**NEWMARKET PLANNING BOARD MEETING**

**AUGUST 13, 2019**

**MINUTES**

Present: Val Shelton (Vice Chairman), Diane Hardy (Town Planner), Jamie Bruton, Ted Seely (Alternate), Gretchen Kast (Town Council ex officio)

Absent: Eric Botterman (Chairman), Jane Ford, Sarah Finch, Bill Doucet, Michal Zahorik (Alternate), Zachary Dumont (Town Council ex officio)

**Agenda Item #1 - Pledge of Allegiance**

**Agenda Item #2 – Public Comments**

None.

**Agenda Item #3 - Review & Approval of Minutes**  07/09/19

Postponed to the September 10, 2019 meeting.

**Agenda Item #4 - Regular Business**

***77 Hersey Lane, LLC/Walter Cheney/Chinburg Builders, Inc. – Continuation of a public hearing for an application for Special Use Permit Review for an open space single family subdivision, on a twelve acre lot. The lot is located at Hersey Lane, Tax Map R4, Lot 3, R2 Zone.***

Alexx Monastiero represented the applicant. She stated Luke Hurley, from Gove Environmental, and Scott Cole, from Beals Engineering, were also present. Based on the staff memo from the Town Planner, they were at a place where the application can go before the Technical Review Committee (TRC) and they can schedule a site walk.

Diane Hardy stated the application was substantially complete. There are a few minor things to be addressed, but she recommends they accept the application for technical review.

**Action**

**Motion: Gretchen Kast made a motion to accept the application as substantially complete**

**Second: Jamie Bruton**

**Vote: All in favor**

Alexx Monastiero gave a recap of the application and showed the yield plan and open space subdivision plan. She also showed the hammerhead turnaround and explained the waiver request regarding that. She also recapped the waiver request regarding the 100’ wetland buffer.

She stated the development will be single family homes on fee simple (individually-owned lots.) There will likely be a homeowner’s association to manage the open space.

Val Shelton asked if the yield plan considers any waivers that may be required for a conventional subdivision. Alexx Monastiero stated not to her knowledge. It meets the requirements of the Zoning Ordinance.

***Val Shelton opened the public hearing.***

*Abutter* Jim Navikas, 36 Dogwood Lane, stated his concern was about Town water shortages experienced in previous years. He was told wells were being dug all the time without evidence on how these wells were found and there is no guarantee on their long-term viability. He stated these new homes were putting us in peril. He has already lost a couple of trees, because the residents were not allowed to water on certain days. He is also seeing a design change (waiver) on the cul de sac. Diane Hardy stated there is a yield plan showing how a conventional subdivision could be laid out and explained the purpose of that was to show the potential yield in terms of how many lots could be developed. Mr. Navikas stated he would prefer something more aesthetically pleasing than like that plan. The rest of the streets in the area have cul de sacs. The homeowners have to pay to maintain the inner circle of the one on his street. Val Shelton stated there is no building moratorium relative to any water shortage in effect at this time. That would be an issue to discuss with Town Council and the Water Department. What the applicant is here for is a Special Use Permit and for the applicant to show they have rights under zoning to do a conventional subdivision, but their preference is to do an open space subdivision. Diane Hardy stated the TRC would be a meeting including Department Heads, and the Water Department later in the process. They will be asking the Town Engineer whether there is enough water and sewer capacity to accommodate the development. That is based on an engineering analysis. The public is welcome to attend.

Val Shelton read a letter from Christian and Nicole Matthews, 31 Kimball Way, regarding trails in the area. The Class VI portion of Hersey is the only way to get in or out of Durell Drive/Hersey Lane entrance/exit. If the Town (the Developer) does decide to improve a portion of this Class VI road, they ask the Planning Board to ensure that any improvements not only require automobile access but improved access for biking, walking, and snowshoeing.

***Val Shelton left the public hearing open for the next meeting.***

Jim Navikas asked what the plan was for the gravesite located there. He pointed the area out on the plan. (It has since been determined that the cemetaries are located on abutting land)

Diane Hardy asked if the applicant’s wetland/wildlife person could give an overview of how the open space development meets the criterion of the Town’s zoning and subdivision regulations. Luke Hurley stated the site is well-forested and there is not a lot of shrub layer. There is a vernal pool in the northeast corner. There is intermittent drainage halfway through the site. This is not a significant stream. It is an ephemeral drainage. (Ephemeral drainage mean a stream or reach of a stream that flows only in direct response to precipitation and are dry for most of the year. ) There is high functioning (prime) wetland. With a conventional development, it will be closer to the wetlands. With open space, there is a much larger buffer. He showed the location of the vernal pool and there is a significant buffer with open space. There are no significant wildlife corridors. They did do a soil map. There are sandy, loamy soils and rocky soils. There are a lot of mature trees. They will be preserved in back.

Alexx Monastiero stated the reason they are here tonight is to prove this yield plan is feasible and it does meet the requirements to protect the wetlands and the natural resources of the parcel. The open space plan is preferable to keep the development as far as possible away from the wetlands. The yield plan meets or exceeds the requirements.

Scott Cole stated they tried to reduce impervious surfaces and encourage green space. The yield plan has lengthy road and a cul de sac. That makes for a lot of disturbance and greater impervious surface. The open space subdivision has a much shorter road. The hammerhead turnaround design has a quarter of the amount of disturbance and less impervious surface. They spoke with the DPW Director/Fire Chief and the hammerhead provides adequate turn around space and requires fewer drainage structures to maintain. They will be requesting a waiver to have a 22’ wide road, as opposed to a 24’ wide road. There are two common driveways to reduce impervious surface.

