

TOWN OF NEWMARKET, NEW HAMPSHIRE
JOINT TOWN COUNCIL/PLANNING BOARD MEETING
NOVEMBER 20, 2019 5:30 PM
TOWN HALL AUDITORIUM

Approved December 18, 2019

TOWN COUNCIL MEMBERS PRESENT: Council Chairman Toni Weinstein, Councilor Zachary Dumont, Councilor Jon Kiper, Councilor Gretchen Kast, Councilor Casey Finch, Councilor Helen Sanders

EXCUSED: Vice Chairman Amy Burns

PLANNING BOARD MEMBERS PRESENT: Chairman Eric Botterman, Vice-Chair Valerie Shelton, Jamie Bruton, Thomas Howard Alternate

ALSO PRESENT: Town Administrator Steve Fournier, Town Planner Diane Hardy, ADG Manager Stuart Arnett, ADG Consultant Bill Sullivan

AGENDA

Chairman Toni Weinstein welcomed everyone to the November 20, 2019 Newmarket Joint Town Council/Planning Board Meeting and called the meeting to order at 5:30 pm, followed by the Pledge of Allegiance.

NEWMARKET GATEWAYS STUDY

Town Administrator Fournier said the Town Council set a goal to examine economic opportunities in Newmarket “gateways”, with a North Gateway on North Main Street, a West Gateway down Route 152, and a South Gateway between Exeter Road to Newfields town line. He said the Town contracted with ADG (Arnett Development Group, LLC) as Economic Consultant to determine what could and could not be done in those areas.

Manager Stuart Arnett said ADG is a planning and development firm, and he and Landscape Architect Bill Flynn were there to talk about the 3 major gateways in Newmarket, identify issues that may impact future development, and outline an action plan to enhance future development within each district. He said the

North Gateway is finished, the West Gateway mostly finished, and the South Gateway has been started and has strong recreational and natural resource connections. He said for each area they looked at the character, environment, and regulatory climate as development considerations.

North Gateway Observations

Mr. Arnett said the North Gateway area is characterized as natural resource-based with hydric soils, flood plains, wetlands, and some major land-use considerations with large undeveloped tracts and existing parkland. Traffic considerations include limited access points in and out of this quadrant and 3 bottle-necks at Dame Road, Bay Road, and at the Route 108 Bridge. Regulatory considerations include limited development potential due to the small average lot size and the 150-foot road frontage requirements. He said he worked with Town Planner Diane Hardy on a list of considerations for Planning Board review.

Landscape Architect Bill Flynn said some of the properties in the north quadrant are not vacant but still have potential for re-development. He said the size of the residential lots is a main constraint, but he thought to combine several different properties in a collaborative joint development effort. Preliminary recommendations for the North Gateway are: (1) review the B-1 zoning designation, (2) anticipate future development by doing a build-out analysis, (3) anticipate future traffic impacts, (4) encourage collaboration among property owners, and (5) consider the adoption of a Senate Bill 22 incentives.

Town Administrator Fournier explained the new Senate Bill 22. For those familiar with RSA 79-E, which is a tax exemption for renovating historical buildings, this is a similar bill for Economic Development purposes for new construction. He said the Council could take a number of parcels and set them aside as a development district, and future development would not be taxed for a x number of years, as a way to encourage people to develop in that area.

Mr. Flynn said the number of outlets in the North quadrant, and the amount of undeveloped land there, bodes well for future development but traffic and parking will be considerations. He said a large vacant lot, such as that which was used for NH DOT highway improvement project as a staging area, would open up opportunities for reorganizing property and accommodating future traffic flow.

West Gateway Observations

Mr. Flynn said the West Gateway is the B-3 zoning district on Route 152 where it crosses the Town line. He said they focused on 5 properties adjacent to the sand pits which is a large undeveloped area with potential for different types of development, larger properties vs. small. He said the area is in a wellhead protection zone with some limits (aquifer, flood plains, wetlands), especially now without public water and sewer access, which could hamper development.

Mr. Flynn said as far as land-use, its context includes Town, corporate, and State of NH ownership, individual residences, and undeveloped parcels as well as conservation areas. He said the B-3 zoning has constraints for future residential development but there is a significant amount of open space and the potential to develop some recreation opportunities. Mr. Arnett said there are some very large parcels there for future development.

