

**Nottingham Planning Board Meeting**

**9/8/21**

**Unofficial Minutes**

**Call to Order**

Members Present: Chair Dirk Grotenhuis; Gary Anderson, SRPC Rep; John Morin BOS Rep; Ian MacKinnon; Charlene Andersen, SRPC Rep; Robert “Buzz” Davies, Alternate

**Members Absent:** Vice Chair Eduard Viel; Susan Mooney, Secretary

**Alternate Seated and Voting:** Robert “Buzz” Davies, Alternate for Edward Viel

**Others:** Lorraine Petrini, Secretary; Jen Czysz, SRPC Planner; Peter Landry, Surveyor; Nathan Tandy; Mark Wasson, Applicant; Brooke Schaefer, Abutter; Paul Crovo, Abutter; Diane Bernard, Abutter; Herb Bernard, Abutter; Nathan Tandy, Applicant; Kerry Tandy, Applicant; James Alger, Abutter; Patricia Alger, Abutter; Patricia J. Farrington, Abutter, Kevin Lemieux, Town Use Administrator

**Call to Order**

The meeting was called to order at 7PM.

**Roll call**

Roll call was completed.

**Warrant Articles**

Mr. Grotenhuis said he would like the Board to speak about the information they received recently regarding warrant articles. They were provided guidelines and information from the attorney.

Mr. Grotenhuis said Warrant Article Article 19 was recently passed in the town and that vote was to accept several roads in town. He said the town was previously maintaining these roads. Mr. Grotenhuis said the town accepted these roads as is, and the town can improve these roads as necessary. He said the roads are platted and have easements. The town now has the rights to those lands and the lands that they are travelled upon. The Planning Board can administer the township rights as is. There will be information that could come from applicants that prove ownership of the roads. The land underneath these easements is still property of the same owners. The town has the right of way through the land and can make improvements as necessary.

Mr. Grotenhuis said some of the properties are bisected by the right of way. He said the owner owns that but the town has the rights to pass over that and to maintain it.

Mr. Grotenhuis said the setbacks will still be made from the road and those will be maintained. Any new applications will need to be met by those setbacks. The Planning Board can speak to applicants to make things work for the roadway.

Mr. MacKinnon said there may be revisions to the setbacks. As applications come forward, it will be worked out.

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38 Mr. Anderson said these are town roads and should use that wording instead of 'easements' and  
39 'rights of way'.

40 Ms. Andersen said the road may be platted one way and the road may be travelled another way.  
41 She said it needs to be taken into consideration where the road is actually. Each case will be  
42 discussed as it comes up.

43 Mr. Grotenhuis said the improvements could be made by development/subdivision and town.

44 Mr. MacKinnon asked if this document can be posted. Mr. Grotenhuis said it is for the Planning  
45 Board only for now.

46 Mr. Andersen said these requirements need to apply to all town roads; not just these newly  
47 accepted roads.

48 Ms. Czysz said everything has been submitted.

49 **Public Hearings**

50 ***Case #21-012-SUB***

51 ***Application from Nathan Tandy, requesting a two (2) lot Conventional Subdivision (backlot).***  
52 ***This property is located at 22 Gile Road in Nottingham, NH, and is identified as Map 28 Lot***  
53 ***10. Gile Road is a Scenic Road. This case incorrectly labelled #21-007-SUB in prior meeting***  
54 ***agenda.***

55 Mr. Landry is here to present. He passed out updated plan copies. The comments from the  
56 planner have been updated. The center lane grade is 8%. The surveyor and the applicant visited  
57 the Conservation Commission. Mr. Grotenhuis read the Conservation Commission letter saying  
58 said they are satisfied with this case.

59 Mr. Landry went over what needs to be done and what they have completed; this information  
60 was passed out.

61 Ms. Czysz noted that both lots can't be subdivided. Mr. MacKinnon said they can't further  
62 subdivide. The front lot can't be subdivided because the back lot was subdivided.

63 Mr. Grotenhuis went over what was outstanding for this case.

64 **Mr. MacKinnon made a motion to approve Case #21-012-SUB with conditions previously**  
65 **stated by the Chair. Mr. Anderson seconded. Unanimously approved by a vote of 6-0.**

66

67 ***Continued Case #21-010-LLA***

68 ***Application from Mark C. & Patricia A. Wasson and 70-25, LLC for a Lot Line Adjustment.***  
69 ***This property is located at Lamprey Drive in Nottingham, NH and is identified as Tax Map***  
70 ***Lots 23 & 25.***

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71 Mr. Landry and Mr. Wasson were here to present.

72 Mr. Grotenhuis said they met with the attorney recently to discuss the newly accepted road in  
73 general. The platted piece of this road is a town roadway; however, on the application for this  
74 case it's an easement.

75 Mr. Landry said the dedication for this road ran out in 1985. He said if Lamprey Road is a town  
76 road, how can they continue with a lot line adjustment because now it's a public way. He is  
77 wondering if this case needs to go to Zoning Board for a variance.

