 7-0-0 **Motion Passed**

Staff/ Board Members Update

JoAnna Arendarczyk- Land Use Clerk- Next meeting is May 27, 2020 with two cases scheduled; the Mill Pond Road subdivision as well as the Paradis- Poor Farm Road subdivision.

Stefanie Casella- SRPC contracted Planner- Traffic counts being done- submit a list of roads if interested in including Nottingham roads.

Gary Anderson- SRPC Rep- Zoom meeting regarding Covid19 and how SRPC can be prepared in the future as well as how technology can help with recovery.

Joe Clough- Suggested reconvening the Transportation Committee with the traffic count being done. Mr. Grotenhuis stated he would work on this.

Adjournment

Motion Made by: Mr. Viel to adjourn

Seconded by: Mr. Anderson

Roll call vote: 7-0-0 **Motion Passed**

Adjourn at: 9:02 pm

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