

TOWN OF NEWMARKET, NEW HAMPSHIRE
JOINT TOWN COUNCIL-PLANNING BOARD MEETING

SEPTEMBER 19, 2018 6:00 PM

TOWN HALL AUDITORIUM

Approved October 3, 2018

COUNCIL MEMBERS PRESENT: Council Chairman Dale Pike, Council Vice Chairman Toni Weinstein, Councilor Zachary Dumont, Councilor Gretchen Kast, Councilor Kyle Bowden, Councilor Amy Burns, Councilor Casey Finch

PLANNING BOARD MEMBERS PRESENT: Vice Chairman Valerie Shelton, Janice Rosa, Sarah Finch, Jamie Bruton, Bill Doucet (Alternate), Dan Lewis (Alternate), Mical Zahorik (Alternate),

ALSO PRESENT: Town Administrator Steve Fournier, Town Planner Diane Hardy, Stuart Arnett of ADG, LLC

Town Council Chairman Dale Pike welcomed everyone to the annual Joint Town Council-Planning Board Meeting at 6:00 pm, followed by the Pledge of Allegiance.

AGENDA

Chairman Pike stated that the Council had discussed holding a Joint Meeting with the Planning Board at this time each year, and said there were four (4) items on the agenda for discussion.

**1. TOWN COUNCIL GOAL TO REDEVELOP THE THREE (3) GATEWAYS TO NEWMARKET:
Route 108 Gateway – North, Route 108 Gateway – South, and Route 152 Gateway – West**

Town Administrator Steve Fournier said the Town Council had set their goals for Town policy for the coming year, and one of the goals was to begin redevelopment of the three (3) gateways to Newmarket including Route 108 Gateway North (North Main), Route 108 Gateway South (Exeter Road), and Route 152 Gateway West. He said the State was redeveloping the North Main Street area to add sidewalks and bike lanes, and the Town had upgraded all the utilities. He said they would continue the development of

Downtown North with mixed use and that the situation was similar for Route 108 South. He said Route 152 West would be trickier due to the lack of utilities there as well as sensitive aquifers.

Town Administrator Fournier said one of the Town Council goals was to bring in an assistant to help them determine the best options for the Route 152 West area. He said they had met with Stuart Arnett of ADG, LLC to get an idea of what services an Economic Consultant would provide, and the next step would be to issue an RFP for a consultant. He said Town Planner Hardy was very busy with other projects, as well as with administering grants, the MS4 process, and the Macallen Dam. He said his intention was to issue an RFP in the next two weeks for Economic Development Services so they could bring the process to the Town Council, working hand-in-hand with the Planning Board.

2. ECONOMIC DEVELOPMENT

Chairman Pike felt it was important to recognize that a lot of discussions with the Planning Board had been about economic development on Route 152, and a CCRC had been considered as a source of tax revenue for the Town. He said before making a commitment to bring water and sewer to the area, they needed to know how much control they would have over development in that area and how that would affect their ability to protect the aquifer. Town Administrator Fournier they also needed to determine the best area for a CCRC, as there had been discussions that a location closer to Downtown might be better.

Planning Board Vice-Chair Valerie Shelton said along with that was the profitability of where they were developing as a community and the cost to bring services out to different areas. She said on the Route 152 corridor landowners were needing Zoning Board approval because they could not utilize the land as it was currently zone. She said the Route 108 Gateway South had been re-zoned to mixed use and they had not yet seen anything come of that change. She said they might seek consultant advice of why the re-zoning was not effective and how Route 108 North could be re-zoned if needed. She said the Planning Board also needed to know if there were additional costs to the Town. She asked if the Town was prepared to update the Bay Road Sewer Pumping Station if there was a large influx of usage on Route 108 North, or whether they should look at locating a CCRC in that area to offset costs.

Town Administrator Fournier said there would be three (3) phases: (1) figure out what was best, (2) make a recommendation to the Planning Board with the Economic Development Consultant, and (3) then work with the Planning Board to see if the zoning could be changed to fit the goals of the community. He said it would then come back to the Town and they could start marketing the properties and start development.

