



TOWN OF
NEWMARKET
 NEW HAMPSHIRE

PLANNING BOARD

July 11, 2023 at 7:00 PM

Town Hall Auditorium

DRAFT MEETING MINUTES

Members Present: Eric Botterman (Chair), Val Shelton (Vice-Chair), Scott Blackstone (Town Council- Ex officio), Jane Ford, Jeff Goldknopf, Bart McDonough (Director of Planning & Community Development), Patrick Reynolds, and Michal Zahorik (Alternate)

Member Absent: Timothy Rossignol

The Chair opened the meeting at 7:00 PM.

[time on DCAT 5:31]

The Chair appointed **Michal Zahorik** (Alternate) as a voting member tonight.

The voting members this evening will be **Eric Botterman, Val Shelton,**

Scott Blackstone, Jane Ford, Jeff Goldknopf, Patrick Reynolds, and Michal Zahorik.

1. Pledge of Allegiance

2. Public Comments

The Chair opened public comment at 7:01 PM for anything not on the agenda. No one responded. The Chair closed public comments at 7:03 PM.

3. Review & Approval of Minutes

Consideration of the June 13, 2023 draft minutes was moved to the next meeting of the Planning Board in August.

4. Regular Business

Read by the Chair:

[time on DCAT 6:29-14:40]

a. Presentation and discussion with Phil Nazzaro, Capital Improvement Program Committee Chair, on modifying the capital improvement plan process.

Phil Nazzaro introduced himself as the current Chair of the CIP Committee and appointee to the CIP as the representative of the School Board. Phil was here this evening to discuss current modifications under consideration in the CIP process. The Committee sees the Capital Improvement Plan as a tool in support the vision of the Town Master Plan. They propose to begin a closer collaboration with the PB and would like to gain preliminary insight into the PB's long term vision for the community to help inform their work in the coming months. The CIP Committee now meets year round. The newly created vision is to develop a coherent integrated long-range CIP

1 plan aligned with the goals of the community as outlined in our Town Master Plan.
2 This requires 1) a stronger connection to the Planning Board, 2) a greater working
3 relationship with the community, and 3) a voice on the Master Plan Subcommittee as
4 it is scheduled to begin work on the new Master Plan update. (Please see the power-
5 point presentation as Addendum pages 1-5 for additional information.) Jane
6 Ford is currently the PB Rep to the CIP and has been a Rep for over 10 years. She is
7 pleased to point out that both Bart and Phil have worked diligently to move the CIP
8 toward a “planning” committee and away from the “finance/budget” committee. Phil
9 said that the CIP will have a document ready for the PB shortly with more information
10 about the plan going forward.

11 *****

12
13 Read by the Chair: [time on DCAT 14:44]

14 **b. Pursuant to RSA 676:4, and Appendix-A Subdivisions, Appendix-B Site**
15 **Plans, and §32-236 Affordable elderly housing of the Municipal Code of the**
16 **Town of Newmarket, New Hampshire, notice is hereby given that a public**
17 **hearing shall be held for an application filed by DR Lemieux Builders LLC**
18 **requesting Minor Subdivision, Major Site Plan, and Special Use Permit approval**
19 **for a proposed development seeking to create a split lot subdivision with the**
20 **original lot (0.54 acres) retaining the existing single-family housing unit and the**
21 **new lot (7.22 acres) constructing a 32-unit, age-restricted, multi-family**
22 **development with associated utilities, parking, landscaping and stormwater**
23 **mitigation infrastructure located on real property with an address of 242 South**
24 **Main Street, Tax Map U4 – Lot 69 within the R2 zoning district.**

25 **Jeff Goldknopf** recused himself. **Val Shelton** disclosed that she has represented the
26 applicant in the past during the normal course of her business. She has no financial
27 interest in this project, but wanted to ask the applicant and the PB members if they
28 objected to her hearing this proposal. There was no objection from the members or from
29 Attorney F.X. Bruton speaking on behalf of the applicant.

30
31 **Bart** stated that the applicant has submitted all the directives and documentations to be
32 considered a complete application. He recommended that the PB roll all the requests
33 into one motion and Attorney Bruton agreed. When it comes time for consideration of
34 the applicant requests, each one will be considered separately and voted on
35 individually.

36 **Action**

37 **Motion:** Val Shelton moved to approve the application as complete.

38 **Second:** Jane Ford

39 **Discussion:** none

40 **Vote:** Approved 6-0-0

41
42 **Bart** had information for the Planning Board regarding the recommended criteria for
43 regional impact. Although he did not find any issue with this proposal, he wanted to go
44 through the criteria: 1) Does this project affect traffic regionally? 2) Does it affect
45 environmental conditions? i.e. storm water, drinking water, sewer?

46 **Action**

47 **Motion:** Val Shelton moved that, in the opinion of the Board, this application

1 does not constitute requirements for regional impact notification.

2 **Second: Patrick Reynolds**

3 **Discussion:** none

4 **Vote:** **Approved 5-0-1 (Michal Zahorik abstained)**

5
6 The Board will discuss the regional impact notifications in the future as a requirement
7 for all applications going forward.

8
9 **Bart** asked Attorney Bruton if any waivers were being requested and there are none.

