

Nottingham Planning Board Meeting

DATE: February 8, 2023

Approved March 8, 2023

Call to Order

Members Present: Eduard Viel, Chairman; Ian MacKinnon, Vice Chair; Sherry Sandler, Member; Robert “Buzz” Davies, Alternate.

Members Absent: Susan Mooney, Secretary; John Morin, Select Board Ex-Officio Representative; Gary Anderson, SRPC Representative; Charlene Andersen, SRPC Representative; Sandra Jones, Alternate.

Alternate Seated and Voting: Mr. Davies was seated and voted for Mr. Anderson.

Others Present: Blair Haney, SRPC; Alana Kenney, Land Use Clerk; Sam Demeritt, Nottingham Conservation Commission Chair; Anthony Comeau, Applicant; MaryAnn Stoddard, Abutter; Cam Stoddard, Abutter.

Call to Order

The meeting was called to order at 7:00PM.

Roll Call

Roll call was completed.

Public Hearings

None.

Other

Discussion With Robin Comeau On Case # 22-009 SUB Comeau

Anthony Comeau came forward and introduced himself as working in conjunction with the applicant, Robin Comeau.

Mr. Viel recalled that, at the last Planning Board meeting, the Board did not sign the plans due to a concern whether or not the conditions were precedent or subsequent. He stated that, after discussing it with Town Counsel, Mr. Viel believes that the final condition is fine to have as a subsequent condition, and that the Board can sign the plan set so that it can be recorded in the Registry of Deeds.

Mr. Comeau noted that, at the last Planning Board meeting, the Road Management Easement Deed did not need to be approved and signed by the Town in order for the Planning Board to sign the mylar copy. He asked why this advice was disregarded. Mr. Viel responded that the Easement Deed was not the reason the Board did not sign the mylar at the last meeting.

Nottingham Planning Board Meeting

DATE: February 8, 2023

Approved March 8, 2023

Mr. Comeau stated that the applicant would like to have the Road Management Easement condition removed from the list of conditions of approval. Mr. Viel advised that this process is done through the Select Board and is separate from the Planning Board's process. He noted that the goal of the Easement is that the Town would be able to allow for the potential expansion of the right-of-way. Mr. Comeau asked why they needed to provide this while a subdivision a quarter-mile down the road, on a narrower section of road, did not. Mr. Viel indicated that this other subdivisions' plans show the lot lines set back. Mr. MacKinnon added that this other subdivision did the alternative to what has occurred in this present case. Mr. Viel stated that nothing is planned for these parcels, but that they give the Town the ability to widen or improve sections of the road in order to make them better. Mr. Comeau inquired if there is any way to add verbiage to the condition so that they don't have to remove the longstanding trees at the front of the property. Mr. Viel responded that it is not likely, but that the Town will hold a public hearing if they plan to remove those trees in order to improve the road as it is currently a designated scenic road. Mr. Comeau asked, if the Town does decide to remove the trees, if there is any way to appeal the decision. Mr. McKinnon responded that it would act like any other Planning Board application and that they would have thirty (30) days from the hearing to submit an appeal. Ms. Sandler added that, because Stevens Hill Road is a designated scenic road, the Town is not likely to touch anything on it. Mr. MacKinnon noted that because the cemetery is in that area, too, the matter would likely have to go before the State if something was needed to be done. Mr. Viel stated that the Board tries to be consistent but that every case and every application is different.

Mr. Viel stated that the Board would sign the mylar for the applicant tonight.

Case # 22-017-SUB Deerfield Rd / Fernald - Review And Sign Mylar If Possible

Mr. Viel stated that the Homeowners Association language has been reviewed by Town Counsel. Some changes were made and later approved, so the Board is prepared to sign the mylar.

Review / Approve Site Plan and Sub Division Application

Mr. Viel reported that the Board approved the changes at the September 28, 2022 meeting. What the Board needs to do now, he added, is update the *Subdivision* and *Site Plan Regulations* so that they line up with the applications. He advised that it may be a good idea to wait until after Town Elections so that the Board can make all necessary changes at that time.

Re-Evaluate Conditional Use Permit Application To Shorten It

Mr. MacKinnon stated that it would be nice to be able to cut down the length of the Conditional Use Permit (CUP) application so as to make it more efficient. He noted that the Town of Barrington's CUP application is three (3) pages long, compared to Nottingham's six (6). He added that there would be more room for an applicant's narrative section rather than pages of unused lines for items that don't pertain to a particular application.

Review Fee Schedule

Nottingham Planning Board Meeting

DATE: February 8, 2023

Approved March 8, 2023

Mr. Viel noted that the Planning Board can recommend changes to fees to the Select Board, who then could adopt the changes. He noted that the fee for the Board to file a mylar with the Registry is \$75, which may be due to be increased. Mr. Viel added that this may encourage applicants to file with the Registry themselves. Mr. MacKinnon noted that, in the cases where an application is rejected by the Registry, the applicant, and not the Town, is forced to pay another filing fee.

Mr. MacKinnon reported that he created a chart comparing the cost of Nottingham's fees to those of Dover, Durham, Epping, Northwood, and Rochester. He noted that some of these surrounding towns charge fees based on square footage. For example, Nottingham charges \$750 for a site plan of three (3) acres or less and \$1000 for a site plan of three (3) acres or more, while some other towns charge \$300 base fee plus \$50 per one-thousand (1000) square feet. The idea is that the larger the site plan, the longer it takes staff to review and prepare. Mr. MacKinnon noted that some of Nottingham's subdivision fees are higher than some of these surrounding towns. He inquired if the Board should consider amending the site plan fee to be more in-line with those of surrounding towns. Mr. Viel suggested that the Board send Mr. MacKinnon's findings to the Select Board for their review and input.

(Tentative) Review Processes / Procedures

Tabled for another meeting.

Nottingham Road in Deerfield Subivision

Mr. Viel reported that the Town has been advised of a major subdivision being proposed on Nottingham Road in Deerfield. The Deerfield Planning Board is holding a hearing on the application tonight. He said that the Board will reach out to the Deerfield Planning Board following tonight's hearing to try to get more information.

Public Comment

None.

Approval of Minutes

Discussion was held regarding the tabling of approving minutes from the January 11, 2023 and January 25, 2023 meetings. It was decided that these minutes would be reviewed and amended at the next meeting.

Select Board and Staff / Board Member Updates

Mr. Davies had no update.

Mr. MacKinnon had no update.

Nottingham Planning Board Meeting

DATE: February 8, 2023

Approved March 8, 2023

Mr. Viel reported that the Deliberative Session went very well this past Saturday, February 4. He expressed kudos to Dawn Fernald, Town Moderator. He also expressed appreciation for Police and Fire personnel who were involved. Mr. Viel reported that he did recommend amending the overall town budget to include \$6500 for membership with the Regional Planning Commission and that this was approved. It will be on the ballot of the upcoming election. He also reported that the School Deliberative Session is being held tonight.

Ms. Sandler had no update.

Mr. Haney reported that he will not be in attendance for the next Planning Board meeting, scheduled for February 22, as he will be on vacation and that Autumn Scott from SRPC will be attending the meeting on his behalf. As of right now, it does not look like there will be any applications being submitted before this meeting. Mr. Viel and Mr. MacKinnon also reported that they will not be in attendance at the February 22 meeting.

Mr. MacKinnon made the motion to cancel the February 22, 2023 at 7:00PM meeting. The motion was seconded by Mr. Davies. The motion was unanimously approved by a vote of 4-0-0.

Adjourn

The meeting was adjourned at 8:00PM.

Respectfully submitted,
Rachel Dallaire, Transcriber