

**Town of Northwood
Planning Board Meeting
January 28, 2021**

Chair Strobel called the meeting to order at 7:00 PM.

Chair Strobel stated: As Chair of the Northwood Planning Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

PRESENT: Chair Bob Strobel, Selectmen's Representative Hal Kreider Betty Smith and Tim Jandebeur. (all members listed participated electronically)

TOWN STAFF PRESENT: Linda Smith and Susan Austin, Land Use Department. James Burdin, Town Planner.

VOTING DESIGNATION: Chair Bob Strobel, Selectmen's Representative Hal Kreider Betty Smith and Tim Jandebeur.

MINUTES

Ms. B. Smith made a motion to approve the minutes of December 10, 2020. Mr. Jandebeur seconded. Motion carried by roll call vote 4/0.

Ms. B. Smith made a motion to approve the minutes of January 7, 2021. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

Ms. B. Smith made a motion to approve the minutes of January 14, 2021. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

Ms. B. Smith made a motion to approve the minutes of January 21, 2021. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

CONTINUED CASES

Case 19-12

Michael Sullivan (Aroma Joes) 8 Bow Lake Road Map 222 Lot 61. Applicant is proposing to build a drive thru and walk-up coffee shop on a lot that has an existing seasonal green house and single-family home that will have an office.

Michael Sullivan was present to speak for his application. Mr. Burdin stated that they have received a request to continue this application. Before they acted on the continuance, Mr. Burdin gave Mr. Sullivan a chance to make a brief comment. Mr. Burdin stated that there are ongoing discussions with NHDOT District 6 that are resulting in finalizing the next revision to the plan set that will be presented to the board. Those are ongoing, and the revisions have not yet been submitted to the board. Mr. Sullivan stated that as recently as today, they had a communication with District

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6. They expect, according to Roger Appleton, that they will have finalized comments out early next week.

Ms. B. Smith made a motion to continue Case 19-12 until February 25, 2021. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

Preliminary Consultation

David Pelletier, Map 215 Lot 21

Scott Frankiewicz was present to discuss this proposed project. Mr. Frankiewicz presented his plan set to the board. He stated that this is 10 acres that is left over from a two-lot subdivision in 2018. The applicant was conditionally approved for a 5-unit condominium, but he never finalized. The applicant would instead like to do a 3-lot residential single-family subdivision. Each lot would have 150 feet of frontage. He would like two of the lots to have access on Old Turnpike Road, and the other to have access on the 20-foot strip that is currently used as a farming access. He would voluntarily create a non-buildable area. The lots on Old Turnpike are two acres, and the remainder 6 acres would go with the back lot. Both driveways on Old Turnpike would have plenty of site distance. The Board discussed the proposal with the applicant.

NEW CASES

Case 21-1

Stephen Soucy, Range Road and Sherburne Hill Road, Map 218 Lot 35. Applicant proposes a minor subdivision of Map 218/35, creating two residential lots of 7 acres and 5 acres.

Roscoe Blaisdell was present to speak for this application. Mr. Blaisdell stated that the applicant has land on Range Road and Sherburne Hill Road. It is 12 acres of land and he'd like to create a 5-acre lot on the right, and a 7-acre lot on the left. The lot on the right has no wetlands. The one on the left has a bit of wetland at the road intersection. They have good test pits on each lot, and the topography is manageable. The site distance is good for the driveways as well. Mr. Blaisdell stated that he was a wetlands scientist, and he has delineated the wetlands. Mr. Burdin stated that in general, this is a fairly straightforward request. He noted the wetlands, primarily because of how close the driveway is to the wetland buffer. It appears that the driveway should be able to get in without going through the wetland buffer, but he did note that if it needs to, they would expect that it needs to be a gravel driveway within the wetland buffer portion, or that there would be some sort of ZBA relief to allow a paved driveway. That would be an issue for when an actual driveway is proposed in the future. As far as the Contiguous Upland is concerned The Northwood Development Ordinance requires a

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minimum of 1 acre of contiguous upland for development. Assuming the scale and wetland delineation on proposed lot 218-35 are correct staff is confident that this provision has been met, but he would like to see that the calculation depicting the wetland area excluded and total figure for contiguous upland be provided as a note. Regional impact, again, he is recommending no regional impact but he would like to a formal motion from the board. As they have been doing with public hearings since they started hearing cases over Zoom, the board has typically kept the public hearing open over two meetings. If the accept the application as complete tonight, they can open for public comment and then continuing over the next meeting.