10
11 The Chair opened Public Comments at 7:25 PM [time on DCAT 36:56]

12
13 **Attorney F.X. Bruton**, Bruton & Berube PLLC of Dover, rose to represent the applicant.
14 He introduced the members of the team present this evening to make presentations to
15 the Board. The team members will present the technical aspects of the project. Since
16 the previous meeting in March when they came before the Board for a design review,
17 the team has tried to incorporate many comments and concerns made by the public and
18 the Board. Present this evening are: **Dave Lemieux**, Principal, and **Heather Droesch**,
19 General Manager, of D.R. Lemieux Builders LLC., **Christian Smith**, Principal at Beals
20 Associates, PLLC, **Jim Gove**, Gove Environmental, **Jeff Dirk**, Vanasse & Associates,
21 Inc., **Brian White**, White Appraisal, **Robbi Woodburn**, Woodburn & Co.,
22 **Sarah Hourihane** and **Michal Kaleta**, Lassel Architects. Attorney Bruton gave a brief
23 summary of how they have reached this point after careful consideration of all of the
24 Town requirements for such a project. The Town requirement is for 75% of these units
25 to be affordable, but they have decided to exceed the minimum requirement by making
26 these 32 units 100% affordable.

27 The team feels that they have met or exceeded all requirements and they begin with
28 **Christian Smith**, Principal at Beals Associates, PLLC. He spoke about the technical
29 aspects of the 32 unit building, the sub-division of the lot, the number of parking spaces,
30 and the siting of the driveway. He has met with the Town Engineer and DPW to address
31 the best placement of a pedestrian crosswalk, the two bioretention ponds, and drip
32 edges for roof runoff. The Town would allow 39 units because they would be allowed to
33 use 25% of the area designated as poorly drained soils, but the developer has decided
34 to build only 32 units and avoid using any poorly drained soils. He mentioned that they
35 are using Charron Inc. as their professional lighting engineers. They have also done the
36 calculations for two 100 year storms. The property will be serviced by both Town sewer
37 and water. All erosion controls will be in place during construction.

38 [time on DCAT 39:44]

39 **Jim Gove**, Gove Environmental, spoke next about the siting of the building as
40 proposed. He completed all the wetland flagging of the property with the goal in mind to
41 protect and avoid any wetlands located to the rear of the parcel. One must use every
42 effort to avoid and minimize disruption to the wetlands when building/siting a project. He
43 wants to avoid fragmentation of the wetlands. If they had sited the building in the rear of
44 the parcel, it would have been denied as there is a suitable alternative on the lot. He
45 also discussed how a priority resource area is defined. This property does not meet that
46 criterion.

1 **Attorney Bruton** asked **Robbi Woodburn**, Woodburn & Co. Landscape Architect, to
2 speak about efforts to buffer the neighborhood with landscaping. She described all the
3 plantings proposed in detail while giving special attention in preparing this project to
4 enhance the compatibility with the Town and neighborhood.

[time on DCAT 51:50]

6 **Attorney Bruton** asked **Sarah Hourihane** and **Michal Kaleta**, Architects with Lassel
7 Architects, to speak. **Sarah** described the different orientation of the building since the
8 design review meeting in March. This new siting is better suited to engage the
9 community and neighborhood for this 32 unit building. She described the porches,
10 shared laundry facilities, and common room with a kitchenette. She also described the
11 building as two stories, with a third story described as an attic area. They have used
12 precedent buildings within the community to help lead their design, so that this building
13 will blend into the community. **Michal** described how this building meets the Passive
14 House Certification requirements which means that it will meet and exceed the highest
15 standards of energy efficiency. They plan to install all dark sky compliant lights. This
16 means that all lighting is expected to reduce light pollution, glare, light trespass, and
17 night sky pollution. **Sarah** mentioned that they have been working with other developers
18 in the area about the parking needs and they have housing with .95 parking spaces per
19 apartment. This project will be going on a one space per unit model with two extra
20 spaces. **Patrick Reynolds** asked about what they were planning for heating and
21 cooling systems. Although no decision has been made yet, **Michal** stated that he would
22 prefer to go with a heat pump making this a full electric building. His desire is to have a
23 zero carbon footprint for this site.

[time on DCAT 1:06:18]

25 **Attorney Bruton** asked **Jeffrey Dirk**, Vanasse & Associates, Inc., to address the traffic
26 study. He is the traffic consultant for this project. His first objective was to quantify the
27 current traffic by volume and speed in this area where schools are present. The study
28 covered three days: Wednesday, Thursday, Friday collecting data for one hour in the
29 morning, mid-day, and evening. 6,900 vehicle travel through his portion of South Main
30 Street every day. He projected that 10 cars from this project would be added to this load
31 each day based on the age qualification of the residents. He considers this a low traffic
32 impact project. He discussed site line requirements based on the speed of vehicles.
33 They are proposing a Rectangular Rapid Flashing Beacon (RRFB) at the crosswalk
34 which will connect to the sidewalk on the southern side of South Main Street. Several
35 PB members had questions about children crossing from the sidewalk on the south and
36 traveling east bound without a sidewalk on the north side.

[time on DCAT 1:24:23]

38 **Attorney Bruton** asked **Brian White**, White Appraisal, to speak next. He has been a
39 commercial and residential appraiser for 39 years with his office located in Dover. In
40 preparation for his report, he spoke with Theresa Hervey, Deputy Assessor for
41 Rochester, Donna Langley, Property Assessment for Dover, Michael Pelletier, an
42 approved Supervisor Assessor by the New Hampshire Department of Revenue, and Jim
43 Rice, Assessor for Durham, about affordable housing projects in their communities. No
44 one he spoke with found any decrease in property values in the surrounding areas
45 based on the siting of elderly affordable housing projects. His conclusion, therefore, is
46 that there will be no decrease in value with this project.

