

**Town of Northwood
Planning Board Meeting
August 11, 2022**

Draft

1 Cases:

2 *Case 22-6 Millstone/Docko-Continued*

3 *Case 22-7 Millstone/Docko-Continued*

4 *Case 22-9 Millstone/Docko-Continued*

5 *Case 22-8 Burgess-Continued*

6

7 Topics covered

8 *Master Plan Sub Committee*

9 *CIP Subcommittee*

10 *Zoning Changes*

11

12 Chair Jandebour called the meeting to order at 6:37 PM

13

14 **Present:** Chairman Tim Jandebour, Lee Baldwin, Judi Anthony, Vice-Chairman Joe
15 McCaffrey, and Dave Copeland (Alternate), Selectman Hal Kreider.

16

17 **Voting Designation:** Tim Jandebour, Lee Baldwin, Judi Anthony, Joe McCaffrey, Dave
18 Copeland (Alternate), and Selectman Hal Kreider.

19

20 **Town Staff Present:**

21 Planner James Burdin; Land Use Specialist Linda Smith.

22

23 **Minutes**

24 Action on the minutes is postponed until August 26, 2022.

25

25 **CONTINUED CASES**

26 **Case 22-8** Paul and Stacy Burgess, 363 Bow Lake Road Map 106/4. A minor
27 subdivision to divide the property into two parcels, one will be 2.15 acres, the other
28 will be 4.06 acres.

29 Mr. Turner goes over the changes since the last meeting, noting he has added the
30 topography on the two previous plans that were submitted and added a third plan for
31 state subdivision. Planner James Burdin goes through his most current staff report.
32 After further discussion Mr. Burdin recognizes that he did not receive all the plans
33 that were submitted. He continues to go through his staff report. He notes that the
34 existing driveway needs to be shown and the existing conditions plan should show the
35 current existing configuration. He adds that the topography cannot be shown on the
36 state subdivision plan. Mr. Burdin explains what is typically acceptable for recording
37 at the registry.

38 Ms. Baldwin asks about setback for septic 4K area. Discussion ensues about the fact
39 that the septic could be located in a different location at a later date. Mr. Burdin states
40 that the actual septic system does need to be located outside the setback area or a
41 variance would be needed. Selectman Kreider asks if the 4K area needs to be
42 rectangular. Mr. Turner replies no. Ms. Anthony asks how a home could be located
43 with the narrow distance left outside the wetland and property boundary setbacks. Mr.

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1 Burdin states it would be up to the owner at the time to determine where the home
2 can be located. Mr. Turner states he can change the configuration of the 4k area to get
3 it out of setback. Mr, McCaffrey asks about the 50/100 ft setback for septic. Mr. Burdin
4 states the applicant has stated the soils are poorly drained, not very poorly drained,
5 and the wetlands are delineated by a Licensed Soil Scientist.

6 Chairman Jandebour opens public comment. No one present to speak. At the request
7 of the chairman, Mr. Burdin reads a letter from an abutter, John and Joann Hewes,
8 into the record. After discussion of the letter, Chairman Jandebour closes the public
9 comment period.

10 **Waivers:**

11 Section 3.01 – the applicant requests a waiver to permit oddly shaped lots,
12 particularly proposed lot 4-1 which depicts road frontage on either side of an
13 existing non-conforming parcel.

14 After discussion on the lot configurations, **motion is made by Mr. Kreider, second**
15 **by Ms. Baldwin to approve the waiver request. Vote: 6/0.**

16
17 Section 3.01.E – the applicant requests a waiver to permit a lot that is less than 100
18 feet in width. Lot 106-4-1 is labeled as being 90’ at the longer frontage segment,
19 63.19’ at its narrower frontage segment, 78.38’ at the rear property line, and 52.39’
20 wide at the narrowest point.

21
22 Mr. Burdin reads the lot widths at various location on the property from his report
23 that are less than the required 100’ width, specifically noting 90’ at front, 52.39’ at
24 narrowest point and 78.38 at rear. Mr. Turner notes there is a 5’ drill mark making it
25 83.38, not 78.38 at the rear of the property line. **Motion is made by Mr. Copeland,**
26 **second by Mr. Kreider. Vote: 6/0.**

27 Mr. McCaffrey mentions the Hewes letter and asks to address their concerns. Mr.
28 Kreider notes the issues that he believes can be addressed by the planning board. Mr.
29 Burdin suggests the only thing the board can request is changing the configuration of
30 the 4k area. The previous discussion on flow of water determined that the elevations
31 indicated the flow is away from the abutter. Mr. McCaffrey notes that the septic field
32 may end up raised which could be a concern. In response to the abutter’s concern
33 about blue flags being located off the property, Mr. Turner states that blue color
34 markers are used for topo, not boundary lines.

