

Nottingham Planning Board

July 24, 2019

1 **Approved:** September 11, 2019

2 **Board Members Present:** Eduard Viel, Vice-Chair; John Morin, BOS Rep; Gary Anderson,
3 SRPC Rep; Joseph Clough, CIP Rep; Teresa Bascom; Robert “Buzz” Davies, Alternate;

4 **Board Members Absent:** Dirk Grotenhuis, Chair; Susan Mooney, Secretary; Tiler Eaton, BOS
5 Rep; Leanne Gast, Alternate

6 **Others Present:** Christopher Berry, Berry Surveying & Engineering; Peter Landry, Surveyor;
7 Waverly Cotton, Applicant; Neal Martyniak, Applicant; David and Linda Hanson, Abutters; Stef
8 Casella and Jen Czysz SRPC reps; Chief Vilchoc, Nottingham Fire-Rescue; Lou Sera, Domus
9 Developers Incorporated/Applicant

10 **Land Use Clerk absent-** Minutes taken by Mr. Viel and Mrs. Bascom, edited by Mrs.
11 Arendarczyk via recording review.

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

13

14 Introductions

15

16 **Alternate(S) Seated and Voting:**

17 Robert Davies for Susan Mooney

18

19 **Public Hearings**

20 **To Consider Acceptance and/or approval of the following:**

21

22 **Open Case:** 7:06pm

- 23 • *Case #19-007-LLA- Application from Matt & Amanda Shirland and Waverly Cotton for*
24 *a Lot Line Adjustment between Lot 3 and Lot 4 with an even exchange of land to account*
25 *for an existing encroachment. The properties are located at 6 & 8 Friar Tuck Lane in*
26 *Nottingham, NH and are identified as Tax Map 7 Lots 22 & 23.*

27 The applicants, Waverly Cotton and Neal Martyniak, provided the Board with a summary of the
28 lot line adjustment request. Intent is to exchange an equal area of land between parties to
29 eliminate an encroachment issue. Mr. Martyniak recently took ownership of one of the parcels

30 **Motion Made By:** Mr. Anderson to accept the application for case 19-007-LLA as complete

31 **Seconded By:** Mrs. Bascom

32 **Discussion:** None

33 **Vote:** 6-0-0 **Motion Passed**

34

35 **Public Comment Opened:** 7:06pm - None

36 **Public Comment Closed:** 7:07pm

37 Mr. Davis inquired as to if boundary markers have already been set. Applicant confirmed they
38 have.

39 Applicant, Mr. Martyniak, advised the Board the current plan which shows an access way
40 easement along the common boundary has been removed. They worked with easement holder,
41 Joe Falzone, to pass papers indicating such.

42 Discussion between the Board and applicants regarding need to provide letter or corrected
43 application listing Mr. Martyniak as the owner of lot 23.

44 **Motion Made By:** Mrs. Bascom to approve the request on Case #19-007-LLA application from
45 Waverly Cotton and Neal Martyniak, for the Lot Line Adjustment between lot 3 and lot 4 with

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46 conditions: revised plans showing easement removed, update names on plans to current owners,
47 have plans stamped by surveyor.

48 **Seconded By:** Mr. Davies

49 **Discussion:** None

50 **Vote:** 6-0-0 **Motion Passed**

51

52 With agreement from Mr. Berry, Mr. Viel switched the order on the agenda to allow Case #19-
53 009-LLA to be heard next.

54

55 **Open Case:** 7:15pm

- 56 • *Case #19-009-LLA- Application from Jerome F. & Diane M. Lapham and Douglas A.*
57 *Giszczynski for a Lot Line Adjustment between Map 72 Lot 2 and Map 72 Lot 2 Sublot1*
58 *with an equal area exchange of land to account for an existing encroachment. The*
59 *properties are located at 21 & 23 Jampsa Trail in Nottingham, NH and are identified as*
60 *Tax Map 72 Lot 2 & Lot2 Sublot 1.*

61 The representative for the applicants, Peter Landry, provided the Board with a summary of the
62 lot line adjustment request. Intent is to exchange an equal area of land between parties to
63 eliminate an encroachment issue, eliminate an easement, and provide additional water frontage
64 for one lot.

65 **Motion Made By:** Mrs. Bascom to accept the application for Case #19-009-LLA as complete

66 **Seconded By:** Mr. Anderson

67 **Discussion:** None

68 **Vote:** 5-0-1 **Motion Passed**

69

70 **Public Comment Opened:** 7:18pm - None

71 **Public Comment Closed:** 7:19pm

72 The Board reviewed the comments from Strafford Regional Planning Commission (SRPC) of
73 their review of the application and plans (file). Ms. Czysz informed the Board and the applicant
74 that the review was a stringent review, not knowing how the Town handles case reviews. The
75 Board agreed to omit the (SRPC) technical review comments 4, 5, 6 & 8.

