**NEWMARKET PLANNING BOARD MEETING**

**JULY 14, 2020**

**MINUTES**

Present: Val Shelton (Vice Chairman), Diane Hardy (Town Planner), Bill Doucet, Christian Matthews (Town Council ex officio), Michal Zahorik (Alternate), Jamie Bruton, Sarah Finch, Ted Seely (Alternate), Diane Hardy (Town Planner)

**Absent:** Eric Botterman (Chairman) – excused

Val Shelton read a statement regarding the Right-To-Know law and electronic/virtual meetings per the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04.

**Pledge of Allegiance**

**Public Comments**

None.

**Review and Approval of Minutes** 06/09/20 Minutes

**Action**

**Motion: Bill Doucet made a motion to approve the minutes as submitted**

**Second: Jamie Bruton**

**Vote: Bill Doucet, Christian Matthews, Jamie Bruton, Sarah Finch, Ted Seely, Val Shelton in favor**

**Michael Zahorik abstained due to absence**

**Regular Business**

***Walter Cheney - Request for Extension-56 Exeter Road-Tax Map U4 Lot 12 M2A Zone***

Bill Doucet recused himself. Val Shelton appointed Ted Seely and Michal Zahorik to fill in for Eric Botterman and Bill Doucet.

Walter Cheney stated it has been a trying time to get this project off the ground. Due to being unable to obtain financing or a buyer. He acquired adjacent land. He reached out to the railroad to purchase land, they agreed, and that has allowed him to address the issues the banks, buyers, and he had in trying to get this project off the ground. He would like to extend his conditional approval to 2024, because of how fast the time goes by and how long it has taken so far. He was last before the Board for an extension in June 2017.

Diane Hardy stated, right now, we are under the Governor’s Order that suspends timeframes for Planning Boards. The fact the approval has expired is not an issue.

Val Shelton asked what things had been done, besides taking the buildings down. He stated he has cleaned up the site. He has also been trying to figure out the best placement for the buildings. With all that, he has not focused on the conditions of approval. He is getting information and plans to come in August for a design review. The plans should address any property issues.

Val Shelton asked if he was coming in with a new site plan or an amendment. Mr. Cheney stated it would be an amendment. He will be adding parking and laying out the trash areas better. Everyone involved in this feels there is not enough residential to support the commercial. He will be looking to increase the residential in some way.

Val Shelton polled the Board for questions. Jamie Bruton asked what the conditions of approval were. Diane Hardy stated these were from nearly four years ago and she did not have the files at home with her. She can research this for the next meeting. Mr. Cheney stated he did not have that information with him, but could obtain it for the Board later.

Val Shelton asked if six months to a year was adequate to come back with the amendment. He stated that would work for him. Val Shelton stated she was open to a six month to a year extension on the current plan. Jamie Bruton stated the shorter timeframe was okay, but she was not in a position to comment on four years.

**Action**

**Motion: Christian Matthews made a motion to extend the conditional approval for 56 Exeter Road, Tax Map U4 Lot 12, M2A Zone, for redevelopment of that site for a period another 12 months from this date.**

**Second: Ted Seely**

**Vote: Christian Matthews, Michal Zahorik, Ted Seely, Sarah Finch, Jamie Bruton, Val Shelton in favor**

***77 Hersey Lane, LLC-Walter Cheney/Chinburg Builders, Inc. - Public hearing for an application for an 11-lot Open Space single family subdivision, with municipal water and sewer services, on a twelve acre lot. The lot is located at 77 Hersey Lane, Tax Map R4, Lot 3, R2 Zone.***

The applicant requested a continuance.

**Action**

**Motion: Jamie Bruton made a motion to continue to the August 11, 2020 meeting.**

**Second: Christian Matthews**

**Vote: Christian Matthews, Michal Zahorik, Ted Seely, Sarah Finch, Jamie Bruton, Val Shelton in favor**

**Bill Doucet abstained**

**New/Old Business**

***Discussion of Permitted Uses – Christian Matthews***

Christian Matthews stated he didn’t know if anyone got a chance to look the uses over. Val Shelton asked if he was just interested in residential. He said he was interested in what the Board might be thinking. Val Shelton stated, at the last meeting, the Board was going to review the uses and zones. Christian Matthews stated there were no limits set.