1 **Attorney F.X. Bruton** returned to sum up the presentation. He mentioned that the
 2 increased detail presented this evening was not always normal in these kinds of
 3 projects, but the developers wanted the community to know that they work, live, and
 4 have been associated with Newmarket since 1985. They have deep connections to this
 5 community. He then spoke to the Special Use Criteria #1 through #5. **Please see the**
 6 **Special Use Criteria as Addendum pages 6-9.**
 7

8 The Chair thanked Attorney Bruton and his team for the presentation. Before hearing
 9 from the public present this evening, the Chair explained the next steps in the process
 10 as the Planning Board moves forward with this application. #1 A Technical Review
 11 Board shall be selected. The TRC consists of 2-3 members of the Board who meet with
 12 Department Heads in the Town (Fire, Police, DPW, and Water & Sewer) to carefully
 13 review this proposal and they will come back to the PB with recommendations. #2 In a
 14 project of this size, an independent Engineer is used to review every aspect of the
 15 proposal. #3 There will be many meetings (all public hearings) as this is a long process
 16 moving forward. There will be many more opportunities for public input about this
 17 proposal.
 18

19 **Speakers:**

[time on DCAT 1:48:50]

20 #1 Derek Conrad, 245 South Main Street. Mr. Conrad's concerns this evening included
 21 safety for senior pedestrians which he mentioned at the last meeting. He also believes
 22 that the crosswalk placement is 'inviting' especially for children using the sidewalk. He
 23 would like the applicant and specialists to give more care to the dangerous traffic
 24 situation at this section of South Main Street.

25 #2 Dawn Mazur, 34 Maplecrest Street. Ms. Mazur's concerns this evening include
 26 those she spoke of in March. She has 155 ft of direct abutment with this lot at the back
 27 of her property line. Her sump pump goes off every 20-45 minutes. Ms. Mazur has lived
 28 in her house for 64 years. Her house would not be constructed today due to the
 29 wetlands. Where is the water going to go from this project? She is also fearful about the
 30 constant speeding along South Main Street. She experiences difficulty exiting
 31 Maplecrest Street on to South Main Street in both directions and trying to turn from
 32 South Main Street on to Grant Road especially with the excessive speed of oncoming
 33 traffic. She also wanted to know about the growth of the landscaping and where the
 34 utility poles will be placed. She is also concerned about the height of the building with
 35 respect to the rest of neighborhood.

36 #3 Linda Doshier, 249 South Main Street. Ms. Doshier lives directly across the street.
 37 She also believes that this proposed building does not blend into the neighborhood in
 38 any way. She met with Mr. Lemieux earlier in the year and asked if he would consider
 39 downsizing the project, but he declined. She indicated that she would like to see more
 40 landscaping around the parking lot to avoid car lights. As a 55+ (which is not old) elderly
 41 complex, one can be sure that tenants will be coming and going frequently. This project
 42 is just too big for the neighborhood.

43 #4 Gail Wasiewski, 236 South Main Street. Ms. Wasiewski is a direct abutter and has
 44 never been contacted by the owner of the property regarding any concerns that she
 45 may have with this project. She lives on a curve in the road and is very concerned about
 46 traffic (both speed and accidents). There is only one speed limit sign and hardly anyone

1 obeys the limit. He also mentioned the lack of visitor parking. As a retired nurse, 55 is
2 no longer elderly – 65-70 is more like it. They will have families and visitors – where do
3 they park? The flashing crossing lights at the high school are not always used. She is
4 very concerned about the wetlands and the disruption to the water flow caused by
5 digging and putting in a foundation for this building.

6 #5 Liv Albee, 262 Wadleigh Falls Road. Ms. Albee has sent an email. She has two
7 small children and has to find an alternative way to travel to school each day. She has
8 witnessed speeding up to 60 mph and cars passing on a double yellow line. She is
9 concerned about water pressure with the addition of this project. There are beavers in
10 the area and they are constantly changing the flow of the water.

11 #6 Steve Suraci, 240 South Main Street. Mr. Suraci is the former owner of 240 South
12 Main Street. His son now owns that property. He spoke to site line requirements for the
13 driveway. He spoke to the property values and was told by two realtors that the value of
14 his property was definitely going to be impacted and that he was required to disclose
15 the mere “possibility” that this 32 unit apartment was going in nearby. He read from the
16 requirements for landscaping which must buffer adjacent properties during ‘all seasons’
17 of the year. The deciduous trees being planning will not do that. He wants to know what
18 buffer plantings they plan all around the building. He mentioned that the smoking patio
19 issue has not been addressed. He mentioned that there is no buffer for the sound, no
20 buffer for the speaking voices, no buffer for the traffic coming and going in the parking
21 lot, and no buffer for the mechanicals. He mentioned that last project for this developer
22 in Rochester that shows the mechanicals for the building are set in the front yard with
23 no buffer at all.

24 #7 Dawn Mazur, 34 Maplecrest Street. Ms. Mazur had another statement. Today she
25 had to stop for a white pick-up truck and lawn mower trailer (landscaping company) in
26 front of 242 South Main Street. They were parked by the side of the road and she had to
27 wait for ten oncoming cars to pass before she could go around the parked equipment.
28 She cannot emphasize enough about the hazards of parking on South Main Street due
29 to the width and site lines of the road.

30 #8 Ed Suraci, 240 South Main Street. Mr. Suraci is the new owner of 240 South Main
31 Street. He mentioned his surprise that the purchase and sale agreement had the
32 disclosure of the possibility that this project would be built. He also mentioned that the
33 architect mentioned that the placement of the building sideways to the street was a
34 benefit because the tenants could look out at the field...however, the field will be a
35 parking lot.

36 #9 Linda Doshier, 249 South Main Street. She spoke with a realtor who mentioned
37 that the planned project will negatively impact housing values in the area. She is also
38 concerned about ambulances. The Town only has one – which has frequent runs to the
39 Pines of Newmarket (9 Grant Road) and to the Wadleigh Senior Housing (290
40 Wadleigh Falls). When the Newmarket ambulance is busy, Durham is called for backup.
41 What plans does the Town have to increase ambulance service? Sometimes there are
42 not enough volunteers to staff the ambulances. How will the Town pay for this?

