

**Town of Northwood
Planning Board Meeting
August 13, 2020**

DRAFT MINUTES

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

2
3 Chair Strobel stated: As Chair of the Northwood Planning Board, I find that due to the
4 State of Emergency declared by the Governor as a result of the COVID-19 pandemic
5 and in accordance with the Governor’s Emergency Order #12 pursuant to Executive
6 Order 2020-04, this public body is authorized to meet electronically.

7
8 **PRESENT:** Chair Bob Strobel, Selectmen’s Representative Hal Kreider, Betty Smith
9 and Duane Curry. (all members listed participated electronically)

10
11 **TOWN STAFF PRESENT:** Linda Smith and Susan Austin, Land Use Department.
12 James Burdin, Town Planner.

13
14 **VOTING DESIGNATION:** Chair Bob Strobel, Selectmen’s Representative Hal Kreider,
15 Betty Smith and Duane Curry. (all members listed participated electronically)

16
17 **CONTINUED CASES:**

18 **CASE: 18-20**

19 **68 Granite Street Properties, LLC.** First NH Turnpike, and Old Turnpike Road, Map
20 108 Lot 102. Applicant seeks to create a Major Subdivision of 16 lots with a looped
21 roadway of 2353’ in length.

22
23 Mark Hodgdon, Naomi Praul and the Eames were present. Mr. Hodgdon stated that
24 the board had raised issues in the last meeting about potential for erosion along the
25 new road and Old Turnpike Road, and Ms. Praul has addressed that issue with a new
26 set of plans. Assuming that the board is happy with the results of that, they would
27 hope to move towards a conditional approval tonight.

28 Ms. Praul stated that based on the concerns that the board had expressed at the last
29 meetings, which were concerns regarding high flow situations and erosion of the
30 proposed roadway embankment, they were able to look at a 100-year storm event. The
31 plugged in the flow from a 100-year storm event, which they obtained from USGS
32 stream stats data, which will size watersheds, especially this one because it is a
33 couple of square miles worth of watershed. They obtained different flow values for
34 different storms. They then plugged the 100-year storm flow into their HydroCad
35 Modeling software so they could simulate what was happening at those culverts on Old
36 Turnpike Road. What they did see was that the water does overtop the road, at least in
37 a 100-year storm. She feels pretty confident that the photos are from a 100-year storm
38 or higher. In terms of modeling it, they modeled the culverts separately from the
39 channel that’s down gradient from the culvert. Obviously when the water leaves the
40 culvert and goes into the wider channel, the depth of the flow is less. What they have
41 done is sized some riprap that will go along that road way embankment where it
42 closest to Flat Meadow Brook, and they have extended that to elevation 556 which is 2
43 feet higher than the 554 elevation where the road is overtopped. It’s a conservative
44 design in that regard. As far as sizing the stone, they relied on NRCS methodology for
45 stone slope stabilization. What they have provided is two layers of a D 50 of 9-inch
46 riprap along the roadway embankment that is the area of the most concern.

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1 Mr. Burdin stated that they did receive the updated easement language covering all of
2 the drainage from the applicant and that has been sent to town legal for review and
3 come back. Overall town legal was comfortable with the language that was there. One
4 concern that was expressed was that it didn't appear that all of the easement areas
5 had been depicted on the plan. That will be something that we will want to see in the
6 final set of revisions of the plans that will be delivered. He stated that he has a draft
7 set of conditions of approval that he has written up. He would feel most comfortable
8 sharing them with the applicant so they can look them over too. Since this is an
9 adoption of a town road, he would like the proposed conditions of approval to be
10 reviewed by town legal to make sure that everything is correct and legal. That review
11 would be town legal providing advice to the planning board, so it would be at the
12 town's expense, not the applicants. He would also suggest that the board reaffirm the
13 waiver that they approved prior to the redesign that included the new road. His
14 recommended conditions of approval for the plan itself are that he is suggesting that it
15 might make sense to explicitly state for the purpose of the vesting statute what the
16 board considers to be the milestone for substantial completion. In his understanding
17 what is fairly typical for subdivisions is installations of the infrastructure. His
18 suggestion is that it be phrased as installation of all stormwater infrastructure, and
19 completed construction of the road, up to but not including the final course of paving.
20 Usually that final course is necessary for adoption but is more or less a functional
21 road prior to that. Prior to the signing of plans:

22 1. the applicant will make the following changes to the plan set:

- 23 a. Explicitly identify and label all easement areas with associated easement
- 24 language on the subdivision plan.
- 25 b. Final road names are subject to approval by the Board of Selectmen.
- 26 c. All map and lot numbers are subject to final approval by the town assessor.

27 2. The applicant will acquire and provide copies of all necessary federal, state and
28 local permits, including but not limited to the following, except as specifically denoted
29 in other conditions of approval:

- 30 a. An NHDOT District 6 driveway permit for the construction of a public road
- 31 entering First New Hampshire Turnpike.
- 32 b. A town of Northwood driveway permit for the construction of a public road
- 33 entering Old Turnpike Road.
- 34 c. A NHDES wetlands permit.
- 35 d. State subdivision approval for all lots under 5 acres from the NHDES
- 36 subsurface bureau
- 37 e. National Pollutant Discharge Elimination Systems general construction
- 38 permit
- 39 f. Alteration of Terrain permit

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1 3. The project shall be subject to performance guarantees as agreed to by applicant
2 and the Board of Selectmen, Town Engineer and Town Legal Counsel as follows:

3 a. A schedule of official inspections for the road construction and drainage
4 improvement with the cost of inspection to be paid by the applicant.

5 b. A performance bond amount to cover the cost of installing the proposed
6 public road.

7 c. A performance bond amount to cover the cost of all proposed drainage
8 improvements.

9 4. Escrow accounts for inspection costs and all required performance bonds shall
10 be in place

11 5. Provide certification of monument installation as required by Section 3.06 of the
12 Subdivision Regulations.

13 6. Deliver three signed and stamped paper copies and one signed and stamped
14 mylar of the plan for signature.
15

16 Prior to the issuance of a building permit:

17 7. Provide a state-approved septic design for each lot prior to issuance of a
18 building permit for that lot.

19 8. Provide a Town of Northwood driveway permit for each lot (both for lots fronting
20 on Old Turnpike Road and the to-be-constructed public roads) prior to issuance
21 of a building permit for that lot

22 9. Record the plat with the Rockingham County Registry of Deeds within 1 year of
23 this decision.
24

25 Subsequent Conditions are as follows:

26 10. The road shall be constructed to Town standards as proposed

27 11. The road shall be adopted by the Board of Selectmen as a Town road

28 12. The applicant or their successors shall be responsible for road and stormwater
29 maintenance until such time as the road is adopted
30

31 **Selectman Kreider made a motion to reaffirm the waiver approval for 3.01(e) Lot**
32 **widths. Mr. Curry seconded. Motion carried by roll call vote 4/0.**

33 **Ms. B. Smith made a motion to send the draft road conditions of approval to**
34 **legal at the town's expense. Selectman Kreider seconded. Motion carried by roll**
35 **call vote 4/0.**

36 **Selectman Kreider made a motion to continue Case 18-20 until August 27, 2020.**
37 **Ms. B. Smith seconded. Motion carried by roll call vote 4/0.**

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1 **Case 20-1: Fred Belanger applicant, Genevieve Rogers, property owner, 131**
2 **Winding Hill Road. Map 228/12 &13** Boundary line adjustments. Applicant seeks to
3 adjust 2 lots as follows: Map 228/12 to 4.55 acres, and Map 228/13 to 5.14 acres.

4 Scott Frankiewicz was present to discuss this case. Mr. Frankiewicz stated that at the
5 last meeting they had a few things to update on the plans, which they have done and
6 returned the plans to Town Hall. They also set all of the monuments and he has
7 turned in the certificate of monumentation to the town.

8 Mr. Burdin stated that at the last meeting they accepted the application as complete,
9 they opened the public hearing and took comments from the public and then left the
10 public hearing open. As far as the conditions of approval that were identified in his
11 staff report, he would consider number one to be met. For the state permits and
12 monument installation he would rather keep them on the plan and have them be
13 satisfied.