Town Planner Hardy said they needed to get more information on what design and construction costs would be to extend the sewer to the area and whether the existing water infrastructure was adequate. She said they needed to look at costs for various developments in the area and what potential tax revenues the Town could expect to receive to help amortize the costs over time. She said there were serious questions that had fiscal and environmental implications that needed to be fully understood before they could move forward with any policy changes at this point.

Town Administrator Fournier said they also needed to look at the infrastructure on South Route 108, as the traffic situation there would be a safety issue. He said they could also see what could be done there working with the State, though the Town had just won a lawsuit with the State over the widening of that area. He said it was also an area of high accidents for the community, and said the line-of-sight to the side streets was difficult as well as the railroad and the hill. Vice-Chair Weinstein said one of the main differences between North and South Route 108 was the development that was already there, and said the businesses on South Route 108 caused more traffic.

Mr. Doucet stated that there were obviously limited resources and if traffic on Route 108 was a problem, they did not want their community to suddenly be avoided. He said he had some involvement with commercial entities looking at the Route 152 area and they had found it was not viable for them there. He said he was concerned that if the Town spent money to bring water and sewer and the economic development did not proceed as hoped, it might put the Town in a difficult situation where they would try harder to get a return on their investment. Town Administrator Fournier said that was a concern, and that was why they wanted to bring in outside assistance. He said they had a lot of infrastructure that needed to be updated for water and sewer.

Town Planner Hardy said it was the same concern for zoning and said it was based on what the market could support. She said Route 152 was zoned in 1998 for business and commercial, and property owners were frustrated that they had not been able to sell for those purposes. Town Administrator Fournier stressed that economic development did not equal a drop in the tax rate, but rather equaled additional areas for possible Town revenues.

3. UPDATE OF MASTER PLAN AND FUTURE LAND USE PLAN

Town Planner Hardy stated that one of the charges of the Planning Board was to update the Master Plan, and they currently had a goal of updating one chapter every year. She said the last Town comprehensive overhaul of the Master Plan was in 2001, and said some chapters were mandated by State Law and others were optional. She said they had talked about possibly updating the Transportation chapter of the Master Plan, which was something the Planning Board needed to evaluate. She explained that 5 years ago the Capital Improvements Program recommended special funds be set aside for updating the Master Plan, and said every year approximately \$10,000 was put aside, with a total of \$50,000 currently available.

Town Planner Hardy said in 2014 the Planning Board held Visioning Sessions with the Town Council and came up with a Visioning Chapter for the Master Plan. She said an Economic Development Chapter was done in 2011, which strongly recommended the Town embark on an Economic Development Plan and have a strategy, as well as provide resources and staff to move forward. She said they should have a yearly overview of actions taken to provide a policy framework. She introduced Mr. Stuart Arnett of ADG, LLC, and asked him what an Economic Development Consultant would do.

Economic Development Consultant

Mr. Stuart Arnett of ADG, LLC said he wanted to make it clear that he was there to help them answer questions, and said the mission statement of ADG was about better futures. He said he said a better future

relied on both very good economic development planning and land-use regulations as well as change. He said the range of options for help included being more specific as to tasking and setting up sub-groups. He said they could go with the volunteer mode, use in-house staff, better use the Regional Development Corporations and Regional Planning Commission, or they could use a private firm. He said the regional organizations had different skill sets and went outside to not-for-profits and had access to grants. He said there was also the industrial authority option which allowed the Council to appoint members.

Mr. Arnett said the Town probably should have some not-for-profit authority that could apply for grants with a connection back to Town Hall. He explained that if shopping through an RFP process they should look for capacity and not specific outcomes. Once they decided, they could buy their tasks with work orders as things came up. He said the Town had strong leadership and great communication as well as a strong Regional Planning Commission and a strong Regional Development Corporation. He said the options somewhat depended on what the Town wanted to accomplish, but felt it was a nice start with the three gateways, the feasibility, and how it affected the Master Plan. He said they needed to be upfront about their budget, and said typically a work order would have a budget to work with.

