A picture containing text, sign, dark

Description automatically generated

PLANNING BOARD

December 13, 2022 at 7:00 PM

**APPROVED MEETING MINUTES**

**Members Present:** Eric Botterman (Chair), Jane Ford, Bart McDonough (Director of Planning & Community Development) via zoom, Patrick Reynolds, and Scott Blackstone (Town Council Ex officio)   
**Members Absent**: Val Shelton (Vice-Chair), Jeff Goldknopf, Timothy Rossignol, and Michal Zahorik (alternate)  
  
Chair **Eric Botterman** opened the meeting at 7:02 PM [time on DCAT 6.:34]

A quorum was present for the meeting to proceed.   
**Agenda Item #1 - Pledge of Allegiance**

**Agenda Item #2 - Public Comments**The Chair opened the Public Comments for any non-agenda items at 7:01.  
Seeing no one wishing to speak, Public Comments were closed at 7:02.

**Agenda Item #3 - Review & Approval of Minutes**

Review and approval of the Draft Minutes of November 8, 2022 is postponed to the next meeting in January 2023.   
**Agenda Item #4 – Regular Business**Read by Chair: [time on DCAT 9:40]  
a. **Pursuant RSA 674:35 and 676:4I(d) and Appendix B – Site Plan of the Municipal Code of the Town of Newmarket, New Hampshire, there will be a public hearing for an application for Major Site Plan Review, requested by SCG Management Corp/Second Bennett Way Limited Partnership, for property located at 4 Bennett Way, Tax Map U4, Lot 4-11, within the B1 Zoning District. The proposed application seeks approval to develop the east-side of the parcel with a 2-story, 12-unit building with associated parking and amenities.**

**Bart** spoke about the previous variances approved for this site in the B1 zone. He stated he considers the application complete for review at this time.  
  
  
**Motion #1: Jane Ford** made a motion, that the application be accepted as complete, upon the recommendation of the Town Planner.  
**Second: Patrick Reynolds  
Discussion:** none   
**Vote: Approved 4-0-0**

The Chair opened the public hearing at 7:35 PM. [time on DCAT 10:34]  
  
Michael Sievert, of Horizons Engineering, is present this evening to present this proposal by SCG Management Corp/Second Bennett Way Limited Partnership for Phase Two of the Cliff Side at Cherry Hill plan. Scott Foster with SCG Management and Michael Keane, of Michael Keane Architects, where also present. The proposed applicant seeks approval to develop the east-side of the parcel at 4 Bennet Way with a 2-story, 12-unit building with associated parking and amenities. After Mr. Sievert completed his description of the old and new projects, Mr. Foster rose to describe the plan approved around 2002. Plan sheet #101 shows the complete site with two buildings and club house. A robust drainage system was put in in 2006 and they plan to inspect and tie into that system. The general site location is flat with a slight slope eastwardly. There will be a new water line and he also presented a landscape plan from Robbi Woodburn, of Woodburn and Company Landscape Architecture. Mr. Keane spoke to the architectural vision for the site. He described the garden-style apartments: 2-bedroom units being between 1300-1400 sq feet, each having their own private entrance, and two parking spaces (one in a car port). This building will meet all new codes. They plan to use different colored sidings to break up the mass of the structure visually and place solar panels on the roof. Heating and cooling systems have not been determined yet. Scott Foster has been working with David Webb from ReVision Energy about this process. Right now they plan to have two EV stations located outside of the carports. **Bart** questioned whether they might need more in the future. Mr. Keane agreed to work with their Electrical Engineer about future capacity requirements. Although not the pervue of the PB, **Jane** **Ford** wanted to know if they have given thought to having a plan in place for the disposal of the lithium batteries and broken panels. She also suggested that they read two reports: the Traceability Report [Solar Supply Chain Traceability Protocol | SEIA](https://www.seia.org/research-resources/solar-supply-chain-traceability-protocol) [Solar Supply Chain Traceability Protocol | SEIA](https://www.seia.org/research-resources/solar-supply-chain-traceability-protocol) and the Bankability Report [The solar bankability project: Read the final report | 3E](https://3e.eu/news/publications/solar-bankability-project-read-final-report). Mr. Sievert has not met with the Town about water, sewer, or stormwater drainage issues just yet. **Bart** mentioned that he will be meeting with the Town Engineer and Code Enforcement Officer this next week. They will discuss this application and determine if a TRC may be required or if the matter could be resolved inhouse.   
Mr. Sievert agreed to have everything ready for Bart by December 19 or 20, so that voting on this application may take place at the next meeting of the PB.   
  
