

Nottingham Planning Board

December 11, 2019

Approved: February 12, 2020

Board Members Present: Dirk Grotenhuis, Chair; Eduard Viel, Vice-Chair; Tiler Eaton, BOS Rep; Susan Mooney, Secretary; Robert “Buzz” Davies, Alternate; Gary Anderson, SRPC Rep; Joseph Clough, CIP Rep; Teresa Bascom

Board Members Absent: Leanne Gast, Alternate

Others Present: JoAnna Arendarczyk, Land Use Clerk; Stefanie Casella, Strafford Regional Planning Commission (SRPC) Planner; Jim Franklin, Surveyor; Jeff Paradis, Applicant; Jason & Michelle Insley, Applicants; Brad Jones, Jones and Beach Engineers

Call to order: 7:01pm

Chairman adjusted the order of the cases listed on the agenda.

Public Meeting

• Continuation- CASE 19-011-SUB

Application from Jeffrey and Susan Paradis, for a four-lot subdivision on a Scenic Road which may include tree cutting. The property, owned by Jeffrey and Susan Paradis, is located on Poor Farm Road in Nottingham, NH and is identified as Tax Map 58 Lot 7-1.

This case has been heard on November 13, 2019 and was continued to December 11, 2019. The Notice for the November 13, 2019 case omitted the fact that the proposed Subdivision is on a Scenic Road.

Mr. Franklin, Land Surveyor and Mr. Paradis presented the new material as requested by the Planning Board at the previous hearing.

Steep Slopes were identified in the field and presented on the plan and how they would affect the building envelopes. Lot 7-1-1 subtracting 25% and over the building area envelope is reduced to 94,000SF. Lot 7-1-2 the building area envelope is reduced to 96,400SF. Lot 7-1-3 there was no change in the building area envelope 31,460SF.

Waiver Requests:

To waive existing grades and 2-foot contour topology- Ms. Casella recommends acceptance of the requested waiver. (see memo in file)

The slopes impact the long driveway on 7-1 and would be impacting wetlands on 7-1-1 and 7-1-2, particularly where this is in one of the aquifers in Nottingham.

The Board requested the contours be submitted on the subdivision plans as they are available by a map provided by the Strafford Regional Planning Commission.

Motion Made By: Mr. Viel to deny the waiver for the existing grades and 2-foot contours that was submitted because the applicant has that information available and is willing to provide it.

Seconded By: Mrs. Bascom

Vote: 7-0-0 **Motion Passed**

Environmental Impact Assessment- Mrs. Mooney noted that due to the lots being on an Aquifer the minimum lot required is three (3) acres not two (2) acres. Two (2) of the four (4) lots are larger than the minimum as opposed to four (4) as stated. Mrs. Mooney expressed a concern that it would be negligible to grant the waiver due to the area of wildlife.

The Chair read the criteria to consider waivers (4 items)

Jeff Paradis, applicant stated that he chose large lots to reduce the impact.

Mr. Franklin agreed with submitting to Natural Heritage Bureau (NHB)

Motion Made By: Mr. Viel to postpone the waiver request for the Environmental Impact Assessment due to the applicants offer to submit a NHB study.

Seconded By: Mr. Anderson

Nottingham Planning Board
December 11, 2019

46 **Vote: 7-0-0 Motion Passed**

47 **Hydrogeologic Study-** This is also found in the Zoning Ordinance Article III. (a).5. The Board is
48 uncertain if a Variance is required. The Chair would like to seek clarification as to why the Zoning
49 Board of Adjustment (ZBA) would have the ability to waive the requirement. He advised pending this
50 request.

51 **Motion Made By:** Mr. Viel to postpone the request for the waiver to Article 10 Section 7 of the
52 Subdivision Regulations until after the applicant determines whether they will seek ZBA relief or not.

53 **Seconded By:** Mrs. Bascom

54 **Vote: 7-0-0 Motion Passed**

55 The Chair reviewed the letter of comments from the Nottingham Conservation Commission (NCC)
56 dated December 10, 2019 (file).

57 Revised plans (large copies only) were provided on 11/25. The Board reviewed the 8% driveway
58 grades. Mrs. Mooney and Mr. Franklin discussed options regarding driveway placements and the
59 proximity to wetlands.

60 **Public Hearing Opened: 7:52pm**

61 No one spoke to the case.

62 Chair kept the public hearing opened due to likelihood of continuation.

63 **Motion Made By:** Mr. Viel to continue the case #19-011-SUB to the January 8, 2020 meeting with
64 deliverables January 2, 2020 by noon.

65 **Seconded By:** Mrs. Mooney

66 **Vote: 7-0-0 Motion Passed**

67

68 • **Case #19-012-LLA**

69 Application from Michelle and Jay Insley, owners of 63 Poor Farm Road (Map 58 Lot 7 Sublot 5), and
70 Sotirios Exarchos, owner of 61 Poor Farm Road (Map 58 Lot 7), for a Lot Line Adjustment between the
71 two properties. Poor Farm Road is a Scenic Road in Nottingham, NH.

72 Brad Jones of Jones and Beach Engineers represented the applicants. He reviewed the comments from
73 Ms. Casella (file). The boundaries will utilize existing bounds already set. Both lots are developed.
74 The well and septic/ leach fields are depicted for those as allowed. There are no streams on the
75 property. There are wetlands that are noted on the plan.

