

# Planning Board Minutes 11/17/11

Contributed by Lisa Fellows-Weaver  
Tuesday, 03 January 2012

Planning Board

Minutes

November 17, 2011

Official as of December 8, 2011

Chairman Robert Strobel calls the meeting to order at 7:03 p.m.

PRESENT: Chairman Robert Strobel, Vice Chairman Tim Jandebour, Rick Wolf, Herb Johnson, Joe McCaffrey, Alternate Adam Sprague, Town Planner Elaine Planchet, and Board Administrator Linda Smith. Selectmen's Representative Scott Bryer arrives at 7:10 p.m. Alternate Victoria Parmele arrives at 8:15 p.m.

ABSENT: Babette Morrill and Alternate and Pat Bell.

VOTING DESIGNATION: Bob Strobel, Tim Jandebour, Rick Wolf, Herb Johnson, Joe McCaffrey, and Alternate Adam Sprague. Scott Bryer at 7:10 p.m.

## MINUTES

October 13, 2011

Mr. Jandebour makes a motion, second by Mr. Johnson, to approve the minutes of October 13, 2011, as amended, as follows:

Page 4: Change: &hellip;panning&hellip; to &hellip;planning&hellip;

Motion passes; 5/0/1. Mr. Wolf abstains, as he was not at the meeting.

October 27, 2011

Mr. Johnson makes a motion, second by Mr. Jandebour, to approve the minutes of October 27, 2011, as amended, as follows:

Page 2: Add: &hellip;be&hellip;

Page 3: Add: &hellip;of the former florist shop&hellip;

Page 5: Change: &hellip;is&hellip; to &hellip;as&hellip;; Add: &hellip;maintenance of the&hellip;

Page 6: Change: &hellip;this&hellip; to &hellip;the sidewalks.

Mr. Bryer arrives at 7:10 p.m.

Motion passes; 5/0/2. Mr. Sprague and Mr. Strobel abstain, as they were not at the meeting.

## NEW CASE

Case 11-12: Benz-Harrison, LLC, 1471-1481 First NH Turnpike. Map 108; Lot 1. Applicant seeks site plan review for change of use to add sale and repair of buses and RV's and to add residential use.

Ms. Planchet states that the board has just now received the revised plans and that she received them via e-mail that afternoon. She explains that the board approved all 8 waiver requests at the October 27 meeting. She adds that a copy of the NHDOT driveway permit is in the file. She states that the public portion of the meeting was closed at the last meeting.

Mr. Strobel reads the November 17 e-mail from Mr. Bernier which describes changes to the plan: the apartment area has changed to a storage area; note 1 has been amended to reflect illumination of the residential unit; note 12 has been added regarding the sight distance; and note 7 has been revised to reflect the driveway permit from NHDOT.

Mr. Strobel asks about items from staff review notes including snow storage, retail parking and leach field location.

Mr. Strobel asks about the hashed area in front of the retail area. Mr. Bernier replies that this is a pedestrian access way. He explains that both buildings have existing handicap ramps. He states that it is not clearly defined now due to the current landscaping but that will be improved. Mr. Bernier states that the walkways will not be raised.

Mr. Wolf asks about the width of the driveway. Mr. Bernier explains that the width is 40' wide, as required by

NHDOT for the original driveway permits. He explains that there is an existing easement for the abutting property owner of 20 ft. and they have made the driveways 24 ft.

Mr. McCaffrey asks about the display areas and lighting. Mr. Bernier replies that this area is for RV's and busses and will not be lit. Discussion ensues regarding the large display areas near the modular unit and along the Route 4 shoulder area. Mr. Harrison states that the display area may depend on the retail uses. Mr. Strobel refers to the display area in front of the former florist building on the eastern side of the site and asks about the lines which appear to represent stalls for large vehicles. Mr. Franssen states that the lines may not be necessary and his intention is to not exceed three large vehicles to be parked in that location. Mr. Bernier states that they would agree to remove the lines from the display area so that 1,935 square feet of open area will remain there.

Additional discussion is held regarding the types of retail businesses that may operate in the retail space and what future uses would or would not require an amendment to the site plan. Ms. Planchet suggests that an approach would be to change the wording for the "first floor retail/second floor storage" be removed and changed to retail/storage. Ms. Smith cautions that if the wording were to allow retail on the second floor, other code requirements may be necessary.

Mr. Strobel asks Mr. Bernier about the "dry goods retail" definition that the applicant proposes. A brief discussion is held regarding the subsurface definition and requirements relative to dry goods. Ms. Planchet explains that the Northwood Development Ordinance does not include a definition for "dry goods retail" and that, if approved, this would have to be made clear. Ms. Planchet reads the town's definition of retail; discussion ensues.

Ms. Smith refers to the two display spaces in front of the proposed modular/office building and states that there could be a variety of uses with an open ended large display area and the effects with another owner may be something the board may not wish to see. Further discussion ensues regarding possible scenarios of the display area. The board agrees that the display should be consistent with on site businesses and not to exceed 3 large buses and/or RV's.

Mr. McCaffrey expresses concern with safety relative to lighting issues. Ms. Smith states that there is a zoning ordinance regarding lighting that the applicant would need to follow.

Ms. Planchet asks about the availability of sanitary facilities for the garage use. Mr. Bernier states they are located within the garage for the business use.

Ms. Planchet mentions the question of best management practices for hazardous materials that was discussed previously. Mr. Bernier indicates that they will be minimal as most repairs are cosmetic changes. He agrees to add a note to the plan that best management practices will be followed.

Ms. Planchet asks about the right of way along Rt. 4. Mr. Bernier explains that the bold line on the plan is the property line and that is the right of way. Ms. Planchet points out that the dumpster location behind the garage does not have a proposed barrier and asks if the board is ok with that.

Ms. Planchet states that there may be additional requirements from the fire department and building/code enforcement.

Ms. Smith asks if there were wheel stops proposed for parking spaces. Mr. Strobel states that this would be for the 4 spaces east to the lot and the seven spaces next to the retail. He adds that there will need to be some signage as well for the handicap spaces. Mr. Bernier states that they will add a sign.

Mr. Strobel asks about a loading area. Mr. Bernier states that there is a lot of area through the back of the retail shop.

Mr. Strobel asks about hours of operation as they are not noted on the plan. Mr. Bernier states they are to be 7 a.m. to 9 p.m. 7 days per week. He states he will add the hours of operation to the plan.

Mr. Strobel asks about the easement to the abutter. Mr. Bernier notes that the easement area on the subdivision plan is only shown graphically and is 20' wide. He states that the deed references a reserved easement to the abutting lot for ingress and egress and that no location is specified; therefore, he just showed the existing driveway and labeled the access easement on the lot with the Rockingham County Registry of Deeds Book and Page noted.

Mr. Johnson makes a motion, second by Mr. Bryer, to approve the site plan with conditions. A discussion is held regarding possible conditions for the application. Mr. Strobel offers an amendment, seconded by Mr. Bryer, relative to best management practices. The motions and seconds for both the main motion and the amendment were then withdrawn. Further discussion ensues regarding possible conditions.

Mr. Johnson makes a motion, second by Mr. Bryer, to approve the site plan with the following conditions:

1. The use of the former florist building be modified to allow retail/storage on the first floor, and storage only on the second floor; and,
2. The site plan be amended so that the parallel lines are removed from the display area on the eastern side of the

- property on Route 4 so that one contiguous display area of 1,935 sq ft remains; and,
3. Note for Hours of Operation for all uses on the property from 7:00 a.m. to 9:00 p.m. seven days a week be added to the plan; and,
  4. Note be added to the plan to indicate that Best Management Practices for small quantity generator of hazardous waste and/or applicable rules as amended by NH Department of Environmental Services will be followed; and,
  5. Display areas on site are limited to merchandise typically associated with the businesses located on the site and will not exceed more than three vehicles greater than 26 ft in length; and,
  6. Reference to a second residence will be removed from parking requirement notes on the site plan; and,
  7. All applicable federal, state and local permits are to be obtained.

Motion passes; 7/0.

Mr. Strobel calls for a recess. At 8:15 p.m. Session resumes at 8:25 p.m.

Mr. Sprague left the meeting at 8:15 p.m.; Victoria Parmele arrives at 8:15 p.m.

VOTING DESIGNATION: Bob Strobel, Tim Jandebour, Rick Wolf, Herb Johnson, Joe McCaffrey, Scott Bryer, and Alternate Victoria Parmele.

#### Strafford Regional Planning Commission Dues

Scott Martin, Northwood's SRPC Representative, is present. A lengthy discussion is held regarding the services provided from SRPC and the value to the town for the dues. The board reviews a staff document which summarized SRPC resources as described in an August letter from Executive Director Cynthia Copeland.

Board members expressed their opinions relative to the values of SRPC. Mr. Jandebour states that there is much value available that is not being fully utilized. Mr. McCaffrey comments that there is much that is not necessary, redundant, not useful, and cannot be justified. Further discussion is held regarding regional housing needs assessment and traffic data, which SRPC provides.

