

**Town of Northwood
Planning Board Meeting
October 26, 2023**

Cases heard at this meeting:

CASE: 23-14: LSF, Inc., 268 Jenness Pond Road. Map 203; Lot 19.

CASE: 23-15: Diane E. Bishop, 33 Yeaton Drive. Map 205; Lots 2 & 3.

CASE: 23-17: Jeffrey Cole Builders, LLC, 721 First NH Turnpike. Map 222; Lot 41.

CASE: 23-20: Northop, LLC., First NH Tpke. Map 222/Lot 54.

CASE: 23-21: Harding Metals, Inc. 42 Harding Drive. Map 234; Lot 46.

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

Present: Chair Jandebaur, Vice-Chair Judi Anthony, Members Betty Smith, Karen Robinson, David Copeland, Don Manter, Alternate Joseph McCaffrey, and Alternate Will Dinsmore.

Voting Designation: Chair Jandebaur, Vice-Chair Judi Anthony, Members Betty Smith, Karen Robinson, David Copeland, and Don Manter.

Town Staff Present: Strafford Regional Planning Commission Director Jen Czysz, Town Planner Mark Davie, Land Use Specialist Linda Smith, and Land Use Administrative Assistant Lisa Fellows-Weaver.

Chair Jandebaur introduced and welcomed new alternate member Will Dinsmore, former Town Building Inspector and Code Enforcement Officer.

Minutes

October 12, 2023

On a motion made by Ms. B. Smith, and seconded by Ms. Anthony, the Board voted unanimously to approve the minutes of October 12, 2023.

NEW BUSINESS

Chair Jandebaur suggested moving Case 23-20 to be first due to the simplicity of the project. Members agreed.

CASE: 23-20: Northop, LLC., First NH Tpke. Map 222/Lot 54. Compliance of Conditions Hearing for conditionally approved decision Case 21-16 to grant an extension of time for the condition requiring that construction of the buildings be completed by April 28, 2024. Original Site Plan Application - construct two buildings containing unspecified office space. Original date April 28, 2022.

Jack O'Neil represented the application.

Mr. O'Neil explained that he has taken over the approved project for Joe Carter. The original site plan was approved in April 2022. No work has occurred on the property due to Covid-19, which caused delays in construction. He requested the Board grant an extension for a completion date to be October 28, 2025 instead of April 28, 2024.

Chair Jandebaur opened the public comment portion of the hearing. No abutters were present. With no further comments, Chair Jandebaur closed the public comment portion for this case.

On a motion made by Ms. B. Smith, seconded by Ms. Robinson, the Board voted unanimously to grant the request for an extension for the condition requiring construction of the buildings be extended to be completed by October 28, 2025.

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CONTINUED CASES:

CASE: 23-14: LSF, Inc., 268 Jenness Pond Road, Map 203; Lot 19.

Applicant seeks a Major Subdivision of 115 acres to create three new lots: 5.77 acres, 3.48 acres, 3.49 acres, and the parent lot will become 103.26 acres with only 103.97' of frontage. The three new lots will all have 150' of frontage. (*Application accepted as complete June 22; Continued from August 24 & September 28.*)

Updated Planner's comments were distributed.

Scott Frankiewicz, of NH Land Consultants, represented the application.

Mr. Frankiewicz provided an overview. He explained that this project has been before different boards and commissions since June including site walks. At their October 16 meeting, the Zoning Board of Adjustment (ZBA) granted a Variance for frontage as well as a Special Exception for the impacts to the wetlands buffer.

Mr. Frankiewicz stated that there has been much discussion relative to the width of the road. He stated that the Applicant has agreed to increase the width to 20 feet; 16 feet wide with two, two foot shoulders on each side. He explained that there is a small section of the road that is proposed to be only 12 feet wide to avoid impacts to the wetlands; this section is 95 feet long and is a straight section with plenty of sight distance.

Mr. Frankiewicz explained that the driveway permit for the upper driveway is in place. He stated that although the driveway for the lower lot has been in existence for 60 years, there is no driveway permit. He has contacted the public works director and is working to obtain the permit. He stated that this is a change of use from recreation use to a residential use, which requires a new permit.

Mr. Frankiewicz stated that a maintenance agreement has been provided along with the applicable fees; it is currently under review.

