

New Durham Planning Board

July 2, 2019

Approved

NEW DURHAM PLANNING BOARD

New Durham Town Hall

July 2, 2019, 7:00p.m.

Present

Scott Drummey, Acting Chair

Dorothy Veisel, Board of Selectmen Representative

David Wessel, Member

Jennifer Thompson, Alternate Member

Excused Absence:

Jeff Allard, Chair

Robert Craycraft, Vice-Chair

Also Present

Laura Zuzgo, Administrative Assistant

Jamie Fegan, Johnson's Steak & Seafood

Scott Perry, Johnson's Steak & Seafood

Cathy Orlowicz, Chair of Boodey Farmstead Committee

Scott Lawler, Norway Plains Associates, Inc.

Frances Frye, Boodey Farmstead Committee

Sherry Cullimore, Boodey Farmstead Committee

Tatiana Cicuto, Boodey Farmstead Committee

Call to Order

Mr. Drummey called the meeting to order at 7:10pm.

Public Input

None.

Agenda Review

Mr. Drummey stated they would be postponing the Design Review for the Boodey Farmstead until later in the meeting.

Mr. Drummey added Discussion of Addition of Alternate Member

Information about Change of Use for Map 251, Lot 25, Johnson's Dairy Bar and Restaurant

Jamie Fegan, stated currently they have a restaurant and a market with a garage situated between the two buildings and they are looking to lease it to another local business. He explained it would be for Berry's Bait Shop. This would be a change of use for the property. It would be a sub-lease situation. The Board discussed what would be needed regarding approval of a change of use. Selectman Veisel stated when the Food Pantry

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took over a church building they went before the Planning Board for approval but no site plan was needed to change the use of the building. Mr. Drummey suggested submitting a site plan showing the changes proposed. Selectman Veisel suggested including any changes to septic, parking, traffic access, hours of operation, etc. The existing business already has a site plan that can be updated to show the changes.

Approval of Minutes

Meeting of June 18, 2019 – Edits were made. **Ms. Veisel made a motion to approve the minutes as amended. Mr. Drummey seconded the motion. Motion passed, 3-0-1.** Ms. Thompson abstained.

Mr. Drummey appointed Ms. Thompson to sit on the board in Mr. Craycraft's absence.

Announcements

Mr. Drummey announced that the process for conserving the Birch Ridge Community Forest is officially finalized. There will be celebration on July 13, 10:00am to 1:00pm.

Old Business

There will be an additional meeting on July 23 to go over the new land use suitability maps with SRPC.

Review of Design Plan – 25 Stockbridge Road – Zechariah Boodey Farmstead

Mr. Drummey stated he is a member of the committee and recused himself from the discussion. Mr. Wessel was appointed to run the meeting during this discussion. The Board reviewed the packet presented. It was noted the application was submitted on June 4, 2019. Selectman Veisel stated she thought the application was accepted at the previous meeting. The Board reviewed the special exception from the ZBA as well as supporting documents.

Cathy Orlowicz, Chair of Boodey Farmstead Committee, noted they are requesting waivers which the Planning Board will need to take action on before proceeding. They asked for a waiver from Administrative fees, and from the requirement of a survey of the entire parcel as they are only using a 3 acre piece of the property.

Scott Lawler, Norway Plains Associates, explained the overall Site Plan, noting its 81 acres owned by the Town, located along Berry and Stockbridge Corner Roads. He outlined where the farmstead would be located on the property along with maps of the topography, test pits and surveys. Ms. Orlowicz confirmed all abutters were notified. She explained the last hearing was closed in May; they then met with the ZBA and were granted the two requests for special exceptions and then were able to complete the additional work with the plans and move forward with the septic design. That has been completed. Mr. Wessel asked if any abutters responded with concerns about 34 parking places being added to the area. Ms. Orlowicz replied no negative responses have been received. She explained the concerns expressed by the Fire Chief were discussed as the Fire Department doesn't want to be in a position where they have to back in or back out but changes were made to accommodate access for the fire equipment.

