

**Town of Northwood
Planning Board
September 15, 2014**

Chairman Robert Strobel calls the work session to order at 6:30 p.m.

PRESENT: Chairman Robert Strobel, Vice-Chair Lee Baldwin, Selectman Representative Timothy Jandebour, Richard Bojko, Lucy Edwards, Alternate Victoria Parmele, Planner Mathew Sullivan, Board Administrator Linda Smith, and Board Secretary Lisa Fellows-Weaver.

VOTING DESIGNATION: Robert Strobel, Lee Baldwin, Timothy Jandebour, Rich Bojko, Lucy Edwards, and Alternate Victoria Parmele

ABSENT: Joseph McCaffrey, Rick Wolf, Alternate Ken Rick, and Alternate Adam Sprague.

MINUTES:

August 5, 2014

Mr. Jandebour makes a motion, second by Ms. Parmele, to approve the August 5, 2014 meeting minutes, as amended.

The minutes are postponed to the next meeting for further review. The motion and second are withdrawn.

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.

Alden Beauchemin of Keyland Enterprises is present along with the property owner Dick Daniels.

The application was continued from August 28, 2014 as the plans did not meet the 15 day time requirement.

Mr. Beauchemin states that the driveway has been amended and he has fixed note 10 to state the use of the site is a bed and breakfast. He adds that he has changed note 15 relative to the driveway for lot 2-1, the small encroachment area will now be loamed and seeded. Mr. Beauchemin states that there is also a note added regarding the proposed sign easement. He states that the site distances have been added to the plan as well as the shoreland setback of 250'. He states that he believes that all items have been addressed.

Mr. Jandebour asks about receiving final well documentations. Mr. Beauchemin explains that they are not able to do a final easement until the transfer of ownership. Ms. Smith explains that an easement cannot be granted

**Town of Northwood
Planning Board
September 15, 2014**

to oneself. She states that what is in the regulations is proposed language and once final then the language is conveyed into the deed.

Ms. Edwards makes a motion, second by Ms. Baldwin, to approve the subdivision application, with the following conditions:

- **Certification of Monumentation to be signed and provided; and**
- **Mylar to be recorded at the Rockingham County Registry of Deeds within 18 months after approval.**
- **All necessary local, state, and federal permits to be obtained**

Motion passes unanimously; 6/0.

NEW CASE:

CASE: 14-15: David Pelletier Construction Co., 104 Winding Hill Rd. Map 228; Lot 15. Applicant seeks to subdivide existing lot of 7.86 acres to create three new lots; two lots will become 2.07 acres and lot 3 will become 3.71 acres. Property owned by Clifford & Barbara Graves.

Mr. Sullivan provides an overview of the project and goes through the checklist highlighting items of concern, what should be updated, and what should be provided by the applicant, as follows:

- 2.04(5)(b): Copies of applications for State permits including but not limited to subdivision, wetlands, septic, driveway, site specific, and underground storage tank. *DES Subdivision Application - pending.*
- 3.01(C): Lots shall contain contiguous areas of developable land such that the driveway, building water supply and sewage disposal, and other improvements can be constructed without filling of wetlands or other such adverse impacts which could be eliminated by different subdivision design. *Needs to be indicated on plat.*
- 3.03(A)(4): Unless required otherwise, driveways shall be located no closer than 20 ft. to side lot lines. *Driveway cuts must be clearly identified.*
- 3.03.(C)(1): Driveway entrances onto town roads with speed limits of 30 mph or less shall have an all season safe sight distance of 250 ft. in each direction. *Sight Distance needs to be 250 ft. Is marked as 200 ft on plan.*
- 3.03.(C)(3): The applicant shall show a proposed location for a driveway for each lot and provide the sight distance in each direction for each lot. *Driveway cuts must be clearly identified.*