35 Mr. Burdin reads his proposed conditions of approval:

36 Prior to the signing of plans:

- 37 1. The applicant will make the following changes to the plan set:
38 a. Existing Conditions Plan – Depict the existing boundaries of lot
39 106-4 instead of the proposed configuration, depict the delineated
40 wetlands and 20’ Town of Northwood wetland and lot line setbacks for
41 existing lot 106-4, provide figures for existing acreage and frontage,
42 label the existing driveway near the concrete pad

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- 1 b. State subdivision plan – refer to as “Proposed Conditions Plan”
2 in our plan set, label the existing driveway on proposed lot 106-4-1.
3 Please reconfigure the 4000 s.f. septic area to be entirely outside the
4 side setback.
5 c. Subdivision Plan – Add the delineated wetlands and 20’ Town of
6 Northwood lot line and wetland setbacks.
7 d. Add a note to the plans identifying the requested waivers and
8 date of their approval by the Board
9 2. Provide certification of monument installation as required by Section
10 3.06.
11 3. The applicant will acquire and provide copies of all necessary federal,
12 state, and local permits required for subdivision to the town including, but
13 not limited to state subdivision approval.
14 4. Deliver three signed and stamped paper copies of the final plan set
15 and one signed and stamped mylar of the subdivision plat to the Town for
16 signature.
17

18 Prior to the issuance of a building permit:

- 19 5. The plans shall be signed by the Chair indicating final approval of the
20 Board
21 6. Record the plat with the Rockingham County Registry of Deeds within
22 1 year of this decision.
23 7. The applicant will acquire and provide copies of all necessary federal,
24 state, and local permits required for construction to the town including, but
25 not limited to a state-approved septic design for each lot prior to issuance of
26 a building permit for that lot.

27 **Motion is made by Mr. Copeland, second by Mr. Kreider to approve the**
28 **subdivision with conditions as stated by Mr. Burdin. Vote. 5/1.**

29 **Case 22-6** Millstone Realty Trust, 1090 First NH Turnpike, Map 211 Lots
30 2,14,15,16,17, and Map 217 Lots 34, 35, 36 Compliance of conditions for operation of
31 a conditionally approved major site plan for an existing gravel pit/quarry operation, to
32 grant an extension of time for conditions to be met; original approval was granted on
33 April 8, 2021, Case 18-13, and extended per Case 21-18

34 **Case 22-7** Millstone Realty Trust, 1090 First NH Turnpike Map 217/35. Applicant is
35 requesting to replace an expired excavation permit approved as part of Case 16-05,
36 May 24, 2016.

37 **Case 22-9** Millstone Realty Trust, 1090 First NH Turnpike. Map 217/Lot 35. Applicant
38 is requesting a minor site plan to replace an expired site plan for existing storage and
39 retail sales of commercial construction and landscape materials, including the
40 reclamation phasing and reclamation surety bond phasing approved as part of
41 Planning Board Case 08-11, and Case 16-05, May 24, 2016.

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1 Alternate Bob Strobel has arrived at town hall and joins the board. Ms. Anthony and
2 Mr. Copeland recuse themselves for these cases.

3 Voting designation: Mr. McCaffrey, Chairman Jandebour, Mr. Strobel, Mr. Kreider and
4 Ms. Baldwin.

5 Mr. Burdin explains that the first notice was not correct but has since been corrected.
6 He feels the board can go forward and address all applications as one case as far as
7 abutter testimony, etc but each one will need a separate motion(s) by the board. He
8 adds that he is comfortable with the board acting on 22-6 tonight and he does not feel
9 he has had enough information provided to him to recommend the board act on 22-7
10 and 22-9 tonight. He further explains that because there was a date of completion for
11 the prior site plan that has expired, it is not a matter of extending those conditions;
12 the board needs to review the site plan as a new application. **Mr. Kreider makes a**
13 **motion, second by Mr. Strobel to accept 22-6, 7 & 9 as complete. Vote 5/0. Mr.**
14 **Kreider makes a motion, second by Mr. Strobel that there is no regional impact.**
15 **Vote 5/0.** Mr. Burdin explains the timeline for prior conditionally approved Case 21-
16 18 to extend the timeline. Discussion is held on the applicant's request to continue to
17 meet the conditions of approval and what would be a reasonable time to anticipate all
18 conditions can be met. Mr. Burdin states he has no objection to the new deadline.

19 Chairman Jandebour opens and closes public comment, as no public is present to
20 speak to this matter.

21 **Motion is made by Mr. Kreider, second by Mr. McCaffrey to extend the timeline**
22 **for completion of conditions of Case 21-18, as requested in Case 22-7, be**
23 **extended to April 8, 2023, including all conditions of Case 18-13, which was**
24 **further amended by Case 21-18. Vote: 5/0.**

25 Case 22-7 and Case 22-9.

26 Mr. Burdin states that he has a plan of Map 217/Lot 35 which shows the retail
27 operation, outline of detention ponds and no topography or elevation. He states he
28 cannot compare to the previous plan based on this lack of detail. He would like the
29 reclamation info included on the updated plan if the board finds that acceptable. He
30 adds he would also want to have that info in this application. He notes that Case 16-
31 05 includes some info about loam and seeding.

