

NOTTINGHAM PLANNING BOARD

July 12, 2017

1 **Approved: September 27, 2017**

2 **Members Present:** Dirk Grotenhuis, Chairman; Eduard Viel, Vice- Chairman; Charlene
3 Andersen, BOS Rep Susan Mooney, Secretary; Gary Mr. Anderson, SRPC Rep; Teresa Bascom;
4 Joseph Clough; Robert “Buzz” Davies, Alternate

5 **Others Present:** Paul Colby, Code Administrator; JoAnna Arendarczyk, Land Use Clerk;
6 Dennis J. & Bertha Fowler, Applicants; Peter Landry, Surveyor; Chris Guida, Fieldstone Land
7 Consultants PLLC; Rob Horton, Abutter

8 **Public Meeting Opened: 7:00pm**

9 **Public Hearing**

10 **Public Hearing Opened: 7:02pm**

- 11 • **Case #P17-005-SUB-** Application from Bertha & Dennis Fowler requesting a two (2)
12 Lot Subdivision with existing dwelling and one (1) new lot. The property is located at
13 50 Priest Road in Nottingham, NH and is identified as Tax Map 20 Lot 4.

14 Chris Guida represented the Fowler’s for their subdivision proposal and explained the Variance
15 approval from the Zoning Board of Adjustment (ZBA). He showed the Planning Board the
16 colored plan for the proposed subdivision.

17 **Application Acceptance**

18 Mr. Colby recommended the application be accepted as complete.

19 **Motion Made By:** Mrs. Mooney to “accept the application as complete for Case #P17-005-SUB
20 from Bertha & Dennis Fowler.”

21 **Seconded by:** Mrs. Bascom

22 **Vote: 7-0-0 motion passed**

23 **The Plan**

24 Findings from Mr. Colby:

- 25 1. Label Priest Rd. as Class V Gravel
26 2. Add Impact Fee Note
27 3. Note #6 change Lot # to 20-4-2
28 4. State Subdivision Approval #
29 5. Monument Certification needs to be submitted

30 He added that the wetland area is mapped out well. The wetlands limited the buildable area.

31 Mr. Guida stated that the test pits in the front are good sandy soil for septic placement.

32 State Subdivision approval has not been received yet.

33 The Variance approval allowed 20,733 SF for buildable area for the new lot.

34 **The Waiver Request**

35 **Motion Made By:** Mr. Viel to “approve the waiver request of Article 10 Section 3.1 requesting
36 waiver to showing USGS Datum with 2’ contours and wetlands on remainder of the lot due since
37 area is either wetland and/ or not pertinent to proposed subdivision.”

38 **Seconded By:** Mrs. Bascom

39 **Vote: 7-0-0 motion passed**

40 **Case Approval**

41 **Motion Made By:** Mr. Viel to “approve Case #P17-005-SUB with the conditions of”

- 42 1. Label Priest Rd. as Class V Gravel
43 2. Add Impact Fee Note
44 3. Note #6 change Lot # to 20-4-2
45 4. State Subdivision Approval #

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46 5. Monument Certification needs to be submitted

47 **Seconded By:** Mrs. Mooney

48 **Vote:** 7-0-0 motion passed

49 **Public Hearing Closed:** 7:14pm

50 **Public Hearing Opened:** 7:15pm

- 51 • **Case #P17-004-SUB/ SCENIC ROAD HEARING-** Application from Michael J. and
52 Judith A Kennard to subdivide the parent tract into three (3) lots with roadway frontage
53 along a designated “Scenic Road”. The property is located at 110 Kennard Road in
54 Nottingham, NH 03290 and is identified as Tax Map 11 Lot 9.

55 Mr. Landry of Landry Surveying LLC represented the applicants. He explained the plans and
56 noted the waiver request. A common driveway is proposed- one curb cut will be needed and it
57 minimizes the impact to the trees and stone walls on Kennard Road and the impact to the
58 wetlands. The State Subdivision approval application will be submitted after approval from the
59 Planning Board.

