

Minutes

Planning Board Meeting

December 6, 2018

Members of the Planning Board in attendance were Charles Moreno, Chairman, Don Clifford, Terry Hyland, Scott Young, ex-officio member, and Donald Coker, Alternate member. The Chairman opened the meeting at 7:30 PM and announced the members present. The Chairman designated Donald Coker as a voting member unless Steve Leighton arrived later, which he did not. The closing date for applications to appear on the agenda for the January 2019 regular meeting is 5 P.M. Tuesday, December 11, 2018. The Chairman advised that the Board has a policy setting time limits for meetings and that the Board will not consider any new business after 10:30 PM and that the meeting will adjourn by 11:00 PM. Terry Hyland made a motion to approve the minutes of the November meeting as presented. Don Clifford and Scott Young both seconded and the motion was carried by unanimous vote in the affirmative.

The Chairman then briefly reviewed the agenda for the evening. The first item of continuing business was the application of CECIL C. ABELS II for Non-Residential Site Plan Review for a Concert and Outdoor Event Venue to be located at his property at 664 First Crown Point Road (Tax Map 19, Lot 73A). The Board has received a letter from Mr. Abels regarding his application; it was agreed to postpone review until after the formal business.

The Chairman then called on Clear Creek Properties/Alan Williams, member, who was present in order to get final signatures on his boundary adjustment plan conditionally approved at the November meeting (CLEAR CREEK PROPERTIES LLC, boundary adjustment between three of their recently approved lots located on Second Crown Point Road (Tax Map 16, Lots 30-5 and 30-6) and Strafford Road/NH Route 202A (Tax Map 16, Lot 30-3; please note: Tax Map Lot Numbers will not be official until these lots are separately assessed in April 2019) . Don Clifford stepped off for this item. The most important plan correction was to show the buildable area for each of the three revised lots, including the calculations for 60% contiguous area. Board members reviewed the revised table of figures, noting that one question is whether Lot 30-3 will meet these requirements once land has been transferred to Lots 30-5 and 30-6. Mr. Williams said that the attorney had said that the final review for signatures was not a full Board responsibility. Board members noted that the values in the table appear to be off, because the table shows Lots 30-5 and 30-6 as having the exact same amount of buildable land, but observably, the plan shows that Lot 30-5 has more contiguous buildable area than 30-6. Scott Young said that there is adequate information presented. Donald Coker noted the Board's responsibility to be sure that plans are accurate and true. The Chairman, quickly running some calculations, advised that there are calculation errors on the table; the numbers for Lot 30-5 do not add correctly and also do not match the observable buildable area of the lots. Donald Coker asked about the relevance of the mistake, and the Chairman advised that the Board cannot be sure of what part of the lots have been used to calculate the required contiguous buildable area and if the boundary adjustment changed those numbers. Mr. Williams asked for the conditions of approval to be read from the decision. Mr. Moreno then advised that he is concerned that Lot 30-3, which is losing land, is being made non-conforming because of a decline in the contiguous buildable area. Donald Coker asked if there was already a building permit out for Lot 30-3, and it was agreed that this is not an issue. Mr. Williams said that the mapped contiguous buildable area on Lot 30-3 has not changed. Mr. Williams said that Ashley Rowe's interpretation of the regulations is that the requirement for contiguous buildable area refers only to minimum lot size. Charlie Moreno noted that he was part of the Board when this regulation was adopted and that the Board has consistently interpreted the regulation to mean that 60% of the total buildable area on a lot must be contiguous. Mr. Williams said that Lot 30-3 was already approved based on meeting simple minimum buildable area calculations for single family on the front part of the lot, and said that the Board cannot go back on that decision. Board members continued to discuss the situation. It was generally agreed that Lots 30-5 and 30-6 are acceptable once the table has been corrected. Donald Coker again suggested that the Board advise the Building Inspector of their concerns. Board members agreed that Lot 30-3 was originally approved based on the building area at the front of the lot meeting single family requirements and that concern stems from the fact that additional buildable area is being removed from the back; the land in front still meets single family requirements. Scott Young and Terry Hyland both expressed support for moving forward. Plan corrections noted above will need to be made before the plans can be signed based on the conditional approval voted at the November meeting.