Mr. Flynn said a consideration that plays a very important role is the lack of public infrastructure (utilities, water and sewer). He said the water main within a quarter mile of the project study area, and said it would be beneficial to extend (and loop) the water and extend the sewer lines. He said preliminary recommendations include a minor adjustment in boundaries of B-3 zone (to a R-1 zoning) along Ash Swamp Road, as there is concern about traffic and residential access. He said the intersection provides quick traffic flow but marks a potential gateway into Town, with commercial traffic directed along Wadleigh Falls Road and residential traffic down Ash Swamp Road.

Mr. Flynn said two significant recommendations would be to adjust the boundaries of the B-3 zoning district along Ash Swamp and create a Tax Increment Financing District (TIF) in the remaining B-3. He said a TIF District opens opportunities to get infrastructure to the project area in a more expedient and cost-savings way. Mr. Arnett said they are suggesting this as public water and sewer access allows for better planning and development, the problem being how to pay for it. He said TIF takes new property taxes from properties built and dedicates them to pay off the bond for water and sewer improvements, but the area needs to generate more tax revenue than the yearly costs of municipal services, as a way of financing the infrastructure.

Mr. Flynn said he did a series of build-out analyses to develop the property as it is today, and looked at the project study area for Suburban Mixed Use Development with commercial, residential, CCRC (Continuing Care Residential Community), and recreation incorporated in one community (often referred to as a Planned Unit Development (PUD) or Village Plan Alternative Subdivision). He said the area is 100 acres in size and is easily developable land. Town Administrator Fournier said a few years ago an Economic Development Committee reviewed potentials there and one idea was a CCRC along with providing some services. Mr. Arnett said putting water and sewer there provides an opportunity to make a somewhat contained village center.

ADG Design Precedents

Mr. Flynn said to give a sense of reality to this project they looked prior projects of small, medium, and large scale. The first is a small project called "Pointe Place", in Dover, NH with mixed-use facilities within a designated area. It includes retail, office space, restaurants, and other conveniences as well as residential with a choice of apartments, condos, and townhouses. There is also a large assisted living facility and the development connects to a purely residential neighborhood which makes it attractive.

Mr. Flynn said the mid-size project is in Peachtree City, GA and is a live-play destination with 37 acres of lakefront property. It is more densely developed with greater emphasis on residential housing offering retail, commercial and office as well as recreation and walking trails. This project is attractive to the people living there and the community at large.

Mr. Flynn said the last project is Rock Row in Portland, ME which is a 100 acre converted rock quarry. The very large development offers office space, medical, retail, grocery, movie, eateries and music venues as well as residential green space. He said this is a more urban area with access to the interstate and has some attractive elements. Town Administrator Fournier said Rock Row in Portland is basically in

Westbrook, right off Route 95 and is definitely a destination area. He said the scale of Point Place in Dover was more realistic for Newmarket and the surrounding area.

Mr. Flynn said the possibilities are endless and will all come back to what will work economically. Town Administrator Fournier said people want to downsize from homes into smaller condos, and said Newmarket is becoming more of a retirement community than a first-time buyer community. Mr. Arnett said the market for first-time buyers is more likely in the North Main Street area.

Mr. Arnett said in the South Gateway area they are utilizing a few of the features there to emphasize natural resources and the recreation potential there with the State owned "Rail to Trail" (Rockingham Recreation Trail) and the proximity to Town water service. He said all 3 of the entrances are complementary and have a natural resource base with open space and greenways and are not competing with each other. Town Planner Diane Hardy said what struck her at Pointe Place was the quality of the residential development, nicely landscaped with architecturally designed houses, similar to the development we have at Rockingham Green.

Mr. Arnett said this is conceptual, at this point, to show the opportunities for the community to help private owners make decisions that will help everybody and could be used as a communication tool, with the Town playing a role as a catalyst to set its own future. He said the Planning Board has to be an advocate and develop appropriate regulations, working with the Town Council to develop the land and protect its resources to its fullest potential.

Questions: Planning Board Chairman Eric Botterman thanked Mr. Arnett and Mr. Flynn for their report. He said there is nothing the Planning Board can do about the existing lot sizes in the North Gateway area, from a public agency standpoint, but he is supportive of considering zoning changes. He said there was an attempt a few years ago by several landowners to work with a developer for a mixed-use development who eventually withdrew his project. Town Planner Hardy said on that particular project the issue was water capacity and fire flows, and the North Main Street infrastructure has since been replaced with new water and sewer lines.

