

Planning Board Minutes 01/22/13

NEWMARKET PLANNING BOARD MEETING JANUARY 22, 2013 MINUTES

Present: Val Shelton (Chairman), Janice Rosa (Vice Chairman), Diane Hardy (Town Planner), Eric Botterman (Town Council ex officio), Jane Ford (Alternate)
McMenimen, Elizabeth Dudley, Ed Carmichael

Absent: Adam Schroadter (Alternate)

Called to order: 7:00 p.m.

Adjourned: 8:30 p.m.

Agenda Item #1 – Pledge of Allegiance

Agenda Item #2 – Public Comments

None.

Chairman Shelton addressed an issue she had noticed in the minutes. When Eric Botterman was nominated to the Board as a full Board member to replace Justin Normand, a motion was made to nominate him and was seconded by Jane Ford. Chairman Shelton explained Jane Ford is an Alternate Board member and she had not appointed her to replace a member at that meeting, therefore, her second to the motion should not have been allowed. She requested that the Board vote again to nominate Eric Botterman to replace Justin Normand as a full Board member.

Action

Motion: Rick McMenimen made a motion to nominate Eric
Justin Normand

Second: Ed Carmichael

Vote: All in favor

At this point, Chairman Shelton appointed Jane Ford to fill in for Adam Schroadter.

Agenda Item #3 – Review & approval of minutes:

Minutes of 11/13/12

Action

Motion: Rick McMenimen made a motion to approve the minutes of

11/13/12 meeting

Second: Janice Rosa

Chairman Shelton stated, on page 4, line 35 "...an enforcement issue..." should say "...a Code Enforcement issue..."

She stated on page 5, line 15, it should read "...there is no whole PVC pipe up there..."not "...there is no wholesale PVC pipe up there..."

She stated on page 8, the motion on line 2, she believed Eric Botterman accepted the application as "substantially" complete.

She stated on page 18, line 11, that should read "family residential with three or more units and mixed use development with three or greater residential units".

She stated on page 19, line 5, it should read "M2 zone" not "R2".

Vote: All in favor

Minutes of 11/27/12

Action

Motion: Rick McMenimen made a motion to approve the minutes of November 27, 2012

Second: Janice Rosa

Vote: All in favor

Minutes of 12/11/12

Action

necessary Motion: Rick McMenimen made a motion to approve the 12/11/12 Planning Board minutes

Second: Janice Rosa

Vote: All in favor

Chairman Shelton stated the January 8, 2013 minutes will be on the February agenda.

Agenda Item #4 – Regular Business

Acadia Engineers and Constructors LLC/Russell Serbagi Jr. – Continuation of a public hearing for an application for Site Plan at 13 Water Street, Tax Map U3, Lot 4, M2 Zone. The proposal is for the redevelopment of the property to include two projects:

- 1) Restoration and renovation of historically significant F. E. Lang Blacksmith building (5,599 SF) ; and
- 2) Construction of four new townhouse units (5,320 SF)

Tim Nichols, Acadia Engineers & Constructors, LLC (AEC), handed out a summary of the project's history and went over it.

He stated this will be the first net zero building on the National Register of Historic Places.

He handed out a color coded stormwater management plan.

The impervious area will be reduced from 17,000 sq. ft. to 11,000 sq. ft. The stormwater treatment area will increase from 2355 sq. ft., which is 12% of the site, to over 17,000 sq. ft. or 82% of the site. Two rainwater cisterns will supply water for non-potable use, potentially irrigation.

The building has been vacant since March 2008. This is the third site design they have put together.

Mr. Nichols stated the Conservation Commission did review the site plan. That was required for an expedited wetland permit submission to DES in October. The Lamprey River Advisory Committee reviewed the plans and provided comments to DES. They are addressing those as part of the wetland permit application. DES reviewed it and had minor comments, which have already been addressed.

A permit will be obtained for the relocation of the sanitary sewer system.