43 #10 Jen Palasciano, 2 Pond Street. Ms. Palasciano is not a direct abutter, but she lives
44 very near on Pond Street. She wanted to know if the property will remain 55+ forever?
45 She is concerned about visitors parking in front of the building on the curve. Will the
46 Town water and sewer be sufficient for addition of 32 units with landscaping? She

1 strongly feels that this building does not fit into the neighborhood...it is a monstrosity.

2 [time on DCAT 2:25:39]

3 Letters received read into the record: **Bart** read into the record two letters: Elizabeth
4 Dowst, 255 Wadleigh Falls Road and Lisa Henderson, 6 Maplecrest Street. **Bart** also
5 placed into the record the letter written by Liv Albee, 262 Wadleigh Falls who already
6 spoke this evening. **Please see the letters received as Addendum pages 10-14.**

7
8 The Chair opened the meeting for questions from the members. **Val Shelton** asked **Jim**
9 **Gove** when the wetlands were flagged. He said they were flagged in April 2023 and the
10 map was produced in May 2023. She asked **Christian Smith** about the silt fence being
11 planned prior to construction. The silt socks will be driven into the ground as they do a
12 better job of preventing erosion. The drip edge will be 5 ft. of stone. **Bart** asked what
13 material is used in the silt socks. Mr. Smith said it would be mulch. **Val** asked **Robbi**
14 **Woodburn** what will the height of the trees be at planting. **Robbi** stated that the canopy
15 of the trees planted will be 8-12 ft. and they will be 15 ft. tall at planting (when full grown
16 they are ~25' ft). She also commented on the evergreen vs. deciduous discussion
17 which was brought up during audience comments. She pointed out that the buffer of
18 shrubs (3-5' ft. tall) alternating between deciduous and evergreen. They intend to make
19 every effort to keep the two trees on the right of the property by performing root pruning
20 to protect them during excavation. There is no guarantee that the tree will be saved, but
21 every effort will be made. **Val** asked about whether or not solar was proposed. **David**
22 **Lemieux** confirmed that they plan a solar component to the project. He confirmed that it
23 will be on the roof. **Patrick Reynolds** wanted to know why the appraiser did not look at
24 towns like Lee, Epping, and Newfields. When **Brian White** began the comparison to
25 other properties he only found the property on Wadleigh Fall and one in Durham. That is
26 why he went farther afield to check in Dover and Rochester. The Chair has questions
27 for **Jeffrey Dirk** as to whether he had any worries about the placement of the driveway
28 across from Grant Road. **Jeffrey** recalled that when he first studied the plans, the
29 driveway was in a different place. He agree to look at the speed limit and the offsets.
30 **Eric** also mentioned that on the plan the existing vegetation would be cleared for a 400
31 ft. line of site. The vegetation sits within the right-of-way and the owner would be
32 required to maintain that area. **Jane Ford** asked a question about the solar- will there
33 be a rectifier and battery on site. **Mr. Lemieux** replied that the solar will be roof
34 mounted, they will retain some power and feed the rest back into the grid for credits.
35 They will be single mode panels and lie flat on the roof. All equipment is to be placed in
36 the mechanical room inside the building. **Val** had a question about utilities and where
37 they would be placed considering the buffers. The Chair has asked for a copy of the
38 third floor plan to be submitted as soon as possible. There were no further questions
39 right now.

40
41 The Chair asked for volunteers for the Technical Review Committee (TRC). **Jane Ford**,
42 **Patrick Reynolds**, and **Eric Botterman** shall constitute the TRC. **Bart** would like to set
43 up a meeting with all the parties very soon – before the end of July. A discussion
44 established a site walk for Saturday, July 29, 2023 at 8:30 AM. The site walk will be
45 publicly noticed.

46 **Action**

1 **Motion:** Val Shelton moved to continue the public hearing to August 8, 2023.

2 **Second:** Jane Ford

3 **Discussion:** none

4 **Vote:** Approved 6-0-0

5
6 Jeff Goldknopf returned to the meeting.

7
8 *****

9 Read by the Chair:

10 **c. Pursuant to RSA 676:4 and Appendix-B Site Plans, of the Town of Newmarket,**
11 **New Hampshire, notice is hereby given that a public hearing shall be held for an**
12 **application filed by Bingham Junction LLC – Shawn McGowen requesting an**
13 **Amendment to Major Site Plan to include the relocation of the existing building**
14 **on to a new foundation and a parking barn. The lot is located at 3 Rockingham**
15 **Junction, Tax Map R3, Lot 13A, B1 Zone.**

16 Bart stated that the application was complete.

17 **Action**

18 **Motion:** Val Shelton moved to approve the application as complete.

19 **Second:** Jane Ford

20 **Discussion:** none

21 **Vote:** Approved 7-0-0

22
23 The Chair opened Public Comments at 10:03 PM.

24
25 Mr. Shawn McGowen came forward to speak about his request to amend the Major Site
26 Plan for the property at 3 Rockingham Junction. He has reconsidered his earlier request
27 and wishes to restore the B&M Rockingham Junction building back to its original state
28 (based on an original picture displayed over his desk). Tonight he seeks a reduction in
29 his plan by eliminating the addition thereby reducing the impact to the lot by 900 sq. ft.
30 The reduction in the building make moot the point of ever using this building as a café in
31 the future. He is therefore eligible to reduce the septic system down to something that is
32 appropriate for the size of his private office. He has also adjusted the parking. **Bart**
33 asked what is the sq. footage of the driveway and Shawn will get that to **Bart**. Shawn
34 and **Bart** will have a discussion regarding storm water. All questions asked by the
35 members were addressed.

36
37 No members of the public wished to speak.

38
39 The Chair closed Public Comments at 10:14 PM.

40 **Action**

41 **Motion:** Val Shelton moved to approve the application with the condition that the
42 increase in impervious surface is not to exceed the existing approved plan and that a
43 plan be submitted to confirm those calculations.

44 **Second:** Jane Ford

45 **Discussion:** Mr. McGowen asked how soon he could begin this work. **Bart** explained
46 that there is a 30 day appeal period which would go to the Superior Court and that he
47 will notify Mr. McGowen of the Planning Board decision within 72 hours.

1 **Vote: Approved 7-0-0**

2
3 *****

4 Read by the Chair:

5 **d. Notice is hereby given that the Planning Board shall hold a discussion on**
6 **proposed language to amend §32-161 Downtown Overlay District and §3.21**
7 **Architectural/aesthetic review of the Municipal Town Code of Newmarket, New**
8 **Hampshire, that seeks to add architectural design requirements within the**
9 **Downtown Overlay District, or take any other action relative thereto.**

10
11 Without objection, **Val Shelton** moved that we consider this matter at the meeting on
12 August 8. The Chair has asked that all members take a walk downtown to look at the
13 building before our next meeting.

14 *****

15 Read by the Chair:

16 **e. Discussion relative to forming a Master Plan Committee for the upcoming**
17 **comprehensive update.**

18 **Bart** asked the members for 2-3 volunteers to serve on the Master Plan Committee for
19 the upcoming review/update to begin this fall. **Eric Botterman, Val Shelton, and Jane**
20 **Ford** volunteered. **Bart** will continue his work to constitute this committee with other
21 Town boards, committees, and commissions.. He was pleased to announce that the
22 Town has received a \$37,000 Coastal Resiliency Grant for the funding of the Master
23 Plan update for the riverfront area.

24
25 *****

26 **6. Adjourn**

27 **Motion: Jane Ford** moved to adjourn the meeting at 10:19 PM.

28 **Second: Valerie Shelton**

29 **Discussion: none**

30 **Vote: Approved 7-0-0**

31
32
33 Respectfully submitted,

34
35 Sue Frick
36 Recording Secretary
37

38 **DCAT:**
39 https://videoplayer.telvue.com/player/XSekdEeRsk0JHQVHAvKJVka7_5VjxKP/videos
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44

1 Addendum page 1
2



Capital Improvement Planning

Collaborating to invest in our community goals

3
4
5
6



TOWN OF **NEWMARKET** Context on the CIP NEW HAMPSHIRE

- 5-year plan for capital investments for the community
- Collaborative effort between town and school
- Capital Improvement Plan (CIP) vs Capital Reserve Fund (CRF)
- Historically in Newmarket the CIP Committee has acted as a financial body reviewing proposed capital projects and proposing annual CRF contributions to the Town Manager and Town Council
- Reviews of proposals have been untethered to any long-term goals of the community



TOWN OF NEW MARKET Why are we here?
NEW HAMPSHIRE

- The CIP Committee sees the Capital Improvement Plan as a tool in support of our Town Master Plan
- Coherent work by the CIP Committee requires tighter relationship with the Planning Board
- Two purposes for being here tonight:
 - Propose and begin the closer collaboration with the Planning Board
 - Gain preliminary insight into the Planning Boards long term vision for the community to help inform our work in the coming months



TOWN OF **NEWMARKET** **What are we proposing**
NEW HAMPSHIRE

- Vision: A coherent integrated long-range CIP aligned with the goals of the community as outlined in our Master Plan
- This requires we build:
 - A unified Capital Improvement Plan SEPARATE from the CRF request process
 - A deep understanding of our community goals
 - A process to maintain and track progress of our CIP
 - A related by separate annual process of proposing funding levels to ongoing and new capital improvement projects



TOWN OF **NEWMARKET** **How do we achieve this** NEW HAMPSHIRE

- **Process for CIP authoring**
 - Closer teaming with the Planning Board to ensure alignment to community goals
 - Greater opportunity for community voice in the proposal of capital projects
 - CIP Committee perspective in the Master Plan rewrite
- **Proposed High Level Timeline**
 - **FY24:**
 - **Q1:**
 - Departments review current planned projects and submit edits or new projects
 - Aligning all currently proposed projects against community goals
 - Committee proposes CRF funding in alignment with community goals
 - **Q2:** Edits to Capital Improvement Plan based upon Council and Budget Committee approved funding of Capital Reserve Funds for FY25
 - **Q3:** Tracking of capital project work and updating to CIP as necessary
 - **Q4:** Departments review current planned projects and submit edits or new projects
 - **FY25:**
 - **Q1:**
 - Aligning all currently proposed projects against community goals
 - Committee proposes CRF funding in alignment with community goals
 - **Q2/Q4 – Same sequence as FY24**

1 **Addendum page 6**

D. R. Lemieux Builders, LLC
242 So. Main Street, Newmarket, New Hampshire
Map U14; Lot 69

SPECIAL USA PERMIT APPLICATION
SECTION 32-236 – AFFORDABLE ELDERLY HOUSING

INTRODUCTION

The Applicant, D.R. Lemieux Builders, LLC, is proposing a 32-unit multi-family residential affordable elderly housing development on approximately 7.22-acres of land located at 242 So. Main St. in Newmarket, NH (the "Project"), and is identified as Tax Map U4, Lot 69 on the Newmarket tax maps. The Newmarket Zoning Ordinance specifically lists "affordable elderly housing as a permitted use in the R1, R2 & R3 zones through a special use permit pursuant to Section 32-56 & Section 32-236 of the Zoning Ordinance." The property is in the R-2 Zone. The Applicant is aware that a similar affordable elderly housing facility exists in Newmarket called the Wadleigh Falls Senior Housing located at 290 Wadleigh Falls Road in Newmarket (hereinafter referred to as "Wadleigh Falls"). It is respectfully submitted that the projects are similar in nature and will be vital in promoting the intent of the Town when its citizens adopted the provisions of the affordable elderly housing use, which is to permit the establishment and construction of affordable elderly house facilities in the Town of Newmarket.

