**NEWMARKET PLANNING BOARD**TUESDAY, March 15, 2022
TOWN COUNCIL CHAMBERS
7:00 PM
 **Members Present:** Val Shelton (Vice-Chair), Bill Doucet, Jane Ford, Jeff Goldknopf,
Michal Zahorik (Alternate), and Scott Blackstone (Town Council ex officio)
**Members Absent**: Eric Botterman (Chair) and Timothy Rossignol

Vice-Chair **Val Shelton** opened the meeting at 7:00 PM. The Vice-Chair announced that this would normally be the organizational meeting for the Planning Board, but she has tabled that until the next meeting.

**1. Pledge of Allegiance

2. Public Comments**There were no public comments this evening. Public comments was closed at 7:01PM.
**3. Review and Approval of Minutes**
a. February 8, 2022

**Motion: Jeff Goldknopf** moved to approve the minutes of February 8, 2022 as drafted.
**Second: Jane Ford**
**Discussion:** None **Vote:** **Approved 4-0-2** (**B. Doucet** and **M. Zahorik** abstained)

**4. Regular Business

Vice-Chair Shelton** appointed **Michal** **Zahorik** to sit in for **Eric** **Botterman** this evening.

The Vice Chair read the **revised** **application** into the record.
**a.** [**Seacoast Pool Plastering LLC/Robert MacInnis –Continuation of a public hearing for a revised application for Site Plan & Special Use Permit to permit the proposed construction of a 2,000 sq ft shed to store materials related to the pool/plastering business, approximately 84,000 sq ft of gravel space for equipment storage and associated storm water practices. The project proposes to combine lots 7 & 8 into one larger lot and utilize the existing entrance off of Wadleigh Falls Road (Route 152) for access. A small portion of the 25 ft poorly drained buffer will be impacted for site access while avoiding impacts to the onsite wetlands. The disturbance to the 25 ft poorly drained buffer will require a Special Use Permit. A portion of this property falls within the Town’s Aquifer Protection Overlay District under Section 32-153 of the Zoning Ordinance. The lots are located at 446 & 451 Wadleigh Falls Road, Tax Map R6, Lots 50-7 & 50-8, B3 Zone.**](https://newmarket.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=1996&MeetingID=149) **Bill Doucet** and **Jeff Goldknopf** recused themselves.

Mr. Alex Seller from Tighe & Bond was here this evening to represent the applicant and present the reduced plan and changes to the original application and to offer solutions to the concerns of the Board in the previous meetings. They propose to reduce the building size, the gravel area, removing all utilities, and proposing a two phases (tiers) to the project. They consider this an overall simplification. They have not received review information from the Town Engineer as yet. They wished to go forward with the Special Use Permit Application and the Waiver Requests this evening.

The public had no comments on this application, so the Vice Chair closed comment at 7:08 PM.

**Special Use Permit Application – Wetland Buffer Disturbance
Seacoast Pool Plastering, LLC
Tax Map R6 Lots 50-7 & 50-8, 446 & 450 Wadleigh Falls Road

Jane Ford** had a question about #3 concerning vegetation disturbance and how it was restored. Mr. Seller said that they used a ‘like-for-like’ replacement program. The other members had no questions.  **Motion: Jane Ford** made a motion that the Planning Board accept the request by Seacoast Pool Plastering LLC for the Special Use Permit - Wetland Buffer Disturbance for the property located at Tax Map R6 Lots 50-7 & 508, 446 & 450 Wadleigh Falls Road as it meets the criteria of the Town’s Zoning Regulation specific to Section 32-155E.
**Second:** **Scott Blackstone
Discussion**: None
**Vote**: **Approved 4-0-0**
**Request for Waivers – Proposed Material & Equipment Storage
Seacoast Pool Plastering, LLC
Tax Map R6 Lots 50-7 & 50-8, 446 & 450 Wadleigh Falls Road**Mr. Sellerread the seven waiver requests that Mr. Lorden sent to the Board dated March 2, 2022 (SS132-001). He read each Requirement and the Reason for the each Waiver.

There were no comments from the public on the Waiver Requests and the Vice Chair closed comment at 7:15 PM.

**Waiver Request #1**Relief from Section 3.02.(B)(6): Parking lots, driveway and aisles shall be paved.

**#1 Motion: Jane Ford** moved that the waiver be approved.
**Second: Michal Zahorik
Discussion:** None
**Vote**: **Approved 4-0-0

Waiver Request #2**Relief from Section 3.06.(A)(3)(a): In all districts except the M-1 and M-2 districts, either newly planned or existing trees shall be provided at the rate of one tree per 500 square feet of disturbed area.
 **#2 Motion: Jane Ford** moved that the waiver be approved.
**Second: Scott Blackstone
Discussion:** None
**Vote: Motion Fails 2-2-0

Waiver Request #3**Relief from Section 4.08: A scale of 1” equals 20’ shall be used.

**#3 Motion: Jane Ford** moved that the waiver be approved.
**Second: Michal Zahorik
Discussion:** None
**Vote: Approved 4-0-0

Waiver Request #4**Relief from Section 4.10(C)(5): Proposed site plan showing pedestrian, bicycle and transit amenities.

**#4 Motion: Jane Ford** moved that the waiver be approved.
**Second: Scott Blackstone
Discussion:** None
**Vote: Approved 4-0-0

Waiver Request #5**Relief from Section 4.10(C)7: Provide landscaping.

