

**Town of Northwood
Planning Board
July 17, 2014**

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

PRESENT: Chairman Robert Strobel, Vice-Chair Lee Baldwin, Lucy Edwards, Richard Bojko, Joseph McCaffrey, Alternate Victoria Parmele, Alternate Ken Rick, Board Administrator Linda Smith, and Board Secretary Lisa Fellows-Weaver.

VOTING DESIGNATION: Robert Strobel, Lee Baldwin, Lucy Edwards, Richard Bojko, Joseph McCaffrey, and Alternate Ken Rick.

ABSENT: Selectman Representative Timothy Jandebour, Rick Wolf, and Alternate Adam Sprague.

MINUTES:

June 26, 2014

Mr. McCaffrey makes a motion, second by Mr. Bojko, to approve the June 26, 2014 meeting minutes, as written. Motion passes; 5/0/1. Mr. Strobel abstains as he was not at the meeting.

FILE REVIEW:

CASE: 14-07: James & Linda Grant-Piper Cove Properties, 258 First NH Turnpike. Map 231; Lot 9. Applicants seek an amendment to an existing site plan to add an Aroma Joe's Drive-Up Window to existing business/retail complex.

Overview and History

Ms. Smith notes that this property has been in "commercial use" for more than two centuries. She notes that she has met with Mr. Wormell, surveyor. She states that it is important that the members review the checklist as she has provided comments. She states that her comments are based on review of the plan and the town's regulations.

Ms. Smith states that it is projected that the proposed expansion of the non-residential use on the site will create minimal impact, except for increased traffic generation on and off the site, and potential traffic flow/conflict points on the site. She states that one item that needs to be addressed is if the proposal is solely a drive-thru or if there would be customers parking and entering the facility. She explains that the board will need to decide if the existing on-site parking is adequate for the proposal. She adds that typically a coffee business has a very high trip generation during peak times of the day.

Ms. Smith states that this site is believed to already be over the maximum lot coverage for impervious surfaces. She states that there is a lot of parking existing on the site and appears to be functioning well.

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Ms. Weaver states that the police department indicated that they have no comments related to the proposal. She adds that the fire department has not provided any comments.

Ms. Smith proceeds to go through the checklist highlighting the major concerns of the site, what should be updated, and what should be provided by the applicant. She notes that there are some items that the board needs to review and consider relative to accepting the application.

A representative from Aroma Joes explains that there will be a walk-up counter service rather than having customers walk thru the drive-thru area. Mr. Bojko asks if there will be any tables outside or inside and Mr. Wormell replies no.

Discussion is held regarding the direction of traffic and signage. Ms. Smith states that there are on site businesses already and there will need to be changes in the traffic patterns noted on the site as well as how the traffic will be regulated for safety. Mr. Rick asks about signage for oncoming traffic along the highway and lighting the area. He suggests that a corner mirror be added at the blind corner as a safety device as it could make a difference. Mr. Strobel notes that the traffic is proposed to be one-way and the board needs to look at the proposed traffic flow and make sure it is practical.

Ms. Parmele suggests that a site walk be done by the board. Discussion ensues. A site walk will be scheduled when the application is accepted as complete.

CASE: 14-11: Richard Chandler, Gulf Rd. Map 114; Lot 8. Applicant seeks to subdivide 34.25 Acs. into two lots: one lot of 19.860 Acs. and one lot with existing buildings of 14.391 Acs.

VOTING DESIGNATION: Robert Strobel, Lee Baldwin, Lucy Edwards, Richard Bojko, Joseph McCaffrey, and Alternate Victoria Parmele.

Revised plans dated July 8 are distributed for review.

Overview and History

Ms. Smith explains that a boundary line adjustment (BLA) was previously approved on this parcel. She states that this plan is based on a conditional approval from the planning board; the plan has not yet been signed off, and recorded at the registry. She adds that any approval of the subdivision would be based on the recording of the first plan. She states that the other BLA needs to be approved and recorded, or withdrawn, before the board can act.

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Ms. Smith asks if “Lot 8-1” crosses over the Deerfield town line; if so, a subdivision requires that the Town of Deerfield would also need to approve the subdivision. She states that this issue needs to be addressed. A copy of the BLA plan is also reviewed and general discussion ensues. She adds that the surveyor will need to state that the town boundary is the legal *boundary* of record.

Ms. Smith states that it is important that the members review the checklist as she has provided comments. She states that her comments are based on review of the plan and the town’s regulations. She proceeds to go through the checklist highlighting the major concerns of the proposal. She notes that there are some items that the board needs to review and consider. She adds that there are some items that will need to be provided by the applicant.

Ms. Smith refers to a memo from the conservation commission, which is provided to members in their packets, regarding the prime wetlands. She explains that the conservation commission agreed with her thought in that an electronic delineation of the wetlands does not meet the zoning ordinance. She further notes that the soils and the earth may change what is shown, and it does not meet the zoning ordinance. She states that the board will need to decide if they are comfortable with the electronic delineation or not; this could be waived. Ms. Smith also notes that there are steep slopes and the commission also commented relative to the slopes.

In review of the plan, Mr. Strobel suggests that it would be helpful for more detail to be provided or add a shaded wetland area.

Ms. Smith provides some history of the access to the property. A discussion is held regarding the access and egress of the Gulf Road area. Ms. Smith states that there have been discussions between the two towns regarding the area, which has not brought any effort to fruition. She explains that a grant was secured, warrant articles have been done, a feasibility study was also done with no results for a second access. She refers to the 2004 Master Plan and notes that it does specifically address the concerns of safety, access, and egress of the Gulf Road area via the single road.

Ms. Smith states that this is a one lot subdivision and there are areas further beyond this lot. She states that the decisions made with this case may impact other future decisions relative to development.

Ms. Parmele refers to a memo provided by Assistant Building Inspector Dale Sylvia who comments relative to the concern of safety and access, and the building department’s viewpoint of emergency issues. She states that this is something that the planning board needs to consider. Ms. Smith explains that

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his memo is relative *to the* new lot creation beyond the narrow stretch of road and adding to the burden that is already there with the existing number of residences.

Mr. Strobel notes that subdivisions and the roads within the subdivisions are within the planning board's purview; however, the board of selectmen's purview is for the public roads.

Ms. Edwards states that when she was a selectperson there were many created lots in the area and it is frightening to add one more house, one more family; there was really nothing that could be done as the people owned the land and wanted to build on it. She states that the town has been lucky so far and it is only by luck that nothing has happened. She states that this is an issue that she takes very seriously.

Ms. Smith refers to the checklist and states that the comments noted are mostly the typical boiler plate items. However, she states that lot 8 has a 100 ft. appendage in the rear that goes to the town line. She states that this item should be noted as to why that lot is being configured in this manner. She adds that a waiver has not been provided.

After discussion, the board agrees that the review comments should be sent to the applicant and also requests the following:

- Secondary line types for town bounds or wetlands
- Detail sheet showing shaded wetlands
- Larger scale

CASE: 14-10: Lake Shore Farm, LLC., 275 Jenness Pond Rd. Map 203; Lot 2. Applicants seek a minor subdivision of 26 Acs. into two lots; one lot with existing Lake Shore Farm Inn to become 5 Acs.; remaining lot to be 21 Acs.

VOTING DESIGNATION: Robert Strobel, Lee Baldwin, Lucy Edwards, Richard Bojko, Joseph McCaffrey, and Alternate Ken Rick.

Alden Beauchemin, a land consultant from Keyland Enterprises, is present.

Overview and History

Ms. Smith explains that this parcel has a pre-existing, non-residential use; Bed & Breakfast. She states that there have been many uses on this parcel. The proposal is to subdivide and create a second lot.