The property consists of a forest within a large wetland area, a single-family house, and mowed fields. The development will include: a private entrance drive and conforming parking; on-site underground electric, telephone & cable; municipal water and sewer; and Low Impact Development/BMP storm water management and treatment. Proper erosion controls will be proposed where construction could result in sediment transport for the development. The proposal includes an initial two-lot subdivision to create a conventional parcel to remain with the existing residence, and a subsequent/concurrent 32-unit age-restricted multi-family residential development. A crosswalk is proposed across So. Main Street per meetings with DPW & the required lighted crosswalk signs (RRFB) are proposed for oncoming traffic at locations prescribed by the Project traffic engineers.

For the Project to proceed, a special use permit is required from the Planning Board.

SPECIAL USE PERMIT CRITERIA

(1) Any site on which an affordable elderly housing complex is proposed shall be reviewed with respect to the availability of shopping services, medical services, and transportation services thereto, and that the proposed construction and design of the affordable elderly housing complex shall contain the usual amenities and living aids found in housing designed for use by the elderly and as required by state and federal law such as accessibility features, communal facilities, etc.

The selected location of the Project location addresses the first criteria as the Project will be very close to shopping services, medical services, and transportation services. Specifically, the

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1 **Addendum page 7**

Project will be within 0.6 miles from the Town Hall, 0.7 miles from the downtown area, providing opportunities to patronize shops, restaurants, coffee shops, medical care, etc. The Project will be within .4 miles of Lamprey Health Care for medical services, within 1 mile to a grocery store, and within 1 mile to public bus transportation.

As to usual amenities and living aids for the elderly, the Project will have a designated Community Room with kitchenette, outdoor communal spaces adjacent to Community Room making it possible for exterior features such as raised garden beds and picnic tables.

In addition, the Project will have a covered front porch, with all public spaces being ADA compliant. Elevator access will be provided to all 3 levels and the Project will have a central laundry facility. All units are designed to be 'adaptable' to allow tenants to remain in their units as they age.

The Project will have quality finishes, Energy Star appliances, LED light fixtures. High performance building envelope and window package that will qualify to the highest standards known as "Passive House." It is likely that this Project will represent the only Passive House project within the Town. The Project will also have Energy Efficient heating/cooling solutions.

(2) That the public interest will be served generally if the proposal were to establish affordable elderly housing on the site and the establishment of an affordable elderly housing complex on the site would not cause a diminution in the property values of surrounding parcels.

By permitting Affordable Elderly Housing, specifically with the R-2 zone, Newmarket declared it to be within the public interest and the general welfare in the Town to permit the Project to address the special housing needs of the elderly. The Project itself could qualify as "affordable," as defined by Section 32-236 (d) of the Newmarket Zoning ordinance, if it only provided 75% affordable elderly units. This Project has been designed to provide that 100% of its units be affordable elderly housing.

The location of the Project is a specific benefit to the elderly given the proximity of services, as outlined above, to the property. Also, the property itself is in an area directly across from the Newmarket Elementary School, as mixed use, non-residential and residential uses are mixed within the neighborhood. The Applicant respectfully submits that the location of this facility is similar, if not better, than the location of the Wadleigh Falls facility which successfully exists only amongst single-family housing uses and is located further from the downtown services and shops than the proposed Project.

In creating the provisions for the affordable elderly housing, the Town and its citizens were careful to specify in what zones the facilities were permitted to be located. Further, the Town in crafting these provisions further limited the areas with the limited zones, but specifying, pursuant to Section 32-236 (f)(2) that such facilities could only be located within properties that have town water and sewer and have frontage on Route 108 from the Newfields boundary north of Elm Street, Route 152 or Bennett Way. The project satisfies these limiting criteria as the property is served by Town water and sewer and is located on Route 152.

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1 **Addendum page 8**

In addition to the above, the Applicant has requested that the issue of diminution of value also be addressed by Brian White of White Appraisals, LLC, a Certified General appraiser by the State of New Hampshire and a MAI and SRA designated appraiser with the Appraisal Institute (see attached report).

(3) That any conflicts with the character of the adjacent properties will be minimal in terms of the size and bulk of the visible buildings, through the use of buffers, landscaping or location of the buildings on site. This provision is meant to assure that facilities are reasonably consistent either with residential style buildings or sufficiently secluded so as to minimize negative impacts to abutting property.

The building has been oriented in a way to minimize visible bulk of building, fronting the street with the shorter edge. This maintains expanded views to the fields beyond for the neighbors across the street.

The architectural style is in keeping with the residential style of surrounding buildings. Particular attention has been paid to keeping the building at the same height as the Wadleigh Falls building by locating the third floor units within the attic space of the building, with dormers utilized to minimize the size of the building.

As depicted on the project landscaping plan, robust landscaping to buffer the parking lot and shield residences across the street from headlights has been designed. The trees along the street and throughout the site mask and scale down the building from street/neighborhood views. Specifically, a 10' wide buffer strip between the building and parking and the street will be planted with a mix of trees and shrubs including seven trees and 153 shrubs. The shrubs will be layered with taller species (4-5'ht) in the rear and medium height shrubs in the front (3-4'ht) and will be a mix of deciduous and evergreens for year-round coverage. The mixed heights of these shrubs will screen the parked cars while the canopies of the proposed trees in the buffer as well as those located in and around the parking lot will soften and partially screen the building.

All site lighting will be 'dark sky friendly' to control light pollution on property by minimizing glare while reducing light trespass and skyglow.