Selectman Kreider made a motion to accept Case 21-1 as complete. Mr. Jandebeur seconded. Motion carried by roll call vote 4/0.

Ms. B. Smith made a motion to continue Case 21-1 until February 11, 2021.

Mr. Burdin reminded the board that they had not opened public comment or voted on regional impact.

Ms. B. Smith withdrew her motion.

Ms. B. Smith made a motion that this application had no regional impact. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

Chair Strobel read the abutters list and opened the public comment.

Ms. L. Smith stated that they had received an email from an abutter.

Peter and I will be away for the meeting discussing the subdivision of my neighbor Steven Soucys Land on Range Road. Peter and I just wanted to convey to the planning board that we are in full support of his plans and are looking forward to having Steven and Rhonda as neighbors.

Heather Heigis

Chair Strobel closed the public comment.

Ms. B. Smith made a motion to continue Case 21-1 until February 11, 2021. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

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Case 21-2

Joe and Judy King, 22 McClarren Drive, Map 105, Lots 9&14. Applicant proposes a Boundary Line Adjustment between lots 9&14, to correct an encroachment from lot 14 onto lot 9.

Mr. Frankiewicz was present to speak for the applicant. Joe and Judy King, and Ralph and Denise Andrews were present as well.

Ms. B. Smith made a motion to accept Case 21-2 as complete. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

Ms. B. Smith made a motion that this application had no regional impact. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

Mr. Frankiewicz shared his screen with the board. He stated that the Andrews own a two-acre piece of land, and the Kings used to own the .17 acre, which is now owned by the Murphy's. On the sale of the property, they discovered that there was an encroachment of the house on to the Andrew's property, and prior to that agreement, the Kings agreed to have a survey and lot line adjustment. They would like to adjust the lot line to fix that encroachment. It's 110 square foot for each lot.

*Chair Strobel read the abutters list and opened the public hearing.
Chair Strobel closed the public hearing*

Mr. Burdin stated that Lot 14 is an existing non-conforming lot that is well below Northwood's current minimum lot size. Section VII.C(1) of the Northwood Development Ordinance permits non-conforming lots to be altered only if it "brings the lot closer to conformance with this Ordinance, and it makes no other aspect of the lot and/or all structures thereon more non-conforming." Mr. Burdin stated that he interprets the act of fixing an encroachment to be improving conformance with the ordinance, and therefore permitted. No lots are being made smaller, and by shifting the property line to resolve the encroachment, the existing house is moving further from the lot line, thereby improving conformance with required structure setbacks. The house on lot 9 is also non-conforming, as it is located within two different lot line setbacks; relocation of the boundary line as proposed does not alter the conformance of this house in relation to either of the lot lines in question.

Chair Strobel stated that the Planning Board is hearing applications over two nights. The first meeting is the introduction and the opening of the application. Then they continue until a further evening. In the period of time between the meetings, there is a

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chance for the public to comment on this application if they wish, they need to contact town staff to get comments in.

Selectman Kreider made a motion to continue Case 21-2 until February 11, 2021. Ms. B. Smith seconded. Motion carried by roll call vote 4/0.

Case 21-3

Russell Bassett (Camp Yavneh) 18 Lucas Pond Road Map 124 Lot 15. Applicant proposes a Minor Site Plan Review in order to build additional bunkhouse and an infirmary.

Tim Jandebaur recused himself.

Joe McCaffrey joined the meeting at 8:29 PM

VOTING DESIGNATION: Chair Bob Strobel, Selectmen's Representative Hal Kreider Betty Smith and Joe McCaffrey.

Mr. Burdin stated that the issues that he discusses in his staff report are related to the Steep Slope Protection Overlay district. The applicant has indicated that they will require a special exception from the ZBA for a proposed impact to the Steep Slopes Protection Overlay District. The plans as submitted do not appear to identify sloped areas that fall within this overlay. The applicant should provide further information about the anticipated impact and depict the Steep Slopes Protection Overlay on the plans.