The next order of business was to call on Leighsa O'Shea, who is proposing to open a business at her home (Timberledge Wellness, LLC, 68 Old Gray Farm Road, Tax Map 19, Lot 26-3) offering esthetician services and reiki. Board members had reviewed the proposal at the November meeting and requested that Ms. O'Shea attend this meeting to address any questions from the Board. Don Clifford thanked Ms. O'Shea for coming to the town before establishing her business and noted that he has a question about waste disposal; asking if she has a small dumpster. Ms. O'Shea noted that she deals in skin care products which go on the person so there is little waste; small cotton rounds are the main disposables. She noted that her family of five produces far more waste than her business and that her products come in large recyclable containers and only minimal product is used for any one client. Don Clifford noted that it is important that everybody with a home business take care of their own waste. Charlie Moreno asked if there were any other employees, and Ms. O'Shea indicated that it is only herself. Donald Coker asked about the driveway and parking and Ms. O'Shea noted that they have a long driveway ending at the house and that there is a good sized parking area at the end of the drive near the house, probably enough for 6 to 8 cars, but she would only be working with one client at a time. Her latest would be 6PM although she is considering working one evening a week. Charlie Moreno asked if she has good lighting, and she noted that they have floodlights by the house. Board members agreed that the proposal is acceptable land use under Strafford's zoning ordinances, which allow home offices. The Board will send a letter. It was noted that if the business expands, Ms. O'Shea should return to the Board. Ms. O'Shea noted that she wants to take all the right steps, and the Board agreed that she is all set with the town and can move forward with state licensing.

The first order of new business was the request from PSNH d.b.a. EVERSOURCE ENERGY for a public hearing in accordance with NH RSA 231: 158 and the Strafford Scenic Roads Ordinance for permission to trim and/or remove trees and brush for routine maintenance along power distribution lines located along Parsons Hill Road, Willey Pond Road, and Evans Mountain Road, designated Scenic Roads in the Town of Strafford. The Chairman opened the public hearing and called on Brian Salas, northern region arborist for Eversource. Mr. Salas noted that the 'over the mountain' section of Strafford is served by the Tilton office of Eversource. They are proposing routine trimming maintenance along Parsons Hill Road, Willey Pond Road, and Evans Mountain Road. They have only designated one tree for removal, a poplar located at 266 Evans Mountain Road and not in the town road right of way. The rest of the work will be trimming to standard specifications. Mr. Salas asked if the Strafford Road Agent is designated with the authority to determine hazard trees. Scott Young noted that the Road Agent stays away from making those decisions, and typically checks with the Board. Mr. Salas noted that they may need to replace poles in this neighborhood in the future, which would require more tree removals, but for now it is just trimming. Customers are notified in advance and the usual protocols will be followed. Work is scheduled to begin following this hearing.

There were no comments from the public. The Chairman closed the hearing. Don Clifford then made a motion to grant Eversource permission to trim trees in the road right of way along the three scenic roads. Scott Young seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative.

The next order of new business was to call on MICHAEL CARTER for Non-Residential Site Plan Review for a Wedding/Event Venue (PARKER MOUNTAIN LODGE) to be located at his property at 496 Parker Mountain Road (Tax Map 10, Lot 3). Mr. Carter was present; Scott and Cal Schroeder, abutters, were also present. The Chairman began by noting that the town is zoned agricultural-residential, so commercial projects need to go through site plan review. It was noted that zoning allows the renting or leasing of rooms, so it will have to be determined if the project needs to go through the zoning board of adjustment for approval of the proposed commercial use of the structure. Michael Carter addressed the Board and explained that the building had been a private home and that originally, they had allowed weddings for friends and family. It was such a success that they formally created a wedding venue as it would be a use of the property that would be supportive of the this historic property that they have spend time restoring. The project grew organically, and they have now realized that they need to go back and bring the project into compliance with local and state requirements. He and the Lovejoys purchased the former Camp Xavier property from the Sullivans in 2001 and later completed a boundary adjustment with the Blue Hills Foundation. The building was used as a summer home, not a full-time residence, and occasionally rented in the summer months as it is not fully winterized. They are proposing to host weddings from late May to late October, opening the building from Thursday through Monday. The commercial venture is the wedding venue. They have put in a plan showing the location of the buildings and are aware that they need various state approvals.