32 Discussion is held on the current status of the property including stormwater features
33 and what has been completed that was required on the last approval. Concern is noted
34 whether the detention pond #2 is built and inspected. Mr. Holden states it has been
35 built. Ms. Smith states that there were no inspections of the construction or contact
36 with the town that it was being constructed. A new review will need to be completed by
37 the town's engineer.

38 Peter Holden explains the excavation that has occurred, and he notes some of the
39 changes that have taken place on the site. He thought they could move forward with
40 bringing the conditions from the previous plan. Discussion is held on the status of the

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1 contours as they relate to the plan. Mr. Kreider asks about how the bond would be
2 returned to the applicant. Ms. Smith states that it will be necessary to review the
3 existing escrow and address having our engineer determine what needs to be done to
4 sign off on the plan.

5 Mr. Burdin notes several additional items are needed for 22-9 application, including
6 potential waiver requests and confirmation of AOT permit with revision date. Also, any
7 structures that have been moved or added are to be included. He suggests that the
8 previous notice of decision be used as a reference.

9 18-13 approval specified vesting milestones for remainder of site plan, Mr. Burdin
10 recommends now approving a site plan that should have a vesting point rather than
11 an expiration at the end of excavation; possibly end in 5 years for example.

12 Discussion is held on vesting of the site plan. Mr. Burdin states that the previous
13 approval included milestones for completing certain aspects of the plan. He explains
14 the difference between active and substantial, and substantial completion He feels
15 that there should be a cut off date when the site plan is approved with no date of
16 expiration. Mr. Burdin will provide a recommendation for a timeline for the next
17 meeting after discussion with the applicant.

18 **Mr. Kreider makes a motion to continue the applications to Sept 8, 2022.**
19 **Chairman Jandebaur notes he will not be available for September 22 meeting.**
20 **Vote 5/0.**

21 **INTERNAL BUSINESS:**

22 **Zoning Ordinance Amendments:** Discussion is held on proposed zoning ordinance
23 changes, specifically on whether road frontage length should be contiguous. Ms.
24 Anthony and Mr. Copeland are not in favor and other members present speak in favor
25 of this proposed change. Discussion focuses on the fact divided frontage is not a
26 common occurrence and can be handled by the zoning board. Further discussion on
27 zoning ordinances will be added to August 26 meeting agenda and Mr. Burdin will
28 provide a draft regulation for the board's review.

29 **Master Plan Update:** Chairman Jandebaur states he has been very happy with the
30 speed of the work being done and the information that has been gathered. He reminds
31 the board that the vision workshop will be held at Northwood School on Monday,
32 August 29 at 7 pm. He adds that all members and alternates should be present and
33 participate.

34 **HB 1661 Elderly housing regulations and Master Plan.** Mr. Burdin states the board
35 needs to address how they want to approach the pending change that will allow
36 Workforce Housing to follow the same regulations as towns currently have for Elderly
37 Housing unless a change to regulations is adopted at Town Meeting 2023. He further
38 explains that there are grants available through InvestNH which may be available to
39 use for Housing section of the Master Plan for planning technical assistance. He adds
40 that if the board wants to build off the land use and vision chapters, SRPC can write a

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1 grant for this as the grant time is now open. Additional discussion is held on how
2 many chapters a year is reasonable to be updated in the Master Plan.

3 Chairman Jandebour recommends that members read the elderly housing regulations
4 as if it was workforce housing and be prepared to discuss at the next meeting. Mr.
5 Burdin explains the difference between Land Use and Future Land Use chapters of the
6 Master Plan.

7 Discussion is held on the letter from Nottingham that was sent to NH DOT in Durham
8 and copied to the surrounding towns regarding a corridor study. Mr. Burdin explains
9 what information would be needed and used in the study. The outcome of the study
10 would be based on how the communities respond to the study when completed and
11 the funding available. Discussion is held on location of what is being recommended
12 and Mr. Burdin suggests “circle to circle” or town boundaries at a minimum. It is
13 agreed to have Mr. Burdin draft a letter to NH DOT regarding Northwood’s interest in a
14 corridor study. Mr. Kreider suggests including the town Rt. 4 safety committee as part
15 of the request. Mr. Strobel suggests sending a letter to Epsom requesting they are
16 included in sending letter. Mr. Burdin will include Epsom. Mr. Kreider will provide Mr.
17 Burdin contact info for the Rt. 4 committee.

18 *Motion to adjourn is accepted at 9:28 PM*

19 ***Respectfully Submitted,***

20 *Linda Smith*

21 ***Linda Smith, Land Use Specialist***

DRAFT