76 **Motion Made By:** Mrs. Bascom to approve the application for Case #19-009-LLA

- 77 • Inclusion of set back dimension on plan
- 78 • Well radius be delineated on plan
- 79 • Addition of acreage and square footage to Detail C on plan

80 **Seconded By:** Mr. Anderson

81 **Discussion:** None

82 **Vote:** 6-0-0 **Motion Passed**

83

84 **Open Case:** 7:35pm

- 85 • *Case #19-008-SUB&SIT- Application from Domus Developers Inc. for a proposed 4 lot*
86 *subdivision with two additional concurrent site plan reviews for 12 units each. The*
87 *property is located on US Route 4/ Old Turnpike Road in Nottingham, NH and is*
88 *identified as Tax Map 6 Lot 22.*

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89 The representative for the applicants, Chris Berry, provided the Board with a summary of the
90 application to date and responded to items listed in the application and plan review from SRPC
91 as well as the third party technical review from CMA Engineers.

- 92 • Traffic analysis was completed and has been provided to the Board. Requests this
93 be sent to CMA Engineers
- 94 • Waiver request for slope within 50' from entrance - this is to conform with
95 NHDOT standards as proposed road is accessed from Rt 4
- 96 • Height of buildings will be decreased so as not to exceed regulations
- 97 • Locations are not in a flood zone, this notation will be removed from plans
- 98 • Parking for multi-family units: two garages under each unit, parking spaces will
99 also be striped
- 100 • Natural Heritage Bureau - Applicant filed with them ahead of time, designed
101 plans around their comments regarding two turtle species of concern: applicant
102 modified detention pond and structures accordingly
- 103 • Applicant proactively will utilize natural fiber erosion control methods as a snake
104 friendly alternative as black racers may be present
- 105 • Historical Resources review - no areas of concern
- 106 • Current plan for one new culvert will be to increase from 18" to 24" with
107 6" natural substrate
- 108 • Sidewalks - none proposed
- 109 • The two single family homes will have fire sprinkler systems
- 110 • Regional impact - Mr Berry spoke with the town of Barrington's planner, no
111 concerns as no water being diverted towards Barrington, no traffic or construction
112 within Barrington

113 Mr Viel advised the Board of RSA 36:55 which relates to developments of regional impact
114 (DRI) and reviewed the six general factors, as outlined by the NH Office of Strategic Initiatives
115 (OSI), which could result in a DRI determination. After discussion a motion was made:

116 **Motion Made By:** Mr. Clough that the Board declare all three plans are not developments of
117 regional impact

118 **Seconded By:** Mr. Anderson

119 **Discussion:** None

120 **Vote:** 6-0-0 **Motion Passed**

121

122 **Public Comment:**

123 David Hanson, abutter at 28 Old Turnpike Road across the street from the proposed subdivision
124 spoke to three concerns he has:

- 125 • Original plan showed two culverts at Rt 4, one of which goes under Rt 4 and drains on
126 his property, concerned of volume increase and flooding
- 127 • Access to the new proposed private road as he has witnessed a number of accidents and
128 speeding in this area of Rt 4
- 129 • Questioned if any proposed culverts drain into the Little River

130 Mr Berry responded to each item:

- 131 • No plan on replacing current culverts under Rt 4, currently an 18" and 24" culvert

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- 132 • Current culverts were considered when factoring stormwater analysis, both peak rates and
133 volume passing through these will be reduced from current, shared driveway and rain
134 garden utilized for single family homes to further reduce flow
135 • Rt 4 safety - applicant anticipates speeds of 55-60mph and is increasing site distance
136 beyond what is normally required by NHDOT from 400' to 550' as well as improving
137 topography in the area

138 Mr Hanson inquired as to how residential uses are being allowed in the Commercial/Industrial
139 Zone. Mr. Viel clarified current zoning does not allow this, however, applicant had been in for a
140 design review prior to zoning changes which allows the application to utilize the zoning which
141 was in effect at that time

142 **Motion Made By:** Mrs. Bascom that the Board conduct a site walk on Wednesday, July 31 at
143 6pm and that the case be continued to Wednesday August 14 at 7pm with deliverables no later
144 than August 7

145 **Seconded By:** Mr. Clough

146 **Discussion:** None

147 **Vote:** 6-0-0 **Motion Passed**

148

149 **Board and Staff Updates:**

150 **Gary Anderson- SRPC Rep:** updated the Board on upcoming conferences offered by SRPC.

151 **John Morin- Board of Selectman Rep:** discussions continue on emergency lanes, Marston
152 project moving forward

153

154 **Adjournment**

155 **Motion made by:** Mrs. Bascom

156 **Seconded by:** Mr. Clough

157 **Vote:** 6-0-0 **Motion Passed**

158 **Adjourned at:** 8:25 pm

159