Ms. Planchet explains items that SRPC could address for the town and the resources available to the town. Ms. Parmele states that there is a great connection with SRPC and the state and she feels that the board does not utilize the SRPC services enough.

Mr. Bryer requests that the board have a straw poll regarding supporting the dues for SRPC.

Ms. Smith states that the board has already voted on the 2012 budget and the budget includes the dues for SRPC. Mr. Bryer adds that the selectmen have also supported the dues for SRPC. Ms. Smith states that the reason that the item is being discussed this evening is due to questions raised at a recent budget committee meeting. She states that the planning board should be informed as they may have the opportunity to answer questions. She states that the board can gather information tonight and the planner has provided information to the planning board on SRPC activities.

Mr. Wolf states that he feels that this is a small amount of money and there are more opportunities available to the town that should be utilized. Mr. Johnson states that he supports the funding of the SRPC and believes it is important for the town to keep their service.

Mr. Strobel states that it is the board responsibility to utilize their services and know what services are available.

#### Proposed Ordinance Changes/Town Counsel Suggestions

Ms. Planchet states that the board had previously been provided with town counsel's suggestions which were noted in May 2009. She states she provided the board with a discussion sheet which includes those suggestions with reference to current page numbers and references. Discussions are held on the items on that sheet.

##### 1) Definition of Telecommunications Antenna

A discussion is held regarding if the intent was to include personal devices. Mr. Johnson replies that he did not believe that was the case. Mr. Strobel states that since this includes devices already he suggests leaving as is although the antennas are not addressed on the towers. Ms. Planchet states that this is already included in the definition of the mount. Mr. Strobel suggests amending the height restriction.

Mr. Strobel states that this item could be changed on page 30. Discussion ensues as to other regulations. Ms. Planchet states that the issue town counsel had was with the definition. The consensus of the board is for Ms. Planchet to research this item and, if possible, draft a proposed amendment for the board to consider at the December 8 work session.

##### 2) Non-Conforming Lots and Accessory Structures

Discussion ensues. The board agrees to pass on proposing an amendment for this year's ballot.

3) Development on Single Lot, re: "Residential Only"; may want to add in addition to Elderly Housing exceptions: multi-family and two family.

Discussion ensues regarding the May, 2009 town council comment and also the question of one residential unit or more allowed on a mixed use development site that was raised at the last meeting. Ms. Smith provides recent comments received from town counsel on question on mixed use developments.

Mr. Johnson makes a motion to approve the change as recommend by town counsel for principal residential structures. Mr. Bryer seconds the motion. Motion passes unanimously; 7/0.

4) Question of whether two special exceptions are required for the same thing.

Discussion ensues. Ms. Smith states that should the board not want to address this issue at this time, this could be handled administratively now with a dual special exception process with the zoning board. The consensus of the board is to pass on this issue at this time.

5) Home Business: add language to clarify: "in addition to performance criteria";...

Discussion ensues. Ms. Planchet explains that the requirement currently exists for home businesses to meet performance criteria in Section V of the ordinance, and that the recommendation is to add this phrase in this section for clarity.

Mr. Bryer makes a motion to approve developing language to clarify that Home Businesses also must meet performance criteria. Mr. Jandebeur seconds the motion. Motion passes unanimously; 7/0.

6) Unlisted Uses & default Language

A discussion is held regarding town counsel comment. Ms. Smith suggests that the last section (V)(C) be removed. Ms. Planchet states that there is really no default. The board agrees to pass on this item. Ms. Smith notes that this issue would also need to be addressed by the zoning board.

7) re: Sign Regulations, Section VIII and failure to conform

A discussion is held regarding whether or not failure to conform could render the permit void. The consensus of the board is for Ms. Planchet to research the item further with a possible suggestion for the December 8 work session.

8) re: Directional Signs and site plan review

A discussion is held on the comment. Ms. Planchet states that town counsel pointed out that the planning board cannot grant a variance; this must be done by the zoning board. She suggests that the wording be amended to remove the planning board. The consensus of the board is for Ms. Planchet to research this item with possible suggestion for the next work session.

Planner's Items

Mr. Strobel stated that board members should RSVP for the meetings in an effort to try to save copying costs and staff time. Ms. Planchet states that there will be a few copies of the applications and materials provided at the meetings now rather than per member. It is agreed that the information could be scanned and emailed. Members state that they would still prefer to have hard copies at the meetings.

Adjournment

Motion to adjourn passes unanimously at 9:45 p.m.

Respectfully submitted,  
Lisa Fellows-Weaver  
Board Secretary