

Nottingham Planning Board Meeting

DATE: June 14, 2023

Official Minutes

Call to Order

Members Present: Eduard Viel, Chairman; Ian MacKinnon, Vice Chair; Susan Mooney, Secretary; John Morin, Select Board Ex-Officio Representative; Teresa Bascom, Member; Charlene Andersen, SRPC Representative; Robert “Buzz” Davies, Alternate.

Members Absent: Sherry Sandler, Member; Sandra Jones, Alternate.

Alternate Seated and Voting: Mr. Davies was seated and voting for Ms. Sandler.

Others Present: Blair Haney, SRPC; Alana Kenney, Land Use Clerk; Viena Dow, Applicant; Cheri Smith, Applicant.

Call to Order

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

Mr. Viel acknowledged the current activity in town regarding certain department positions is outside the purview of the Planning Board. Additionally, he reminded Board members that it is in the Board’s *By-Laws* to remain impartial regarding cases before the Board and advised members to refrain from commenting on cases outside of Board meetings. Mr. Viel addressed the public to state that the Town does not have an official Facebook page and town board members do not bring comments to meetings posted on that media platform. He advised the public to attend Planning Board public hearings or to send a letter or email to the Land Use Clerk office with questions or concerns regarding particular cases.

Public Hearings

Case # 23-005 SIT Nottingham Business Park - 145 Old Turnpike Rd (Cont'd): Application from GM2 Associates, Inc. on behalf of Nottingham Business Park, LLC to complete construction of a 176,000 square foot building, paved access drives and parking areas, stormwater management systems, an existing onsite well for domestic water supply and fire suppression, and an onsite septic system. The proposed use of the building and site will be a warehouse for light industrial manufacturing. There are currently 26 loading docks for tractor trailer loading and unloading. There are 119 paved parking spaces including 8 handicapped spaces of which, two are van accessible. This property is located at 145 Old Turnpike Road, in Nottingham, NH, and is identified as Tax Map # 003, Lot # 010.

Mr. Viel reported that the Board received notification from the applicant that they would not be in attendance tonight, as they were awaiting information regarding the Development of Regional

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Impact to potentially incorporate into any revisions. No new materials have been submitted within the seven-day deadline.

Ms. Kenney reported that the applicant did not state a date when they would like to be present before the Board for continuation. She noted that they are waiting for the engineering review from CMA Engineers.

Mr. Viel suggested that the second June meeting would likely not be enough time for the applicant and recommended that the Board continue the case to the first meeting in July. At that time, there are a couple different items to consider.

Mrs. Bascom made the motion to continue Case # 23-005 SIT Nottingham Business Park - 145 Old Turnpike Road to July 12, 2023 at 7:00PM with deliverables due by July 5, 2023. The motion was seconded by Ms. Mooney. The motion was unanimously approved by a vote of 7-0-0.

Case # 23-006 SIT Dow Retail Store – 255 Old Turnpike Road: Application from Viena Dow requesting Change of Use for a currently empty rental space to a retail store which will be selling up-cycled furniture, handcrafts, and vintage items. There will be a show room, workspace, office, and storage areas. Crafting classes are planned to be held on site as well. The property is located at 255 Old Turnpike Road in Nottingham, NH, and is identified as Tax Map # 16, Lot # 7.

Viena Dow and Cheri Smith, both of Northwood, came forward and introduced themselves as the applicants. Ms. Dow reported that they have been leasing the space for two (2) years and that they are “rehabbing” the interior. The front area would be the showroom, and the middle section would be the work and storage area. There is ample parking available.

Mr. Viel asked Mr. Haney for the staff review.

Mr. Haney reported that the application appears complete. He noted that the plans were hand-drawn, which has been done before, but normally there is a list of waivers attached to it. He advised that the Board would be able to review the plans based on what is planned, as the building is existing and all the work will be interior. The improvements should not change the nature of the building nor result in any significant impacts.

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76 Mr. Morin asked which waiver the applicant would request. Mr. Haney replied that they would
77 need several waivers. Mr. MacKinnon noted that the Board runs into this with most change-of-
78 use cases because the Board does not have a change-of-use application.

