

Jim Hadley
Mailing Address: PO Box 104, West Nottingham, NH 03291

September 8, 2019

Northwood Planning Board
Chairman Robert Strobel
848 First NH Turnpike
Northwood, NH 03261

Re: Public Comments for the Sullivan Major Site Plan Review, Tax Map 221, Lot 61, #19-12

Dear Chairman Strobel and Members of the Board:

I am submitting this letter as a former Northwood selectman; former selectmen's rep to the planning board; former planning board member; former chairman of the Northwood community economic development committee; and as a 30-year Northwood resident.

Although I have not physically attended any of the meetings pertaining to the above-referenced site plan review, I have watched the proceedings on cable television. I have also reviewed the letters submitted and located on the town's website. In particular the letters submitted by Planning Consultant Carol Ogilvie, and Attorney Amy Manzelli, from the BCM Environmental & Land Law group who is representing Marcia and Brian Severance. Based on Northwood's Site Plan Review Regulations and Zoning Ordinances the above-mentioned professionals have already identified the serious deficiencies contained in this Plan. **For those reasons alone this Plan should be denied. Also, the applicant has failed to receive a signage variance which is needed from the Board of Adjustment before proposing a permitted use.**

The Northwood Planning Board adopted Site Plan Review Regulations pursuant to RSA 674:44 which provides for the safe development of the site and guard against such conditions as would involve danger or injury to health or safety by reason of **"undesirable and preventable elements of pollution such as noise or any other discharge (e.g. lighting) which might prove harmful to persons, or adjacent properties."**

This type of business (Aroma Joe's) is already located in a commercial space in Lee coupled with a proposed location in Epsom at the traffic circle where the former Care Pharmacy was located. Both of these commercial locations are where there are no adverse impacts to traffic or residential homes. **To place an Aroma Joe's in a residential neighborhood in Northwood would be contrary to the intent of both our Site Plan Review Regulations and Development Ordinances. Please consider the community's best interest and deny this application.**

If you have any questions, or need clarifications, please contact me by email at jhadley@metrocast.net.

Sincerely,



Jim Hadley
MPA, MBA, MS in Community Economic Development

Cc: Linda Smith, Board Administrator
James Burdin, Town Planner
Marcia and Brian Severance

Residence: 125 Old Mountain Road, Northwood, NH



Linda Smith <lsmith@town.northwood.nh.us>

Fwd: Aroma Joe's

1 message

Heather Thibodeau <hthibodeau@town.northwood.nh.us>
To: Linda Smith <lsmith@northwoodnh.org>

Fri, Sep 6, 2019 at 10:30 AM

----- Forwarded message -----

From: **Heather Thibodeau** <hthibodeau@town.northwood.nh.us>
Date: Fri, Sep 6, 2019 at 10:30 AM
Subject: Re: Aroma Joe's
To: tim doyle <concordcustom@gmail.com>

Thank you for your correspondence I will forward it to the planning board.

Heather

On Fri, Sep 6, 2019 at 8:45 AM tim doyle <concordcustom@gmail.com> wrote:

Good Morning,
I live in Pembroke, NH and travel RT 4 frequently.

I am all for business, however I think the proposed location would obviously only lead to more traffic snarls, particularly in the morning. It is unavoidable.

Of course, the real solution is for the state to do what they discussed probably 20 years ago, and should have done at that time, which is to extend Rt 393 all the way to Portsmouth!

As NH continues to grow, it has to happen sooner or later!

--

Thank You,
Tim Doyle
Pembroke, NH

--

Heather

Heather Thibodeau, M.Ed.
Town Administrator
Town of Northwood
818 First NH Turnpike
Northwood, NH 03261

Please remember not to use "Reply all" when replying to e-mails sent from this office. Doing so runs the risk of holding a meeting via e-mail which violates the Open Meeting provisions of RSA 91-A.

Emails sent to and from this Town address are subject to NH RSA 91-A and may be subject to disclosure to third parties.

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Heather

Heather Thibodeau, M.Ed.
Town Administrator
Town of Northwood
818 First NH Turnpike
Northwood, NH 03261

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September 5, 2019

VIA EMAIL
Town of Northwood Planning Board
818 First NH Tpke.
Northwood, NH 03261
planner@northwoodnh.org
lsmith@northwoodnh.org

Re: Sullivan Major Site Plan Review, Tax Map 221 Lot 61, #19-12

Dear Chair Strobel and Members of the Planning Board:

I write on behalf of Marcia and Brian Severance, as individuals and as Trustees of the Severance Family Trust. As you know, the Severances have respectfully requested that the Town of Northwood Planning Board (the “Board”) deny Case # 19-12, application for Major Site Plan approval submitted by Michael Sullivan (“Applicant”) for Tax Map 221 Lot 61 (known as 8 Bow Lake Road) (“Application”). In addition to the information contained in my letters dated June 27, 2019, July 24, 2019, and August 6, 2019, I write now to address further issues. I respectfully request that the Board also incorporate this letter into its record of this matter.

Waivers

On August 5, 2019, Town Planner James Burdin submitted “Review comments” to the Planning Board regarding this case. This updated set of comments addresses only the procedures and staff recommendations on the waivers requested by Applicant. It quotes the standard for granting a waiver from the Town of Northwood Site Plan Review Regulations, X.A.(3).

The planning board shall not approve waivers unless it shall make findings based upon the evidence presented to it in each specific case that:

- (a) The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other adjacent property;
- (b) The conditions upon which the request for a waiver is based are unique to the property, for which the waiver is sought and are not applicable generally to other property;
- (c) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished

from a mere inconvenience, if the strict letter of these regulations is carried out; and

(d) The waiver will not, in any manner, vary the provisions of the town ordinance or Master Plan.

The August 5 Review Comments continue to state the staff comments on the waivers that have been requested by the Applicant.

First, Applicant has requested a waiver from Section IX-Q: Sidewalks. Planner Burdin comments that the Applicant appears to comply with much of Section IX-Q. Therefore, the Applicant should narrow the waiver request to those provisions for which it is actually seeking a waiver, or the Board should apply conditions of approval to waive only the provisions that Applicant does not meet already.

Second, Applicant has requested a waiver from Section IX-D.2.c.1: Groundwater Recharge. Planner Burdin comments that the Applicant has not indicated what level of discharge they do plan to meet. Further, any submitted plans should be peer reviewed for advisability of granting the waiver.

Third, Applicant has requested a waiver from Section IX-D.2.b.6: Pre- and Post-Development Flow. Again, Applicant has requested a waiver without indicating what level they intend to meet. Again, Planner Burdin recommends that the Applicant be required to indicate the level they plan to meet, and that any plans be submitted for peer review.

For all three of these waiver requests, Applicant has failed, over the course of several months, to provide adequate information for the Board to make any meaningful decision on the requests. The Applicant has, generally, requested waivers without any indication of the standards that it proposes to meet instead of the requirements of the section. The Applicant has failed to provide sufficient information to the Board for it to submit to peer review. The Applicant has failed to comply with the recommendations of Planner Burdin over several months. It is not the Board's job to guide the Applicant toward approval of these waiver requests or of the application as a whole. The Applicant appears unwilling or unable to provide additional information in a timely manner. As such, the waivers should all be denied. Because the Applicant has submitted no materials, to the Severances' knowledge, that otherwise show compliance with the sections for which waivers are requested, the Board should also deny the Application in its entirety as un-approvable.

Conclusion

For all of the above reasons, the Severances respectfully request that the Planning Board cease further consideration of major site plan review and deny the Application.

Sincerely,



Amy Manzelli

cc: Clients