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**NEWMARKET PLANNING BOARD MEETING**

**FEBRUARY 9, 2021**

**MINUTES**

Present: Eric Botterman (Chairman), Val Shelton (Vice Chairman), Diane Hardy (Town Planner), Sarah Finch, Jane Ford, Michal Zahorik (Alternate), Ted Seely (Alternate), Bill Doucet, Scott Blackstone (Town Council ex officio), Jamie Bruton *(arrived late)*

Roll Call: Val Shelton-present/alone, Sarah Finch-present/alone, Jane Ford present/alone, Scott Blackstone-present/alone, Bill Doucet-present/alone, Eric Botterman-present/alone, Michal Zahorik-present/alone, Ted Seely-present/alone; Jamie Bruton late arrival - son in the room

**1. Pledge of Allegiance**

**2. Public Comments**

None. Public Comments closed at 7:05 pm.

**3. Review and Approval of Minutes**

**a. 1/26/21**

**Action**

**Motion: Val Shelton made a motion to approve the meeting minutes of 1/26/2021**

**Second: Jane Ford**

**Correction: Val Shelton amended lines 133-134**

**Vote: Val Shelton, Sarah Finch, Michal Zahorik, Ted Seely, Jane Ford,**

**Jamie Bruton, Scott Blackstone, in favor**

**4. Regular Business**

1. **Request for review and comment by Planning Board on the issuance of a building permit and driveway access for a single-family home on Neal Mill Road, a Class VI Road, pursuant to RSA 674:41. Request from Mr. John Tyson who has a purchase and sales agreement for 75 Neal Mill Road, Newmarket NH 03857 at Tax Map R7, Lot 1.**

Mr. Chris Albert of CSA Environmental Consultants said he submitted a letter of authorization from the current landowner, Christopher Graziano, who appointed him as agent on his behalf in the review process. The property is being purchased by John Tyson, present with his wife Susan Spinelli and daughter Julie who will be the actual owner of the property and the house. Mr. Tyson has an approved septic plan, and the key is a proposed driveway plan of approximately 785 linear feet to upgrade the existing woods road to a 14-foot-wide gravel driveway. He said this is an informational meeting with the Planning Board to set the groundwork on how they should move forward.

Bill Doucet said a design plan was submitted without a professional engineer stamp on it and will need to be submitted to the Town for a local engineering peer review. Eric Botterman said it looks like the survey was done by a builder and Mr. Albert said it was done by Joshua Manning, a surveyor who works for Lewis Builders. Eric Botterman asked that the plan be checked at the turnaround for the turning radius for a Fire Truck in the driveway/entrance plan and said the Fire Truck would not make the turn based on the design as laid out.

Eric Botterman said the layout has at least 1 culvert and asked if wetlands had been flagged at any point. Mr. Albert said wetlands were flagged behind the cemetery, and the culvert is more a flow equalization culvert for the 100-year storm event and is not connecting any wetlands. Val Shelton asked if Mr. Albert had reviewed the file in Diane’s office relative to prior engineering plans in that area. Mr. Albert said he has not had access to the plans but has reviewed all the documents from the Planning Board. Diane Hardy said they did not get full engineering drawings for the road upgrade from the previous applicant.

Eric Botterman said he is comfortable if they provide more information and the Planning Board goes through the formal process. Bill Doucet asked if abutters were notified. Eric Botterman said not for this meeting. Mr. Albert said this is strictly informational and they will need to set up a formal process regarding public notification, have a Public Hearing scheduled, hold a site walk, and schedule a time to walk the property with the Applicant, the Planning Board, SELT, and the Conservation Commission.

James F. Scully, Attorney for the applicant, said he will be working with Mr. Albert and the applicant throughout this process. He is a member of Morris Law Office, Hampton, NH.

Patrick Reynolds, Chairman of the Conservation Commission, said he felt it would be appropriate to hold a hearing on this to review it as a group; the Conservation Commission holds easements on all the abutting property in Newmarket, except for Newfields to the south.

Duane Hyde, Land Conservation Director of Southeast Land Trust (SELT), said he attended a site walk with Chris Albert recently and one of the proposed owners and is awaiting additional information from the applicant before providing more formal comments on the application.

Arlon Chaffee said the South Gateway concept is something Diane Hardy is now working on with the Town Manager, Planning Board and the Town Council to explore the benefits of community access and economic impact around the Rockingham Recreational Trail. He said Neal Mill Road and Old Lee Road are connectors to that system and an integral part of that recreational trail system, and the Town installed auxiliary parking on Neal Mill Road; a study commissioned by the Rockingham Planning Commission estimated over 3,500 recreational visitors to the Rockingham rail to trail in a 25-day period last June; all this should be taken into account. He asked if the Town has a Class VI Road policy, and Diane Hardy said the Town does not.

Diane Hardy said this is a unique application and is the first time the Planning Board has received a request to build a single family home on a Class VI road which comes under its own statutes. They will be working closely with Town Attorney John Ratigan and plan to get as much public input as possible. This is a major policy decision for the Town of Newmarket going forward because of extensive interest in the subject from a number of abutters, stakeholders, and conservation and recreation-minded people in the community, and they would like to schedule the public hearing shortly.

Diane Hardy said they need to have a list of all abutters, broadening the list as much as possible to stakeholders, and stressing the importance of tying this in with other Town projects. She said she has spoken with SELT and reached out to the Town of Newfields who are also working with SELT to extend a greenway trail into the area. She said the second part is to forward this to our Technical Review Committee (TRC) to make recommendations and get input from the Town Engineer to make sure the driveway design is provided and the road is being properly addressed.

Bill Doucet asked Diane if this is a situation where Regional Planning should be bought in as well. Diane said yes, there is a provision in our RSAs where the Regional Planning Commission reviews projects of regional impact, and they would like to hear from both the Rockingham and Strafford Regional Planning Commission.

Val Shelton asked if the applicant has any questions there is not a specific application process for this particular item. Mr. Albert understands this is unchartered territory and they all need to work together, work with all the different agencies, and hopefully work this thing through.

Eric Botterman asked Mr. Albert if he expected to have everything ready by the March 16th date for a public heaaring, and Mrs. Albert said he did. Diane Hardy said she would post information on the website under tonight’s Agenda and include questions and answers about Class VI Roads and add more information as this moves along.

**5. New/Old Business**

**6. Chairman’s Report**

**7. Committee Reports**

**8. Planner's Report**

Diane Hardy said our Flood Plain Regulations were filed with the State Office of Strategic Initiatives on time and new Flood Plain Maps went into effect January 29, 2021. The Water Resource Plan they adopted in November was posted on the webpage under the Master Plan and the Planning Commission is writing an article about it for the next Town Newsletter.

**9. Adjourn**

**Action**

**Motion: Val Shelton made a motion to adjourn at 7:42 pm.**

**Second: Bill Doucet**

**Vote: All in favor**