**NEWMARKET PLANNING BOARD**
 TUESDAY, April 12, 2022
 TOWN COUNCIL CHAMBERS
 7:00 PM
 **Members Present:** Val Shelton (Vice-Chair), Bart McDonough (Director of Planning & Community Development) Jane Ford, Jeff Goldknopf, Patrick Reynolds, 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 welcomed new member, **Patrick Reynolds**, and congratulated him on his election victory. She also congratulated **Eric Botterman** for his re-election to the Board.
**Bart McDonough,** the new Director of Planning & Community Development for the Town, was also welcomed.

**1. Pledge of Allegiance

2. Public Comments**There were no members of the public wishing to speak this evening. Public comments closed at 7:01 PM.

**3. Review and Approval of Minutes**
a. March 15, 2022

**Motion: Jeff Goldknopf** moved to approve the minutes of March 15, 2022 as drafted.
**Second: Jane Ford**
**Discussion:** None **Vote:** **Approved 4-0-1** (**Patrick Reynolds** abstained)

**4. Board Organizational Business
*Election of Chair and Vice Chair*:** The Vice-Chair moved this agenda item to follow Regular Business without objection. ***Alternate Appointment*:** The Vice-Chair moved this agenda item to follow Regular Business without objection. **5. Regular Business**a. Site Plan and Special Use Permit for a Mixed Use Development – Six month extension of the conditional approval of October 7, 2021, requested by Walter Cheney Jr/Cheney Property Management Corp (CPMC). The lot is located at 50-56 Exeter Rd, Tax Map U4, Lots 11 and 15, M2A Zone.

**Jeff Goldknopf** recused himself.

Mr. Michael Sievert, Vice President of Structural Engineering with Horizons Engineering, was present this evening representing the applicant, Mr. Walter Cheney, Jr. who was also present. Mr. Sievert explained that they have not yet received the NHDOT entrance permit. The permit request was submitted on July 16, 2021. NHDOT says that they have not approved the request yet because NHDOT is currently in negotiations with the Town of Newmarket about a location of a cross walk on Rt. 108. In a recent email in February to the applicant, Mr. Jim Hewitt, Utilities and Access Engineer for NHDOT, stated that he doesn’t see any problems with the design, but they are holding off on the permit because of the on-going negotiations with the Town. **Bart McDonough** will ask the Town Manager about this at their staff meeting tomorrow and report back to the applicant. Mr. Sievert did state that everything else is ready to go on the project.
Conditions of Approval include:
NHDOT Access Permit **outstanding.**
 Lot Merger Plans are completed.
 Mylars are done for the lot consolidations and need to be signed at the Town.
 Sewer Connection Permit has been received.

**Motion: Patrick Reynolds** moved that a six month extension of the conditional approval of October 7, 2021, requested by Walter Cheney Jr/Cheney Property Management Corp (CPMC) be approved based on the conditions as presented. The lot is located at 50-56 Exeter Rd, Tax Map U4, Lots 11 and 15, M2A Zone.
**Second: Jane Ford**
**Discussion:** None **Vote:** **Approved 4-0-0**

b. [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 & 450 Wadleigh Falls Road, Tax Map R6, Lots 50-7 & 50-8, B3 Zone.](https://newmarket.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=1996&MeetingID=149)

Mr. John Lorden, Project Manager II withTighe & Bond**,** is here this evening to address Waiver Request #2 which was denied at the last meeting:

*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.
Motion: Jane Ford moved that the waiver be approved.
Second: Scott Blackstone
Discussion: None
Vote: Motion Fails 2-2-0*
The applicant has submitted a tree count for the property to be included in the application. Mr. Peter Rowell, Interim Building/Code Enforcement Officer for the Town, assisted in the counting. 807 trees were counted and the applicant asked to withdraw Waiver Request #2.

**Val Shelton** had a few questions regarding silt sock placement and a notations on the plan about flagging the ‘no disturbance’ area. Mr. Lorden addressed these questions and agreed to add notes on the site plan.

**Val Shelton** opened the public hearing to comment. Hearing none, she closed the public hearing at 7:14 PM.

**Motion:** **Jane Ford** made a motion to approve the  [Site Plan for Seacoast Pool Plastering LLC/Robert MacInnis located on Tax Map R6, Lots 50-7 & 50-8, in the B3 Zone to permit the proposed construction of a 2,000 sq ft storage shed, approximately 84,000 sq ft of gravel parking for storage of trucks, trailers, and equipment, and associated access and stormwater management infrastructure as proposed.
Subject to following conditions:
1. The two existing lots will be merged and access will be from an existing paved driveway off of Rt. 152 Wadleigh Falls Road.
2. The Town Engineer’s final review and approval of any outstanding items previously submitted to the applicant.
3. The site shall be limited to the proposed uses as submitted in the revised site plan being used for storage of materials and equipment. Any changes beyond the proposed uses outlined in this revised application shall require further review and approval by the Planning Board.
4. Submission of an operation and maintenance plan satisfactory to the Town Engineer which will address any increase in traffic causing sediment runoff into the rain garden.
5. Execution of a developer’s agreement with the Town of Newmarket and payment of any bonding requirements for restoration of temporary impacts.
6. The payment of any applicable impact fees.
Regarding vesting (RSA674-39, Phase I to be completed within one year from recording of the final site plan, including the stabilization of slopes for Phase II. Phase II shall be completed within one year from the start of construction and that start date to be no later than 24 months from completion of Phase I.](https://newmarket.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=1996&MeetingID=149)  **Second:** **Scott Blackstone
Discussion:** None **Vote: Approved 3-0-1** (**Patrick Reynolds** abstained)

**Jeff** **Goldknopf** returned to the meeting.

c. [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, Work Planner for Eversource Energy and Asplundh Tree Experts, Co., was present this evening to discuss the planned tree cutting, trimming, and removal of brush and trees. 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. Mr. Cooper read into the record the standards of practice for this process. Please see Addendum 1 at the end of these minutes. The Vice-Chair mentioned that she has heard back from Public Works Director, Rick Malasky, and he had no issues with the proposed work. Mr. Cooper has had several conversations with the Director and they have spoken about the use of left over wood chips.

The Vice-Chair returned to item #4 on the agenda.

**4. Board Organizational Business
*Election of Chair:*
Motion:** **Valerie** **Shelton** nominated **Eric** **Botterman** as Chair. **Second:** **Jane** **Ford
Discussion:** None **Vote: Approved 5-0-0

*Election of Vice-Chair:*****Motion:** **Jane Ford** nominated **Valerie Shelton** as Vice-Chair. **Second:** **Jeff Goldknopf
Discussion:** None **Vote: Approved 4-0-1** (**Valerie Shelton** abstained)
***Alternate Appointment*:**
**Motion:** **Patrick Reynolds** nominated **Michal** **Zahorik** as an Alternate for a three year term ending in March 2025.
**Second:** **Jane** **Ford
Discussion:** None **Vote: Approved 5-0-0

Michal** is in the audience this evening, but he must be officially sworn in by the Town. **6. Old/New Business
*Brentwood Regional Impact Letter:*** 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 this meeting. The members did not have any comments.

**7. Chairman’s Report**The Vice-Chair wanted to welcome the new Director of Planning and Community Development once again. They had a discussion today about priorities the Board might wish to focus on and updating the Planning Board procedures and policies. **Bart** mentioned that at the next meeting we might set some priorities for this year and next for a look toward the future. **Val** mentioned updating the Master Plan Chapters and better coordination with the Town Council on housing issues.
 **8. Committee Reports
*Town Council:* Scott Blackstone** reported that the question of Neal Mill Road being changed to a Class A Trail came up at the last meeting. The Town Manager promises to get in touch with the Town Attorney to clear the way for this change. The Town Manager was also asked about the change in impact fees also known as ‘Betterment Fees’. **Eric** **Botterman** will receive an invitation from the Town Council Chair to call a joint meeting. There was also some beginning discussions about widening the Rt. 108 and Gerry Ave. intersection for safety issues. There will be more on this at future meetings. **Val** asked if we still have a Traffic Committee in Town.
***Conservation Commission:***  **Jeff** **Goldknopf** reported on 1) the Earth Day Cleanup (roadside) from April 16 to 24th, 2) Pollinator Pathways will be the guest speaker this week, and 3) Duane Hyde, Land Conservation Director for the SELT, will be speaking this week about the conditions of the Gaziano deed.

The Vice-Chair said that committee/commission appointments will be made at the next meeting.

**9. Planner’s Report
Bart McDonough** received a letter from the New Market Historical Society. They have concerns about the design guidelines of overlay districts and how it may affect some of the historical homes in Newmarket. He will email the letter to everyone on the Board. **Bart** also mentioned a training opportunity with the Office of Strategic Initiatives: [Spring 2022 Planning and Zoning Conference | Planning Resources | NH Office of Strategic Initiatives](https://www.nh.gov/osi/planning/resources/conferences/spring-2022/index.htm) The Town will pay any attendance fees and mileage if the meeting is in person. The Vice-Chair recommends that members take advantage of this opportunity. The first meeting is on April 30 and the second on May 7, 2022.

 **10. Adjourn

Motion:** **Jane** **Ford** made a motion to adjourn at 7:40 PM. **Second:** **Scott** **Blackstone
Discussion:** None **Vote: Approved 5-0-0**Respectfully submitted,

Sue Frick
Recording Secretary

Addendum 1