Mr. Botterman said on the Route 152 corridor he feels the failure is in the zoning. He said he supports the TIF process and trying to get development out there and will be engaging the Planning Board in developing zoning changes to make that happen. He said having Town water and sewer out there are both key with the Town's aquifer there. Mr. Arnett said they are hearing more and more about PFAS and ground water contamination, and there will continually be a push for water and sewer and getting rid of ground water sourcing.

Councilor Kast asked about the South Gateway, and Town Administrator Fournier they should promote recreation in that area with Great Bay Fitness, the golf course, and a major on/off point for the Recreation Trail. Mr. Arnett said the project report for that project is not finished yet, but it feeds back to Newmarket being a natural resources showpiece which should be protected and enhanced. Town Planner Hardy said in the South Gateway the Town has a new property owner who bought the Railroad Depot and is interested in developing a small mixed-use development at that location.

Chairman Weinstein asked if the suggested project for the West Gateway would be geared toward a 55+ community. Mr. Arnett said age restriction is becoming a very over-saturated market and the deeds do not allow renting to someone else. Chairman Weinstein said she heard that amenities wanted by the Baby Boomers are very similar to those wanted by Millennials, with access to nature and affordability. Mr. Flynn said he read that over 55 housing is failing because it lacks diversity, and said a key amenity that people are looking for is shared office space.

Town Administrator Fournier said malls are failing and downtowns are becoming more successful, as groups with disposable income want to live in a community and be part of a community without strip malls and industrial and commercial uses. Planning Board Vice-Chair Valerie Shelton asked if the Town is looking beyond Route 108 contiguous properties for the South Gateway, with the connectivity of New Road to Town-owned properties, as well as undeveloped land in that area that is under current use assessment.

Mr. Flynn said like the North and West where there is area to develop, context will be key in the South gateway area. He said there are large parcels there with potential, and they are looking off Route 108 as well. Town Administrator Fournier said the problem with New Road is access as it is not a commercial road. Ms. Shelton said she understands there are issues, but there is a tremendous amount of land there that is not on the tax rolls. Mr. Flynn said like the North there is a lot of open green space which will be part of the attraction for new comers and tourists, and contributes significantly towards long-term development.

Ms. Shelton said the issues with New Road will be the same with Dame Road and Bay Road, and said they need to determine what land is remaining and developable after subtracting the Transfer Station, conservation lands, and wetlands. Mr. Botterman said in the West Gateway he has a hard time believing a TIF District in that area will generate enough revenue to allow for water and sewer in the near future. Mr. Arnett said with the TIF they will be assessing the land at a much higher value than if it remains on septic systems and wells, and said the Town would need to take a good hard look before moving forward.

Mr. Botterman asked what the Council wants the Planning Board to undertake going forward. Town Administrator Fournier recommended the Planning Board study what zoning changes will be needed in the North and West Gateways to facilitate development. He said 20 years ago everyone wanted a house on 2 acres and now people want to be in neighborhoods and you have residential zoning with wasted land. Mr. Arnett said it also takes up a lot of land for septic systems and setbacks, and with sewer they can do clustering and leave some land open.

Mr. Botterman asked how long ADG will be on contract, and Mr. Arnett said through June 30, 2020. Town Administrator Fournier said he budgeted for the following year as well. Mr. Flynn said since they are on track ADG will pull this all together in a substantial report. Ms. Shelton said she did not want to adopt new zoning that is not marketable. Chairman Weinstein said as a resident it is important to her to have some connection to the rest of the community. Town Administrator Fournier said on the roads connecting the development to Ash Swamp Road they can have more amenities like streetlights and sidewalks to make walking safer and use the area as a neighborhood, which would also calm traffic there.

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Mr. Botterman said the Council will be receiving a letter from the Planning Board (inked by Town Planner Hardy) recommending the elimination of impact fees. He said the rationale is they will not be needed for major School expansion for a long time, and water and sewer costs can be addressed by betterment fees (Special assessment or System Development Fees). Recreation programs can continue to be financed with user fees. Ms. Shelton added that a System Development Fee, is not an impact fee, and can be changed at any time.

NEXT MEETING: The next Regular Town Council meeting will be held on Wednesday, December 4, 2019 at 7:00 pm in the Town Council Chambers.

ADJOURNMENT

Chairman Weinstein adjourned the meeting at 6:42 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary