

Nottingham Planning Board  
August 23, 2017

**Approved:** September 27, 2017

**Members Present:** Dirk Grotenhuis, Chairman; Eduard Viel, Vice-Chairman; Charlene Andersen, BOS Rep; Gary Anderson, SRPC Rep; Teresa Bascom; Joseph Clough; Robert “Buzz” Davies, Alternate

**Members Absent:** Susan Mooney, Secretary

**Others Present:** JoAnna Arendarczyk, Land Use Clerk; Caroline Szafran, Land Owner; Shawn Cahill, Land Owner; Stacy Long, Land Owner; Francis Bruton, Attorney; Susan Hayes, Land Owner; Sharon Symons; Kevin & Harriet Bassett, Abutters; Neil Santos, Land Owner; Michele Oudin; Carrie Dibeorge, Resident; Karen Decker, Abutter; Paul Miliotis, N.C.C; Mike Dougherty, Abutter; Daniel O’Lone, Surveyor-Berry Surveying & Engineering; Bob & Diddy Hill, Abutter; Elizabeth Kotowski, Resident & N.C.C; Jayme Chalogias, Resident; Catherine Rainville, Resident; Kathryn & Roger Friden, Residents

**Alternate seated and voting:**

- Mr. Davies for Mrs. Mooney

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

**Public Hearing**

**Case P17-007-SUB**

Application from Caroline J. Szafran Revocable Trust requesting a three (3) lot- two (2) new lots, Subdivision off of Route 156 (Raymond Road) and Shore Dr. Tax Map 68, Lot 10, a 135.5 Acre parent lot. The property is located at Raymond Road in Nottingham, NH and is identified as Tax Map68 Lot10.

Attorney FX Bruton, from Dover, NH, represented Caroline Szafran Revocable Trust.

- Summarized the case and its history (file)
- Referenced the ZBA approval (file)
- Explained the shaded area between the lots
  - Per abutters request it to be noted as “Area To Be Precluded From All Future Residential Development By Deed Restriction”

**Application:**

Mr. Chairman has reviewed the application and though he found some edits that need to be made to the plan, however he found the application to be complete and recommended it be accepted.

**Motion Made By:** Mr. Viel to accept the application for Case P17-007-SUB as complete.

**Seconded By:** Mrs. Bascom

**Discussion:** One Board member questioned accepting the application if issues were found. The issues Mr. Chairman referred to would not hinder the application from being accepted as complete.

**Vote:** 7-0-0 MP

**The Waivers:**

- Daniel O’Lone, Surveyor from Berry Surveying & Engineering explained the waiver requests
- Each waiver was discussed individually (file)
- The second waiver request was edited by removing: “*All required setbacks*”
  - It was determined that the side and rear setbacks were necessary. The surveyor agreed to put the boundary setbacks with a note explaining why the wetland setbacks were not shown

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- Waivers to be accepted:
  1. *Boundary of entire property to be "subdivided" waiver*
  2. *Area of contiguous uplands; Limits of wetland; Two foot contour interval topography shown over all subject parcels; Total Uplands; Existing Ledge outcroppings & other significant natural features*
  3. *Drainage, erosion and sediment control plans*

**Motion Made By:** Mrs. Bascom "to accept the request for waivers as identified on the four page document with the condition that "All required setbacks" be removed from the waiver request for Case P17-007-SUB.

**Motion was withdrawn:** Mrs. Bascom withdrew her motion- the waiver request was edited regarding the setbacks.

Attorney Bruton read the edited waiver and submitted it for approval. (File)

"The waiver is for all required setbacks for the parent parcel and wetland setback for the two proposed parcels."

**Motion Made By:** Mrs. Bascom "to accept the waiver requests submitted on Case P17-007-SUB as written"

**Seconded By:** Mr. Anderson

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

Concerns about the slopes were discussed briefly and deemed as acceptable.

The note for the portion of land between the two lots did not state "For Foot Traffic Only" as agreed on at the ZBA hearing, the applicant agreed to edit the note.

**Public Comment:** 7:23pm

Some members in the audience came forward to voice their questions and concerns:

- Could the space on either side of the proposed lots be used for improved roads?
  - These spaces are not part of the current development plans
- Could the new lots be used for Multifamily Dwellings?
  - This is identified as a Single Family Subdivision
- What other Rights of Way will be conveyed to the new properties in addition to Shore Drive?
- Would the parcels across the street (Lot 23 and Lot 34-4 are part of Lot 10) which are also owned by the applicant, be used as waterfront access for the owners of the new lots? If so there are areas of wetland/ streams that could be affected.
- Are there wetlands in the area between the two proposed parcels?
  - That portion is not necessary to show wetland area in there as it would not affect the two proposed lots.
- Would public be allowed to walk on the parent lot as they do now?
  - The applicant does not intend to prohibit walking on the parent parcel
- Can the parent lot be noted as "Not To Be Subdivided"?
  - Cannot be subdivided for four (4) years
    - Abutters would be notified
- Can a condition for approval be to improve the maintenance of Shore Drive?
  - The Planning Board has little jurisdiction on private roads- suggest a homeowners association be formed to raise funds to maintain Shore Drive
  - Discussion on how to make Shore Drive a Town Road
- Concerned that a portion of the turnaround at the end of Shore Drive goes into proposed Lot 10-2.

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- Suggested a note requiring continued turnaround use be required in the Deed and noted on the plan
  - Use language in Deed such as “unless the road is changed i.e. adopted by the Town of Nottingham”
- Discussed constructing what was on the plan in 1964
  - Determined not to be a fair cost requirement of the applicant
- Suggested a 50ft Right of Way for the turnaround in the proposed driveway of Lot 10-2

**Public Comment Closed:** 7:58pm

Comments from the Planning Board members continued:

Correct Lot number on sheet 4 from Lot10-2 to Lot10-1

Check the slopes

Edit sheet 1- Note 13 “Ne” change it to “New”

Chair- note Shore Drive as gravel

**Public Comment Re-opened:** 8:33pm

Concern over the location for the proposed driveway for Lot 10-2. The snow from Shore Drive is plowed into that location.

**Public Comment Closed:** 8:34pm

The Applicant agreed to note that the snow would be stored from the point that is depicted as the turnaround- 20ft from the property line.

Discussion continued over the concern of the turnaround. Attorney Bruton emphasized that the applicants agree to allow to continue the use of the turnaround as it has been used.

Ms. Andersen added that the Town has the right to declassify the Emergency Lane status at any time.

**Motion Made By:** Mr. Viel to conditionally approve case #P17-007-SUB with the following conditions:

1. Correct the lot number on page four (4) that is shown incorrectly as Lot 10-2 to Lot 10-1
2. Correct the lot envelope on Lot 10-1 to not include any wetland setback and to show that the buildable area is still there
3. Amend the note for the middle section to state that it is “Precluded From All Future Residential Development” and it will be for “Foot Traffic Only”
4. That monument certification be set and received
5. The setbacks be shown in accordance with the waivers
6. That there is a note indicating that allows for continued use of the turnaround at the end of the road and allow for snow placement by the town within 20 feet of the property line for proposed Lot 10-2
7. The Conditions be met within six (6) months
8. That Shore Drive be shown as road surface of gravel

**Seconded By:** Mrs. Bascom

**Discussion:** The Board verified with the Land Use Clerk that the lot numbering has been approved by the Assessing Department.

**Vote:** 5-2-0 Motion Passed

**Public Hearing Closed:** 8:40pm

**Public Comment**

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139 No comments

140 **Board of Selectmen and Staff/ Board Members Update**

141 **Board of Selectman Update by Ms. Andersen:**

142 Explained the proposed changes to the Route 4 and 152 intersection as discussed at a  
143 joint meeting between Nottingham, Northwood and the Department of Transportation

144 **Mr. Chairman noted agenda item:**

- 145 • Abutters Notice from Barrington Re: Barrington Map 269 Lot 7.1 and  
146 Nottingham Map 6 Lot 15-2  
147     ○ Big lot off Rt. 4 and McDaniel  
148     ○ Case will be heard in Nottingham as well.

149 **Canceled September 13, 2017 meeting**

150 **Next Meeting September 27, 2017**

151 The Board approved future meeting minutes to be what is required and nothing more.

152 **Transportation Subcommittee proposed next meeting:** September 13, 2017 7:30pm

153 **Adjournment**

154 **Motion Made By:** Mr. Viel

155 **Seconded By:** Mrs. Bascom

156 **Vote:** 6-0-0 Motion Passed

157 **Adjourned at:** 9:08pm

158 For the Nottingham Planning Board

159 JoAnna Arendarczyk, Land Use Clerk