79

80 Ms. Dow stated that the building was previously a retail space and what they are proposing is
81 also a retail space. Mr. Viel advised that, for all intents and purposes, the application appears to
82 be complete for what the request is.

83

84 ***Mr. MacKinnon made the motion that Case # 23-006 SIT Dow Retail Store – 255 Old***
85 ***Turnpike Road be deemed complete. The motion was seconded by Ms. Mooney. The motion***
86 ***was unanimously approved by a vote of 7-0-0.***

87

88 ***Mr. MacKinnon made the motion that Case # 23-006 SIT Dow Retail Store – 255 Old***
89 ***Turnpike Road is not a development of regional impact. The motion was seconded by Ms.***
90 ***Andersen. The motion was unanimously approved by a vote of 7-0-0.***

91

92 Mr. Haney asked for clarification regarding this property and the abutting building, a bagel shop.
93 Ms. Dow and Ms. Smith confirmed that their property is located in Nottingham, while the
94 abutting property is located in Northwood. Mr. MacKinnon reported that the town line is
95 between the two buildings. One person owns both buildings. It was noted that the two buildings
96 have separate parking spaces but share a driveway off Cooper Hill Road. Ms. Dow stated that the
97 owner could do a curb cut in front of the building (onto NH Routh 4, Old Turnpike Road) but she
98 probably would not as it would be very expensive.

99

100 Discussion followed regarding the hours of operation. Ms. Dow said that they will be open from
101 10:00AM to 5:00PM daily and likely hold crafting classes on the weekends and/or one evening
102 during the week. Mr. Morin asked if they would like to extend their operating hours until
103 8:00PM to allow for evening classes. Ms. Dow replied that they would.

104

105 Mr. Viel noted that the previous tenants of this property, a car dealership, had a condition of
106 approval by which they needed to install fencing behind the building to act as a buffer between
107 the building and houses abutting the rear. Ms. Mooney recalled that they were also supposed to
108 have planted trees. Mr. MacKinnon reported that he had been by earlier today and noticed that

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there was some fencing but no trees had been planted. Mr. Viel stated that the conditions of approval were different for that project because of the noisier nature of the former business.

Mr. Viel asked if the applicants would direct traffic to go around the building, as the previous tenants had. Ms. Dow reported that she would not, and that she preferred that patrons travel in and out of the parking lot the same way. There is residential parking out back. Mr. Viel suggested they speak to the property owner about installing signage that would indicate where the residential parking area is.

Addressing groundwater protection, Mr. Viel asked if they planned to do anything that would involve chemicals. Ms. Dow reported that they do not and that the workspaces would be for making items such as gift baskets.

Mr. MacKinnon inquired about lighting. Ms. Dow stated that they would need to install two new exterior lights in the parking area. She is interested in dusk-to-dawn lights. Mr. MacKinnon suggested that they come into the Land Use Office or reach out to Code Enforcement for assistance. Ms. Dow asked if they would need to do that before they put a sign up. Mr. MacKinnon advised that they would, and that there is a separate sign permit. Mr. Viel added that the regulations can be found on pages 29-31 of the *Zoning Ordinances* and that they are welcome to ask Ms. Kenney in the Land Use Office during her office hours.

Mr. MacKinnon advised that they may be required to include a minimum of one (1) handicapped parking spot, per the *Americans with Disabilities Act (ADA)*. He asked what the anticipated maximum number of people attending a workshop would be. Ms. Dow replied that there would likely be no more than ten (10), for which there are ample parking spaces. Mr. Viel noted that any concerns regarding occupancy would come from the Fire Chief.

Ms. Dow reported that the property owner has said that she is going to have the overhead wiring taken down and installed underground.

Mr. MacKinnon made the motion to approve Case # 23-006 SIT Dow Retail Store – 255 Old Turnpike Road with standard conditions of approval in terms of fees paid, necessary coordination with Nottingham Code Enforcement, reference Zoning Ordinance for sign and lighting regulations, and with hours of operation from 8:00AM to 9:00PM. The motion was seconded by Mrs. Bascom. The motion was unanimously approved by a vote of 7-0-0.