76 **Application acceptance-**

77 **Motion Made By:** Mr. Viel as complete

78 **Seconded By:** Mrs. Bascom

79 **Vote: 7-0-0 Motion Passed**

80 The Board confirmed that no existing structures or driveways would be changing.

81 **Waiver Request-**

82 **To waive the requirement to include the topography for the two lots as well as the wetland**
83 **delineation (file).**

84 **Motion Made By:** Mr. Viel to approve the first waiver to waive the requirements for Article 8.3
85 Sections 6 & 9 for the topography and the re-delineation for the two lots.

86 **Seconded By:** Mrs. Bascom

87 **Vote: 7-0-0 Motion Passed**

88 **Public Hearing Opened: 8:11pm**

89 No one spoke to the case.

90 **Public Hearing Closed: 8:11pm**

Nottingham Planning Board
December 11, 2019

Motion Made By: Mr. Anderson to approve Case #19-012-LLA as presented.

Seconded By: Mrs. Bascom

Vote: 7-0-0 **Motion Passed**

Case Closed: 8:12pm

• **2020 Proposed Zoning Changes Public Hearing**

- 1) To amend Zoning Ordinance Article II. Zoning Districts and District Regulations- Section C. Residential - Agricultural District, and Section F. Multi-Family Development. Adding permitted uses, clarifying and amending setbacks, and amending multi-family requirements to correspond to state law.
- 2) To amend Zoning Ordinance Article IV. General Provisions- Section P. Motor Homes and Travel Trailers, to define a permitting process for temporary housing.
- 3) To amend Zoning Ordinance Article II. Overlay Districts- Section C. Flood Hazard Areas to reflect current State building code regulations.
- 4) Amendments to improve document formatting and section organization to improve readability and updated terminology throughout the Zoning Ordinance. No substantive changes are proposed.

Ms. Casella summarized the proposed changes and noted a few additional points:

Housekeeping will not affect land use regulations.

The Floodplain ordinance to reflect building code (suggest making it its own amendment as listed above)

Public Hearing Opened: 8:16pm

No comment from the public.

The Board discussed the possibility of needing to hold a separate Public Hearing due to separating the floodplain to be its own warrant article

Public Hearing Closed: 8:19pm

The Board decided to reopen the public hearing to allow the public more time to review the materials and potentially comment on the proposed changes.

Motion Made By: Mr. Viel to continue the Public Hearing for the first public hearing for the proposed Zoning changes to January 8, 2020 at 7pm.

Seconded By: Mr. Anderson

Vote: 7-0-0 **Motion Passed**

- **Conceptual- Subdivision - Map 7 Lot 1N on Mitchell Road, Nottingham-** Two traditional subdivision concepts. #1 two cul-de-sacs yielding 15 lots. #2 a loop road yielding 13 lots with ~2,000 LF of road

Owner, Bob Diberto spoke to the proposed subdivision- He asked the Board to indicate which plan the Board would be more likely to welcome.

The Board questioned whether hearing a conceptual was procedurally appropriate due to the plans being heard as a Design Review in the summer. The Design Review is deemed as expired due to it being outside the 90 days.

Mr. Viel suggested the applicant be more constructive rather than specific with his questions. Therefore, allowing the Board to remain in the legal standpoint.

Mr. Diberto agreed to instruct Mr. Berry to move forward with the loop road plan as that is more desirable from the fire safety, public works and bus transportation point of view.

Nottingham Planning Board
December 11, 2019

The Board advised the applicant to review the minutes from the Design Review case.

Applicant left: 8:35pm

A discussion ensued regarding the difference between a Design Review and a Conceptual. Ms. Casella agreed to look into the issues with going from a Design Review to a Conceptual.

2020 Application and Meeting Schedule

The Board discussed summer meetings and agreed to try to hold one meeting a month if possible. The Chair emphasized the aim is to keep all public hearings on the first meeting of the month and the second meeting for other business if possible. Edits were made and a final schedule was agreed on.

Mrs. Bascom announced that she will not be running for office again in the March election. Mr. Clough is the other member up for re-election and he stated he will run again.

Minutes

August 28, 2019

September 25, 2019

October 23, 2019

Motion Made by: Mrs. Bascom to approve the August 28, 2019, September 25, 2019, and October 23, 2019 minutes as amended.

Seconded By: Mr. Eaton

Vote: 7-0-0 **Motion Passed**

Board Members and Staff Updates

Stefanie Casella: Quarterly meeting focused on Dover recreation and Pathways to Play.

Joe Clough: possibly create a shared calendar for meeting dates/ attendance tracking.

Gary Anderson-SRPC: Gave an update on SRPC activity.

Susan Mooney- Nottingham Conservation Commission (NCC): Surveyor, Jim Franklin's presence and communication with the NCC was worthwhile for communication about natural resources.

Tiler Eaton: The Selectmen have been working on the roads issue and the selling of town properties.

Adjournment

Motion Made By: Mr. Eaton

Seconded By: Mrs. Bascom

Vote: 7-0-0 **Motion Passed**

Adjourn at: 8:50 PM.