They have been working with the abutters since 2011. The Newmarket Community Church, as far as they know, has no current identified concerns with the site plan. Rivermoor Landing does have some issues regarding lighting, access, and property transition, and they continue to work with them to mitigate any concerns.

Chairman Shelton asked if he had any written requests for waivers, as part of his application. Mr. Nichols stated he did not and was not aware of anything from which he would need a waiver.

Eric Botterman went over the Technical Review Committee (TRC) meeting regarding the application. The TRC went over the plans and there was a lot of discussion of drainage and green space. The Rivermoor Landing Condominium Association was represented at the meeting. The Condominium Association had concerns about lighting in their garage and is working with the developer on this. Eric Botterman stated, at the end of the day, everyone agreed the site plan was a lot better than what is currently there. There were some issues that have details that need to be finalized, such as parking and handicap accessibility. There was general concurrence the site plan was just about where it needed to be. He received his updated site plans from AEC on Friday and looked them over. He does have a few questions when the Board gets to that point in the meeting. To summarize, the TRC was in agreement the site plan was pretty good. Rick Malasky, Fire Chief and Public Works Director, and Underwood Engineers had a few questions. Everything was being worked out.

Diane Hardy stated she did receive comments from Underwood Engineers. They had questions concerning drainage and the cistern. She is hopeful those details can be worked out at another TRC meeting. She felt they could reach a conclusion. She spoke with Rick Malasky and he had some concerns about the proximity of the garages for some of the townhouse units in relation to the driveway in back of the building. This driveway is a means of access for the Fire Department, in the event there is an emergency in the Rivermoor building. He had concerns about the configuration in that there might be illegal parking because of it, which could obstruct the fire lane. He wants to make sure it is clearly shown on the plan where the fire lane is and that there is proper signage, so people do not park there.

Diane Hardy asked Mr. Nichols about the property boundaries. He had been waiting for resolution of the right of way issue with the Town. Mr. Nichols stated he reached out to the Town Administrator, Steve Fournier, in early December. He had been in contact with Bill Doucet, Doucet Survey, and the agreement with the Council was there would be a cost sharing of survey work to correct the right of way issue. As of early December, Bill Doucet had not received any notification from the Town. He could not authorize Doucet Survey to do the Town's end of the work. The last conversation he had with Steven Fournier was that he would look into it and get back to him. That was several weeks ago. Diane Hardy stated she would speak to Steve Fournier.

Eric Botterman stated the TRC talked with Rick Malasky about Elizabeth Dudley's email regarding the drainage and water running down Water Street. They came to a consensus there was nothing this project could do to stop the water from coming down Water Street. They are making significant improvements on the site to eliminate current stormwater from running right into the river. There was nothing feasible for them to do along Water Street.

Elizabeth Dudley asked if she could talk about that. Chairman Shelton asked if her issue was relevant to offsite improvements that the Board is requesting the applicant to do. Elizabeth Dudley stated it was connected to the project. Chairman Shelton asked if this was because AEC would be adding stormwater runoff to Water Street. Elizabeth Dudley stated, potentially, they could be, but she felt very strongly about preserving the water quality of the Lamprey River and she wanted clarification on some of his drawings in terms of pervious pavers. She stated it looked like some pervious pavers were proposed to put in on Water Street. Eric Botterman stated they would be along Water Street, not in it. There are some existing pavers by the boat ramp. Elizabeth Dudley stated there are some inaccuracies on the plan in terms of distinguishing between proposed and existing pavers. There are very similar graphics. It looks like one is going in one direction and the other is going in the other direction. She stated it was difficult for her to tell what is proposed and what is existing. Eric Botterman told her to look at the paper he handed out tonight. That delineates between proposed and existing. Elizabeth Dudley stated she was hoping there would be more pervious pavers added to Water Street. She was surprised there were no solutions. She was not asking the developer do this entirely. She stated, for her, this was an important issue. There will be more traffic up and down Water Street and closer in proximity to the river. There will be more outwash of petroleum products. She felt there were things that could be done to Water Street to change the way the water flows. She did not believe the storm water needs to flow directly into the Lamprey River. She stated you can channel water into the park. The conservation park should be more than symbolic; it should help to clean the water. Eric Botterman stated no one on the TRC disagrees with the concept. The issue was they did not believe it was this developer's responsibility to take care of Water Street. Elizabeth Dudley stated this was an opportunity to work with a developer since they would be doing work in this area. She would like her taxes to go to something she values once in a while. Preserving the integrity of the river is important to her. She stated one of the things she was suggesting was that curb cuts be made to allow water to go into the existing vegetated area. There are curbs that are being removed and then reset. She wanted clarification on what was going on there. She asked if they were making curb cuts so the water can flow into the garden. Eric Botterman stated there are no curb cuts or depressions that will allow the water to run from the parking to that vegetated area along the sidewalk. They are putting in two catch basins and a cistern to catch all that water. Elizabeth Dudley asked if that would catch a good deal of the water. Eric Botterman stated yes. He would like some more detail on that, such as how the water would be taken out of the cistern. The intent is to catch as much of that water as possible in that cistern.