Alexx Monastiero stated they got information from Severino (Excavator) stating the road was buildable and they have a letter from a realtor showing what the lots would sell for. Val Shelton stated this was not an economic feasibility report as to whether the yield plan is financially feasible to build out. There is no cost data provided in the letter. Alexx Monastiero will get clarifications for that.

A site walk was scheduled for Tuesday, August 20, 2019, at 5:00 p.m. The public and abutters are welcome to attend.

**Action**

**Motion: Gretchen Kast made a motion to continue this discussion to August 20, 2019 for a site walk**

**Second: Jamie Bruton**

**Vote: All in favor**

**Action**

**Motion: Jamie Bruton made a motion to continue the public hearing for the application for Special Use Permit to the September 19, 2019 meeting**

**Second: Ted Seely**

**Vote: All in favor**

***Luke & Trisha Robertson - Public hearing for an application for Subdivision, at 18 Beech Street, Tax Map U2, Lot 183, R3 Zone. The proposal is to convert the duplex apartments to condominium units.***

Andrea Spiegel, 1404 Piscassic Street, represented the applicant. She stated it was her son’s property. They renovated one side and would like to separate the units into condos.

Diane Hardy stated the application is substantially complete and recommended it be accepted for technical review.

**Action**

**Motion: Gretchen Kast made a motion that the application be accepted as being substantially complete**

**Second: Jamie Bruton**

**Vote: All in favor**

Diane Hardy recommended the following conditions:

1. That the Town’s legal counsel review and approve the condominium documents prior to recording, the cost of which shall be paid by the applicant.

2. The surveyor correct the street addresses to 18A and 18B as recently approved by the Town’s Dispatch Supervisor.

***Val Shelton opened the public hearing.***

No comments.

***Val Shelton closed the public hearing.***

**Action**

**Motion: Gretchen Kast made a motion to approve the application subject to the conditions read**

**1. That the Town’s legal counsel review and approve the condominium documents prior to recording, the cost of which shall be paid by the applicant.**

**2. The surveyor correct the street addresses to 18A and 18B as recently approved by the Town’s Dispatch Supervisor.**

**Second: Jamie Bruton**

**Vote: All in favor**

***Masaran Group, LLC - Public hearing for an application for Major Site Plan Review, regarding two additions to an existing building (12,610 sq. ft. & 11,000 sq. ft.), with new parking and access drives. The lot is located at 5 Forbes Road, Tax Map R3, Lot 9-3, B2 Zone.***

Jonathan Ring, from Johns and Beach, represented the applicant. Justin Gray, owner of Promocentric, was also present. Paige Libby, project engineer, was also present. Jonathan Ring passed out color renderings of the plan. They were before the Board on May 14th for a Design Review consultation. The property currently includes a 24,000 sq. ft. building. They are proposing two additions to it. Business is going well and they would like to expand. The additions are about 15% office space and 85% warehouse space. The property is on municipal water and there is onsite leach field. The leach field will be rebuilt, as the addition needs to be on the left side of the lot. There is a stone drip edge for drainage along the back of Addition A. There will be a detention basin to the right of Addition B. He indicated the snow storage areas. Post-construction there will be a decrease in rate and volume of runoff flows from all storms and volumes. Parking calculations are on Note 3 on Drawing # C2. There is a requirement of 111 parking spaces. They expect about 70 employees and show 102 spaces. They have a waiver request from Section 3.02(A)(1) for the parking down from 111 to 102. There are two other waivers for location of the parking spaces, which are in the side setback to the left. They designed the drive aisle to be 25’ wide and parking is now only on the building side. That is set forth in 3.02(C). They have another waiver from Section 4.08 for plan scale. The snow storage area is shown on sheet C2. If it cannot fit, it will be trucked off site. The loading docks will be relocated for the addition. There will be a set delivery schedule. They have a demolition plan. He showed the grading and pavement plan. They had considered porous pavement, but put a stone drip edge in instead. There is a new septic tank on the left. He showed the lighting and landscape plans.

Diane Hardy stated the application was substantially complete. An ADA note needs to be added and dumpster screening detail.

**Action**

**Motion: Gretchen Kast made a motion to accept the application for Technical Review**

**Second: Jamie Bruton**

**Vote: All in favor**

**Action**

**Motion: Gretchen Kast made a motion to continue to the September 10, 2019 meeting**

**Second: Jamie Bruton**

**Vote: All in favor**

**Agenda Item #5 - New/Old Business**

***Discussion: Impact Fees***

This was postponed to the next meeting.

***Planner’s Report***

Diane Hardy gave an overview of the Master Plan update. SRPC has funding available. SRPC would like to do a pilot project that meets requirements of the NH DES source water protection grant program. They presented an overview of what kind of work might come out of this with an update to the water resources chapter of the Master Plan.

She stated the NHOffice of Strategic Initiatives is having a Law Lecture on October 5. There is funding in the Planning budget to cover the cost of registration and travel for any Planning Board member who is interested in attending.

**Agenda Item #6 – Adjourn**

**Action**

**Motion: Gretchen Kast made a motion to adjourn**

**Second: Jamie Bruton**

**Vote: All in favor**