Mr. Frankiewicz stated that updated comments were received from the Planner with a result of an increase in the waivers; six waivers are now being requested. Waiver requests were submitted today. A discussion was held regarding the 10 day submission policy.

Acreage was clarified to be 103.19 with 103.97 ft. of frontage. Lot 19-2 is proposed to be 3.49 acres with 150 ft. of frontage, lot 19-1 is proposed to be 5.77 acres with 150 ft. of frontage.

Chair Jandebour reopened the public comment portion for this case.

Chair Jandebour noted receipt of a memo from the Conservation Commission indicating their support for the proposal to impact the wetland buffers. In addition, the ZBA granted the Special Exception for wetland buffer impacts within the proposed 12 foot area. He stated that there are two issues, safety, and the wetlands. He expressed concern with the wet areas and the safety of emergency vehicles and the passing of each, specifically during the winter months. He stated that he would prefer to see the entire driveway be 16 feet with the 2 foot shoulders on each side.

Ms. L. Smith stated that copies of the waivers will need to be provided to the Board.

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Mr. Frankiewicz stated that the ZBA approval was not for a 12-foot driveway. He explained that the 12 foot area is only 95 feet and is only to prevent direct impacts of the wetlands. He referred to the cross section on sheet 9 of the plan and explained that the rest of the road will be upgraded to the town's standards and gravel filled, as needed.

Mr. Davie noted the waivers provided were for site plan application criteria, not the criteria for subdivisions. He reviewed the shared driveway criteria per the subdivision regulations, Section 3.03b.

Mr. Dinsmore asked if the Planning Board has a regulation that will regulate the location of a driveway. Ms. L. Smith replied, if it deems that it will not be safe for emergency vehicles, based on specific conditions. 16 feet is the Town's standard number for a shared driveway but there is nothing specific that says that a road must be 16 feet. In addition, there is a difference between an applicant suing the Town (for inability to get to the site) and a firetruck getting mired in wetlands. She added that the Conservation Commission never wants to see any wetland buffer compromised. The NCC did not take any particular issue with this matter as it has been in existence for so long.

Mr. Frankiewicz requested the Board discuss the status of the road as that will determine the need for any plan changes and a wetland permit application.

Chair Jandebaur noted that the fire apparatus continues to increase in size and weight.

Mr. Davie requested a detail driveway plan.

Mr. Manter stated that he has some concern about the 12 foot area proposal. He stated that there is a chance that the Town could be down a fire truck should there be an incident. Safety is a real concern, especially in the winter months with icy conditions.

Mr. Frankiewicz stated that there have been trucks traveling on this driveway all along. He noted that this is also not a road.

Chair Jandebaur stated that it is a driveway, but it is a shared driveway, which is different. Mr. Frankiewicz stated that the property owner must sign an agreement and release for the Town, which is recorded at the Registry of Deeds. Ms. L. Smith stated that this is a process completed so the Town is released from liability if they cannot get to the site.

Discussion ensued relative to the issue of the driveway and width. Mr. Dinsmore stated that the Board must rule on regulations and asked if the Board could discuss this. Mr. Davie stated that the regulation is 3.03(B0(1), driveways to follow the shared lot line.

Mr. Frankiewicz asked if the Board would make a determination on the width of the driveway.

Ms. Czys explained that the Board's responsibility is to look at the regulations and how an application performs against the regulations. There is some interpretation of the intent, take an aggregate of all the regulations. In this case, focus on if the driveway can safely function in the areas where it is most narrowly constructed and

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pinched between a wetland and a property line onto abutters land; whether vehicles and safety vehicles are able to safely travers the points. The Applicant has offered 12 foot areas and 2 foot shoulders on each side. Do the shoulders encroach upon the wetlands. That is what the Board should think about; safety and welfare, which is why there are planning and zoning boards. She stated that the Board should look at the regulation beyond specific and literal words; however, the Board cannot mandate a driveway of a certain width but can talk with an Applicant and discuss what can be done safely.

Mr. Copeland stated that it appears to him that with the current ordinances this driveway is acceptable in the way it is presented.

Ms. L. Smith stated that safety and accessibility is a part of the Board's purview; ordinances and regulations are not always clear and there is some flexibility for the board to view the access.