**Town of Northwood
Planning Board
September 15, 2014**

- 3.06: Proper and complete survey monumentation shall be installed on the properties involved prior to final approval of the application.
Condition of approval - certificate of monumentation must be provided to Town
- 3.11(B): At a minimum, there shall be a source of water for firefighting within 1 mile, along a Class V or better road, of each lot or building site proposed. *UNKNOWN*
- 4.06(D)(1): Indication of existing or proposed easements, covenants and deed restrictions. *N.H.E. Co-Op Powerline easement present? Not listed on abutters.*
- 4.06(D)(4): Length of road frontage for each lot. *Road frontage must be clearly indicated.*
- 4.10(A)(1): Distances, deflection angles, radii, arc lengths, control angles, monument locations, and other necessary survey data. *Monumentation not shown. Distances not shown.*
- 4.10(A)(4): Location and nature of easements, deed restrictions and covenants. *N.H.E Co-Op Powerlines easement not shown.*
- 4.10(D): Setback lines. *Septic System setback? Should be 75 feet.*
- 4.10(F)(1): Boundary survey of the existing and proposed boundaries, showing all information provided for 4.10(A) plus distances, deflection angles, radii, arc lengths, control angles, monument locations, and other necessary survey data for proposed property boundaries. *Monumentation not shown. Distances not shown.*
- 4.10(F)(5): Plans for transportation, providing all information required to assess compliance with section 3.03 Driveway and Access Points.
Driveway locations should be shown on proposed conditions.
- 4.10(F)(7): Plans for water supply, sewage disposal, utilities, and firefighting water supply, providing all information required to assess compliance with relevant sections is provided. *See 3.11B.*
- 4.10(F)(10): Each lot shall be numbered according to the town's tax map numbering system. *New lot numbers should be included.*

**Town of Northwood
Planning Board
September 15, 2014**

- 4.10(F)(12): Proposed easements, (driveways, utilities, etc.) should be shown in their entirety on the plan. *See 4.06(D)(1).*

Mr. Sullivan states that all other items were included or not applicable to the plan.

The board requests that staff send the review comments to the applicant.

CASE: 14-12: Sharon Barrett & Paula LaBelle, 504 First NH Turnpike. Map 221; Lot 35. Applicants seek an amendment to site plan to add a second driveway; existing art studio/gallery and retail business.

A new plan is provided and reviewed. General discussion is held regarding the plan provided. Ms. Barrett states that it is close to scale; it is fairly a square parcel. A discussion is held regarding the distance of the driveway. Ms. Smith states that no measurement has been provided where a car would be pulling through. Ms. Barrett replies that it is at least 15'. Discussion ensues and Mr. Strobel expresses concern with the need for scaled drawings. Mr. Jandebour states that the board requires scaled drawings and it is in the regulations. Ms. Parmele states that it is very important that things be to scale. She suggests this be a condition of approval. Ms. Barrett states that originally it was to scale and was a very small plan. Discussion ensues. Ms. Smith states that nothing has been provided to scale, only an estimate. She adds that only a plan that is stamped by a licensed land surveyor is to scale. Members agree that a detail of the driveway and the parking spaces would be sufficient as it would make it clearer.

Ms. Smith provides pictures of the area from 2008, which shows only one driveway. A picture of 2011 and 2014 are also provided noting a second driveway. Ms. Barrett states that there was a definite gravel bed leading down to the barn.

Ms. Smith refers to a letter from NHDOT, which was submitted by the applicants. She explains that the letter indicated that there were two existing driveways. There was nothing changing at that time except for the volume for retail sales and the change from an antique store to the woodworking studio/gallery. Ms. Smith states that the letter did recommend that the two existing accesses be signed as "in" and "out" for one way traffic through the property. Ms. Barrett replies that she has tried something similar and feels that it is safer for the two driveways. She states that there may be some confusion and feels that two driveways are safer and it is much needed. She is leery for the in/out because of the location. Discussion ensues. Mr. Bojko agrees that there may be confusion to drivers and he notes that there are other busy areas

**Town of Northwood
Planning Board
September 15, 2014**

nearby. Mr. Strobel suggests signage be added onto the stonewall for one way exit only. Ms. Barrett agrees with the stonewall idea and will comply.

Mr. Strobel reads the statement for approving waivers:

- VII: Plan to be drawn to scale. *To be provided.*
- VIIB(1)(a): Existing Conditions Plan
- VIIB(1)(b): Engineered Plan
- VIIB(5)(a): Surveyed property lines
- VIIB(5)(p): Landscaping plan
- VIIB(5)(u): Auto/Pedestrian circulation plan-Has been provided and will be carried forward to scaled plan
- IXB(2)(a)(i): N/A – For new development only
- IXB(2)(a)(ii): for expansion of modification of existing sites, require access to the site be modified to reduce disruption to traffic flow
- IXH(2): N/A

Ms. Smith states that it is her understanding that Mr. Driver did not see a driveway permit application. Ms. Barrett explains that a permit was submitted and they were told by Mr. Driver who did view the area, that it was not necessary. Ms. Smith states that this was based on the fact that he was told that the driveway existed. Mr. Jandebaur states that at that point when he was there the driveway did exist. Ms. Barrett states that originally they were trying to use the driveway and were told by the planning board that they needed a permit. They submitted the permit application and Mr. Driver came out and the letter is what they were provided with. Ms. Smith states that as far as NHDOT is concerned, there is no driveway permit on file. She states that letter was generated as a result of requesting volume changes.

Ms. Smith states that the board needs to determine if there was an existing driveway and then the matter can be addressed, and if a permit is necessary or not. She adds that the board could require sight distances be shown if there is concern with access and egress to the site. Mr. Jandebaur states that he is concerned with the fact that there is an approved plan on file with one driveway. He states that the second driveway exists and was put in without the town's permission and that is the reason for this amended plan. He states that the board approved the one driveway and the board needs to be consistent.

Mr. Bojko states that perhaps the original plan had one driveway because they did not know that they had a second driveway due to overgrowth of the area. He feels that perhaps they uncovered the additional driveway.

**Town of Northwood
Planning Board
September 15, 2014**

Ms. Parmele states that with the passing of years, the additional driveway could be deemed to be or not be more dangerous. She feels that in this case the two driveways appear to be safer. She adds that the board does set precedent.

Mr. Jandebaur states that he was on the board when this application originally came in. He states that there was only one driveway at the time of submission. He states that he does not believe that there is a permit from NHDOT for the additional driveway and he would like to have that permit submitted for these two driveways. Ms. Barrett states that the gravel was there and the flower bed was added after Mr. Driver visited the site.

Mr. Bojko asks what the date is of the NHDOT letter. Ms. Barrett states that the date is August 23, 2012. Ms. Smith adds that the application was dated one year after the board's approval. Mr. Jandebaur states that the driveway was in by that time. Ms. Barrett adds that the parking lot was not in at that time as the driveway came with the parking lot.

Discussion ensues relative to the following waiver requests:

VIIB(1)(a): Existing Conditions Plan to be prepared by a licensed land surveyor.

VIIB(1)(b): Site plan prepared by a professional engineer.

VIIB(5)(a): Surveyed property lines of parcel showing bearings distances & monument locations.

Mr. Jandebaur makes a motion, second by Ms. Baldwin, to grant the following waivers, based on the fact that all four criteria have been met:

- ***VIIB(1)(a): Existing Conditions Plan to be prepared by a licensed land surveyor.***
- ***VIIB(1)(b): Site plan prepared by a professional engineer.***
- ***VIIB(5)(a): Surveyed property lines of parcel showing bearings distances & monument locations.***

Motion passes unanimously; 6/0.

Mr. Strobel notes that other waiver requests have been submitted. He states that the waiver for VII(B)(5)(p) is not necessary as the information is provided on the plan. He adds that IX(H)(2) also is not necessary as the information is provided on the plan, dated September 5, 2014.

IX(K)(2)(2)(c):

Mr. Jandebaur makes a motion, second by Mr. Bojko, to grant the waiver for IX(K)(2)(2)(c) for the planting of street trees along the frontage of Rte. 4, based on the fact that all four criteria have been met. Motion passes unanimously; 6/0.

