

**Town of Northwood  
Planning Board  
October 24, 2013**

Chairman Robert Strobel calls the meeting to order at 6:35 p.m.

**PRESENT:** Chairman Robert Strobel, Vice-Chairman Timothy Jandebaur, Joseph McCaffrey, Rick Wolf, Lucy Edwards, Lee Baldwin, Alternate Victoria Parmele, Town Planner Elaine Planchet, and Board Administrator Linda Smith. Alternate Adam Sprague arrives at 6:48 p.m.

**ABSENT:** Selectmen's Representative Scott Bryer

**MINUTES**

**October 10, 2013**

**Mr. Jandebaur makes a motion, second by Mr. McCaffrey, to approve the minutes of October 10, 2013, with spelling correction. Motion passes; 6/0.**

**Case 13-09: Kirsten MacArthur, 1130 First NH Turnpike. Map 216; Lot 79.** Applicant seeks a minimal impact site plan review to change the use of the property from a motel to a treatment/educational facility. (*Property currently owned by Gary & Kathy McLoughlin*).

Ms. Planchet notes that there has been new information provided; new plan and responses to review notes/questions. She also notes the 15 day statute relative to new information being submitted to allow time for the public review. Ms. Planchet explains the process for accepting the application, and reviewing a minimal impact application. She states that the board needs to decide on the record if the 14 points have been met for a minimal impact application. Ms. Planchet states that there was information provided although it was on a plan that was not drawn by the applicant. Ms. Planchet states that all other clarifications of the 14 points have been provided, perhaps just in a different format.

**Mr. McCaffrey makes a motion, second by Mr. Jandebaur, to accept the application as complete.**

**VOTING DESIGNATION:** Robert Strobel, Lucy Edwards, Lee Baldwin, Timothy Jandebaur, Joseph McCaffrey, and Rick Wolf.

**Motion passes; 6/0.**

Mr. Strobel reads the abutters list and opens the hearing. Abutters present are as follows: Marie Jean, Steven Berger, Gary McLoughlin property owner, and applicant Kirsten and Kyle MacArthur.

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Ms. MacArthur states that she owns a counseling center at three locations. She states that they have currently been renting space. She states that the State of NH allows 15 people maximum, per weekend. She states that the motel will meet the need for accommodations; typically the clients have to share rooms *but* with this facility that will not be necessary.

Ms. MacArthur explains that the clients have all been convicted of a DWI *and to regain their licenses back*, they are required to do 20 hours of education; typically a Friday afternoon to a Sunday afternoon program. All clients are dropped off. She explains that all clients' luggage is searched for safety purposes.

Mr. Jandebaur states that the applicant has previously appeared before the planning board for a consultation. Mr. Strobel further explains the preliminary consultation process. He states that the proposed application has not significantly changed since the time of the consultation.

Mr. Strobel states that *in his opinion* the outpatient portion of the preliminary application has been eliminated. He states that the intent of the 15 day rule has not been violated.

Mr. Jandebaur asks if it is legal for the board to proceed with the new information. Mr. Strobel reads the RSA. Ms. Planchet states that the board now needs to decide if the application is a minimal impact. Discussion ensues as to the 14 points.

**Mr. Jandebaur makes a motion, second by Mr. McCaffrey, that the application is a minimal impact application based on meeting all of the 14 criteria.** Discussion ensues as to the process of the 14 points. Mr. Strobel explains the different types of site plan applications. **Motion passes unanimously; 6/0.**

A discussion is held regarding the plan provided. Ms. MacArthur states that she will provide a plan to scale, add a north arrow, and title block.

Mr. Strobel opens the public hearing and reads the abutters list. Abutters present are Marie Jean Doiron and Steve Berger. Mr. Berger asks about the clients who attend. Ms. MacArthur explains that the clients have been arrested for driving while intoxicated; most are the average people who drive after a few drinks and are over the limit. She states that some may have addictions and are screened, which may result in other counseling.

Ms. MacArthur states that there will be security systems in place in the front and rear of the building.

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Ms. Doiron asks how a board can make decision on whether a proposal will cause an adverse effect to an abutter without asking the abutters. Mr. Strobel explains that the application has only been accepted as a minimal impact application; it has not been approved. Ms. Doiron notes the traffic impact and references that this could be an adverse impact. Mr. Strobel states that the process is that the board receives the information prior to this meeting. He states that the board has had the information since October 10 and he explains that abutters are also notified. Ms. Doiron states that her notice indicated a treatment and educational facility, which means drugs and alcohol. She adds that these clients are being forced to attend this program in order to get their license back.

Ms. MacArthur states that the clients are not attending because they are parolees or convicted felons; they are people that had a traffic violation. She states that they are not forced to attend. She explains that this type of program provides education to lower the risk of DWI again. It is specific to the clients to learn to make safe choices and for educating them. She further explains the process of the educational aspect of the program conducted at the site; the treatment is what we learn about the clients at the program. She adds that there is treatment provided at other sites.

Judy Burke, a neighbor, asks about alcohol treatment being added to this facility as she is concerned for her safety being within walking proximity. Mr. Strobel states that the applicant would need to come back for a change of use.

Elizabeth Pertanall, resident, asks the board if this is a type of facility that they want to introduce to the town. She states that residents pay taxes to live in a safe, quiet neighborhood, conducive to family life. She states that these elements are not conducive to raising a family, and this type of organization along Rte. 4 will be what Northwood will be associated with. She feels that the town should be associated with the lakes, summer activities, summer homes, and a place to relax. She requests that the board takes these points into consideration.

Ms. MacArthur states that the business is an LLC called "Safe Journey". In addition, she provides statistics provided by the Northwood Police Department, noting that there were 65 alcohol related arrests in 2012; in 2013 there have been 28.

Kathy McCloughlin, current motel owner, states that if this sale does not go through, they will lose the motel. She explains that there is another potential buyer who will purchase the motel in a short sale, who is a "slum lord". She states that this is an opportunity to improve the property, and increase tax revenue. She reminds the neighbors of the other alternatives and options.

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Marie Doiron states that *she feels that* alcohol and drugs go hand in hand. Ms. MacArthur replies that alcohol is legal.

Mr. Strobel closes the public portion of the hearing.

Ms. Parmele asks about the other facilities. Ms. MacArthur states that she has not heard of any other problems at the state's other locations.

Mr. McCaffrey states that he hears the comments and concerns stated by the abutters. He states that he feels this is a positive proposal.

Additional discussion is held regarding police and fire departments. Ms. MacArthur states that in speaking with the police department, she has the department's support. Ms. Planchet states that the paper work from the police department has not been received. Mr. Strobel reads the fire department's comments regarding change of use.

**Mr. Jandebour makes a motion, second by Mr. McCaffrey, to approve case 13-09 with the following conditions:  
A revised site plan sketch to be provided with a complete title block information included, north arrow, and sketch to be drawn to scale.**

Mr. Jandebour states that there are many people lost to alcoholism in this country. He states that he has a great deal of respect for people who are trying to help those in need who have this problem. He feels that this is a good use of the facility that will do very little harm, and if it does, that will be dealt with.

Ms. Parmele states that she wishes that there were a way to revisit this, to see how the proposal works out and for the abutters. Mr. Strobel replies that if there were a problem, the process is done through the code enforcement department.

**Motion passes unanimously; 6/0.**

Mr. Strobel calls for a recess at 7:47 p.m. Session resumes at 7:55 p.m.

**Case 13-10: 598 First NH Turnpike, LLC, 598 First NH Turnpike. Map 222; Lot 23.** Applicant is seeking a major site plan review to change the use of the existing structure from a residence to a holistic healing center and add parking.

Mr. Strobel states that the information was received by the board at the October 10 work session. Ms. Planchet notes that board received revised plans

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at 2:00 p.m. this afternoon, along with emailed documents answering questions relative to lighting, and a waiver request for sidewalk requirements.

A discussion is held regarding whether the application is complete. Ms. Planchet recommends that the board, staff, and abutters have ample time to review the application materials.

Mr. Strobel states that he would like to see a traffic study completed. He adds that there is no septic design and notes that there is a potential to increase the site by 70 persons, per day. He mentions the landscaping and lighting plans are not complete and he would like to see drainage proposed to be added to the plan. He note that there are no specific written waiver requests received other than the one today received for the sidewalk requirements.

Mr. Jandebaur expresses concern with the traffic, and safely getting in and out of the site.

Mr. Strobel states that the voting designation will stay the same.

A discussion is held regarding the ball fields entrance. Mr. McCaffrey states that there is a substantial increase in traffic that will have an impact to that area. Mr. Wolf notes the existing buildings and suggests that removal may add additional sight distance.

**Mr. Jandebaur makes a motion, second by Mr. Wolf, to accept the application as complete.** Mr. Strobel explains the 65 day time frame. Ms. Edward states that she does not feel that the application is complete and feels that a traffic study is necessary. She adds that additional information was requested and was not received within the 15 day time frame and cannot be considered for tonight.

Mr. McCaffrey states that the traffic study is not necessary to satisfy completion. Ms. Smith states that a traffic study is required to be submitted as a part of the application. Mr. Strobel states that a waiver request should be provided if a traffic study is not.

Ms. Parmele agrees with the general comments stated.

**Motion does not prevail: 0/6.**

Present relative to this case are Scott Frankiewicz, from Brown Engineering, Peter Horne who is the owner of the property, and Greg Bauer the contractor.

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Mr. Frankiewicz asks to speak to the application. He states that the application was reviewed October 4, and the board received the materials on October 10. He states that there would not have been ample time for them to address any items within the 15 day time frame. Ms. Smith states that the items are expected to be submitted with the application. It is anticipated that when materials are provided, they are completed. She explains that the work session is held and the town makes an effort to inform; however, not with the intention that we are trying to meet the 15 day time frame as that is the responsibility of the applicant. Further discussion ensues as to the process of submission of a completed application and the action of the board.

Mr. Frankiewicz states that today he provided a professional landscaped plan, an approved septic design, and a lighting design. He states that a drainage plan and a traffic study have not been provided. He explains that the drainage plan is not required per the regulations, and is very minor with only 8,000 sq. ft. of impervious surface being increased. As far as the traffic study he misread as he thought that was not required unless the board requested it. Ms. Planchet states that staff will review and try to comment on the new information prior to October 31. She further explains the submission of materials.

Mr. Frankiewicz will submit a letter requesting a waiver for the traffic study with the intention to begin discussions on November 14.

**Mr. Jandebaur makes a motion, second by Mr. Wolf, to continue the discussion of the case to November 14 at 6:30 p.m. Motion passes unanimous; 6/0.**

**Case 13-11: 153 Jenness Pond Rd., LLC, 153 Jenness Pond Rd. Map 206; Lot 26.** Applicant is seeking to subdivide 4.7 +/- acres into two lots with a common driveway. New lot will consist of 2.5 Ac. with 150' frontage on Jenness Pond Rd. Remaining lot to consist of 2.2 Ac. with 150' frontage on Jenness Pond Rd.

**Mr. McCaffrey makes a motion, second by Mr. Jandebaur, to accept the application as complete. Motion passes unanimously; 6/0.**

Mr. Strobel reads the abutters list and opens the public hearing. No abutters are present.

Present relative to this case are Scott Frankiewicz, from Brown Engineering, Peter Horne, owner of the property, and Greg Bauer, the contractor.

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Mr. Frankiewicz provides an overview of the project. Mr. Frankiewicz states that the proposal is to create a two lot subdivision, each lot with 150' of frontage. One lot will be 2.05 acres and the other lot will be 2.2 acres. He notes that the property does not have any wetlands. He states that there is currently a mobile home on the lot with a two-story garage, with a gravel driveway. He notes that there are steep slopes within the site, mostly out back to the edge of the property. The lot with the mobile home will be the front lot and the upper lot will be a developable property.

Mr. Frankiewicz states that there is an existing gravel driveway, approximately 16' wide, which services the existing mobile home. He states that this driveway will become a common driveway for both lots; see note on plan. He states that there is ample site distance.

Mr. Frankiewicz states that the only permit required is a state subdivision approval, which will not be a problem. He indicates that the test pits have been completed.

Mr. Frankiewicz states that they are aware that they need to appear before the zoning board of adjustment due to the need for a special exception for a driveway within the 20-25% slope to get back to the buildable area for the proposed lot. He notes that the driveway will not end up being that steep as it will be filled in and end up being an appropriate slope per the town.

Mr. Strobel states that he would like to see the steep slope area delineated on the plan.

Mr. Strobel notes that there may be concerns with a shared driveway. He states that the width could be expanded to allow a place for 2 vehicles to pass within the common driveway. Mr. Frankiewicz asks how wide and it is mentioned that 24' is standard. Discussion ensues.

Ms. Planchet refers to the regulations regarding to a shared driveway, 3.03(B), Par. II and IV. Mr. Strobel notes that the maintenance should be shared equally. Discussion is held regarding the language of note #9. The board agrees it is adequate and should be added to the plan.

Mr. Strobel notes that the leach field for the existing home is within the well radius. Mr. Frankiewicz states that they plan to redevelop the existing parcel. Mr. Horne states that they intend to replace the existing home with a newer mobile home.

**Mr. Jandebour makes a motion, second by Mr. McCaffrey, to approve Case: 13-11 with the following conditions:**

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- 1. Expand driveway apron to at least 24 feet wide where shared driveway meets Jenness Pond Road; and,**
- 2. Expand shared driveway width to allow a place for two vehicles to pass within the common driveway; and,**
- 3. Indicate steep slope overlay district zone on plan; and,**
- 4. Obtain Special Exception from Zoning Board of Adjustment for Steep Slope Protection Overlay District (Northwood Development Ordinance Section VI.E.(2); and,**
- 5. Add language to plan to meet requirements of Northwood Subdivision Regulations Sections 3.03 (B)(2) and 3.03(4); and,**
- 6. Correct spelling on plan.**

**Motion passes unanimously; 6/0.**

Mr. Strobel calls for a recess at 9:00 p.m. Session resumes at 9:08 p.m.

**Case 13-12: 168 Granite Street Properties, LLC, 1520 First NH Turnpike. Map 108; Lot 102.** Applicant is seeking design review for 18 lot subdivision and roadway, within the wetlands conservation overlay district and steep slope protection overlay district.

Ms. Planchet explains that a design review application is a non-binding discussion between the board and the applicant, which allows for a more detailed discussion relative to the proposal as opposed to a preliminary conceptual consultation. She states that notification has been given to the abutters. The plan is more specific and discussions can be more specific relative to engineering, etc.

Doug Grenier, landscape architect of G2+1, is present. Mr. Grenier introduces property owners Jeff and Rachel Eames, and Amy Hayes of Bartlett & Associates, the surveying company who did the base map.

Mr. Grenier explains that many discussions were held regarding the various options available for the site and the applicants have decided to propose a straight lot subdivision.

Mr. Grenier explains the location of the proposal. He states that the area totals 43.88 ± acres, of rolling terrain, with a number of hilltops. He states that the information has been secured from various sources. He notes that the soils are sandy loam, and the area has a vegetative cover of mixed forest with white pine and mixed oak. He states that 3.14 acres is wetland, and there are also slopes on the property that are greater than 25%, which are automatically considered to be a steep slope overlay district. Mr. Grenier states that the property is not considered to be in the conservation overlay district. He adds that there has been nothing mapped relative to any flooding around the Flat Meadow Brook or

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within the FEMA flood zone. He notes that they have learned from the residents that there may be a problem with the brook.

Mr. Grenier refers to the plan and explains that the proposal is for an 18 lot standard subdivision, based on 2 acre minimum lots, 20' setbacks, 50' right of way. Mr. Grenier depicts the 400' line of site for the state highway. He adds that there is a wetland crossing proposed.

Mr. Grenier explains the circle loop proposed, which is to prevent a lot of grading and creates additional frontage for lots. He mentions the 1,000' requirement from a single access point and states that the proposal is 1,090'. He also notes there are slopes over 20% and a special exception will be required.

Mr. Grenier states that the total lots are 18; 13 will be on the proposed road and five will be located on Old Turnpike Road. He reviews the items of the in-house review letter with comments relative to two lots located on Old Turnpike Road, to the East. He states that these two lots meet the requirement for buildable area.

Mr. Grenier explains the option of open space design and the fact that there were well radius issues that prohibited that plan. He shows the overlay districts and explains the different areas on the plan, grading, and natural terrain.

Mr. Grenier states that the shoreland protection act does impact the project. He depicts the 50' shoreline and where it could be an impact to two small areas. He states that there will be no effect to the shoreline with this project.

Mr. Grenier states that each lot is proposed to be 2.9 acres to just over 2 acres. He adds that there is at least one acre or more of buildable area on each lot, even after the slopes and the wetlands has been calculated.

Mr. Grenier states that in response to review notes, he explains that they did look into an open space design and as mentioned the well radius was a factor. He adds that with setting aside 33% of the site to open space there would also be a homeowners association required.

Mr. Grenier notes the 1,000' single point of access and asks if the board agrees with the dimensions; however, he adds that based on comments received from the board the plan could be altered.

Mr. Grenier states that he understands that the board would prefer to have lots more direct and linear and he has tried to comply; however, with the road

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layout all issues will be taken into consideration when the lots are laid out. He adds that the board will need to address the lot configurations.

Relative to lots 8 & 9 meeting the contiguous upland soil requirements, Mr. Grenier states that they do meet the requirements; however, there are other issues relative to these lots.

As to the steep slopes, percentage of slopes and the special exception, he believes that these items have been addressed through the presentation.

Mr. Grenier states that relative to the traffic study, a traffic study has not been done to date. He states that the study would be the next step based on input on the proposed design.

Mr. Grenier states that a site walk could be scheduled.

Ms. Parmele requests to hear comments from the public.

Pam Sanderson, 132 Old Turnpike, states that she has been there for 29 years. She provides various winter pictures which are typical scenes of the stream. She explains that flooding occurs routinely "in the flats" (low area) and during extreme storms, which has occurred. She notes that this is a dead end road and there have been times when there has not been any access to get out other than using a backwoods, private road area. She would like to see an easement included to allow for emergency services to get in.

Mike Faeilla, 124 Old Turnpike Rd., states that he is very familiar with the land. He explains that the area between the brooks regularly rises. He states that he has accessed this property over the past 28 years and it is wet, every spring it is wet. He states that it is an exception now that it is dry. He notes the stream runs over its banks almost every spring. He states that he feels the lots on Old Turnpike Rd. are completely unsuitable as building lots.

Laurie Cascadden, 1521 First NH Turnpike, which is right across the street from the old Campbell homestead. She expresses concern with the water and drainage. She states that they have lived there since the 1930's and there has always been a problem. In addition, she states that this is a very bad area of Rte. 4. She asks what can be done relative to the safety on Rt. 4; there have been many accidents, etc. She adds that she is concerned with the number of vehicles entering/exiting the access site, as well as the safety and noise that will go along with the number of vehicles entering the site.

Jeff Tenley, 176 Old Turnpike Road, asks about the additional traffic on the road with potentially 5 new homes, which means 10 additional cars. He notes

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the culvert that comes onto his property is undersized, which could increase the water flow onto his property. He asks if there have been any borings done or has the info only come from soils map data. He adds that he also has a concern about the septic systems on the new lots due to the closeness of the water. He notes that there is an abundance of wildlife and asks if the "heritage group" has been contacted to determine if there are any species that could present a concern to development: turkeys, deer, turtles, and the possibility of cottontail rabbits.

With no additional public comments, Mr. Strobel asks for comments from the board. Ms. Edwards mentions the road length. She states that it is her understanding that the reason Northwood has 1,000' road length is because that is the longest the town wants people to go without access to another exit. She states that she would not be in favor of the design; there needs to be another exit from this site if 18 lots are proposed.

Mr. Jandebaur asks if the flooding issues could be addressed to the advantage of the current owners, additional culverts, etc. Additional discussion is held.

Mr. McCaffrey states that there is potential and perhaps will be addressed with the outcome of this meeting and a better plan.

Ms. Planchet suggests a waiver request for design features for a few of the lots. She adds that she feels a better design could be created with fewer lots. She states that there is a lot going on, on the site and there are many issues. She states that she is concerned with the flooding, the environmental constraints on the property, the road length, possible impacts to the lake, and traffic issues along Rte. 4.

Mr. Strobel states that the length of the road could impact 6 to 7 of the 18 lots, 1/3 of the proposed lots, and he feels that is high. He gives additional input regarding lot sizes, wetlands crossings, drainage, etc.

Ms. Parmele notes that there will be a lot of tree cover removed for this development to take place; that concerns her relative to drainage. She suggests that the conservation commission look at this plan.

Mr. Grenier notes that there is an existing problem with drainage. He states that perhaps the owner will try to avoid or correct some of the issues.

Jeff Tenley states that the reason that this land is being developed is to make money; that is not a concern to the residents.

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Ms. Parmele mentions the view and the gateway to Northwood. She requests that the development have some respect to that.

Rachel Eames, property owner, thanks the public and board for the comments provided; it is exactly what they are looking for. She states that her and her family is outdoor people. She states that it is their goal to do whatever fits in with the environment. She explains that they feel this is a special piece of property and they want to develop this area based on that. They want a very attractive and well-designed development.

**APPLICATION TO BUILD – CLASS VI ROAD/674:41  
*Elm Street***

A discussion is held on an application to build on a lot on Harvey Lake Estates. After review, it is determined to not need any action by the planning board.

**A motion to adjourn is made by Ms. Edwards, second by Ms. Baldwin.  
Motion passes unanimously at 10:20 p.m.**

Respectfully submitted,

Lisa Fellows-Weaver  
Board Secretary