Elizabeth Dudley stated there will be parking spaces located right next to the Lamprey. She stated that was a reason why she felt it was important. Diane Hardy stated that was the reason the Town hired Underwood Engineers to review the plans and they have raised the same questions about the drainage. They state the cistern and the drainage connections have not been designed and they would like to see some notes added to the plans, which will provide some construction and engineering details and suggest a maintenance plan be submitted to the Town. She stated Elizabeth's comment is a good comment, but it is already being taken care of as part of the engineering review process and the TRC is aware of it. Before this is recommended for final approval, the Board can make sure the notes are added to the plans.

Elizabeth Dudley stated she had other questions. She stated the elm tree needs more than just a snow fence around the trunk. The elm needs to be protected out to the end of the canopy, so no construction should be below the canopy,

otherwise the soil is compacted and it will kill the tree. She stated that is a significant tree that Mr. Nichols is touting as part of his historic effort. She stated he has to do more than he is suggesting. She stated there is a very good chance of killing the tree if you drive a truck under it. Mr. Nichols stated there will not be any trucks accessing that area. Elizabeth Dudley stated it requires diligence to protect the tree. With the nature of construction, even if protective devices are set up, by the end of a construction period, the harum-scarum of it all, a minimal protective device should still be in place. She suggests Mr. Nichols work to bolster the tree protection effort. She asked if he was planting another American Elm tree. Mr. Nichols stated it depended on the diagnosis of the arborist and whether or not we can save the one that is there. Elizabeth Dudley asked if he was thinking of taking it down. Mr. Nichols stated it would only be taken down if it has Dutch Elm disease and is beyond treatment. They are waiting to hear from the arborist, who tested the tree for the disease. Elizabeth Dudley asked if he could still let it stay, even if it is diseased. Mr. Nichols stated their intent was to keep it, but it would depend on what stage of the disease it was at. They are hopeful.

Eric Botterman stated he would like to see the application go back to TRC. He thinks this is a great site plan and is not trying to make this more painful than it needs to be. He has three issues for the Board to get answers to for safety reasons. Chairman Shelton asked Mr. Nichols if he was looking for a decision tonight or would he be agreeable to a continuance. She stated they are at the point where his time period is up and he would need another extension.

Eric Botterman clarified that, when he says "back to the TRC", from his perspective there are three distinct issues that need answers.

In the parking lot of the old building, there is a handicap parking spot, which is fine, but he does not see how the building is handicap accessible. There is no ramp. There is a grade change, but he does not know if that is acceptable. Mr. Nichols stated it is accessible. People can get in without having to step down. There might be a short ramp. It is on the same level as the parking.

