

Nottingham Planning Board

May 13, 2020

1 **Board Members Present:** Dirk Grotenhuis, Chair; Eduard Viel, Vice-Chair; Tiler Eaton, BOS  
2 Rep; Gary Anderson, SRPC Rep; Joseph Clough, CIP Rep; Ian MacKinnon; Leanne Gast,  
3 Alternate

4 **Board Members Absent:** Susan Mooney, Secretary; Robert “Buzz” Davies, Alternate

5 **Others Present:** JoAnna Arendarczyk, Land Use Clerk; Stefanie Casella, SRPC Planner; Barb  
6 Thompson, Applicant; Bob Berner, Eversource; Christopher Berry, Surveyor; Jim Franklin,  
7 Surveyor; Mike Dougherty; Stephen Curwood; Matthew & Seonaid Eaton, Applicants; Matt  
8 Eaton- Jackson Associates Rep; Dennis & Jennifer Buck; Nicole Pirog Marvell; Patricia Roix;  
9 Unidentified caller; Unidentified caller

10 **Call to order:** 7:00pm

11 **Alternate seated and voting for:** Ms. Gast for Mrs. Mooney

12

13 **Emergency declaration read by Mr. Grotenhuis:**

14 *The Chair of Nottingham Planning Board has found that, due to the State of Emergency*  
15 *declared by the Governor as a result of the COVID-19 pandemic and in accordance with the*  
16 *Governor’s Emergency Order #12 pursuant to Executive Order 2020-08, SRPC and*  
17 *committees thereof are authorized to meet electronically.*

18

19 *Please note that there is no physical location to observe and listen contemporaneously to this*  
20 *meeting, which was authorized pursuant to the Governor’s Emergency Order.*

21

22 *The Nottingham Planning Board is utilizing Zoom for this electronic meeting. All members of*  
23 *the Committee have the ability to communicate contemporaneously during this meeting*  
24 *through this platform, and the public has access to contemporaneously listen and, if*  
25 *necessary, participate in the meeting via the link and Meeting ID found on the website.*

26

27 **Roll call:** to publicly account for the members present

28

29 *Italic font below notes public hearing notice language*

30 **Public Hearings**

31 **Rescheduled to May 13, 2020- Eversource- Scenic Road tree trimming/removal-** *Notice is*  
32 *hereby given that the Nottingham Planning Board will hold a Public Hearing in accordance with*  
33 *RSA 231:158 II, on **Wednesday, March 25, 2020** at 7:00 PM, in Conference Room 1 at the*  
34 *Municipal Town Office, 139 Stage Road, Nottingham, NH 03290. The purpose of this hearing is*  
35 *to discuss a request from Eversource Energy for tree trimming/removal on the following scenic*  
36 *roads: Stevens Hill Rd., Case Rd., Gile Rd., Ledge Farm Rd., Mitchell Rd., and Poor Farm Rd.*

37 Mr. Viel stated that Mrs. Mooney communicated via e-mail that she requests all necessary  
38 nesting and wildlife material (brush included) be left untouched as possible.

39 **Public Comment Opened:** 7:13- No comments

40 **Public Comment Closed:** 7:14pm

41 **Motion Made by:** Mr. Anderson to approve the request from Eversource as presented to trim or  
42 remove trees on the following scenic roads: Stevens Hill Rd., Case Rd., Gile Rd., Ledge Farm Rd.,  
43 Mitchell Rd., and Poor Farm Rd.

44 **Seconded by:** Mr. Eaton

45 **Discussion:** None

46 **Roll call vote:** 7-0-0 **Motion Passed**

47  
48 **Case #20-002-LLA-** *Application for a Lot Line Adjustments from Leslie & Barbara Thompson*  
49 *(38 Lamprey Drive), Michael Dougherty Revocable Trust- Michael Dougherty & Beth Phillips*  
50 *(40 Lamprey Drive), Michele Lefebvre Revocable Trust- Mark & Michele Lefebvre (18 Indian*  
51 *Run), Matthew & Seonaid Eaton Revocable Trust- Matthew & Seonaid Eaton (6 Lamprey*  
52 *Drive), 70- 25 LLC- Kevin Bassett, to adjust the lines between Map 70 Lot 25 and Map 68 Lots 5*  
53 *and 6 and Map 70 Lots 11 and 12. These properties are located in Nottingham, NH.*

54 The Plan was shared via screen share by the Land Use Clerk.

55 Ms. Casella stated that no waivers are needed for the case.

56 Mr. Grotenhuis read the list of edits noted on the memo from the Planner's review. He added  
57 that existing structures must also be labeled on the plan.

58 Matt Eaton, applicant, noted that the public hearing notice lists Map 70 Lots 11 and 12, however  
59 it should be Map 70 Lots 11 and 13.

60 Mr. Franklin spoke the request to note right of way dimensions- Lamprey Drive does not have a  
61 dedicated width of access out to Route 156.

62 **Application Acceptance-**

63 **Motion Made by:** Mr. Viel to accept Case #20-002-LLA as complete.

64 **Seconded by:** Mr. Anderson

65 **Roll call vote:** 7-0-0 **Motion Passed**

66 **Public Comment Opened:** 7:35pm- No comments

67 **Public Comment Closed:** 7:36pm

68 **Board Discussion-**

69 Mr. Franklin responded to a concern that the Lot Line Adjustment (LLA) would be creating  
70 backlots by assuring the Board that the access easements would be remaining the same. He  
71 offered to add a note explaining the perpetuity of the gravel drive and that the plan does not  
72 represent acceptance of the road. Ms. Casella stated that she would check with the Town and  
73 maybe the Town Attorney to be sure the language is accurate.