Ms. Smith states that the plan has been submitted without the surveyor's stamp and without the final surveyed numbers in the plan. She states that the plan was not complete and the 15 day rule would come in to play. She notes

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that if the applicant provides a surveyed plan on or before the July 24 meeting, the board shall determine whether to:

- accept the application as complete if there is no substantive change from the original submittal-not recommended as it makes exception in receiving non-surveyed plans with subdivision applications
- continue the “consideration of completeness” until a date 15 days beyond the day surveyed plan is received and no new notice will be required
- deny the application without prejudice due to insufficient information (LLS surveyed lines) and require a new application

Ms. Smith states that the development occurs on the entire parcel and now it is being cut in half. She asks if creating a new lot line would require a new site plan or an amendment to the site plan even though there is no site plan on file. She explains that the parking easement creates off site amenities to the business. Ms. Parmele suggests a legal answer be obtained. Ms. Smith states that there is likely a legal answer and it would be based on the site plan regulations. She adds that perhaps the board could waive the entire site plan.

Mr. Bojko asks if the use of the parcel would be carried onto the new lot. Mr. Strobel states that the proposal is for an amenity on the second lot, and putting a structure within the 20 ft. setback. Discussion ensues.

Ms. Smith asks about the surface of the driveway. Mr. Beauchemin states that the lot is all gravel. She further inquires about the pavilion. Mr. Beauchemin replies that there was a structure at one point and now there is a stone fireplace. Ms. Smith states that it appears to be within 20 ft. of the lot line. She states that a variance would be needed to create a lot line for the structure.

Mr. McCaffrey asks about the existing trail. Mr. Beauchemin states that this trail will actually be used as a portion of the driveway. He adds that the intent would be that this will be a legal driveway; they will show the individual driveways for each parcel. Mr. Strobel states that this needs to be shown on the plan. Discussion ensues regarding the driveways.

Ms. Smith states that the board needs to determine if the business is a B&B for the purposes of the zoning ordinance; if not and it is deemed to be something other than a B&B then residential density will need to be met and the property would not be able to be subdivided. She states the density for residential units is not there and she expresses concern that should the subdivision be approved the planning board is accepting the existing use, which does not have any site plan on record as being a B&B with overnight accommodations. She states that the board needs to identify what this is and a note should be added

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to the plan to identify what exists so that the use could not change without meeting residential density. Ms. Smith adds that she feels that this is in line with what the applicant is applying for.

Ms. Edwards asks what would have to happen in order for a site plan to be on record for the property; is there any way to compel the applicant to have a site plan for something that has been grandfathered. Ms. Smith states that the board could require this as the site is being modified. Ms. Edwards states that having a site plan on file is good for the town as well as for the owners so that they know what is there and allowed. Ms. Smith states that the information and details are all provided. She adds that the septic system was changed and that because of the septic system improvement it can now handle the development and the development is able to function on the 5 acres except for the parking. She states that she will look into this but because of the modification of a grandfathered use and making the land smaller the board may have the right to ask for a site plan to be filed simultaneously and work with the applicant to achieve both.

Mr. Strobel asks about the process should the subdivision be approved and the board required a new application for site plan. Ms. Smith explains that because the applicant is already waiting on a surveyed plan the board may continue the application and could set up the possibility for the applicant to file a site plan application and the board could hear both applications in August.

Ms. Smith asks what the intent is regarding the two driveways. Mr. Beauchemin states that the intent is to show two separate driveways. Ms. Smith notes that a waiver will need to be provided as it appears that the driveway will be in the 20' lot line. She adds that the final surveyed plan is needed.

Ms. Smith continues to proceed to go through the checklist highlighting additional concerns with the proposal, what should be updated, and what should be provided by the applicant. She adds that there are items that the board needs to review and address relative to accepting the application.

Additional discussion is held regarding access for water for fire. Mr. Strobel notes that there is a large body of water that could be used as a water source; however, there may not be drive-up access for a pumper truck, parking the truck, access, length of hose, etc. Ms. Smith states that she recalls that access to the lake is relatively close. She adds that she will contact the fire department for comments prior to the next meeting.

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CASE: 14-08: John Ovadek, 1064 First NH Turnpike. Map 217; Lot 45.