Mr. Lawler explained the proposed driveway access plans which will help facilitate the flow of traffic into the parking lot , as well as facilitate the flow of traffic out of the property with a one-way direction of traffic. He also noted the area will be served by an existing well on the property, currently being used for the cemetery and an underground waterline will be installed to the farmstead. There will be restrooms, a utility room and a kitchen preparation area but no ovens or cooking will be done on site. The State Fire Marshall approved the building capacity for 134 and a subsurface septic has been approved by the NH DES. Copies of approval were provided to the Planning Board for review. Mr. Lawler outlined the stormwater management system which will include a bio-retention area with stormwater from the parking area and the majority of the facility will be directed by sheet flow and small drainpipes, as well as a grass-lined basin. Mr. Lawler stated the power lines will be run underground; he outlined the outdoor lighting which would be installed including lights on timers to be on up to 30 minutes after the events end. Mr. Lawler stated comments were received from the Fire Department, Police Department and Department of Public Works and all their concerns were addressed. It was noted a stone wall will also be installed along the property line and will help offset any headlights that may shine across the road from the parking lot. Mr. Lawler stated a subsurface permit was required from NH DES and a permit will be needed at the start of construction for a Storm Water Pollution Prevention plan from a federal agency.

Selectman Veisel asked about the approval of the plan proposal being valid for four years. Ms. Orlowicz replied as long as the plans don't change, they only need to apply for an extension. If there are changes, it would start the process over. Ms. Orlowicz explained the project does fundraising to fund the project and expects to break ground in two years, starting with the barn and the addition as it will have the utilities, they can then begin leasing it for rental opportunities to help generate revenues and continue fundraising. She stated they have contractors within the community which are offering in-kind services to help get the project going including the septic and site work. Selectman Veisel asked if the Town-owned artesian well water is potable. Ms. Orlowicz replied people do drink from it. Mr. Lawler explained this has been discussed with the Code Enforcement officer and because they won't be serving water to the public, does not require public water supply approval. Ms. Orlowicz noted there have never been any issues with the water supply.

Mr. Wessel asked what precedent has been set for the Planning Board to waive fees on Town-owned properties. Ms. Zuzgo explained the ZBA approved the waivers from the fees. Ms. Orlowicz explained its basically charging the Town with payment to the Town so its just extra paperwork. Mr. Drummey explained the fees are administrative fees and its not required that they go through this process but they want to be thorough.

Ms. Veisel made a motion to approve a waiver of the fees listed on the application for the Site Plan Review with the Town of New Durham, Section 8. 1 and 2 and to waive the fees listed on the Town of New Durham's fee schedule for administrative fee for notice to abutters which is \$5 , Site Plan Review Application of \$75, the administrative fee of \$25 and the waiver of the survey of the boundaries and existing

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features for the balance of the lot which will not be used for the Site Plan. Mr. Wessel seconded the motion. Motion passed, 3-0-0.

Mr. Lawler requested the Board open and close the public hearing. Selectman Veisel confirmed the public hearing was properly noticed.

Mr. Wessel opened the public hearing at 8:10pm to accept the Design Review of the Boodey Farmstead located at 25 Stockbridge Corner Road.

No public comment was received.

Mr. Wessel closed the public hearing at 8:11pm.

Selectman Veisel stated she believes enough information has been presented and reviewed to move forward with approval. Ms. Thompson asked if they should wait for more members of the board be present. Mr. Wessel explained they have a legal quorum at this point. It was confirmed an acceptance of the application as complete needs to be done.

Ms. Veisel made a motion to accept the Application for a Site Plan Review for the Zechariah Boodey Farmstead, Map 251, Lot 021 as complete. Mr. Wessel seconded the motion. Motion passed, 3-0-0.

Mr. Wessel made a motion to approve and accept the Design Review Plan of the Zechariah Boodey Farmstead, Map 251, Lot 021 as presented. Ms. Veisel seconded the motion. Motion passed, 3-0-0.

Appointment of Alternate Member

The Board discussed the application for an alternate member. The applicant is waiting to discuss some things with Chair Allard.

Ms. Zuzgo stated she discussed the ground water grant with Marcia Moreno-Baez of SRPC and Marcia forwarded the request to Kyle Pimental who handles that and a response was presented for review by the Board which included an example of what was done in Milton. It was agreed to postpone further discussion until Mr. Craycraft is present.

The discussion of the impact fees will be postponed for more members of the Board to be present.

Ms. Zuzgo stated she received information back from Town Counsel regarding questions by the Planning Board about an affidavit. Ms. Zuzgo stated they already approved the conditional use permit and one of the conditions is that it has to include in the deed that the CUP goes with the land and any future owners will allow inspection of the storm water management plan. Town Counsel stated the affidavit is not sufficient to cover the conditions. The Board discussed the details which would need to be included in the deed

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and how to move forward. Selectman Veisel suggested resubmitting the questions and have Town Counsel address all the points of concern of the Board.

Adjourn

Ms. Veisel made a motion to adjourn. Ms. Thompson seconded the motion. Motion passed, 4-0-0.

The meeting was adjourned at 8:35pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary