

Nottingham Planning Board  
December 14, 2016

**Approved:** January 11, 2017

**Members Present:** Dirk Grotenhuis, Chairman; Eduard Viel, Vice-Chairman; Charlene Andersen, Ex Officio & BOS Rep; John Morin, CIP Rep; Gary Anderson, SRPC Rep; Teresa Bascom; Robert “Buzz” Davies, Alternate

**Members Absent:** Susan Mooney, Secretary; Paul Colby, Code Administrator

**Others Present:** JoAnna Arendarczyk, Land Use Clerk, Dan Mather, Applicant; Daniel Regan, Owner of Lot 28; Jackie Snow, School Board; Joan & Kosma Stamoulis, Applicants; Peter Landry, Surveyor; Gretchen Colpritt, Owner on Route 4; Sue Levinson, School Board; Kortney Dorrow, Recreation Director; Bruce Mayberry, BCM Planning

**Alternate seated and voting:**

- Mr. Davies for Mrs. Mooney

**Call to Order at:** 7:00pm

**Public Hearing**

**Case #P16-012-LLA** – Application from Daniel Mather for a Lot Line Adjustment between Map 16 Lot 31 and Map 16 Lot 32. No new lots are being created. The property is located at 244 Old Turnpike Road in Nottingham, NH.

Mr. Mather presented his case for the LLA. His neighbors, the Travis’ want more land and more setback around them.

Mr. Chairman addressed the requested waivers:

1. Request to waive the required full perimeter survey
2. Request to waive the requirement for contour lines

***Acceptance of application:***

**Motion made by:** Mr. Viel to “accept the application for Case #P16-012-LLA as complete.”

**Seconded by:** Mrs. Bascom

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

Mr. Mather added that 29’ of frontage on Route 4 is included in this.

Mr. Viel mentioned that the applicant has already presented a conceptual to the Board at the last meeting.

Dan Regan, owner of lot 28, expressed a concern regarding a stream created from a culvert tied to these properties.

Mr. Chairman acknowledged Mr. Regan’s concern but stated that the Planning Board doesn’t govern culverts- it was also determined that the culvert location wasn’t part of the application.

**Public Comment Closed:** 7:10pm

***Waivers:***

**Motion made by:** Mr. Viel to “accept the two waivers, the first requesting a waiver from the requirement of a full perimeter survey. The second waiver being a request to waive the contours as they are on a previous file.”

**Seconded by:** Mrs. Bascom

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

***Conditional Approval:***

**Motion made by:** Mr. Anderson to “approve Case #P16-012-LLA with conditions.” Mr. Chairman added the conditions: “Professional surveyor stamp for the plan as well as Monumentation Certification.”

**Seconded by:** Mrs. Bascom

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

**Public Hearing Closed:** 7:13pm

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**Public Hearing Opened: 7:13pm**

**Case #P16-013-SUB** – Application from Kosma & Joan C. Stamoulis to Subdivide Tax Map 17 Lot 30, currently 7.424 acres, into two (2) conventional lots. Proposed lot 30-1 would be 3.347 acres leaving the parent parcel with 4.077 acres. The property is located at 73 Gebig Road in Nottingham, NH.

Peter Landry, surveyor for the project, represented Mr. and Mrs. Stamoulis, who were present as well. The project started in April of 2016. Mr. Landry stated the required 30k buildable area within the 50ft setbacks wasn't going to be met so a Variance request was presented to the Zoning Board of Adjustment (ZBA) and was granted. (See ZBA case#16-008-VA)

Mr. Landry explained the need for the Sight Distance Easement: A proposed Easement should the town accept it or a Deed restriction- requirement that the vegetation remain low to allow safe passing with the new driveway.

Due to the temperatures dropping Mr. Landry set the boundary markers already. He presented the certification for that. To his knowledge the only thing remaining is that State Subdivision Approval is still needed- the application for that is ready to go.

**Acceptance of application:**

**Motion made by:** Mr. Viel to "accept the application as complete."

**Seconded by:** Mrs. Bascom

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

Our Zoning Ordinance requires the septic setback to be 75ft for the new lot but the ZBA approved 50ft however Mr. Landry was able to fit it in the 75ft setback from the poorly drained soils.

Mr. Landry could not find evidence of a previous survey therefore a full survey was necessary. The plat shows his results. The acreage is different than the Tax Card.

Mr. Landry discussed the need for a Site Distance Easement or a Deed Restriction. To maintain site distance vegetation needs to be kept low.

The Board discussed the options and agreed to a Deed Restriction instead of an Easement so as to not put a requirement on the Town for maintaining it.

*Motions from here to the end of the minutes are not quoted verbatim due to poor sound recording quality.*

**Motion made by:** Mrs. Bascom to approve Case #P16-013-SUB with Conditions:

1. State Subdivision Approval
2. Deed restriction for the subdivided lot for the driveway site distance

**Seconded by:** Mr. Anderson

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

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

**Public Meeting**

• **Impact Fee Update discussion with Bruce Mayberry:**

Mr. Chairman welcomed Mr. Mayberry, the planner hired to work the required update. He also welcomed Mrs. Levinson and Ms. Snow, members of the School Board.

Mr. Mayberry introduced himself to the Board and presented a brief review sheet (attached) which outlined his findings based on the updated information given to him.

He stated to keep in mind if you are charging for something but not providing then eventually the money collected needs to be refunded. To prevent this he suggested selecting a modest fee and work upward as improvements are made.

**School's Impact Fee:**

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Mr. Mayberry presented the options based on the plan to build an addition as well as the plan to utilize a modular unit to free up space if the proposal of full day kindergarten is accepted. The School Board members listed a few of the services that could be provided if the space were available.

- Science classroom with labs for 5<sup>th</sup> and 6<sup>th</sup> grade
- Health classroom
- Foreign Language

Mr. Mayberry will rework his draft after more avenues are looked at by the School Board and a list of eligible improvements are sent to him.

**Recreation Impact Fee:**

The new Recreation Director Kortney introduced herself. This is Kortney's first year as Director and is still learning about the plans for the future of the Recreation Department.

Mr. Mayberry based his findings on the Recreation Ten (10) Year Plan that was prepared for the Recreation Department in 2011.

Ms. Andersen suggested Mr. Mayberry rework the draft with figures from the Marston Property plan. That plan is more current and has the phases for the proposed development of the site.

Mr. Mayberry was directed to communicate with the Town Administrator for further information.

**Fire Department Impact Fee:**

Currently a portion of the Impact Fees is being put toward the bond on the construction of the Fire Department. It was considered in the past to construct a Safety Complex by expanding the current Fire Department to include the Police Department. However, that is not the present plan. The town population has increased, therefore, Mr. Mayberry calculated a suggested increase to the fee.

Mr. Mayberry added that he reviewed the Impact Fee section in the Zoning Ordinance and found nothing needing revision. (Attached)

The Board will continue to work on Impact Fee review in 2017.

- **2017 Public Hearing schedule:** Accepted by the Board
- **Language for Zoning changes:**

The Planning Board reviewed the draft of the proposed Zoning Changes Warrant Articles for the March Election. All were approved of as written with the exception of Article #4. There was a discussion as to whether the addition of the words "except ADU's" "addressed the issue of detached ADU's". They decided to table this article.

**Motion made by:** Mr. Viel to table Article #4 for a future discussion.

**Seconded by:** Mrs. Bascom

**Vote:** 6-1-0 **Motion Passed** (Nay-Mr. Anderson)

The Public Hearing for the proposed Zoning Changes is scheduled for January 11, 2017.

**Approval of Minutes**

- September 14, 2016

- October 12, 2016

- November 9, 2016

**Motion made by:** Mrs. Bascom to approve all three sets of minutes.

**Seconded by:** Mr. Anderson

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

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

Ms. Andersen gave an update for the Board of Selectman (BOS):

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- 139 • Update on the USA Springs property
- 140 • Town is in the process of unmerging of lots that were involuntary merged
- 141 • BOS is reviewing Solar Energy proposals for Town buildings
- 142 Mrs. Bascom gave an update for the Hazardous Mitigation Committee:
- 143 • Committee requested the PB review the flood plain management ordinance
- 144 Mr. Anderson gave an update from Strafford Regional Planning Commission (SRPC) meeting:
- 145 • Commissioners request suggestions of transportation areas that need work

146 **Adjournment**

147 **Motion made by:** Mr. Viel

148 **Seconded by:** Mr. Morin

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

150 **Adjourned at:** 9:08pm

151 For the Nottingham Planning Board

152 JoAnna Arendarczyk, Land Use Clerk