**#5 Motion: Jane Ford** moved that the waiver be approved.
**Second: Scott Blackstone
Discussion:** None
**Vote: Approved 4-0-0

Waiver Request #6**Relief from Section 4.10(C)13: Outdoor lighting, including type, design, mounting height, shielding and other specifications as needed.

**#6 Motion: Jane Ford** moved that the waiver be approved.
**Second: Michal Zahorik
Discussion:** None
**Vote: Approved 4-0-0

Waiver Request #7**Relief from Section 4.10(D): Elevation view of the front of any building to be altered or constructed.

**#7 Motion: Jane Ford** moved that the waiver be approved.
**Second: Michal Zahorik
Discussion:** None
**Vote: Approved 4-0-0

Motion: Jane Ford** made a motion to continue the public hearing on the waiver application (Waiver #2) by the Seacoast Pool Plastering, LLC, Tax Map R6 Lots 50-7 & 50-8, 446 & 450 Wadleigh Falls Road until the next meeting of the Planning Board on April 12, 2022.
**Second: Michal Zahorik
Discussion:** None
**Vote: Approved 4-0-0**
The Vice-Chair said that the applicant must address Waiver Request #2 in a Revised Site Plan.
She spoke with the Town Engineer late this afternoon with regards to their emails of March 2. He was satisfied with how they had addressed the changes and his questions from the prior site plan that were applicable to this plan. The PB will inform him of Waiver #2 being denied and he will need to take that into consideration.

The applicant, Mr. MacInnis, rose to ask for an explanation of the denial and was told by the Vice Chair that he would best be advised by consulting with his Project Manager at Tighe & Bond.

**Motion: Jane** **Ford** moved that this item be continued to the next meeting of the Planning Board on April 12, 2022.
**Second: Michal Zahorik
Discussion:** None
**Vote: Approved 6-0-0**
 **Bill** **Doucet** and **Jeff** **Goldknopf** returned to the meeting.

**b.** [**Notice is hereby given for public hearings in accordance with RSA 231:158 for tree pruning and clearing on Town of Newmarket scenic roads by Eversource Energy. This public hearing is scheduled for Tuesday, March 15, 2022, at 7:00 p.m. at Newmarket Town Hall in the Council Chambers, 186 Main Street. This hearing is scheduled in accordance with RSA 231:158, as requested by Eversource Energy to engage in tree pruning and cutting along Bay Road in the Town of Newmarket. The proposed activity will include, but not be limited to, tree cutting, trimming, and removal of brush and trees. All proposed activity and criteria for action by the applicants will be presented and reviewed at this public hearing.**](https://newmarket.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=2026&MeetingID=152)

Mr. Terry Cooper was present this evening representing Eversource Energy. He gave a detailed report on the process of selecting trees for removal and he provided the Board with a list of the trees to be removed. The Planning Board wanted to get input from Rick Malasky, Director of Public Works, before moving forward.

There were no comments from the public on this item.

**Motion: Jane** **Ford** moved that this item be continued to the next meeting of the Planning Board on April 12, 2022.
**Second: Bill Doucet
Discussion:** None
**Vote: Approved 6-0-0**

**c.** [**There will be a hearing for an application for Design Review, requested by Bingham Junction LLC/Shawn McGowan, for the renovation of the Rockingham Junction rail depot to include the relocation of the existing building to a new foundation on the existing site. The use of the building will for be the owner’s professional office space. The work is focused on software engineering, software investing, and advanced data analytics. A small addition to the structure and a storage barn will be added. The property is located at 3 Rockingham Junction, Tax Map R3, Lot 13A, B1 Zone.**](https://newmarket.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=2027&MeetingID=152)

Mr. Shawn McGowan was present this evening to bring an application for Design Review before the Board. He was accompanied by his architect Michael Graf. The Vice-Chair asked the applicant if they anticipated any requests and/or waivers which might be required later. Mr. McGowan does have an engineer for the project. He will be going before the Newfields Planning Board at a later date as well as returning to the Newmarket Planning Board.

The Board members had other questions which the applicant addressed.

An abutter, Mr. Jim Ward, 22 Ash Swamp Road, rose to speak in favor of this project. Public comment was closed at 7:59 PM.

**5. New/Old Business**The Vice-Chair reported that the workshop on the Stormwater Management - Site Plan and Sub-Division Regulations and the discussion of the B-1 Zone was cancelled on February 22 because of a lack of quorum. The Town Manager has asked that the Planning Board table these matters until the new Planner is hired.

The Board has received a communication from the Town of Brentwood in regards to a Regional Impact application which has come before the Brentwood Planning Board. **Val** asks that the Board members review the information to discuss at the next meeting.
 **6. Chairman’s Report**None.

**7. Committee Reports
*Conservation Commission:*** **Jeff Goldknopf** reported that Mr. Tom Hobbs, Residential Sales Manager from ReVision Energy, spoke to the Commission about the progress of solar sales in Newmarket. **Jane Ford** discussed and explained issues and the on-going controversy over the solar panels being made in China and asked if this was discussed.

**8. Planner’s Report**None

**9. Adjourn

Motion:** **Jeff Goldknopf** made a motion to adjourn at 8.01 PM. **Second:** **Jane Ford
Discussion:** None. **Vote: Approved 6-0-0**Respectfully submitted,

Sue Frick
Recording Secretary