(4) The development shall be landscaped so as to enhance its compatibility with the town with emphasis given to the use of existing natural features where possible.

Please see the professionally designed landscaping plan.

In addition, the proposed landscape offers a balanced approach to providing screening and separation of the building from the street and the adjacent properties while still connecting the residents to the neighborhood. The project design team discussed the buffering aspect of the project at length during the design process feeling that it is important to meet the criteria for the special use permit but at the same time allow the residents a visual connection to the street, the life of the neighborhood and the surrounding community. Certainly, the easiest means to minimize the impact of the proposed building would be a solid wall of evergreens between the project and the street. If directed by the planning board, the applicant will do this to meet the criteria.

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1 **Addendum page 9**

However, it is the opinion of the landscape architect and design team that a handsome, mixed buffer can provide adequate separation and minimize the building without being a large green wall that visually isolates the elderly residents from the surrounding community. The proposed landscape, by using a mixed screen will soften and screen the impact of the building while still allowing connection and “compatibility with the town” far better than a green wall.

(5) The design and site layout of the development shall emphasize the rural character of the town, maximize the privacy of the dwelling units, preserve the natural character of land, provide for the separation of parking and neighboring residential uses, and consider such factors as orientation, energy usage, views, etc.

The design of the building uses existing forms and styles within Newmarket and is consistent with its rural character. The third floor is tucked under the eaves with dormers to minimize the overall building height and be consistent with surrounding properties.

Special attention has been paid to the material selection to be consistent with surrounding residential properties. The colors selected help the building settle into the landscape and minimize overall impact on the site.

Locating the building development along the street side of the property allows for the fields and wetlands in the rear of the property to remain intact, supporting the existing wildlife ecosystem. As stated above, the Applicant has also designed the Project so that the building will be oriented in a way that minimizes the visible bulk of the building to preserve the expanded views of the fields beyond the Project for neighbors across the street.

The location of the building preserves a significant naturel resource, which is a very large wetland area in the rear of the property. Maintaining this area is not only critical to the environment, but any lack of disturbance with the rear of the property will serve to protect the interest of the neighbors that abut the rear portion of the property. The uses, as proposed, serve to protect the integrity of the entire environmentally sensitive areas and resources on the property.

(6) Parking facilities shall comply with the existing site plan review regulations, unless the planning board authorizes waivers in accordance with information submitted showing a decreased need in parking. The planning board may require land to be set-aside for future parking facilities and require adequate financial security to assure its construction with the Newmarket Site Review Regulations.

The parking facilities comply with the Newmarket site plan review regulations. In addition, the Applicant has increased the handicap parking spaces to 4 from the required 2.

(7) Seventy-five percent of all units on the site shall be identified as and remain affordable in accordance with this section for as long as the on-site structures fail to comply with all other zoning requirements of the underlying district.

100% of the units will be identified and remain as affordable, as required by this Criteria.

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1 Addendum page 10

Bart McDonough

From: Elizabeth Dowst <ldowst@comcast.net>
Sent: Tuesday, July 11, 2023 7:40 AM
To: Bart McDonough
Subject: Re: 242 South Main St

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Bart,

I hope your summer is going well. I am unable to attend the meeting this evening about the proposed affordable senior housing project across the street from me. I'd like the Planning Board to please take into consideration that the size and scope of this project, in particular the height and style of the building does not fit in with any of the other residences in the neighborhood. I do support affordable senior housing. The senior housing further up on Wadleigh Falls Road is sided similarly to other homes in the area and are two story structures. It just seems to appear that we will have a very tall building across the street that has more stories than either of the nearby schools, let alone homes, and looks more like a Motel 6 than housing that is suited more to the rural character of our town and appearance of our neighborhood. If possible, can you let me know you received this so that I know it can be read this evening at the meeting?

Thank you,
Elizabeth C. Dowst

On 01/23/2023 11:00 AM EST Elizabeth Dowst <ldowst@comcast.net> wrote:

Dear Mr. McDonough,

It is my understanding that a construction company bought the property at 242 South Main St. It is also my understanding that they plan to build a three story, 32 unit, affordable senior housing apartment building near the road due to the wet lands that exist further back on the property. They also plan to keep the light brown house on one side of the property. I am writing you to express my serious concerns about the scope and design of the project. I feel that the current plan is not in keeping with the character of the adjacent properties and the size and bulk of the proposed project are not consistent with the current residential style buildings that already exist in the area and adjacent properties. I am in support of affordable housing for seniors in our town and neighborhoods IF they are in keeping with the character of the neighborhood and the design and layout maintains and emphasizes the rural character of the town. The senior housing further up on Wadleigh Falls Rd does this. My Father in law lIved there for a number of years prior to his passing and it was a blessing to him and our family to have him close and in housing he could afford. The housing further up on Wadleigh Falls is also considerably set back from the road.

The project proposed for 242 South Main Street does not maintain or emphasize the rural character of our town. The project is much taller than the existing residential buildings that abut the property and looks far more industrial in nature than the other

1 Addendum page 11

homes in the area. What I am hoping is that our town leadership can make sure that the scope, bulk, design and placement of this project is more in keeping with the current neighborhood and our homes. I understand that some of this is just business, wanting to make as many units and as affordable a structure as possible for the company's financial gain, but I am asking that the design and size of the project be balanced with the current tax payers' property values, and future property values, in addition to the character and appearance of our town. Route 152 is a scenic byway, one that brings many people into town. Having such a large building so close to the road and so tall would be a massive change to the character of this area. As someone who has lived in Newmarket for over 24 years, I have loved how we have balanced growth and our small town feel and spaces. A giant, three story, 32 unit, rectangular block like apartment building in the middle of an area of single family homes and smaller apartment houses is not in keeping with the current character.