Applicant seeks minimal impact site plan review to change existing use from office space to automotive shop.

VOTING DESIGNATION: Robert Strobel, Lee Baldwin, Lucy Edwards, Richard Bojko, Joseph McCaffrey, and Alternate Victoria Parmele.

A recess is taken at 9:03 p.m. Session resumes at 9:10 p.m.

Overview and History

Ms. Smith provides an overview of the proposal. She explains that the applicant is seeking a minimal impact site plan for a change in use from a business office space to automotive garage. She reviews the site's commercial business history as well as a residence, and other non-residential uses including First Class Moving and a machine shop (approved January 2012). The proposal is to change the existing garage, currently used as a business office, to an automotive garage. She adds that the site has also housed other businesses including a fence company and an automotive business in the larger facility. Ms. Smith states that there are no changes to the site other than the use of the building itself.

Ms. Parmele asks about the garage use and the impact relative to any materials that may come off from the cars. Ms. Smith states that in the past the board has requested that a note be added to the plan stating that all materials that are removed will be taken off site.

Lengthy discussion ensues regarding the use and disposal of hazardous waste materials. Ms. Parmele expresses concern with the disposal of materials and the impacts to septic systems of nearby residences. Ms. Smith mentions that in the past the board has required annual water tests for specific reasons to be done so that there is a way to determine if anything is getting into the water.

Further discussion is held regarding whether the application should be more than a minimal impact application.

Best Management Practices are referred to. Mr. Strobel states that these issues can be addressed at the meeting with the applicant. He adds that these concerns can be researched prior to the meeting. Ms. Parmele states that these issues are worth thinking about.

Ms. Smith continues to proceed to review items in the checklist noting concerns with the proposal. She recommends that the board members review the minimal impact criteria and be sure that the application meets those criteria in order to accept the application as complete.

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Mr. Strobel asks if the onsite well serves all uses on the site. He adds that he does not see any water lines. Ms. Smith will add this to the comments for the applicant.

Ms. Edwards asks about the signage. Ms. Smith notes that there is an existing sign and something will be added for the additional business.

Ms. Edwards notes that there is traffic flow to the existing machine shop. She requests that additional detail be added relative to other traffic flow on the site. Mr. Strobel states that he recalls that there was limited traffic previously proposed on site. He adds that with only a two bay garage, he does not anticipate there being a heavy traffic flow on site.

Further discussion is held regarding the existing note on the plan relative to hazardous waste. Ms. Parmele states that the note states that there will be no hazardous waste generated. Ms. Smith states that the note was on the prior plan. Mr. Strobel states that the note may need to be amended or removed. Ms. Edwards states that the BMP's have probably changed since this plan was approved.

CASE: 14-09: Maureen Cahill and Sandra Hassett, 10 Welsh Rd. Map 242; Lot 23. Applicants seek a minor site plan review for a pet rescue, boarding and temporary quarantine facility for dogs and cats.

VOTING DESIGNATION: Robert Strobel, Lee Baldwin, Lucy Edwards, Richard Bojko, Joseph McCaffrey, and Alternate Ken Rick.

Ms. Smith provides an overview of the proposal. She explains that property is located on a narrow town maintained road and is currently residential with existing house, barn and garage. Applicants propose to convert existing garage to pet quarantine area for up to 12 dogs at any one time. Animals will be housed indoors in kennels with person supervised 1:1 outdoor time in fenced area beside garage.

Ms. Smith proceeds to go through the checklist highlighting the major concerns of the site, what should be updated, and what should be provided by the applicant. She notes that there are some items that the board needs to review and consider relative to accepting the application as complete. Ms. Smith recommends that the board consider whether a state licensed engineer or surveyed plan should be required, or a written waiver be submitted and considered, before accepting the application as complete. She states that if the application is accepted as complete, then the board should conduct a site walk to view the site and the driveway/town road.

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Ms. Smith notes that a waiver request has been submitted for the difference in the fees between the minimal impact application and a minor site plan application. She states that the board will need to make a decision on the waiver request.