Ms. B. Smith stated that she attended the site walk and this specific area was very wet. She stated that she does not feel that the area is safe, one car could get through but not safety vehicles.

Mr. Frankiewicz referred to the proposed plan and stated that the waiver is relative to placing the driveway along the lot line.

Chair Jandebaur stated that the Applicant proposed 16 feet with 2 foot shoulders which is a good option. He added that in his opinion, the 12 foot shared driveway is not a good plan. Mr. Frankiewicz stated that the waiver is not for driveway construction.

Chair Jandebaur read a letter from abutter Hal Kreider.

Mr. Copeland asked how far a shared driveway would need to follow down a lot line. Mr. Davie replied that it is not regulated. Ms. L. Smith stated that the area is 800-900 feet deep, which is also part of the concern.

Ms. Anthony asked if the driveway was paved, would that make a difference. Mr. Davie stated that he too would like to know that.

Ms. Czysz stated that the discussion relative to the width of the driveway is a separate discussion than that of the waiver request. She stated that the Applicant needs to know if they need to widen the driveway as they may need to go back to the ZBA and the NCC, as well as submit a wetlands permit application. She stated that the Board also needs to know if the driveway proposed is adequate; it seems that the Board needs more information.

The Board requested additional comments from the Fire Chief relating to the driveway as noted on the revised plans.

Mr. Copeland asked if there would be any problems if this were a driveway to a single residence. Mr. Frankiewicz stated that they would still need to apply for a driveway permit because the use is changing from recreational to residential and for the Special Exception. He noted that there may not be the discussion for the durability though if it were a driveway for a single residence. Ms. L. Smith stated that the Special Exception is for the buffer impact as that is a zoning ordinance.

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Mr. Davie referenced 3.12 regarding Park Space Requirements. He stated that the Applicant is not proposing 25 units. Ms. Czyns stated that this waiver is for lots with the *potential* for 25 units. This would trigger 3.12(2), indicating that the subdivision *shall* include a park. A waiver from this park space on a lot with the potential for 25 or more units has not been requested, however, this may be of interest to the Applicant who has expressed interest in preserving the land on lot 19-3.

Mr. Frankiewicz stated that *potential* should be removed.

Mr. Davie stated that the easement is pending legal review.

Mr. Frankiewicz indicated that State subdivision approval has been granted.

Mr. Frankiewicz submitted a request to continue the case to November 30.

On a motion made by Ms. B. Smith, and seconded by Ms. Anthony, the Board voted unanimously to continue Case 23-14, to November 30, 2023, per the request of the Applicant.

CASE: 23-15: Diane E. Bishop, 33 Yeaton Drive, Map 205; Lots 2 & 3. Applicant seeks a Lot Line Adjustment to transfer 3.24 acres from Lot 2 to Lot 3. After the transfer, Lot 2 will go from 16.33 acres to 13.09 acres, and Lot 3 will go from 13.00 acres to 16.24 acres. (*Application accepted as complete July 27; Continued from August 24 & September 28.*)

Ray Bisson from Stonewall Surveying was present along with the Applicant, Diane Bishop.

Mr. Bisson provided an overview of the project. He stated that Town Counsel has reviewed and approved the language for the easements and the maintenance agreement. He noted that waivers for 3.01(F): Nonrectangular shaped lot and 3.05: for the sidewalk were granted at the August 24 meeting. A waiver is still outstanding for the shared driveway. He stated Town Counsel has reviewed and accepted the shared driveway maintenance agreement.

Chair Jandebaur confirmed receipt of approval of the easement language for "Access & Recreation" easement and the agriculture easement, as well as the shared driveway maintenance agreement. Ms. L. Smith replied yes.

Chair Jandebaur opened the public comment portion. No abutters were present. Chair Jandebaur closed the public comment portion for this case.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously to grant the request for a waiver to Section 3.03(B)(1), for more than two lots utilizing a shared driveway.

Ms. L. Smith asked about the conditions of the driveway, if it needs additional gravel, possible shoulder work, and if it does meet 16 feet.

Chair Jandebaur stated that the members at the site walk felt that the driveway was in good condition; it was measured, and it is 16 feet.