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145 **Other**

146

147 Mr. Viel reported that the Board has received a letter from Ms. Jones, who wishes to resign from
148 her role as Planning Board Alternate.

149

150 *Ms. Andersen made the motion to accept Sandra Jones's resignation. The motion was*
151 *seconded by Mrs. Bascom. The motion was approved by a vote of 6-0-1.*

152

153 Mr. Viel thanked Ms. Jones for her participation as an Alternate. He advised that anyone
154 interested in serving as an Alternate on the Planning Board should send a letter of interest to the
155 Land Use Clerk.

156

157 Mr. Haney advised that Ms. Sandler has also made the request to resign; he had received
158 notification from her and had passed the message to Ms. Kenney.

159

160 *Ms. Mooney made the motion to accept Sherry Sandler's resignation as a full Planning Board*
161 *member. The motion was seconded by Mr. Davies. The motion was unanimously approved by*
162 *a vote of 7-0-0.*

163

164 Mr. Viel thanked Ms. Sandler for her willingness to serve as a Planning Board member. He
165 advised that the Board will put it on their agenda for the June 28, 2023 meeting to potentially
166 appoint someone to that seat. He reiterated that interested parties should send a letter of interest
167 to the Land Use Clerk. Mr. Morin asked if they could show up to the meeting rather than send a
168 letter of interest; Mr. Viel stated that they could.

169

170 **Public Comment**

171

172 None.

173

174 **Approval of Minutes**

175

176 *Ms. Mooney made the motion to accept the minutes of May 10, 2023, May 17, 2023, and May*
177 *24, 2023 as amended. The motion was seconded by Mr. MacKinnon. The motion was*
178 *unanimously approved by a vote of 7-0-0.*

179

180 **Select Board and Staff / Board Member Updates**

181

182 Mr. Davies had no update.

183

184 Mrs. Bascom reported that she has been contacted by the Strafford Regional Planning
185 Commission (SRPC) and that she will be attending a meeting next week as well as the Annual
186 Meeting.

187

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Mr. Morin stated that at the last Select Board meeting, a gentleman residing on Kelsey Road had come forward to report that his well water was being polluted by the over-salting of the road during the winter months. The Select Board has looked into this and discovered that the private contractor who was subcontracted for that side of town had been heavily salting the roads rather than plowing the snow. Mr. Viel suggested that they look into having plow drivers take the Snow Pro certification course through the University of New Hampshire, which sometimes includes liability protection.

Mr. Morin further advised that the Select Board is in the process of defining town roads, as there is a gentleman on Lamprey Drive who would like to present a proposed subdivision before the Planning Board but there are remaining questions about roads near Pawtuckaway Lake and what will be the final dimensions of these roads.

Mr. MacKinnon had no comment but inquired as to which date the Board had set for a joint meeting with other town boards/committees. Mr. Viel replied that this meeting was scheduled for August 23, 2023.

Mr. Viel reported that regarding Impact Fees, the Town Administrator has advised that the Board should budget funding for an Impact Fee review. He said that he will draft a proposal for the Select Board.

Ms. Mooney reported that the Nottingham Conservation Commission had held a meeting earlier this week and elected officers. Deb Kimball has stepped down as Vice Chair. Sam Demeritt remains Chair. Cheryl Smith was elected Vice Chair. Ms. Mooney was elected Secretary. She advised that the Commission is still looking for alternates.

Ms. Andersen had no comment.

Mr. Haney reported that SRPC is having their 2023 Annual Meeting on June 22, 2023. Everyone is welcome to attend the luncheon at The Governor's Inn in Rochester; there is a \$25 entry fee. There will be food, discussion, and a guest speaker. He further reminded Board members to look into trainings offered by the New Hampshire Municipal Association.

Adjourn

The meeting was adjourned at 8:10PM.

Respectfully submitted,
Rachel Russell Leed, Transcriber