74 Mr. Franklin stated that language would be added to the plan as written in the memo explaining  
75 why a Variance was not required for the LLA.

76  
77 **Motion Made by:** Mr. Anderson to approve Case #20-002-LLA with the condition that staff  
78 comments as listed in the SRPC memo are met.

79 **Seconded by:** Mr. Clough

80 **Discussion:** None

81 **Roll call vote:** 7-0-0 **Motion Passed**

82 The Conditions must be met within one (1) year.

83  
84 **Case #20-003-SUB-** *Application for a 14 lot Subdivision from Robert Diberto. Two new roads*  
85 *will be constructed as part of the subdivision. The property is identified as Tax Map 7 Lot 1N*  
86 *and is located off Mitchell Road, a Scenic Road, in Nottingham, NH.*

87 Mr. Grotenhuis read the comments/ edit requirements in the memo from the planner's review.

88 Ms. Casella stated that she recommends the application be accepted as complete.

89 Christopher Berry from Berry Survey and Engineering and landowner Robert Diberto were

90 present. Mr. Berry presented the plan adding that historical review needs to be done. Best

91 practices for wildlife and the environment will be applied. He has filed an Alteration of Terrain

92 permit. He added that the Traffic Impact Analysis as well as the Environmental Impact  
93 Assessment have been submitted contrary to the notes in the memo.

94 Due to the concerns of a burial ground on the parcel Mr. Berry stated that a Ground Penetrating  
95 Radar (GPR) method will likely be used as it seems necessary for this location.

96 Steve Curwood, closest abutter to the proposed subdivision, commented that he is concerned  
97 about the impact on the endangered or threatened species on the property.

98 Mr. Grotenhuis stated that those impact reports are still forthcoming.

99 Mr. Curwood asked why the application would even be considered for acceptance as complete  
100 when more information is needed. Other information is needed, like how wetlands would be  
101 mitigated.

102 Mr. Grotenhuis stated that the wetlands impact is a state permit and the Town would not approve  
103 the subdivision without that approval from the state.

104 Mr. Berry noted that he has started the wetlands application and that he wants to meet with the  
105 Conservation Commission before submitting the application.

106 Mr. Curwood expressed further concerns: Fiscal impact (school)? If there is a grave site in the  
107 parcel where will the lot lines be adjusted to? Impact to the already burdened gravel scenic road,  
108 will it be paved?

109 Mr. Grotenhuis stated that all that information will be needed but they are not required for  
110 acceptance of the application.

111 Patricia Roix asked about the proposal to include Barrington. She was informed by Mr.  
112 Grotenhuis that the application does not indicate that is part of the proposal.

113 All the concerns above were echoed by Nicole (Pirog) Marvell of 4 Sutton Street, Nottingham.

114 Mr. Berry noted that there is material that have been raised as “missing”; however, that material  
115 is not listed as required to consider the application as complete to allow further discussion and  
116 investigation into the viability of the proposed development.

117 **Application Acceptance**

118 **Motion Made by:** Mr. Viel to accept the application as complete

119 **Seconded by:** Mr. Mackinnon

120 **Discussion:** Mr. Clough noted to the abutters that their concerns are not taken lightly, and they  
121 will be taken into consideration moving forward.

122 **Roll call vote:** 7-0-0 **Motion Passed**

123 The Land Use Clerk informed the abutters that they will not be re-notified of further hearings on  
124 this case and advised the residents to stay informed by checking the agendas on the websites.

125 The Board and the applicant discussed a timeline for the continued hearing after other documents  
126 and a technical review with all town agencies as well as the Town Engineer has been completed.

127 They settled on June 10<sup>th</sup> at 7:00pm.

128 **Motion Made by:** Mr. Viel to continue Case #20-003-SUB- Application for a 14 lot Subdivision  
129 from Robert Diberto to June 10, 2020 at 7:00pm.

130 **Seconded by:** Mr. Anderson

131 **Roll call vote:** 7-0-0 **Motion Passed**

132

133 **Acceptance of Bylaws and Rules of Procedure-** tabled until the Board resumes meeting in  
134 person

135

136 **Minutes**

137 April 22, 2020

Nottingham Planning Board  
May 13, 2020

138 **Motion Made by:** Mr. Viel to approve the minutes of April 22, 2020 as edited

139 **Seconded by:** Mr. Clough

140 **Roll call vote:** 7-0-0 **Motion Passed**

141

142 **Staff/ Board Members Update**

143 **JoAnna Arendarczyk- Land Use Clerk-** Next meeting is May 27, 2020 with two cases  
144 scheduled; the Mill Pond Road subdivision as well as the Paradis- Poor Farm Road subdivision.

145 **Stefanie Casella- SRPC contracted Planner-** Traffic counts being done- submit a list of roads  
146 if interested in including Nottingham roads.

147 **Gary Anderson- SRPC Rep-** Zoom meeting regarding Covid19 and how SRPC can be prepared  
148 in the future as well as how technology can help with recovery.

149 **Joe Clough-** Suggested reconvening the Transportation Committee with the traffic count being  
150 done. Mr. Grotenhuis stated he would work on this.

151

152 **Adjournment**

153 **Motion Made by:** Mr. Viel to adjourn

154 **Seconded by:** Mr. Anderson

155 **Roll call vote:** 7-0-0 **Motion Passed**

156 **Adjourn at:** 9:02 pm

157

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