14 Chair Strobel asked for public comment. There was no public comment Chair Strobel
15 closed public comment.

16 **Selectman Kreider made a motion to approve Case 20-1with the following**
17 **conditions:**

- 18
- 19 1. **The applicant will acquire and provide copies of all necessary federal,**
20 **state, and local permits to the town including, but not limited to a**
21 **subdivision permit from NH DES and Town of Northwood driveway permits**
22 **(or in the case of Lot 13, written confirmation that no new permit is**
23 **necessary to utilize the existing gravel drive), except as specifically**
24 **denoted below.**
 - 25 2. **Provide certification of monument installation as required by Section 3.06**
 - 26 3. **Deliver three signed and stamped copies of the plan and one signed and**
27 **stamped mylar to the Town for signature.**

28 **Prior to the issuance of a building permit:**

29 4. **Record the plat with the Rockingham County Registry of Deeds within 1**
30 **year of this decision.**

31 5. **Provide a state-approved septic design for each lot prior to issuance of a**
32 **building permit for that lot.**

33 **Mr. Curry seconded. Motion carried by roll call vote 4/0**

34 **Case 20-2: Property Entrepreneurs, LLC 99 Lakeshore Drive. Map 109/40** Minor
35 Subdivision. Applicant seeks to convert three existing residential structures into three
36 condominium style units.

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1 Mr. Burdin stated that this application is in the same place as the last one where at
2 the last meeting the board accepted the application as complete, they accepted some
3 initial comments from abutters, and then they continued the public hearing to this
4 meeting. In the intervening time, they have received a few comments from the public
5 via writing. The board had the condominium documents sent to town legal for third
6 party review. They have come back and they have a reply email from the applicant's
7 attorney stating that the comments have all been addressed and incorporated into the
8 final document. What he would suggest that they still require incorporation of those
9 comments as a condition of approval.

10 Simon Leeming was present to speak for the applicant. He stated that he wanted to
11 address what came up in the last meeting, what they have done and why they think
12 they have satisfied the issues. Last time there was a lot of discussion about the time
13 limit on rentals. At the end of the discussion, they offered to amend the declaration to
14 make a one week minimum on any rental. Following up on that he submitted to the
15 board the language section and it made it clear that not only was it to be one week or
16 more, that any tenant had to review the various documents and rules and that no
17 change could be made to the one week minimum without this boards approval. This
18 afternoon they received four proposed changes that the town legal has come up with,
19 and he has incorporated those changes into the documents.

20 Dan Mullen was present to speak of the waiver requests. He stated that they were
21 asking for two waivers, Section 4.10(B)(4) to not show all buildings, wells, and septic
22 systems within 100 feet of the subject site and Section 4.10(E) to show an
23 approximate elevation of the 100-year flood plain utilizing GIS data in lieu of a precise
24 elevation because FEMA has not determined a base flood elevation for this portion of
25 the flood plain.

26
27 Chair Strobel asked if there was any public comment. There was no public comment.
28 Chair Strobel closed the public hearing.

29
30 **Selectman Kreider made a motion to grant the waiver to Section 4.10(B)(4) to**
31 **not show all buildings, wells, and septic systems within 100 feet of the subject**
32 **site. Mr. Curry seconded. Motion carried by roll call vote 4/0.**

33 **Selectman Kreider made a motion to grant the waiver for Section 4.10(E) to**
34 **show an approximate elevation of the 100-year flood plain utilizing GIS data in**
35 **lieu of a precise elevation. Motion carried by roll call vote 4/0.**

36 **Selectman Kreider made a motion to approve Case 20-2 with the following**
37 **conditions:**

38 **Prior to the signing of plans:**

- 39 **1. That the following changes be made to the subdivision plat:**
40 **a. Relabel the buildings as "existing" or similar language to indicate nor**
41 **exterior changes**

42

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1 **2. Incorporation of changes to the proposed condominium documents requested**
2 **by Town legal counsel**

3
4 **3. The applicant will acquire and provide copies of all necessary federal, state,**
5 **and local permits to the town including, but not limited to a subdivision permit**
6 **from NH DES and a driveway permit from NHDOT District 6 or written**
7 **confirmation that no such permit is necessary**

8
9 **4. Deliver three signed and stamped copies of the plan and one signed and**
10 **stamped mylar for signature**

11
12 **5. Provide certification of monument installation as required by Section 3.06**

13
14 **Condition Subsequent:**

15 **6. Record the plat with the Rockingham County Registry of Deeds within 1 year**
16 **of this decision.**

17
18 **Ms. B. Smith seconded. Motion carried by roll call vote 4/0**

19
20 **INTERNAL BUSINESS**

21
22 CIP discussion

23
24 **ADJOURNMENT**

25 **Selectman Kreider made a motion to adjourn at 9:40 PM. Ms. B. Smith seconded.**
26 **Motion carried by roll call vote 4/0.**

27

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