Christian Matthews stated duplexes and multifamily housing should be allowed in the R2 zone. When you look at the distance from downtown and sidewalk networks, it seems to be a pretty good spot to have redevelopment and try to densify neighborhoods.

Ted Seely asked when the last Master Plan update was. Diane Hardy stated we don’t have the resources to do a comprehensive update every five or ten years. So, we take up a chapter at a time. They did the Housing and Demographics chapter not too long ago in 2015. The Board went through an extensive process, with assistance from SRPC. We do what we can given the resources we have. Right now we are working on the water resources chapter and Kyle Pimental will be coming in about that at the next meeting. There is a flow chart (we keep current) showing when various chapters have been updated. We always go over which ones we want to pursue at the beginning of each year.

Christian Matthews showed the Zoning Map on the screen. He stated it is the R2 area just outside downtown proper showing sidewalk networks down Route 152.

Bill Doucet asked if duplex and multi housing are not allowed. Christian Matthews stated only single family was allowed. Bill Doucet asked if Bennett Way was R2. Christian Matthews stated the apartments on Bennett Way were R3 and the houses were R2. Val Shelton clarified there are attached townhouses condos (not just single family housing) at the top of the hill. Diane Hardy stated the developments up there were approved and built before the current zoning and there are townhouses and multi-family units there. The zoning was changed in 1996 due to the phenomenal growth in those areas of town.

Bill Doucet stated in the past he has heard that the town of Newmarket has its proportionate share of multifamily housing. He does not know if, in the past fifteen years, things have changed to a point where we are behind on that.

Diane Hardy stated SRPC did an analysis as part of the update in 2015. The feeling of the Board at that time was that we had a really great balance of housing types in the community. Newmarket traditionally had more than its fair share of multifamily and rental housing, with respect to some of the surrounding more rural communities. More than 50% of Newmarket’s housing stock is multifamily. 50% of our housing stock is rental. The demographic housing report that SRPC documented that. There was a discussion of the Board at the time and they did not want to increase the density of those areas, because of the widespread implications in terms of changing the character of neighborhoods and that it was contrary to how the town wanted to grow. There were several board members who were adamant that they did not want to increase the density, because we had really done a great job at maintaining a reasonable balance. We are not like other communities that haven’t done their fair share in providing housing opportunities for low and moderate income families and for workforce housing.

Val Shelton stated the issue at the time, and it was more at the Town Council level than it was at the Planning Board, was the multifamily housing vis a vis single family and the burden on services and the school system cause and effect with multifamily. There was a feeling there was a disproportionate amount of multifamily housing in the community than other neighboring towns. You should understand multifamily housing includes condo units. Where she lives at Moody Point, she has a single family home, but there is multifamily housing there. The Council did get on board with the rezoning involving the creation of the M2A Zone. That allowed more density. The Board tried to expand that to the north Route 108 corridor, but that was not approved.

Diane Hardy stated there was interest in 2015 for infill development. This would be in the urban core areas. There was a feeling that higher densities should be approved and several projects were approved including the Cheney project discussed earlier this evening. The Zoning Board has approved several duplexes. There are quite a few housing opportunities in town. She cited other projects and stated she wanted to dispel the notion that Newmarket may not be doing its fair share of affordable housing. Newmarket has done more than many communities in the state. Newmarket has a balanced housing stock and we should look very carefully at increased density.

This is especially true for the area mentioned. There is some very environmentally challenged lands there.

Val Shelton stated there will be growth in Newmarket, the question is where do we want to have that growth occur. With the projects going on at the gateways, revisiting that north end on Route 108 is a good idea. The report of that area stated most of the properties are nonconforming. There are few businesses there even though that is a business zone. If we are looking for expansion of the downtown for housing density that would be an area to look at. As a Board, after updating the Housing chapter of the Master Plan, we really didn’t want to see more density in the R1 zone.