The Special Exception will not be discussed by the ZBA until February 22, 2021, and the ZBA has been hearing cases over two meetings similar to the Planning Board to allow written testimony to be submitted in the interim, meaning the ZBA is not likely to render a decision until March. The planning board cannot grant final approval to this proposal without ZBA approval of the required special exception, but could, at its discretion, choose to begin proceedings up to and including granting of conditional approval and requiring ZBA approval as a condition precedent.

The planning board has historically preferred to wait until ZBA proceedings are completed prior to exercising its jurisdiction. If the board prefers to do so in this case, a motion to find the application incomplete would require the applicant to re-notice the application while a motion to continue the issue of completeness (with the applicant's consent, as it would exceed the 30-day clock) would allow the issue to be rescheduled without further notice. If the applicant is amenable, he recommends the latter option.

Justin Macek, TF Moran, Russell Bassett, the Facilities Manager at Camp Yavneh and Corey Fawell, TF Moran were present to discuss the application. Mr. Macek stated that the plans submitted to the Planning Board do not indicate where the steep slopes area

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are. They were planning to submit a Special Exception application to the ZBA for the Steep Slope Overlay. Mr. Macek shared his screen with the board, showing the master plan for Camp Yavneh. Mr. Macek stated that Camp Yavneh is a 55.69-acre parcel, Map 124 Lot 15. Originally, they were showing 4 different proposed bunkhouses, they had B12, B13, B11, G11, G12 and G13. B is for boy and G is for girl. They were also proposing, an addition to the existing infirmary building on the backside. In light of what Mr. Burdin was discussing, in order to eliminate the need for a special exception during this presentation, they have removed bunkhouses G12, G13, B13 and G11 as well, now just focusing on B11 and the addition to the infirmary. For tonight's meeting, they are hoping that they can focus on those two aspects and hopefully receive a completeness from the board. The other proposed bunkhouses will be brought back before the board when they have ZBA relief.

Mr. McCaffrey made a motion to find Case 21-3 complete. Ms. B. Smith seconded. Motion carried by roll call vote 4/0.

Chair Strobel read the abutters list.

Janet Fortin was present.

Mr. Macek stated that the proposed project is the construction of one new bunkhouse and an addition to the existing infirmary building. Associated improvements include gravel access pathways to the proposed bunkhouse, ADA accessible ramp to the infirmary, utility installation and associated grading. The primary intent of this project is to provide improved campground facilities that create better separation between campers and counselors throughout the property to help accommodate social distancing during the COVID-19 pandemic, as requested by the state regulations. It is important to note that Camp Yavneh has no intent to increase the total occupancy of the campground. Instead, campers and counselors will be displaced from existing bunkhouses, into the proposed bunkhouse, resulting in an equal number of occupants in existing and proposed conditions. As a result, there will be no net increase on onsite water or sewer systems. Proposed bunkhouse B11 is 1,152 square feet, and will contain sleeping spaces, showers, toilets and sinks. The bunkhouse will be located adjacent to bunkhouse B10, and the boy's showers building. The MARP addition is a 992 square foot addition that will provide additional care, space and enhanced ADA patient care. The addition abuts a wetland setback; however, no structures will be placed in the setback.

Chair Strobel stated that as part of the policy for having two-night cases, any new material from the applicant needs to be in 10 days before the actual hearing, so it gives a chance for staff and the public to review it. Mr. Burdin stated that they would need to see all overlays depicted in the revised plan set.

Chair Strobel opened the public comment

Janet Fortin stated that her questions that she had, have been answered at this time.

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Ms. B. Smith made a motion to find that the application had no regional impact. Selectman Kreider seconded. Motion carried by roll call vote 4/0

Mr. Burdin stated that there is one waiver request for this application as it relates to storm water drainage. His interpretation of that request is that it's a request to consideration of any aspect of stormwater as part of this review. He has made some notes about some things they might be able to discuss on the record that are less than a full storm water analysis of the site. With only two locations being impacted, any of that stormwater is going to be localized, but he would still appreciate some discussion of exactly how far that impact will go.

Ms. B. Smith made a motion to continue Case 21-3 until February 11, 2021. Selectman Kreider seconded. Motion carried by roll call vote 4/0.

ADJOURNMENT

Ms. B. Smith made a motion to adjourn at 9:48 PM. Selectman Kreider seconded. Motion carried by roll call vote 4/0

Respectfully submitted

Susan Austin, Land Use Assistant