

Nottingham Planning Board  
September 27, 2017

**Approved:** October 25, 2017

**Members Present:** Dirk Grotenhuis, Chairman; Charlene Andersen, BOS Rep; Susan Mooney, Secretary; Gary Anderson, SRPC Rep; Joe Clough, CIP Rep; Teresa Bascom; Robert “Buzz” Davies, Alternate

**Members Absent:** Eduard Viel, Vice-Chairman

**Others Present:** JoAnna Arendarczyk, Land Use Clerk; Peter White, Nottingham Water Alliance; Joel & Deborah Runnals, Norway Plains Associates Inc.; Susan LeClair, Abutter; Mike Russo, Nottingham ZBA; William F. Scimone, Nottingham Water Alliance; Bonnie Winona Mackinnon, Nottingham ZBA; Jim Hadley, Chairman of Neighborhood Guardians

**Alternate seated and voting:** Mr. Davies for Mr. Viel

**Call to Order at:** 6:58pm

**Public Hearing**

**Public Hearing Opened:** 7:00pm

**Case 17-008-SUB**

Application from James W. Haley requesting to subdivide 44.6 acres into two (2) lots of 1.865 acres and 42.7 acres. Area to be subdivided is located in Barrington and will not impact the Town of Nottingham. The property is located at 366 Old Concord Turnpike, Barrington, NH and McDaniel Rd/ Old Turnpike Rd in Nottingham and is identified as Tax Map 6 Lot 15-2.

Mr. Chairman explained that the Barrington Planning Board requested the case be heard in Nottingham. The land to be subdivided is in Barrington, however, the parent lot has a portion in Nottingham.

Joel Runnals of Norway Plains Associates, Inc. represented the applicant. He presented the plans and briefly explained the requirements from Barrington.

**Acceptance of the Application:**

**Motion made by:** Mrs. Bascom to accept the application for Case 17-008-SUB.

**Seconded by:** Mr. Clough

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

**Acceptance of the Waivers:**

The waiver requests pertain to the remaining untouched portion of land which is outside the area to be subdivided. (File)

**Motion Made By:** Mr. Davies to accept the waivers as presented for Case 17-008-SUB.

**Seconded By:** Mr. Clough

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

**Public Comment Opened:** 7:16pm

A few members of the audience requested clarification on the location of the proposed subdivision. Mr. Runnals presented a large set of plans to them which satisfied their concerns.

**Public Comment closed:** 7:17pm

**Subdivision Approval:**

**Motion Made By:** Mrs. Bascom with one condition, that the Nottingham Lot Size and Setbacks be added to the Notes section on the final plat.

**Seconded by:** Mr. Anderson

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

**Public Hearing Closed:** 7:19 pm

Nottingham Planning Board  
September 27, 2017

**Public Hearing Opened: 7:19 pm**

In accordance with RSA 676:4-a that the Planning Board will hold a public hearing on September 27, 2017 at 7:00pm at the Nottingham Town Hall for the purpose of considering whether to revoke a plan for Map 3, Lot 10, on Old Turnpike Rd, previously-approved on November 16, 2005 and filed with the Rockingham County Register of Deeds as Plan D-33445 and also Book 4626 Page 1507. The Board is considering revocation for failure of compliance with conditions of approval.

Mr. Chairman stated that the Revocation is being considered for noncompliance of the conditions of approval. Two specific Conditions pertaining to this hearing are Administrative Conditions:

- ▶ “#12. Design construction, and operation of water bottling facility shall comply with all applicable New Hampshire and federal permitting requirements...”
  - An Order identified a number of violations of wetland impacts and the Condition was not met.
- ▶ “#17. A performance bond or similar security instrument satisfactory to the Town of Nottingham Planning Board and held by the Board of Selectmen shall be established prior to the start of construction in an amount sufficient to stabilize storm water management structures and erosion in the event that construction is abandoned.”
  - No performance bond or similar instrument were provided to the Town.

Mr. Chairman explained that this is more of an administrative process. The Town does have control of the property. If anything else was to be put on the property it would have to come before the Planning Board for approval.

**Public Comment:**

John Terninko: Asked if the applicant of this Site Plan were to try again to start USA Springs would he have to come before this board to gain approval?

- Mr. Chairman: Yes, the applicant would have to gain approval from us and other permitting agencies.

Susan LeClair: Are the wetlands and performance bond part of DES Conditions?

- Mr. Chairman: No, they are Planning Board Conditions

Jim Hadley: Chairman of Neighborhood Guardians informed the Board of his summary submittal listing reasons for his support for the Revocation (in file)

Peter White: Supports the Revocation for the best interest of the Town

**Public Comments Closed: 7:30pm**

**Motion Made By:** Mrs. Mooney to “revoke a plan for Map 3, Lot 10, on Old Turnpike Rd, previously-approved on November 16, 2005 and filed with the Rockingham County Register of Deeds as Plan D-33445 and also Book 4626 Page 1507.”

**Seconded By:** Mrs. Bascom

**Discussion:** Clarification that the two points listed to revoke the plan, have been validated by the Town Attorney’s.

**Roll Call Vote:**

- **Joe Clough-** Aye
- **Gary Anderson-** Aye
- **Susan Mooney-** Aye
- **Charlene Andersen-** Aye
- **Teresa Bascom-** Aye
- **Robert “Buzz” Davies-** Aye

Nottingham Planning Board  
September 27, 2017

**Motion Passed 5-0-0**

**Public Hearing Closed:** 7:31pm

**Public Comment-** None present

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

**For the record:** Joseph Clough has accepted the position of CIP Representative

**Discussion for a future meeting:** Review the Zoning of the Route 4 area and consider mixed commercial development benefits.

**Office update by the Land Use Clerk:** Highlighted upcoming dates for Zoning Ordinance changes and Candidacy timeline

**Update by Mr. Chairman:** The new **Town and City** magazine- in the Land Use Office  
**Regional Training Site Plan Review “101” Workshop update**

**by Mrs. Bascom and Mrs. Mooney:**

- Notes are in each Board member’s binder
- Recommendation to tour the Stormwater Center at UNH
- Interesting fact: Presenter Glenn Greenwood stated that his PB never approves Site Plans at the first meeting
- Suggestion to consider adding some of the information learned at this workshop to the Town Regulations

**Board of Selectmen update by Ms. Andersen:**

- Building and Code Enforcement Open Position-
  - A Part-time Building Inspector is being sought
  - The Planning Board discussed possibly sharing duties with other towns
  - The Board of Selectman- Perform Health and Code Enforcement duties
  - Mr. Grotenhuis- Temporarily agreed to review plans with the Land Use Clerk
    - Board members were advised to be proactive by reviewing materials ahead of time
    - A legal opinion will be sought to determine if he has the authority to defer a plan to a consultant if necessary due to time or expertise without the prior approval of the Planning Board
    - It is being considered to use SRPC for Planning needs especially for large cases
    - If a case involved Public Health issues a third party review would be needed

**Conservation Commission update by Mrs. Mooney:**

- Requesting topics for the Town Newsletter
  - May include the possibility of Scenic Road signs

**Approval of Minutes**

- July 12, 2017 - July 26, 2017 - August 9, 2017 -August 23, 2017

**Motion made by:** Mrs. Bascom to approve the minutes as written and revised.

**Seconded by:** Mrs. Mooney

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

**Adjournment**

**Motion made by:** Mrs. Bascom

**Seconded by:** Mr. Davies

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

**Adjourned at:** 8:06pm

Nottingham Planning Board  
September 27, 2017

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