**Town of Northwood
Planning Board
September 15, 2014**

IX(B)(2)(a)(i):

Mr. Bojko makes a motion to grant the waiver for IX(B)(2)(a)(i). Mr. Jandebeur states that this is not applicable as this waiver is for new development and is not applicable. **The motion is withdrawn.**

IX(C)(3)(e):

A discussion is held regarding sight distance. Ms. Smith states that a state driveway permit is required. She refers back to IX(B)(2)(a)(ii) and explains that they are modify the existing site. The board can request that site distance be required.

Mr. Jandebeur states that this information should be added to the plan or the applicant should request a waiver. Mr. Strobel refers to IX(C)(3)(d) regarding sight discussion. Ms. Smith explains that this reference is for town roads. She refers to IX(B)(2)(ii), which allows the board to impose conditions on an approval as necessary to accomplish safety. Ms. Smith states that a state driveway permit is necessary. She adds that the issue is whether or not the driveway area was a woods road and is now an access for the business. She states that if the board is comfortable in not asking for a driveway permit, then a wavier is not required. She explains that if modifying the site, it allows the board to require conditions of approval.

Ms. Parmele asks if NHDOT could relook at the area and determine the safest area for the site. Mr. Strobel states that either the board or the town needs to insist on a secondary permit or a letter from NHDOT.

Ms. Baldwin asks about curb cuts for driveways for existing sight conditions. She states that in some areas of town an apron is added and there are some already along Rte. 4. Mr. Strobel states that an apron is done by the plan or paving contractor to insure access when the road is paved. If there is no active driveway there will not be one added. Mr. Strobel states that this area is just natural curb.

Ms. Smith suggests asking NHDOT to look at the pictures and then make a determination. She believes that NHDOT would provide the board feedback as to whether this location is a valid curb cut and if it could be expanded into a driveway. She states that it is the role of the planning board to determine safety, which is why there are site plans and the major issue is the access and egress to any road relative to safety. She states that a letter could be sent to NHDOT from the planning board asking NHDOT for feedback or information of the process and if a driveway permit is required. Mr. Strobel suggests including the 9/5/14 plan and the Google photos.
The case is continued to September 25, 2014.

**Town of Northwood
Planning Board
September 15, 2014**

OTHER:

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.

Mr. Sullivan states that new plans have been provided noting an adjusted driveway location, farther from Single Ave. He adds that clarification is still necessary regarding the driveway definition. Ms. Smith states that she has spoken to the town's engineer regarding this application and he has requested that everything be sent at once. She adds that the applicant is requesting the engineer's feedback before they file for a revised NHDOT application. She adds that there has been some additional input from abutters received relative to this case and members can review the file prior to next week's meeting.

Ms. Parmele states that she was a witness to an accident in the area that recently occurred. She asks what her role is and if she should recuse herself from the case. It is determined that she is a voting member for this case. This item will be discussed at the next meeting.

Zoning Changes

Ms. Smith states that an email was sent out to other committees and boards regarding proposing revisions to the zoning ordinances. She states that she will provide these at a future meeting. Mr. Strobel indicates that he too has some suggestions for changes.

SIGNATURE & PENDING FILES:

CASE: 14-13: Gloria Yeaton & Diane Bishop, 18 & 33 Yeaton Dr. and 12 Dimes Rd. Map 206/2; 205/3; 212/12. *(Approved 8/28/14)*. Plans are signed.

Case: 14-04: Richard M. Chandler; 19 & 25 Gulf Rd; Map 114/ Lots 7 & 8. Applicant seeks Boundary Line Adjustment to adjust property line and annex 1.673 acres from Map 114/Lot 8 to Map 114/Lot 7. *(Approved with Conditions 5/22/14)*.

Ms. Smith states that the certification of monumentation has been received for the Chandler BLA. The planner will further review the plan for accuracy.

ADJOURNMENT

Mr. Jandebour makes a motion, second by Ms. Parmele, to adjourn at 8:37 pm.

Respectfully submitted,
Lisa Fellows-Weaver Board Secretary

Official as of November 13, 2014