60 **Application Acceptance**

61 Mr. Colby recommended the application be accepted as complete.

62 **Motion Made By:** Mr. Viel to “accept the application for Case #P17-004- SUB as complete.”

63 **Seconded by:** Mrs. Bascom

64 **Vote:** 7-0-0 motion passed

65 **The Plan**

66 Mr. Colby’s findings:

- 67 1. Add Signature Block
68 2. State Subdivision Approval #
69 3. Monument Certification needs to be submitted

70 The stonewall disturbance involves about six (6) stones to allow for emergency access.

71 **The Waiver Request**

72 **Motion Made By:** Mrs. Bascom to “approve the waiver request for Case #P17-004- SUB for
73 relief from topographic survey, wetland delineation, natural features, for the remaining 59.2ac.”

74 **Seconded By:** Mr. Anderson

75 **Vote:** 7-0-0 motion passed

76 The Board discussed the abandonment of the Co-op Easement line. The Kennard’s agree the line
77 should be abandoned. Mr. Landry is working with the Co-op to get it delineated in the Deed to
78 be recorded with the plan, that the Easement line is indeed abandoned. Making it a condition of
79 the Subdivision approval gives Mr. Landry leverage with the Co-op, therefore he is in agreement
80 to it being a condition.

81 **Public Comment:**

82 Rob Horton, 49 Sofia Way- Attended the hearing to learn about the plan. He determined the
83 Subdivision will not affect his property at this time. He was interested in learning that in four (4)
84 years the remaining lot could be subdivided.

85 **Case Approval**

86 **Motion Made By:** Mrs. Bascom for “conditional approval Case #P17-004- SUB/ SCENIC
87 ROAD Hearing for Michael J. and Judith A Kennard to subdivide the parent tract into three (3)
88 lots with roadway frontage along a designated “Scenic Road”.

- 89 1. Add Signature Block
90 2. State Subdivision Approval #

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- 91 3. Monument Certification needs to be submitted
92 4. Labeling of Kennard Road on the overall plot plan

93 **Seconded By:** Mrs. Mooney

94 **Discussion:** Ms. Andersen suggestion adding notification of the abandonment of the Co-op
95 Easement to the motion.

96 **Amended motion:** Mrs. Bascom “to amend the motion to include notification of the
97 abandonment of the powerline easement.”

98 **Seconded By:** Mrs. Mooney

99 **Vote:** 7-0-0 **motion passed**

100 Public Hearing Closed: 7:51pm

101 **Public Meeting**

102 Mr. Colby apologized for his unprofessional statements at the previous meeting.

- 103 • Discuss Impact Fee options

104 Mr. Colby read the Town Administrator’s responses (June 22, 2017) to the questions sent to him,
105 per the Planning Board’s request, regarding the Marston property. (Attached)

106 Ms. Andersen added that the phase one (1) that was presented to the Planning Board has been
107 broken down further into three (3) phases. Those phases have been scaled back eliminating the
108 High School sized ball field and one of the two parking lots.

- 109 ○ **Decisions per department for impact fees:**

110 ~ **Recreation:**

111 **Motion Made By:** Mrs. Mooney to propose an impact fee of \$344 per single family house to be
112 dedicated to the Marston Recreation Project

113 **Seconded By:** Mr. Anderson

114 **Discussion:**

115 The Board discussed the need to amend the motion, dedicating the money to the Recreation
116 Department in general therefore allowing the funds to be available for other needs if necessary.

117 **Motion and Second were retracted**

118 **Motion Made By:** Ms. Andersen to “put forward for the Recreation an impact fee for single
119 family detached \$343, attached and two or more family \$299 and manufactured housing \$325
120 which is for projection year 2025.”

121 **Seconded By:** Mrs. Mooney

122 **Vote:** 6-1-0 Motion Passed

123 ~ **Fire Department**

124 Mr. Colby stated that about half the bond has been paid so figures are lower.

125 Ms. Andersen suggested including the equipment in the figure due to the likelihood of a Quint
126 fire truck being proposed again.

127 Mrs. Mooney read a section in the May 3rd 2017 letter from BCM Planning (attached highlighted).
128 The Board continued to discuss including equipment in the figure. There is a concern that the
129 impact of the fee would prevent further development in the town.