**Motion #2: Patrick Reynolds** made a motion to continue the public hearing until the next PB meeting on January 10, 2023.  
**Second: Jane Ford  
Discussion:** none   
**Vote: Approved 4-0-0**  
\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  
With member approval, the Chair took the next two agenda items out of order:  
\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  
  
Read by Chair: [time on DCAT 36:59]  
c. **Pursuant to RSA 675:7, the Planning Board shall continue a public hearing to amend both the Site Plan and Subdivision Regulations of the Town of Newmarket, New Hampshire intending to modify Sec. 2.06 *Fees* of Appendix A. *- Subdivision* and Sec. 2.05 *Fees* of Appendix B. – *Site Plans*, or take any other action relative thereto.**

The Chair re-opened the public hearing at 7:33 PM.   
No audience members were present to comment and no board members had any questions or concerns about the proposed amendments regarding fees as presented by the Town Planner.The Chair closed the public hearing at 7:35 PM. [time on DCAT 37:56] **Motion: Patrick Reynolds** made a motion to approve the amended fees.  
**Second: Jane Ford  
Discussion:** none   
**Vote: Approved 4-0-0**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  
Read by Chair: [time on DCAT 38:42]   
b. **Pursuant to §24-1 *Zoning ordinance amendment procedures*, of the Municipal Code of the Town of Newmarket, New Hampshire, Planning Board shall continue a public hearing on proposed amendments to §32-5 *Nonconformities;* §32-9 *Special use permits*; §32-11 *Definitions*; §*32-*155 *Wetland protection overlay district* and §32-234 *Accessory apartments* of the Municipal Town Code of Newmarket, New Hampshire, that seeks to expand the use of accessory dwelling units, or take any other action relative thereto.**The Chair re-opened the public hearing. [time on DCAT 39:62]No members of the public were present to make comments. The PB Chair, members, and Town Planner agreed that approval and final discussions on the proposed zoning ordinance amendments be held at the next meeting when more members of the Board may be present. In the interim, **Bart** will reach out individually to members not present this evening for comments and concerns with the draft to this point.  **Motion: Patrick Reynolds** made a motion to continue the public hearing on the ADU ordinance to the next meeting on January 10, 2023.  
**Second: Jane Ford  
Discussion:** none   
**Vote: Approved 4-0-0**

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  
**Agenda Item #5 - New/Old Business** [time on DCAT 41:38]

***Chairman’s Report:*** The Chair had nothing to report this evening. ***Committee Reports:***  
*Energy and Environment Advisory Committee*: **Patrick Reynolds** reported that the committee did not meet this month due to illness and no meeting has been set for January. He did get an answer regarding **Val** **Shelton’s** question regarding the default assignment to the Community Power Coalition. Everyone in Town will be sent a postcard offering them the option to op-out of the CPC to remain with another provider. Individual contract agreements may require input from the Town Attorney. **Bart** has agreed to get more information for the PB.  *Planner’s Report:* **Bart** reported that he has been doing an online training course on stormwater management and how to build a community coalition. He has been working with Ellen Snyder, ConCom Chair, on planning new trails with some exciting projects on the horizon. He continues his work on grant funding for various projects with other department heads and agencies. He will have further updates at the next meeting. The Chair asked **Bart** if he knew about the new legislation passed in MA about new housing. **Bart** did not know if NH was proposing similar legislation, but will report back.  
**Scott Blackstone** wanted to know if there was an update on the short term parking on Central Street. **Bart** will follow-up with Rick and Karen at DPW and report back at the next meeting.  
*Town Council*: **Scott Blackstone** reported on several items. The Police Dept. has decided to purchase an F150 truck as their next vehicle. Many Creighton Street neighbors are very upset with the number of trucks in the neighborhood dumping septage nearby. The Town has accepted Federal monies for work on our septic systems and are therefore required to take septage from other towns. There are plans to build a new $1 million dollar facility to take care of the septage. We receive $100,000-200,000 per month for these septage dumps, so the new building will be paid for very quickly. The Town Council is concerned with degradation at Moody Point and they plan to put an article on the warrant for $100,000 to complete a study about this damage and how to ameliorate the problems. **Bart** will check with DPW about the issues that concern them at Moody Point. The Town has also signed a new contract with the company that currently collects our refuse to continue. **Scott** reported on discussions about forming an Historic District Commission or having the Planning Board enforce zoning regulations in the historic district overlay zone for conforming architecture to blend into the surroundings. The Town Attorney is drafting a letter to the Planning Board about setting some design guidelines which should help – especially for any new development plans which we anticipate along the Rt.108 corridor (gateway).   
  
**Agenda Item #6 – Adjourn** [time on DCAT 58:21] **Motion: Jane** **Ford** moved to adjourn. **Second: Patrick Reynolds  
Discussion:** none **Vote: Approved Unanimously 4-0-0**Respectfully submitted,  
   
Sue Frick

Recording Secretary

**DCAT:  
https://videoplayer.telvue.com/player/XSekkdEeRsk0JHQVHAvKJVka7\_5VjxKP/videos**