Chairman Pike said future land-use development was a fairly recent process with some things not fully wrapped up. He said it was important for the Town to balance getting the right kind of development and protecting sensitive areas, as well as considering issues of groundwater, saltwater intrusion, and climate change. He said they needed to synthesize all that information and move forward on Economic Development and find the right balance for the Town.

Planning Board Vice-Chair Shelton said one of the responsibilities of the Planning Board was to set the direction for zoning and the regulations adopted, and said zoning could not be in conflict with that specific chapter of the Master Plan. She said they had to insure that Stormwater Management and updating regulations were consistent with the Water Resources chapter of the Master Plan, and said they might need to review that particular chapter to make sure it sets the direction for how they want to draft the regulations. She said the Town Council role was to adopt any regulations the Planning Board drafted and recommended, along with the approval of the Zoning Board.

Discussion: Vice-Chair Weinstein asked about the cost for updating a chapter of the Master Plan, and Town Planner Hardy said costs varied and they had been able to work closely with the Strafford Regional Planning Commission who had access to money from NOAA and funding through DES. She said there was also an opportunity to have an Energy Conservation chapter, which might be something Vice-Chair Weinstein would like to expand on.

Planning Board Vice-Chair Shelton said some towns chose to hire out the Master Plan which was something the Planning Board needed to discuss, as well as what chapters they would like to retain as a majority were optional. She said they could consider going outside for a complete Master Plan rewrite as a living document by 2020. Town Planner Hardy said she had targeted 2025 for the comprehensive update. She said at one point there was a spreadsheet of all chapters and the status of each, and that should be scheduled for a Planning Board Meeting in October or November so they could get something going at the beginning of 2019.

4. EPA MS4 PROGRAM STATUS AND UPDATES TO STORMWATER REGULATIONS

Town Planner Hardy said the Town of Newmarket had recently become part of the EPA MS4 program as a result of census data available in 2010, and had begun participation as of July 1, 2018. She said it was basically a 5-year program which required a Stormwater Management Plan that addressed issues related to non-point source pollution affecting rivers and water bodies. She said they were required to submit to the EPA on October 1st a notice of intent which outlined how they planned to meet the requirements listed in the permit issued by EPA. She said the requirements included public education and participation, making sure Town facilities took measures to monitor Stormwater runoff into the Lamprey River and tributaries, and to identify any illicit discharge issues and come up with an assessment plan and strategy for best management practices.

Town Administrator Fournier said the Town of Newmarket had joined with 30-40 other communities in the State to appeal the MS4 Permit because they do not believe the permit as written reflects the State of New Hampshire. He said it was a cookie-cutter copy of the MS4 for Massachusetts which focused on a more urban design than what fit for New Hampshire. He said the EPA had issued the permit on January 18, 2017 over concerns with the incoming administration, though the Town had not expected the permit to be issued until July. He said most states regulated their own Stormwater, and they were asking NHDES to regulate theirs. He said they were basically saying: (1) the permit does not fit New Hampshire, and (2) NHDES should regulate through their agency and not the EPA.

Town Administrator Fournier said the Planning Board should still be moving forward with Stormwater regulations, and said changes could always be made if they got a more advantageous permit from their State. Town Planner Hardy said the Planning Board had been working on updating their Stormwater report, and said in 2010 Sub-Division and Site Plan regulations were adopted. She said they were required to have construction regulations in place to minimize erosion and sedimentation, and post-construction standards for developers. Planning Board Vice-Chair Shelton said the Planning Board's authority was only over site plan review and regulations and multi-form housing sub-divisions.

ADJOURNMENT

Chairman Pike said the Town Council and the Planning Board had covered a good amount of ground and he felt the whole process of having the joint meeting was useful.

Chairman Pike adjourned the meeting at 7:01 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary