 **NEWMARKET PLANNING BOARD**
 TUESDAY, May 10, 2022
 TOWN COUNCIL CHAMBERS
 7:00 PM

**Members Present:** Eric Botterman (Chair), Val Shelton (Vice-Chair), Bart McDonough (Director of Planning & Community Development), Jeff Goldknopf, Patrick Reynolds, Timothy Rossignol, Scott Blackstone (Town Council ex officio), and Michal Zahorik (alternate).
**Members Absent**: Jane Ford.

Chair **Eric Botterman** opened the meeting at 7:01 PM. The Chair appointed **Michal Zahorik** as a voting member this evening.

**1. Pledge of Allegiance

2. Public Comments**There were no members of the public wishing to speak this evening. Public comments closed at 7:03 PM.

**3. Review and Approval of Minutes**
a. April 12, 2022

**Motion: Val Shelton** moved to approve the minutes of April 12, 2022 as drafted.
**Second: Patrick Reynolds**
**Discussion:** None **Vote:** **Approved 4-0-3** (**Eric Botterman, Timothy Rossignol,** and **Michal Zahorik** abstained)

**4. Regular Business
a. Eric DeWitt - There will be a public hearing for an application for Design Review & Extension of Conditional Approval of 12/13/18. The Design Review involves a two lot subdivision. One lot containing the approved future 2,920 sq. ft. mixed use building would be .078 acres, with 220’ road frontage and the other lot would be 4.52 acres, with 451’ road frontage. The lots are located at 81 Exeter Road, Tax Map U3, Lot 137, B1 Zone.**Mr. Eric DeWitt came before for the Board this evening to seek an extension for the final site plan approval which he received in June 2020. He received conditional approval on December 13, 2018. By June 2020, he had met all the requirements for final approval. However, the economic difficulties caused by the pandemic required that he put the project on hold. He began to consult with the Small Business Association (SBA) to find a path forward. He lost his anticipated restaurant tenant, but he continued to work on the property. He cleared the field in the back and planted a cover crop. He also demolished the fence around the little house and transplanted the hydrangeas and forsythia bushes as part of the conditional approval. A dumpster is currently located on the property for debris. Mr. DeWitt now proposes to sub-divide the lot into two parcels – one for the front portion which he plans to sell and one for the back portion that he would keep, build a woodshop for his design work, and continue to farm the field. He has a buyer for the front lot who would like to close by November 3. He wants to replace the small bridge with a culvert which would move from the front lot property line into the back lot parcel.
After discussion among members, **Bart** summarized a suggested action plan to the applicant:|
1) apply for an extension (as he has done)
2) set up the purchase and sale agreement for review
3) go through the sub-division process to seek approval of the two lots (including a presentation to the ConCom)
4) make sure that the stormwater management plan works for each lot – if it doesn’t work, the PB may be amenable to an easement approval between both lots
Mr. DeWitt wants to begin this process as soon as possible in order to meet the timeline for his buyer.
 **Motion: Jeff Goldknopf** moved to grant an extension of one year to Eric DeWitt for an application for Design Review & Extension of Conditional Approval of 12/13/18. The Design Review involves a two lot subdivision. One lot containing the approved future 2,920 sq. ft. mixed use building would be .078 acres, with 220’ road frontage and the other lot would be 4.52 acres, with 451’ road frontage. The lots are located at 81 Exeter Road, Tax Map U3, Lot 137, B1 Zone.
**Second: Tim Rossignol**
**Discussion:** None **Vote:** **Approved 7-0-0**

**b. Maplewood & Vaughn Holding Company, LLC - Request for extension of vesting beyond the April 10, 2023 ending date, to allow more time to negotiate and finalize a sale with a buyer, possibly revise the design of the building, order steel, etc. The requested extension is for two years until April 10, 2025 for the property located at 175 Exeter Road, Tax Map R3, B2 Zone.**Mr. Rob Graham, Maplewood & Vaughn Holding Company, LLC, came before the Board this evening to request an extension for two years (until April 10, 2025) in order to complete the vesting process for the property located at 175 Exeter Road. He was joined by Paige Libbey P.E., Associate Project Manager for Jones & Beach Engineering, Inc. of Stratham NH. Rob Graham detailed some of the difficulties to getting building materials required to begin construction. He noted that they have completed the excavation export for the site and plantings along Rt. 108 which will be maintained. He mentioned that the DOT designed the grading used on Rt. 108. He will be providing the Planning Office with an update plan detailing progress so far. This plan is for two industrial lots located on Forbes Road and both are subgrade. The construction drainage is complete and slope construction is done. They are ready for active and substantial development for tenants. At this point, with the current economy, tenants are in short supply. This is reason for the request of a two year extension. **Motion: Jeff Goldknopf** moved to grant a two year extension until April 10, 2025 to Maplewood & Vaughn Holding Company, LLC for the property located at 175 Exeter Road, Tax Map R3, B2 Zone.
**Discussion:** None **Vote:** **Approved 7-0-0**

**5. Old/New Business
*Stormwater Management Sub-Division and Site Plan Revisions***Bill Arcieri, Senior Water Resource Specialist from VHB Consultants, was present this evening to review the MS4 EPA Permit which began in 2017 and went into effect in 2018. Details of the MS4 Permit may be found on the Town website at: [MS4 Stormwater Program | Newmarket NH](https://www.newmarketnh.gov/home/news/ms4-stormwater-program)
**Bart McDonough** edited the recent revisions to include both the sub-division and site plan stormwater management plans into one document to be called “Appendix C”. After discussion, the members felt that the document was ready for a public hearing.
 **Motion: Val Shelton** moved to hold a public hearing for the Stormwater Management Sub-Division and Site Plan Revisions at the next Planning Board meeting on June 14, 2022.
**Discussion:** None **Vote:** **Approved 7-0-0**

**6. Chairman’s Report**The Chair has prepared a list of goals for the PB to be discussed.
1) Update the Master Plan
2) N. Main Street (re)zoning
3) Accessory Dwelling Units (ADUs)
4) Historical Commission in Newmarket? Information on the NH Division of Historical Resources [About Us, New Hampshire Division of Historical Resources (nh.gov)](https://www.nh.gov/nhdhr/about.html)
5) Update on ‘Rules & Procedures for the Planning Board’ – Bart will provide to all members. **Bart** felt that the priorities might be 1) the ADU’s. 2) N. Main Street (re)zoning, 3) update the Master Plan – establish priority chapters, 4) Historical preservation of the downtown area concerns, and 5) “Rules and Procedures”.
The Town Council is looking for recommendations from the Planning Board on ADUs.
The Board agreed to work on this issue as a board rather than a sub-committee and then make a recommendation to the Town Council.
 **7. Committee Reports
*Town Council:*** **Scott Blackstone** reported that they will be having a presentation on Impact Fees at the next meeting. The TC also approved the placing of high school graduating seniors pictures on banners (as they did in the last few Covid years) in the downtown area. The TC will permit this use this year, but, as we come out of Covid restrictions, they will create regulations for future years. The TC also voted to convert the Class VI portion of Neal Mill Road to a Class A Trail. The Chair of the Conservation Commission and two other residents spoke to this issue. The second reading will happen at the next meeting. The Newmarket Historical Society has send a letter to the TC concerning issues of conformity in the downtown area. The TC would like comment on this issue from the PB. Scott did not feel that there was general Town Council support for this oversite at this time.
***Conservation Commission:*** **Jeff Goldknopf** reported on the meeting coming up on May 12. Joshua Megyesy, from the Nongame and Endangered Wildlife Program of NH Fish & Game, will speak about ‘all things turtles’. He is an expert on Blanding’s, Spotted, and Wood Turtles and so many other things – habitat, breeding, and environmental concerns. Last month, the ConCom welcomed the founders of “Pollinator Pathways”. They gave a great presentation and, if folks missed it, they can watch it on DCAT.

The Chair mentioned that Committee and Commission appointments will be added to the agenda for the next meeting. **Val** asked **Bart** to ask the Town Manager about the status of the Economic Development Committee. **Bart** will prepare a list of committees and commissions that need representation from the Planning Board before the next meeting.

**8. Planner’s Report
Bart** reported that the Riverfront Advisory Committee was supposed to have a meeting yesterday to discuss the culvert needed at Moonlight Brook. He is getting ready to apply for a hydrological study grant for Schanda Park.

**9. Adjourn

Motion: Val Shelton** moved to adjourn the meeting at 8:30 PM **Second:** **Tim Rossignol
Discussion:** None **Vote: Approved 7-0-0**Respectfully submitted,

Sue Frick
Recording Secretary