

**Town of Northwood
Planning Board Work Session
July 13, 2017**

MINUTES

Chair Robert Strobel called the meeting to order at 6:30 p.m.

PRESENT: Chair Robert Strobel, Joe McCaffrey and Vice-Chair Lee Baldwin, Betty Smith, and Justin Mikolyski.

TOWN STAFF PRESENT: Land Use Secretary Susan Austin, and Town Planner James Burdin

VOTING DESIGNATION: Chair Robert Strobel, Justin Mikolyski, Betty Smith Joe McCaffrey and Vice-Chair Lee Baldwin.

Minutes

June 22, 2017

Ms. B. Smith made a motion to accept the minutes of June 22, 2017. Mr. McCaffrey seconded for discussion.

Mr. McCaffrey addressed the last portion of the minutes regarding his remarks. Ms. L. Smith stated that she understood that the discussion was about the consistency of the Planning Board's decisions. An approved lot is not, in this case, applicable to discussion. It's the jurisdiction of the Road Agent. It might be helpful to know whether Mr. McCaffrey was noting all of these things as a member of the Planning Board or as a private citizen? Mr. McCaffrey stated that he was as a citizen and a board member. As a Planning board member, he expressed the fact that they need consistency. He stated that it's overlooked on this board and others. He stated that he used this as an example because he happens to live on this road and it came up very obvious. One other resident also had concerns, so Mr. McCaffrey said he would look into it. He stated that he looked at the platting and noted that there were no driveways indicated on the plans. Yet, there was strange referencing to driveways on the notice of decision. One of the things that comes out of this, is the oddity of this, as you look further, this previous board was discussing in the previous application before this case. They talked about driveways and sight distances, and the one immediately following this, they did likewise. Curiously enough on this example, the discussion is muddy at best. Ms. L. Smith stated that the driveway was clearly marked on a page on the subdivision and a permit has been issued for the driveway. It's all a moot issue. This is not the place to discuss this. If Mr. McCaffrey has an issue with the driveway permit, then he needs to speak to the road agent. Chair Strobel stated that this is a Code Enforcement issue, not a Planning Board issue, case closed.

Chair Strobel made a motion that they table these minutes for the next meeting for more information. Mr. McCaffrey seconded. Vote 5/0

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Staff Items

VOLUNTARY MERGER:

1334 First New Hampshire Turnpike LLC; 1334 First NH Turnpike; Map 110, Lots 28 & 29.1.

Ms. L. Smith stated that the 1334 NH Turnpike, LLC (Johnson Brewery) voluntary merger needed to be signed. The merger of the lots that is part of the approved Zoning Board variances and the Planning Board's site plan approval. The development goes over two lots, so the need to merge them.

RSA 674:41 Review and Comment

John Kane: 18 Shore Drive, Map 122 Lot 45.

Chair Strobel stated that the Board's comments are as follows;

There is no known maintenance agreement on the road on the location and access roads to it. Tree growth has encroached on Shore Drive. There is no winter maintenance agreement in place for year-round access. The road width is narrow for both passing vehicles and emergency vehicles. At this time, there is no recommendation from the Planning Board.

Mr. McCaffrey made a motion to add the Planning Board's comments to the 674:41 application. Ms. Baldwin seconded. Motion carried 5/0.

Chair Strobel stated that they would like to write a memo to the Police Department and the Fire Department asking for information about the size of emergency vehicles and turning radius that might have to access these small lots. Ms. L. Smith also suggested they write to the Board of Selectmen with comments about the issues with small lots.

Chair Strobel stated that they would add the John Kane voluntary merger to the next meeting because the applicant won't merge if the Board of Selectmen won't sign the permit.

CASE: 17-07: Thomas and Cindy DeMerritt. 41 Upper Deerfield Road, Map 230/16 and Map 235/1. Applicant seeks a lot line adjustment where 4.37 acres is added to Map 230/16 from Map 235/1.

Mr. Burdin stated that the current lot configuration was created as the result of a Boundary Line Adjustment completed in 2010 and recorded in RCRD Plan # D-36991 dated November 15, 2010. This Adjustment is not reflected on the Town's most recent tax maps, which were prepared in 2010. The Adjustment transferred approximately 14.8 acres from Map 235, Lot 2 to Map 235, Lot 1 to

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reach its current configuration. The plat submitted appears to be compliant with the Town of Northwood Subdivision Regulations Section 4.09(A), which does not require lots of more than 5 acres to be depicted in their entirety so long as the plat depicts at least five acres of the parcel, including the area from the boundary line adjustment to the nearest road frontage.

Betty Smith left at 8:05

VOTING DESIGNATION: Chair Robert Strobel, Justin Mikolyski, Joe McCaffrey and Vice-Chair Lee Baldwin.