130 RSA 674:21, V,d was read by Mr. Viel to address who pays the Impact Fee.

131 **Motion Made By:** Mr. Viel to “propose the impact fee to include the replacement cost option
132 with final figures taken from Mr. Mayberry from the... (Mr. Colby read the following figures
133 from the report from BCM Planning: Single family assessed at- \$800, attached two or more
134 family- \$736 per unit, manufactured housing- \$812 per unit and commercial- \$0.35 per square
135 foot.”

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136 **Seconded By:** Mrs. Mooney

137 **Vote:** 5-2-0 motion passed

138 ~ **School**

139 Mr. Colby paraphrased the letter from the Planning Board office to the School Board, to which
140 no reply was received.

141 The Planning Board discussed the hesitation to increase or decrease the impact fees for the
142 School Board due to the School Board not yet spending the fees currently collected. However
143 they agreed not to eliminate the School Impact Fee.

144 **Motion Made By:** Mr. Anderson to “leave the Impact Fee for the School at \$4,220 as already
145 set.”

146 **Seconded by:** Mr. Clough

147 **Discussion:** The Board discussed the Public Hearing Notice for the Impact Fee changes. They
148 decided it should list the total and the breakdown for the departments as well as the current
149 breakdown.

150 **Vote:** 7-0-0 motion passed

151 The Board agreed to schedule the Public Hearing on September 27, 2017 at 7pm.

152 **Public comment**

153 No one present

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

155 Mr. Chairman informed the Planning Board of some paperwork that needs to get cleaned up
156 regarding the USA Springs property. To aid in the paperwork clean-up process, it has been
157 suggested to revoke the Site Plan application.

158 There is a 30 day window to request a Public Hearing. If no hearing is requested the Board will
159 sign the revocation request.

160 **Office Update by Mr. Colby:** Next meeting- Public Hearing for a Subdivision and possibly the
161 Dark Skies presentation with the Conservation Commission.

162 **Strafford Regional Planning Commission Update by Mr. Anderson:** Meeting about History
163 and the funding of historical projects.

164 **Nottingham Conservation Commission Update by Mrs. Mooney:**

- 165
- 166 • Entertaining Conservation easements on three properties in the town.
 - 167 • Conservation Commission putting together a letter to the Board of Selectmen about
168 conservation concerns on town roads with copies to the Transportation Subcommittee.

168 **Transportation Subcommittee Update June 21, 2017 meeting by Mr. Grotenhuis:** Federal
169 Highway Administration put out a new handbook for smaller towns and rural networks- Ideas on
170 how to implement bicycle lanes and increase safety for pedestrians the link for the free
171 downloadable document will be sent to the Board.

172 The next meeting is July 19, 2017.

173 **Ed Viel:** Procedure suggestion- set a timeline on conditional approvals.

174 **Board of Selectman Update by Ms. Andersen:**

- 175
- 176 • A new position, Public Works Director, has been posted due to Mr. Fernald (Road Agent)
177 and Mr. Cinfo (Recycling Manager) retiring. It has been decided to combine those two
178 lead roles.

- 179 • Due to an incident at the State Park on July 4, 2017 it was discovered the State Park does
180 not have a life guard on duty and no evening patrol. A letter has been sent to DRED and
CC'd Nottingham's state representatives and senator requesting to have that addressed.

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181 **Minutes**

- 182 • June 14, 2017

183 **Motion Made By:** Mrs. Mooney “to accept the minutes of June 14, 2017”

184 **Seconded By:** Ms. Bascom

185 **Vote:** 5-0-2 **Motion Passed**

186 **Adjournment**

187 **Motion Made by:** Mrs. Mooney

188 **Seconded by:** Mrs. Bascom

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

190 **Adjourned at:** 9:14 pm

191 Attachments:

- 192 • Town Administrator’s letter re: Marston Property
193 • May 3rd letter from BCM Planning with highlighted section

194 For the Nottingham Planning Board

195 JoAnna Arendarczyk, Land Use Clerk