Eric Botterman stated there are two catch basins going into the cistern. There does not appear to be an overflow mechanism. He asked what happens if it is already full and then it rains. It could just flood the parking lot. Also, if they are going to use that for watering, how will that occur? It's a safety issue if the lot floods and people can't get by. Mr. Nichols stated they do not agree they are not subject to any stormwater regulations or standards. Diane Hardy clarified they are not subject to the requirement that they provide a detailed stormwater management plan. That does not mean the Board overlooks any drainage as part of the review. The Board has a responsibility under site plan review regulations to look at drainage. Mr. Nichols stated that was true for drainage, but not stormwater quality. Eric Botterman clarified he was not talking about quality at all, he was talking about safety. If they had no cisterns or catch basins there, it would not bother him, but they do have catch basins and cisterns that could overflow and that needs to be addressed. Mr. Nichols stated if the cistern reaches capacity, the water just flows like it does now.

Eric Botterman stated the other item was something that is new to the plan. It is a great addition, but there is no detail on it and that is the wind turbine. There are no details on what the turbine is. Mr. Nichols stated it is a vertical wind air turbine. Eric Botterman stated there are no details available on it. Diane Hardy asked if Mr. Nichols could provide the Board with some specifications so they could see what it will look like.

There was discussion about the boundary survey. Diane Hardy stated, at some point that is going to need to be addressed. Eric Botterman stated there are no bearings or distances on this and what he would suggest is to just put the estimated lot size. Whatever Mr. Nichols has down as a lot size now, just have it say "estimated lot size". Chairman Shelton stated he would have to ask for a waiver of the boundary survey requirement. Eric Botterman stated he has a boundary survey, but it is estimated. Until they do an actual field survey to locate evidence of the platted location of the edge of Water Street and lay out the "re-alignment" plan, they can't provide that information. He felt the Board could word the approval in such a way as to approve the plan subject to an update of the existing conditions plan once the right-of-way is surveyed. He stated if it did change, it would be by an insignificant amount.

Eric Botterman stated, in the discussions with the TRC, Rob Phillips, from Rivermoor Landing, had some issues about the blocking of lighting into the parking garage. Eric Botterman stated his personal opinion that this is not the developer's responsibility. He stated Mr. Phillips disagreed with that.

Elizabeth Dudley stated, to her, the way the plan distinguishes the existing from the proposed contours is difficult to understand at this scale and was looking for a resolution so she could clearly see the difference between the two.

Diane Hardy stated the engineer's other concerns were the contours should be fixed and spot elevations should be provided to show how the drainage from the parking area flows with respect to the Riverwalk. She stated our goal is to get all of those things addressed as part of the TRC process. Elizabeth Dudley stated, in terms of convention, proposed contour lines are usually very distinct. They are usually solid and these are dashed. Mr. Nichols stated the lines are solid. Page C4 shows the contours. On C3 the drainage patterns are identified with the arrows. It is a very flat site. They are two foot contours. Eric Botterman stated there are full size plan sets in the Planning Office which may be easier to read.

Jane Ford asked if they could get documentation of the arborist's recommendation to help preserve the tree during construction. Mr. Nichols stated there is no report. The arborist only sampled the tree to test it for Dutch Elm disease. Elizabeth Dudley stated she was sure Underwood Engineers knows how to protect the tree, but, if not, Mr. Nichols could consult with the arborist. She stated putting the snow fence around the trunk is not sufficient. It has to be protected the width of the canopy. That is where most of the roots are. Mr. Nichols stated they are only landscaping under the tree. Elizabeth Dudley stated it needs to be protected from vehicles moving under there. Jane Ford stated they should document the efforts to preserve the tree, if there is a policy to do so. If it has Dutch Elm, then they should do what the arborist recommends. Mr. Nichols stated there is nothing specific in the ordinances or regulations about preserving trees. Diane Hardy stated there is an Urban Forester with the State of New Hampshire Division of Forests and Lands, Mary Reynolds, who is very knowledgeable about trees. Perhaps, she could provide guidance on how to protect the elm tree. Mr. Nichols stated he did contact them and they referred him to an arborist, so that is who they contacted. Diane Hardy asked if the Board could get a copy of the test results from the arborist. Mr. Nichols stated he could provide that, but he does not have them yet. He does not know if they have sampled it yet. Eric Botterman stated he assumes that, when the arborist samples it, he will write a letter about it. All the Board would need is a copy. He stated there should be recommendations on how to preserve the tree, if it can be preserved. He stated that could be a condition of approval. There is a retaining wall that will be built and a sidewalk on Water Street. Those will impact the roots of that tree. This is a valiant attempt to try to save it and he knew Mr. Nichols would do everything he could, but at the end of the day with the best laid plans, you may not be able to do that. Chairman Shelton stated there is no requirement under our regulations. Mr. Nichols stated that could not be a condition of approval, because it is not a regulation. Eric Botterman stated he meant for the condition to be that the Board gets the report. Chairman Shelton stated they appreciated Mr. Nichols' attempts to save the tree.