On a motion made by Ms. B. Smith, and seconded by Mr. Manter, the Board voted unanimously, to grant the Boundary Line Adjustment such that Lot 2 becomes 13.09 acres and Lot 3 becomes 16.24 acres for the purpose of making Lot 2 a buildable lot, with the following conditions:

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The Planning Board conducted findings of fact as follows:

1. The Planning Board accepted testimony at its July 27, August 24, and October 26, 2023 meetings, with a site walk held August 1, 2023.
2. Applicant has sought approval for all required federal, state, and local permits.
3. This boundary line adjustment maintains the required frontage for Lot 2 while allowing for a new structure in the desired space.
4. Yeaton Drive is a shared driveway and not a private road, as determined in prior site plan approvals and as recognized in the Department of Transportation Driveway Permit received August 24, 2023.
5. This application requires a waiver from Section 3.03(B)(1) for more than two residences to share a driveway. The board voted to grant this waiver following review of the respective easements by Town Counsel at the October 26 meeting.
6. A second easement is also to be recorded to maintain the frontage of Lot 2 while preserving the existing agricultural use of the space.

The Planning Board has rendered a decision as outlined below:

Approved the following waivers:

1. Subdivision regulation Section 3.01(F): Nonconforming shape of lots.
2. Subdivision regulation Section 3.03(B)(1): More than two lots utilizing a shared driveway.
3. Subdivision regulation Section 3.05: No pedestrian or bicycle amenities.
Waivers 1 and 3 granted August 24, 2023. Waiver 2 granted October 26, 2023.

Approved the application subject to the following conditions of approval:

Prior to the signing of plans:

1. Provide certification of monument installation as required by Section 3.06 of the Subdivision Regulations.
2. Applicant will acquire and provide copies of all necessary federal, state, and local permits or written confirmation that no such permit is necessary. This includes but is not limited to: NHDOT driveway permit.
3. Deliver three signed and stamped copies to the Town for signature.

Prior to issuance of a building permit:

4. The Chair will sign the plans indicating final approval by the Board.
5. Plat to be recorded with the Rockingham County Register of Deeds within 1 year of this decision.

Conditions Subsequent:

6. All materials and methods of construction shall conform to the Town of Northwood Subdivision Regulations.
7. If during construction, it becomes apparent that deficiencies exist in the approved design drawings, the owner shall be required to correct deficiencies to meet the requirements of the regulations at no expense to the Town.

CASE: 23-17: Jeffrey Cole Builders, LLC, 721 First NH Turnpike. Map 222; Lot

41. Applicant seeks a Minor Subdivision of 4.96 acres to create one new lot of 2.49 acres. (*Application accepted as complete September 28; Continued from September 28.*)

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Scott Frankiewicz, of NH Land Consultants, was present along with the Applicant Jeffrey Cole.

Mr. Frankiewicz provided an overview. He explained that the project has been before different boards and commissions including site walks. The Zoning Board granted approval for a Special Exception. He noted that there are still three permits outstanding with the State: NHDOT permit, State Subdivision permit, and the wetlands permit.

Mr. Frankiewicz stated that the lot is adjacent to Town Works Way. The lot is 4.96 acres with an existing cabin, an existing driveway, and a small culvert. They plan to use the current driveway location. Luke Hurley of BSC Group is doing the wetland permitting. The proposal is to subdivide the lot into two lots, approximately 2.5 acres each with a common driveway.

Mr. Frankiewicz stated that they are requesting three waivers, one waiver is requested for the shared driveway, Section 3.03(B)(1) shared driveway. Also requested is a waiver for Section 3.03(A)(3) for driveways; driveways shall be 100 feet from street intersections; this driveway is only 85 feet. The third waiver is requested for sidewalks, Section 3.05.

Updated Planner's comments were distributed.

Waivers

Section 3.03(A)(3): Driveways shall not be 100 feet from intersections.

Mr. Manter commented that given the wetlands along the road there is not a lot of options available. Also noted was the proximity of the guardrail.

Mr. Dinsmore asked about the history of 100 foot requirement. Mr. Davie noted that NHDOT requires 200 feet.

Chair Jandebour stated that it is probably a safety factor, and this area is very busy. He commented that the guardrail is necessary due to safety. He noted that he does not have any issues with this waiver.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously to grant the request for a waiver to Section 3.03(A)(3), for an a driveway within 100 feet from an intersection.

Section 3.03(B)(1): Driveway to follow a lot line.

Mr. Manter asked if there is a reason why the lot line is not able to go alongside the driveway. Mr. Frankiewicz explained that the reason is due to the frontage. Mr. Davie noted the rectangular shape as well.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously to grant the request for a waiver to Section 3.03(B)(1), for the driveway to follow the lot line.

Section 3.05: Sidewalks.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously to grant the request for a waiver to Section 3.05, Sidewalks.

Mr. Frankiewicz stated that fees have been submitted for legal reviews.

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Legal comment was read by Ms. L. Smith, indicating that there may be concerns over the way the agreement is written for the shared driveway; however, it is not any concern of the Town. She stated that the Applicant may want to change the verbiage, but it is more for advice.

Mr. Davie suggested the Board consider conditioning the maintenance agreement to require Best Management Practices and salt minimization efforts to ensure compliance with the setbacks.

Mr. Frankiewicz stated the maintenance agreement did address erosion control; it was also a part of the comments from the ZBA and Conservation Commission meetings.

Mr. Davie noted that the guardrail and fence are not noted on the plan set.

Mr. Davie asked for confirmation of the distances between the respective curb cuts of the proposed driveway and Town Works Way and centerline to centerline is 108 ft. Mr. Frankiewicz stated that the information has been added to the plan.

Ms. L. Smith asked about the submission of a bond or escrow for the oversight during construction. She stated that an escrow is needed for the inspection and a bond for the cost of the driveway, at the applicant's expense.

No abutters were present.

On a motion made by Ms. B. Smith, and seconded by Ms. Robinson, the Board voted unanimously, to grant the Minor Subdivision of 4.96 acres to create one new lot of 2.49 acres, with the following conditions:

The Planning Board conducted findings of fact as follows:

1. The Planning Board accepted testimony at its September 28 and October 26, 2023 meetings.
2. The proposed parcels' access requires impact to an area of wetland, requiring relief from Article VI, Section A(5) of the Zoning Ordinance. On recommendation from the Conservation Commission, the Zoning Board of Adjustment granted a special exception on September 21, 2023, with the condition that no salt is to be used in the seasonal maintenance of the proposed shared driveway.
3. The Select Board is unable to authorize shared use of the town's private way, Town Works Way. A guard rail, to be depicted on the final plan set, prevents an access point any farther west than the existing one. The Planning Board determined that upgrading the existing access point on US Route 4 is the best course of action.
4. For these reasons, a waiver was needed from Subdivision Regulation 3.03(B)(1), for the shared driveway to not follow a lot line. The Board granted this waiver.
5. A paved driveway is of lesser impact over time because there is a controlled amount of dust and disturbance from vehicles rather than that of a gravel or unpaved driveway.
6. Proper upgrade of the driveway and siltation will be completed prior to construction.

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7. Although enforcement of a maintenance agreement may be challenging, recording of the recommendations of the Conservation Commission, Zoning Board of Adjustment, and Planning Board demonstrates an effort to mitigate effects on the part of the Town, should a major impact to the site become apparent. The Board voted for review of the maintenance agreement by Town Counsel at its September 28 meeting.
8. The New Hampshire DOT recommendation for a rural shared driveway distance from a nearby intersection is 200 feet; the town's standard in Subdivision Regulation 3.03(A)(3) is 100 feet. The curb-cut to curb-cut distance has been determined to be 85 feet, and the centerline-to-centerline distance has been determined to be 108 feet. Due to the limitations described above, the Board granted a waiver from the subdivision regulation, subject to DOT approval.

The Planning Board has rendered a decision as outlined below:

Approved the following waivers:

1. **Subdivision regulation Section 3.03(A)(3):** Driveway to be located less than 100 feet from a nearby intersection.
2. **Subdivision regulation Section 3.03(B)(1):** Shared driveway to not follow lot line.
3. **Subdivision regulation Section 3.05:** No pedestrian or bicycle amenities.

All waivers granted October 26, 2023.