CASE 17-08: William Fahey. 11 Strafford Road, Map 231/43. Applicant seeks to restore a previously approved subdivision of 6.015 acres into three lots.

Mr. Burdin stated that the current lot configuration was created when three previously-subdivided parcels were voluntarily merged. While the applicant has stated that the proposed subdivision merely restores the previously approved subdivision, it is important for the Board to consider the merits of the proposed subdivision as it relates to the subdivision ordinance currently in effect.

Items to be Addressed:

Several of the materials submitted appear to have been retained from the prior subdivision in 2006 and resubmitted. a. The Certified Wetland Scientist stamp on the “Minor Subdivision Plat” is dated 5/19/2006, which also indicates that determinations of wetlands and other evaluations were completed in 2005. The plan itself is dated May 2006 and “revised” July 2017. Staff recommends further clarification from the applicant regarding the scope of any revisions to the submitted plat and steps taken to ensure that all information is still relevant and accurate.

b. All three submitted driveway permits are dated April 20, 2006. According to the terms outlined in those permits, “failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules”, and the applicant indicated on the submitted application checklist that such an extension is needed. Staff recommends that the applicant be required to provide documentation of such a renewal or extension as a condition of approval.

c. The “Approval for Subdivision” from the NH Department of Environmental Services is dated March 16, 2006. According to the NH Code of Administrative Rules Env-Wq 1004.05, “for a subdivision, a new application shall be

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submitted if any lot line changes, unless exempted by RSA 485-A:33, I-III.” Town Staff and the Planning Board do not have the authority to determine whether the voluntary merger and re-subdivision of these parcels constitute a lot line change requiring a new application to NH DES. Staff recommends that the applicant be required to provide either a new “Approval for Subdivision” or written confirmation from NH DES that the existing approval is still in effect as a condition of approval.

Section 3.01(E) of the Town of Northwood Subdivision Regulations state that “no portion of a lot created under these regulations shall be less than 100 feet in width.” The Board should determine whether the rear portion of lot 43, which comes to a point at an acute angle, would require a waiver to this section. If so, the applicant will need to submit a request for such a waiver in writing.

CASE 17-09: J&M Plunkett Real Estate/Cooper Hill Property Rentals, LLC. 261 First NH Turnpike. Map 231/78 & 79 Applicant seeks re-configuration of parking, driveways and stormwater management for existing multi-family property and restaurant.

Mr. Burdin stated that this was to be an expansion of the existing restaurant to include additional kitchen and/or dining area and to improve parking and circulation areas for the expanded restaurant and adjacent residential property. The proposed expansion includes improvements to the existing septic system, parking area, and landscaping, including delineated parking spaces and circulation areas and improvements to clarify driveway access points.

Mr. Burdin stated that they have requested six waivers.

1. Section IX(H)(3)(c) to allow parking and paving within 20 feet of property lines.
2. Section IX(H)(3)(j) to waive the requirement for wheel stops in parking areas which lack curbing and abut vegetated areas.
3. Section IX(H)(7) to allow parking circulation aisles of various widths as depicted on the “Proposed Site Plan” instead of the minimum 26 feet required by code.
4. Section IX(C)(3)(D)(2)(b)(2) to allow a stormwater design that decreases the volume and flow rates of a two-year storm but does not decrease them to the volumes of the one-year storm as required by code.
5. Section IX(F)(2)(c) to waive the requirement of a hydrogeological study for a proposed septic system servicing greater than 2,500 gallons per day.
6. Section IX(Q) to waive the requirements to install sidewalks on the site.

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Mr. Burdin stated that the applicant has indicated that they have submitted to NHDOT for driveway revision approval. Staff recommends that the applicant be required to submit the revised driveway permit as a condition of approval. The applicant indicated in their impact statement that a traffic study was prepared in relation to this application, but staff has not had the opportunity to review it at this time. Parking configuration appears to have been rearranged to accommodate Board concerns during the design review phase about parking backing into Brady Lane. The Board should consider whether the current configuration is sufficient to provide “safe and independent access” as required by Section IX(H)(3)(a). The Board should consider whether the proposed landscaping plan is sufficient to meet the buffering and street tree requirements of Section IX(K)(1)(4)(a) or whether additional waivers may be necessary to accommodate the current design. The location of the parking circulation aisle along the shared property line currently prevents any such buffer from being provided on the Cooper Hill property along roughly 150 feet of shared border. The “Grading Plan” and “Drainage Plan” provided identify the existing lot coverage by impervious surfaces, but do not appear to show calculations for proposed lot coverage.

Master Plan/CIP Update

Chair Strobel stated that the next Master Plan meeting was on the 18th. He stated that the CIP committee has not met again.

Mr. McCaffrey made a motion to adjourn at 8:55 PM. Ms. Baldwin seconded. Motion carried 4/0.

Respectfully Submitted,

Susan Austin, Land Use Secretary.