Christian Matthews asked Diane Hardy if the Town Manager has mentioned changes to the north end on Route 108 he had been discussing. Diane Hardy stated they have been working on a Gateway concept for a couple of years and they have a consultant under contract, but everything was put on hold, because of the pandemic. She has his report and they are recommending zoning changes in that north end area and moving forward with grant applications. Any proposal to increase density has to be looked at carefully for the buildability of land, visual impacts and whether it would change the character of the community. She was looking at the R2 zone and most of the undeveloped land is Open Space. There is not much land left, so before thinking about density changes, they should do a build out analysis to see what it translates to in terms of additional housing units. There needs to be policy discussions and engage the public in those to see how they feel we should be growing and whether that is an appropriate model.

Christian Matthews stated he looks at the housing needs assessment as a bare minimum and we should be striving to go beyond that. Newmarket has less than a one percent vacancy rate. That means we have issues and, if you talk to younger people and older people, we have affordability issues. There are four units here and eight units there and he loves that, but in 70-75% of town you can only build a single unit. That means you are stuck with a certain level of housing. He has mentioned R2, because there is water and sewer and roads already there. You don’t need huge pieces of land and you are protecting character. By taking a single family home and converting it to a duplex, you are not changing the outer structure. There is not much character to homes built in the 2000s, they all look the same. Character downtown, absolutely. To not focus on a 10% area that would be the next steps in development is a mistake.

Bill Doucet stated it is wonderful for the Planning Board to have these types of discussions. He doesn’t know too much about it, but he understands there is a proposal for a different type of affordable housing. It is a very small footprint, single family, detached. Not a “tiny house”. At Rockingham Green, those houses are around 1800-2500 sq. ft. Dover is looking at less than that. Dover is very excited about it, as people who work in the community can own a home there.

Michal Zahorik stated it was a good idea and worth looking into. He is all about infill development and increasing densities.

Jamie Bruton was for continuing the Gateway conversations. She would like to see what land is available in R2 for building as a colorization on the zoning map perhaps.

Sarah Finch had no comments.

Ted Seely agreed with the affordable housing aspect. He asked where an issue like this fall into our priorities. Diane Hardy mentioned the completion of the update to the Water Resource chapter. He asked what is next on the list as far as what the Board and Council is looking at and where something like this falls. It will take a lot of resources, town input, buildout analysis, market study. A lot of resources that are spread thin right now. We have to be careful what we choose.

Val Shelton suggested looking at the “Action” items in the Housing chapter of the Master Plan. In conjunction with the Council and consultant, the Board can look at the B1 zone at the north end of town. An awful lot of buildout analysis has been done there.

Diane Hardy stated the Water Resource chapter draft is coming in August. We are looking next year for a project and maybe it’s time to revisit that chapter. It has also come up in Board discussions making the accessory apartment rules less stringent, allowing ADUs in detached structures. There are areas where these are appropriate in town.

Diane Hardy stated she spoke with a developer last week about workforce housing in town.

Michal Zahorik asked why ADUs were critiqued by the Town. Val Shelton stated the prior Council and some Board members did not want to permit detached ADUs. There are different people involved now.

Val Shelton suggested Christian Matthews form a committee to go over everything. Jamie Bruton volunteered.

***CIP Committee***

Ted Seely volunteered to assist Diane Hardy.

***Impact Fees***

Val Shelton stated the Committee would like to replace water and sewer fees with system charges. Christian Matthews stated Diane Hardy was going to look into the costs involved in looking at fees.

Christian Matthews went over Town Council items.

Diane Hardy stated she has been working on grants from the State under the Community Development Block Grant (CDBG).

**Adjourn**

**Action**

**Motion: Jamie Bruton made a motion to adjourn at 8:11 pm**

**Second: Bill Doucet**

**Vote: All in favor**