Approved the subdivision with the following conditions:

Prior to signing of plans:

1. Provide certification of monument installation as required by Section 3.06 of the Subdivision Regulations.
2. As per Conservation Commission recommendations and Zoning Board of Adjustment conditions, add a note to final plans indicating that no salt will be used on the shared driveway in routine winter maintenance.
3. Identify all approved waivers and their date of approval by the Planning Board AND identify all approved Zoning Board of Adjustment relief and respective date of approval.
4. Applicant will acquire and provide copies of all necessary federal, state, and local permits or written confirmation that no such permit is necessary. This includes but is not limited to: NHDES subdivision approval, NHDOT driveway permit, NHDES wetland permit.
5. Deliver three signed and stamped copies to the Town for signature.
6. Applicant shall be subject to performance guaranties as agreed to between the applicant and Town Engineer as follows:
 - a. A schedule of official inspections with respect to consistency of construction with proposed conditions for pavement construction and installation of drainage improvements, with the cost of inspection to be paid by the applicant via escrow.

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- b. A performance bond amount to cover the cost of completing required stormwater improvements.
- c. A reclamation bond sufficient to restore the site to a safe and stable condition if the proposed improvements are not completed.

Prior to issuance of a building permit:

- 7. The Chair will sign the plans indicating final approval by the Board.
- 8. Plat and easement to be recorded with the Rockingham County Register of Deeds within 1 year of this decision.
- 9. During construction, a driveway apron must be established and maintained until paving is completed. Any material being carried out of the driveway and site shall be cleaned or swept each day.
- 10. Construction of the driveway shall adhere to Best Management Practices as recommended in Chapter 7-3 of the New Hampshire Stormwater Manual Vol. 1.
- 11. Related culvert inspections shall be completed to the satisfaction of the Town Engineer.

Conditions subsequent:

- 12. All materials and methods of construction shall conform to the Town of Northwood Subdivision Regulations.
- 13. If during construction, it becomes apparent that deficiencies exist in the approved design drawings, the owner shall be required to correct deficiencies to meet the requirements of the regulations at no expense to the Town.
- 14. Applicant shall submit a set of as-built plans showing the actual location and details of all improvements within six months of completion of construction.

Chair Jandebaur called for a recess at 8:07 p.m. Session resumed at 8:17 p.m.

NEW CASE:

CASE: 23-21: Harding Metals, Inc. 42 Harding Drive. Map 234; Lot 46. Applicant seeks an amendment to the previously conditionally approved Major Site Plan application from March 2022, with amendments approved in January 2023, to construct a 21,600 sq. ft. parking area, relocation of weigh station building, revisions to drainage, and construction details.

Scott Frankiewicz, from NH Land Consultants, represented the application, along with Manager Rheal St. Germain.

Mr. Frankiewicz stated that he presented a Preliminary Conceptual Consultation to the Board last month and this application and plan were prepared based on that discussion along with a change in the construction details for the guardrail materials to be changed from wood to steel. He noted it is a NHDOT approved guardrail near the drainage area. He reviewed the proposed changes from the site plan approved in January 2023, as follows:

- The construction of a 21,600 sq. ft. parking area on west side,

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- The relocation of the weigh station building,
- Revisions to the drainage, submitted an amended AOT permit and is the only permit required, and
- Guardrail construction details.

Updated Planner's comments were distributed.

Mr. Frankiewicz noted that four waivers were approved during the original site plan approval process. He stated that he did not feel that it was necessary to resubmit the waiver requests. Mr. Davie stated that they were included in the report only as a recap.

Mr. St. Germain stated that the purpose for the additional parking is for a consolidated long term parking area for employees for their personal vehicles. The area will not be used for tractor trailers.

Mr. Frankiewicz reviewed the landscaping plan and noted that some trees will be removed; however, no other changes are proposed. There are no proposed changes to the wetland impacts; they are reconfiguring pipes and will not get better treatment.

With regard to re-review by the Town's engineer, Mr. Frankiewicz stated that they do not feel that a review from CMA is warranted due to the fact that they are having to submit an amended AOT permit. He requested that this not be sent out again for review. He noted that CMA is currently inspecting the site as work is ongoing.

Chair Jandebaur asked how the prior approvals are adhered to with an amended plan. He requested that a revised approved plan should also include all prior conditions and approvals. Mr. Frankiewicz stated they would include a sheet noting all the approvals.