The builder did send out an invite to meet with him over the holiday weekend but many folks were away and unable to attend. Additionally, the plan is already set and it is a plan that very obviously was not focusing on blending in with the current neighborhood. It was a plan to maximize the company's financial profit, which I understand, but affects the other current property owners in a very negative way on a variety of levels.

I appreciate your time and concern in addressing this matter. I would like to forward these thoughts to other town leaders involved. Can you advise me on the other groups who will be making the decision to approve this project or grant variances if needed?

Thank you,
Sincerely,
Elizabeth C. Dowst
255 Wadleigh Falls Rd.
Newmarket, NH 03857
603-686-6729

1 Addendum page 12

RECEIVED

JUL 11 2023

July 10, 2023

NEWMARKET, NH
PLANNING BOARD

RE: DR Lemieux Builders LLC requesting Minor Subdivision, Major Site Plan, and Special Use Permit approval – 242 South Main St.

Members of the Planning Board,

I am writing in support of the 32-unit, age-restricted, multi-family development proposed for 242 South Main Street.

I reside at 6 Maplecrest Street, making me a neighbor to the project, though not a direct abutter.

I have spent my entire career working in affordable housing. I'm very familiar with this type of development, the highly competitive financing involved, the strict design and quality standards required, and who it will serve. With this development, Newmarket stands to gain a permanent source of affordable housing that will serve our aging population with dignity. I'm pleased our town had the foresight to identify areas well suited to this purpose. This parcel's proximity to opportunities for engagement (e.g. the schools, downtown businesses and public amenities) is ideal. Too often senior housing is sited in remote areas—as if to intentionally wall off our elders from being active and visible members of our community.

At the preliminary presentation in March, abutters identified some legitimate questions and concerns about drainage as well as poor sight lines around the bend of Rte.152. I trust that the planning board will scrutinize the findings of the wetland delineation and soils evaluation as well as the traffic study and request any necessary modification to the project to uphold the public interest. Question: could the developer use pervious pavement in the parking area to help manage runoff?

I appreciate the developer's interest in connecting the development with the sidewalk terminus at the elementary school to ensure safe passage across the street. Pedestrian safety is critical – for senior residents and school children alike.

I would like to add my own concern about light pollution. My property abuts the school parking lot. We do experience light pollution from this use. I hope this can be managed better at this property.

I don't share concerns that have been raised about traffic. This is a 32-unit senior housing community comprised of one-bedroom apartments. Most residents will be single-person households, and many won't even have cars. For the same reason, the number of parking spaces proposed should be more than adequate to accommodate residents and guests.

I have heard some residents ask for a smaller development. Having knowledge of the highly competitive financing for these types of developments, the planning board should be aware that a smaller project would be nearly impossible to finance. The strict construction standards

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1 **Addendum page 13**

mandated by the Low-Income Housing Tax Credit Program and New Hampshire Housing Finance Authority dictate that there be sufficient scale to carry these costs and still deliver on permanently affordable rents. This is not a matter of a developer trying to maximize profits. There is a formula to achieve project viability; falling outside those boundaries can kill a project altogether.

I do appreciate that by siting the building perpendicular and close to the road, the building size will be masked, and the form will mimic historical development patterns, i.e. houses sited close to the street with gabled roofs and shingles. I'm confident that a thoughtful landscaping plan will provide further buffering and ensure curb appeal.

I'm confident in the planning board's ability to differentiate facts from emotions and know they will work prudently with the developer to achieve a viable senior housing development that will be an asset to Newmarket.

Thank you,



Lisa Henderson
6 Maplecrest Street, Newmarket

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1 Addendum page 14

Bart McDonough

From: Liv Albee <livalbee84@gmail.com>
Sent: Tuesday, July 11, 2023 11:26 AM
To: Bart McDonough
Subject: 242 South Main Street Build Project

Good Morning Bart,

My husband and I reside with our 2 young children at 262 Wadleigh Falls Road. We have some MAJOR concerns with this building being built! Both of our children attend Newmarket Elementary school and as it is now already traffic is SCARY in the mornings and the afternoons getting them on and off the school bus. Speeding is a major factor along with people not paying attention. Whenever we are pulling into our driveway people go whipping out and around us over the yellow lines and numerous times we have actually almost been hit. Grant road as well is hard enough to get out of at some points of the day and with the driveway being right there basically across from it we feel that would only increase accidents in this area. We fear adding more housing especially to the extent of that many people is only going to increase this. As well as parking issues if they only have 1-2 spaces allowed are they going to be parking on the road or trying to park at the elementary?! We are also concerned about the fact that this is a family neighborhood and that this building will not fit in with the rest of the area. Building a duplex or a few homes there would definitely be more appropriate for the area. We are also concerned with the wildlife and them being misplaced as well as the wetlands being disturbed. As well as drainage issues from disturbing that area and its surroundings. This also brings up water usage and my father who is a plumber was telling my husband and I that this most likely will effect our water pressure as adding that many units with water needs will definitely have negative impact. Another thing we are concerned about would be is the fire department equipped with the equipment needed for a 3 story building, elevators issues, and would this affect ambulance service as unfortunately elders usually can require more medical assistance if they fall or get sick as we have seen with the amount of calls to the Pines or the elder housing further up Wadleigh Falls. Lastly we aren't happy with the idea of it being only 35 feet from the road as again it does not fit in with dynamic of the rest of the neighborhood and we feel like it will stick out like a sore thumb. I know we are not alone as a lot of us abutters have discussed it and not one of us is in favor of this building at all. Thank you for your time and I look forward to the meeting this evening and hope we can all come to some sort of compromise or agreement.

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Thanks,

Liv Albee
H: (603)292-6718
C: (603)583-3383

 Virus-free. www.avg.com

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