78 Mr. Grotenhuis said there are some other options such as a waiver from DES for additional land.

79 Mr. MacKinnon said it could proceed as a lot line adjustment, but some changes need to be made  
80 to the plan. Mr. Grotenhuis said the land is not buildable. Mr. MacKinnon said there would be a  
81 defined town easement and setbacks would be applied but it would fall under non-conforming  
82 setbacks.

83 Mr. Morin said if he wanted land across the street, he would need a two acre, and it would be a  
84 subdivision. Mr. Grotenhuis said it's not its own lot. Ms. Czysz said they could have land on  
85 both sides of the road. Mr. Morin said he thought the land couldn't be added from across the  
86 street. Mr. Grotenhuis said they are not building a bigger building on this lot; they want an  
87 additional septic area. Mr. Landry said it's a vacant lot. Mr. Morin said it's a large lot that a  
88 piece is being cut of it. Mr. Morin said the applicant wants a bigger septic for a bigger house and  
89 maybe a garage in future.

90 Mr. Landry said things have changed now that Warrant Article 19 was approved by the town.

91 Ms. Czysz said it would not be a contiguous area. Mr. Landry said they are starting with two lots  
92 and ending with two lots. With the town road going through this, the Planning Board can't  
93 approve a lot line adjustment. Mr. Landry said he could try for a variance.

94 Ms. Andersen said she would like the attorney to review this.

95 Mr. MacKinnon said it's a non-conforming lot that is becoming a more non-conforming lot. Mr.  
96 Morin said you can't buy across the street and add it to the land you already have. Mr.  
97 Grotenhuis said the land underlying Lamprey Drive is not owned by the town. Mr. Morin and  
98 Mr. Landry disagreed.

99 Mr. Grotenhuis said they will provide this case to the attorney and will ask if the applicant can  
100 proceed with a lot line adjustment or is it creating a separate lot.

101 **Mr. Morin made a motion to continue Case #21-010-LLA to September 22 at 7PM. Ms.**  
102 **Andersen seconded. Unanimously approved by a vote of 6-0.**

103 **Public Comment**

104 Mr. Crovo asked what the word 'platted' means. Mr. Grotenhuis said it's a recorded piece of  
105 property in a plan. The parcels along Lamprey Drive are platted. There was a recorded easement

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106 through it in the first case. 'Traveled way' can be where you drive and 'platted' is a recorded or  
107 numerical area on plan. Mr. MacKinnon said the road veers off from the travelled and platted.

108 Mr. Crovo asked how the town would make improvements. Mr. Grotenhuis said the town has  
109 access to travelled way and the platted way. Mr. Crovo said the town could make it wider. The  
110 Board concurred. He asked how they make it wider. Mr. Grotenhuis said it varies for each case.

111 Mr. Crovo asked about cost sharing with abutters and town to improve the roads and how would  
112 that work. Mr. Morin said if a subdivision comes in, the builder may be asked to improve the  
113 road. Mr. MacKinnon said Article 19 was accepted 'as is.'

114 Mr. Bernard asked what he needs to do to his land to widen it. Mr. Grotenhuis and Ms. Andersen  
115 suggested speaking to Board of Selectman. Mr. Bernard is willing to do whatever he can. Mr.  
116 Morin said there are many people who live on these newly approved town roads who are willing  
117 to help with the roads. Ms. Andersen said they have a capital improvement plan that details what  
118 the town plans on doing for the next six years.

119 Ms. Farrington said someone developed a piece of land that she lives on at Lamprey Road and  
120 the road needed to be widened at the time. This developer did that.

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

122 Mr. Anderson will be going to the next SRPC meeting.

123 Mr. Morin said the Board of Selectman rescinded the road standards at their last meeting. The  
124 School Board reps met with the Board of Selectman to discuss where they can put the new SAU.

125 Mr. Grotenhuis would like the Planning Board to be part of creating the road standards with the  
126 Board of Selectman. Mr. MacKinnon suggested a joint meeting.

127 There was further discussion about road standards.

128 Ms. Czysz said a new planner will be starting, and he will be at the next meeting.

129 Mr. Grotenhuis asked the Planning Board to think of procedures that will help the Board.

#### 130 **Approval of Minutes**

131 **Ms. Andersen made a motion to approve minutes from 8-25-21. Mr. Anderson seconded. It**  
132 **was approved by a vote of 5-1 with Mr. MacKinnon abstaining.**

#### 133 **Tentative Items for Upcoming Meetings**

134 9-22-21 Application from Tami Defrancesco, Tr 21-003 SIT

135 10-6-21 Conceptual with Tom Moulton, 145-165 Old Turnpike Road

#### 136 **Adjourn**

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137 **Mr. Davies made a motion to adjourn at 8:24PM. Mr. Grotenhuis seconded. Unanimously**  
138 **approved by a vote of 6-0.**

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