Chairman Shelton stated Mr. Nichols requested a waiver from the hydric soils. She asked if they could get that request in writing, with the justification, so the Board could act on that. She did not want any loose ends.

Chairman Shelton opened the public hearing.

Rob Phillips, Rivermoor Landing Condominium Association, asked if this meeting would be continued and given to the TRC to review again. Diane Hardy stated they want to hear from the public first and then the Board will discuss that. Rob Phillips stated he is asking, because Eric Botterman stated he wants to do a TRC meeting for the three items he mentioned earlier. He asked if the TRC will be limited to those three items or will there be discussion of other items. Diane Hardy stated Eric Botterman has three concerns and then the list was expanded during discussion. Chairman Shelton stated there are outstanding items that the Board's TRC representative is uncomfortable with. There are outstanding items the Town Engineer has brought up and also the Fire Chief. Those are the items the Planning Board has to deal with. Mr. Phillips stated, at the last TRC meeting, they discussed more than just one item regarding Rivermoor Landing. He stated he and Mr. Nichols had continued to discuss the issues and have reached an accord about some things, but there are five items they would like the TRC to take up. Four of them were discussed at the last meeting. The reason he asks, is he believes these should be taken up at a TRC meeting and he wants to make sure they get the chance to revisit them, particularly because he and Mr. Nichols have reached an amicable agreement about each one of them. The five items are that they would like to have permanently marked boundaries, with something in the ground at each place the property line changes. If you were to visit the site now, you would see why. There is a lot that has been built onto abutting properties by other people. If permanent markers were there, they would clarify the issue, particularly where everything is very close and tight together there. He stated he would like to discuss the travel lane that goes from Mr. Nichols' property to the Rivermoor property. Rick Malasky has a problem and has to make sure they can get by to Rivermoor and Chinburg's property. One of the things that did not get documented, but he and Mr. Nichols had discussed and are in agreement on is it is tight there. It is so tight, if someone parking a van and they pull to the river as far as they can go, the Fire Department could find themselves unable to pass by. Rick Malasky has that issue now, as they come down the central driveway. He would like to point this out to the TRC, propose a solution and have it become part of the documents going forward. He stated there are issues with visibility and lighting as it relates to the garage. He

and Mr. Nichols have discussed how to work with that and they would like to discuss that with the TRC. There are a couple of existing trees on the Rivermoor property that may or may not survive. They have reached an accord about those to wait and see how the construction proceeds, and then see how much trimming has to be done and whether that will benefit the property. If they decide the trees can't stay, they will replicate them elsewhere on the property.

Mr. Phillips stated the last item concerns the close proximity of the parking garage and the proposed new building. There is concern that access by both property owners may be necessary in the future for some reason. For example, if it needs new siding, you might have to get scaffolding or a lift in there for maintenance. For safety, if someone had to exit the parking garage in an emergency and could not get out the normal exit, the area between the garage and the new building should be left undeveloped, not built up. Plantings would be fine, but you should not start growing a whole row of trees or erecting potential obstacles and then all of a sudden find out people need access for emergencies or repairs. He stated they want to discuss it with the TRC and then have it go back to the Planning Board.

Leo "Skip" Manseau, Kimball Way, was representing the Newmarket Community Church as a member and representative for the Trustees. He did not have any other comments to bring forward since the last meeting. They have had a few issues they have been able to resolve with the applicant. Accommodations were made on both sides. The Church feels that to move forward and have an approval of this site plan and the redevelopment of this property would be in the best interest of the town and the church, as a direct abutter. They have no issues with the plan, as it is presented.