On a motion made by Ms. B. Smith, and seconded by Mr. Copeland, the Board voted unanimously to determine the application complete and open the public hearing.

On a motion made by Ms. B. Smith, and seconded by Mr. Copeland, the Board voted unanimously to determine there is no Development of Regional Impact for this project.

Mr. Frankiewicz provided an overview of the traffic pattern.

Mr. Dinsmore asked about the drainage and impacts. Mr. Frankiewicz explained that there are no changes proposed to the pond and added that the pond is oversized and will handle all the runoff. He stated he would provide a final plan showing the expanded area.

Mr. Davie inquired as to the low permeability coverage of 50% for non-residential use. Mr. Frankiewicz stated that coverage is about 5%. Additional discussion was held regarding the acreage. Mr. Frankiewicz stated that the low permeability only applies to lot 76 and this will be noted on the plan.

A discussion was held regarding sending the plan out for another full engineer review. Chair Jandebaur stated that this is a new proposal, and this is a large lot; this Board really needs to make sure that the site can handle the water and that it is all being directed appropriately. He stated that he would prefer to have the Town's engineer review the drainage.

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Mr. Frankiewicz stated that a PE will be signing off on the plan and the amended AOT permit is also being reviewed by the State.

Ms. L. Smith noted that the Town Planner and SRPC Director have also recommended review by the engineer.

On a motion made by Ms. B. Smith, and seconded by Mr. Manter, the Board voted to recommend the Town's engineer review the revised plan set with a focus towards review of the changes as a result of modified impervious coverage from the parking lot and revised stormwater system. Motion passed; 4/2. Mr. Copeland and Ms. Anthony were opposed.

Mr. Frankiewicz stated that the guardrail is an item that needs to be addressed as it needs to be installed; this is only a change of materials. Mr. St. Germain stated that they need to pave within the next few weeks.

Ms. L. Smith stated that this matter came up in the field. The Town's engineer did not feel she could approve the change of materials as it was noted on a signed plan and requested some feedback from the Board. She stated that the change of materials is noted on the proposed plan. She stated that she does not see this as a major item and if the Board was comfortable, they could note that they are not opposed to the construction materials changes.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously to authorize the Town's engineer to make a field change, changing the materials of the approved guardrail from wood to steel.

On a motion made by Mr. Copeland, and seconded by Ms. Robinson, the Board voted unanimously to continue Case 23-21 to November 9, 2023, at 6:30 p.m.

INTERNAL BUSINESS

Increasing Alternate Members

At a prior meeting a discussion was held regarding increasing the number of alternate members from three to five.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously for the Planner to provide appropriate verbiage to amend the Planning Board's Rules of Procedure to increase the number of alternates from three to five and set a public hearing for November 30th, 2023.

Master Plan Subcommittee – Update

Chair Jandebeur provided an update of the October 16 Master Plan Subcommittee meeting. He stated that the subcommittee finalized the questions for the next survey. Mr. Morgan will be attending the 11/9 work session to review and discuss the questions.

Ordinance Follow-Up – no report

Other

A discussion was held regarding the Local Source Water Protection grant as discussed at the October 12 meeting. Ms. Czysz stated that they have determined they will work on the relationship of drinking water with Northwood and Harvey lakes. She explained

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that the septic inventory(ies) must take place on bodies of water that influence public water supplies (community water in Northwood). She stated that some GIS work has been completed. The next steps are to receive letters of support from the selectmen, planning board, Coe-Brown, Northwood Lake Watershed Association, and a representative from one of the affected mobile home parks, and/or the conservation commission. Draft letters have been prepared and the application is due November 1.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously to authorize the Chair to sign a letter of support for Strafford Regional Planning Commission to proceed with the Local Source Water Protection grant.

On a motion made by Mr. Copeland, and seconded by Ms. B. Smith, the Board voted unanimously to schedule an additional work session on November 9, at 6:00 p.m. followed by the regular work session at 6:30 p.m.

ADJOURNMENT

On a motion made by Ms. B. Smith, and seconded by Mr. Copeland, the Board voted unanimously to adjourn at 9:10 p.m.

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,



Land Use Administrative Assistant