Mr. McCaffrey notes that the sight distances are not noted. He states that there is a curve and a hill in the area and he would like to see that this addressed. Mr. Strobel states that a site walk has been suggested and this information could be determined at that time. Discussion ensues regarding having a surveyed plan or a hand drawn plan. Ms. Smith states that this information would be noted by a surveyor; metes and bounds. Discussion ensues regarding surveyed plans.

Mr. Bojko adds that there are many issues that should be laid out. He notes that there are concerns relative to the apparent volume of opposition to the plan. He feels that a surveyed plan would address many issues and provide the necessary information. He states that a professional plan would put the board in a better position to make a decision. Discussion ensues regarding the costs and various types of a surveyed plans and the fact that this is a non-profit business. Mr. Strobel states that the board needs to determine if what has been provided is adequate to deem the application complete. He asks what the board will accept. Ms. Smith states that the regulations have requirements and the board needs to first determine if the regulations have been met. She adds that the trip generations may make the board want and need more specific details regardless of the status of the proposed business.

Ms. Smith continues to explain the board regulations require a surveyed plan. She states that if the board accepts less than that then it is the applicant's responsibility to justify to the board.

Ms. Parmele refers to a letter received by an abutter noting comments and concerns. She states that the abutters will have issues in terms of meeting certain standards.

Ms. Edwards states that the board considers abutters comments and concerns. She states that she would like to see a map that is done to scale. She adds that the tax maps could be used. She also explains that she lives near a kennel business and they are a very busy service. She comments relative to the noise level of dogs barking that she can hear.

Ms. Smith states that there are only two other previously approved site plans for dog boarding in Northwood and both were full surveyed site plans. Ms. Edwards comments that this is a different case and is not boarding animals every day.

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CASE: 14-05: 598 First NH Turnpike, 598 First NH Turnpike. Map 222/Lot 23. Applicant seeks minor subdivision to subdivide one new lot of 2.85 Acres from existing 5.4 acre lot.

Ms. Smith states that the zoning board will be hearing the issue relative to continuous uplands for 598 First NH Turnpike property. Revised plans are submitted.

OTHER:

Schedule Master Plan Work Session

The board agrees to hold a work session on August 7, at 6:30 p.m. to continue work on the Master Plan.

Staff Items

Notice of Voluntary Change in Use: 234 First NH Turnpike

Ms. Smith states that a request has come in for a change of use from mixed use or non-residential to residential use only for Ms. Paskowski and Mr. Prentiss, 234 First NH Turnpike, Map 231; Lot 13, which is the former Country Tavern Antiques and a realtor office. She states that the form basically is requesting that the commercial use be removed from the site and make the property solely residential. The form, once signed, will then be forwarded to the assessing department who will change the status of the property. With no further discussion, Mr. Strobel signs the form.

Planning Services

Ms. Smith states that she met with the selectmen regarding planning services. She explains that the selectmen voted to approve signing a contract with Strafford Regional Planning Services to have a planner work with the land use department through December 31, 2014, so that someone can get on board immediately to assist with case reviews. She explains that she is not sure as to how soon this will occur. She adds that additional discussion was held regarding doing an RFP for an independent planning consultant and/or put an ad out for a part-time planner as an employee. Ms. Smith notes that the planning board does have the option, under state law, to hire a planning consultant on their own.

REVIEW OF CORRESPONDENCE:

Case 13-09: Kirsten MacArthur (Safe Journey), 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.

Approved with conditions on 10/24/13. Letter sent 1/16/14; No response.

Ms. Smith states that she met with the Dale Sylvia, assistant building inspector, and the property owners. Mr. Sylvia has given the property owners a

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deadline of August 1 to complete all issues and requirements that are necessary in order to open the business.

ADJOURNMENT

Mr. McCaffrey makes a motion, second by Ms. Edwards, to adjourn at 10:30 p.m. Motion passes unanimously; 6/0.

Respectfully submitted,

Lisa Fellows-Weaver
Board Secretary