There were no further comments and Chairman Shelton closed the public hearing.

Chairman Shelton stated she had a question regarding the variance. The variances were for a setback and the density. She asked if the Notice of Decision was on file and Diane Hardy stated that it was. She also asked for a letter stating that the setback shown on the plan is consistent with the variance granted. Chairman Shelton wanted to make sure there is something on file, when the Planning Board signs off on the site plan that backs up that the relief from the dimensional controls is accurately depicted.

Ed Carmichael asked Mr. Nichols about when he had appeared before the Town Council regarding the sharing the costs of the survey for the right of way on Water Street. He asked if Mr. Nichols could refresh his memory as to whether that was an easement. Mr. Nichols stated there is a historic right of way that got lost. In a 1972 survey, that right of way disappeared from the property boundary survey that was completed by a PLS. There were two subsequent surveys that never identified that. When he did his survey, Doucet Survey dug deeper than the previous surveys and found the historical right of way and that it had never been absolved by the Town. The formal survey and recording to remove the right of way is pending.

Chairman Shelton stated that she defers to Eric Botterman and Diane Hardy that she would rather have fewer conditions on the approval and take some of these gray items off the table. It is a great plan. It is a huge project for the town and an improvement on that site. She does have concerns that were also voiced by the public. The whole issue of cross easements on the boundary line for access and maintenance needs to be addressed. There have been too many projects built in Newmarket where the "i's" weren't dotted and we suffer the consequences many years later. It is best that the Board address that, from the applicant's point of view, the abutter's and the Town's. Based upon that, she would like to see this hearing continued, if the Board and the applicant agree. Mr. Nichols stated he was agreeable to that.

Action

Motion: Eric Botterman made a motion to continue until February 12, 2013 and any p
a week prior to that meeting

Second: Rick McMenimen

Vote: All in favor

Chairman Shelton reopened public comments.

Gerry O'Connell, 26 Grant Road, stated he has been involved in this all away along, he is the broker for the seller. He stated there is a historical right of way that was discovered. It was not found when Russell Serbagi got previous approvals.

The right of way is on Water Street and cuts across all of the properties going down the street. The property line of 13 Water Street is not in question, it is the right of way and where the metes and bounds of the right of way are within the 13 Water Street property. The Town Council voted to take away that right of way from all of the five properties and agreed to pay a portion of the survey cost to do so, with Mr. Nichols paying the rest of it. Bill Doucet is waiting for a purchase order. Once he gets that, a Water Street Re-alignment plan will be drawn, presented to the Town to be signed off on and the right of way is gone. The issue is with the right of way, not the property line. The property lines of 13 Water Street are not in question. The setbacks will not change.

Elizabeth Dudley stated presumably the right of way extends closer to the building beyond the property line. Mr. O'Connell stated that it does. There is a survey on file from Bill Doucet. He presented it to Mr. Nichols and it shows the right of way line. What he has to do is present to the Town an official survey that shows the metes and bounds and shows what they are taking away. Once they have that, they sign it off and it is done and that right of way is gone from all five properties, which are the church, 13 Water Street, the two other buildings across the street, and the Town's parking lot.

Chairman Shelton stated, relative to the Board's regulations, a requirement for an approval for site plan is a boundary survey that would show any rights of way or easements of record. The Board cannot approve it unless that requirement is waived. Mr. O'Connell stated he was aware of that. He just wanted to clear up any confusion on what is being waived. Elizabeth Dudley asked if the Board had to waive the rights of way for everyone on Water Street. Chairman Shelton explained the Board has nothing to do with that. Mr. O'Connell stated the Town Council has already done that. Elizabeth Dudley stated the Town Council doing that for everyone involved is unfortunate, as it was opportunity lost for stormwater management.

Rob Phillips asked, since people on the TRC were present at this meeting, if they would mind working out a date and time for the meeting. Diane Hardy stated they need input from the Town Engineer, the Public Works Director and others before they can set a date.

Agenda Item #5 – New/Old Business

Chairman's Report

Chairman Shelton stated she and Diane Hardy have drafted the annual report from the Planning Board for the Town Report.

She stated she and Diane Hardy appeared before the Town Council last week to give a presentation of last year's impact fee recommendations from the Planning Board. It was an update of last year's presentation. They also presented the overview of the Planning Board's request for the Town Council to adopt the amendments to the Zoning Ordinance. She and Diane Hardy will be following up with additional items requested by the Town Council. She has requested to be on the agenda for their next meeting.

She stated, at this point, she would like a couple of volunteers to go over Planning Board regulations and look at the policies, for updating.

Jane Ford stated she would be happy to help with this review.

Town Council Report

Ed Carmichael stated the presentation by Chairman Shelton and Diane Hardy was well done. It may take another presentation, maybe two, to win some Councilors over. They have a lot of questions for them, but he thought they handled the evening really well and professionally.

Landscape Regulations

Diane Hardy stated the landscape regulations may be ready for February. She has made some changes based on the discussions between herself and Elizabeth Dudley. She is meeting with Cynthia Copeland to go over her comments. Between the three of them, they will pull together another draft and have something for February.

Advisory Heritage

Elizabeth Dudley stated there was no news.

Conservation Commission

Janice Rosa stated they have been doing an upgrade of the Prime Wetlands map. There will be a color map. They are discussing showing the buffers, so people will have a better idea of where they can and cannot build. The Planning Office will get a copy of the final mapping. Diane Hardy suggested an electronic copy to go on the Town's website.

Janice Rosa stated they are also doing their easement monitoring.

Economic Development Committee

Chairman Shelton stated there has been one meeting. There is still an at-large position to be filled. Gary Levy is the Chairman and Gerry O'Connell is the Vice Chairman. They had an organizational meeting and they will be meeting again in February.

CIP Committee

Rick McMenimen stated the CIP is done and waiting to be voted on.

Planner's Report

Diane Hardy stated there is a vacancy on the Strafford Regional Planning Commission. There is also a Planning Board Alternate position open. She encouraged the public to apply.

Chairman Shelton stated there are a couple of full board positions opening up in March. The applications need to be filed with the Town Clerk by February 1.

Other Business

Janice Rosa asked how soon the review of Planning Board regulations for possible amendments should be completed. Chairman Shelton stated that would be about a three to six month project. Janice Rosa stated she would assist with that.

Janice Rosa asked Ed Carmichael about the Town Council meeting where Chairman Shelton and Diane Hardy made their presentations about impact fees and the rezoning. One of the Town Councilors, she believed it was Gary Levy, mentioned that a moratorium had come down on building in Newmarket. Diane Hardy stated what he was referring to is the threat of a moratorium on water connections by the State NHDES if the Town failed to aggressively address its water issues. Chairman Shelton stated there is a regulation stating that, if the Town cannot provide the water necessary for a development, the landowner can put in their own well. She agreed water is an issue the Town needs to address.

Janice Rosa stated there may be a change the Planning Board would have to make in their regulations to prevent people building on abutter's property. She mentioned the modular home foundation that was not placed properly on a lot and encroached on the abutting property. She asked if there was a way this can be addressed, so it does not happen again. Chairman Shelton stated it is in the subdivision regulations that permanent markers have to be placed. Diane Hardy stated they have required certified plot plans on occasion if there was a question.

Ed Carmichael stated he had brought up the signage at downtown crosswalks to Steve Fournier. Chairman Shelton stated, if they want the Planning Board to revisit the sign ordinance, that can be placed on an agenda. Diane Hardy stated the Board has no jurisdiction on existing traffic signs within the public right-of-way, unless they were required as part of a subdivision or site plan approval.

Agenda Item #6 – Adjourn

Action

Motion: Eric Botterman made a motion to adjourn at 8:30 p.m.

Second: Rick McMenimen

Vote: All in favor