Board members reviewed the initial application materials and noted that the needed state approvals may include driveway permits from NH DOT, septic approvals, rooms and meals tax, approval for any food preparation

areas unless all events are fully catered, and linens, laundry, etc. Concern was also noted regarding drainage, especially if new septic disposal systems are being constructed. Mr. Carter noted that they are working to correct the parking situation, as people have been confused about where to park. It was noted that NH DOT has requested an engineered plan showing a range of information, and has indicated that there is only one approved driveway access for the property. Xavier Drive is now a private drive, as it was formally abandoned by vote of the town in 2004. Mr. Carter advised the Board that he is planning to have a new survey completed in the spring in order to remark boundaries between his property and the abutting Blue Hills Foundation land. Basic site information and the boundaries of the lot are shown on the 2003 plan for boundary adjustment between Mr. Carter and Mr. Lovejoy. Board members agreed that they could then use this survey as a base to create a proper scaled plan and to meet the NH DOT requirements. The Chairman and Board then went through the items on the Non-Residential Site Plan checklist and identified those items that would not be applicable because no new construction is proposed. However, it was noted that construction of a new septic system and locating a parking area would likely mean that information on topography, drainage, etc. would be needed. It was noted that the septic lagoons identified on the 2003 boundary adjustment plan are monitored by NH DES and are functioning as vernal pools. There is now a state-approved 4 bedroom septic system in place. Board members noted the requirements of Strafford's sign ordinance and outdoor lighting ordinance. Waste disposal was noted as a concern. Mr. Carter said that they have the caterers remove the rubbish as part of the contracts, and that household trash is taken locally, although they would be happy to comply with a requirement that the household trash be removed as well. Board members advised that this kind of information needs to be added to the text of the site plan, including how trucks will access the trash area, and suggested identifying a small fenced area for trash cans/small dumpsters as part of the plan. Charlie Moreno noted that engineers would have information on the standards for parking spaces, turning radius, etc. Mr. Carter said that their goal is to leave the site looking natural so they do not want paving. They are hoping to have parking in designated grassy areas, but will need guidance on that issue. Board members noted that previous applicants such as Cecil Abels have measured out grassy parking spaces and given the Board a plan showing the proposed parking layout and capacity. Mr. Carter said that much is hinging on the new survey. He also noted that they are hoping to move forward with restoring the old house next to the main structure. They have run into ledge and setback from the pond as they try to address the septic situation with both buildings. It was noted that they also need to include information on the portable toilets and toilets per number of guests into their site plan text. Mr. Carter expressed some concern with timing, noting that they need to ready and/or make the required accommodations if they are going ahead with opening in May.

The Chairman then opened the discussion to public input. Scott Schroeder noted that his home is only 830 feet away, and said that he is cautiously optimistic and in support of the business. He noted, however, that for other venues, the owners are there to monitor the situation and to monitor compliance with town ordinances such as the noise ordinance. He asked who is responsible at Parker Mountain Lodge, noting the example of 50 to 100 slightly inebriated guests, with music, fireworks, etc. and asking how to handle a problem. Mr. Carter advised that he is aware of the town's noise ordinance. He said that they want to rehab the old house in part because they want to have somebody on-site, and having a staff person in the house is the goal. Cal Schroeder commended Mr. Carter on the restoration project and the new trees along Rt. 126 and then expressed concern about parking and automobile fluids, gasoline spills etc, reaching wells in the area and the pond. He said that he does not want to see asphalt and noted concern with impervious surface. In response to a question about the sewage lagoons, Mr. Carter noted that they are fenced and that the lagoons drain across Rt. 126 and not toward the pond. The lodge has a drilled well for their water supply. Mr. Carter said that the ideal scenario is to limit cars to 20 to 30 per event because the cars detract from the property, and he said that they irrigate from the pond now and they also do not want to ruin the water quality. Scott Schroeder asked if there was a limit on attendance. Mr. Carter said that for now the limit is 300 and that they would like to trim that down. The Chairman noted that they need to put the old house into the site plan because it sounds as if it is essential to the plan. The contract specifications about amplified noise should also be noted in the site plan text. Cal Schroeder asked about the definition of 'event'. Mr. Carter said that they would also host family reunions but have not had one yet. They also work with the Kitz Farm venue and have opened the lodge for accommodations for events scheduled at Kitz Farm. There were no further questions. Discussion will be continued to the next regular meeting.

The next item of business was to review for signatures the final plans submitted for the MARCY A. WHITCHER REVOCABLE TRUST OF 2002 3-lot subdivision of property located on Drake Hill Road (Tax Map 4, Lot 31). It was noted that Ashley Rowe/Geometres Blue Hills has already been alerted that the requested correction to septic setback lines had not been completed. Donald Coker noted that he believed that he had requested that they identify Hall Brook by name. It was noted that this section of Hall Brook is named/identified on

the MapGeo site and topo maps, so should be named if possible. In addition, the access easement note on Lot 31 should be removed, as it does not pertain to this lot. It was also agreed that the driveway detail sheet needs to be formally identified as part of the subdivision plan set as Sheet 3, with the plan set note and title block updated for a 3-sheet plan set. Concern was expressed about requiring a financial guarantee for the shared driveway.

The Board then turned to a review of recent correspondence. Board members began by reading the letter received from Cecil Abels regarding his site plan. Mr. Abels suggested that it would be some time before he could return before the Board. Board members agreed to write to Mr. Abels and request/notify Mr. Abels that he should attend the January meeting to update the Board in person or the Board will take the site plan application off the agenda and that Mr. Abels would then need to file a new application when he returns. The next letter was from Katrina and Miles Amaral of Timberdoodle Farm (736 First Crown Point Road, Tax Map 18, Lot 25), who contacted the Board regarding their custom wood business located at their property on First Crown Point Road. Board members agreed that forest products are part of agricultural use and agreed to send a letter.

The Board next called on Scott Whitehouse, Fire Chief, who had arrived late after being busy with calls to the Fire and Rescue Department. Board members updated Mr. Whitehouse on Cecil Abels. Mr. Whitehouse advised that his department has been issuing fire permits for events at the Abels property, and that they have kept abreast of events at the site by watching the internet postings. He said that he believes that there were four events this past season and said that he believes that there is a promoter out of Barrington working with the venue. Mr. Whitehouse also indicated that he would share his list of concerns for the Parker Mountain Lodge site plan with Board members. Don Clifford noted that he would like to see the Town reach out to Tyler Ray again regarding the auto repairs that he is doing out of his home on Parker Mountain Road. Mr. Clifford indicated that his main concern is that automobile fluids could leach into the soil and contaminate nearby wells, including the well at the school. A question was raised regarding possible construction at Brian Payne's lot on Roller Coaster Road. It was agreed that the Payne building moving business has been in operation in Strafford since the late 1980s and is likely grandfathered.

Next, Board members agreed to formalize the Board's requests regarding the submission of application materials and revised plans, agreeing to request new applications on the Board's posted deadline date but in any case no later than the 21 days in advance of the meeting date required under state statutes, and to request plan revisions no less than two weeks in advance of a meeting. It was also noted that it will save money in tax mapping if the Board receives electronic copies of the final plans as well as copies of applications, and it was agreed to update the Regulations to reflect that request. It was agreed to post notice for a hearing on regulation changes to include these items. Next, discussion turned to the budget for 2019. Board members agreed that they have no particular requests.

Finally, the Board turned to Alan Williams, who had remained at the meeting throughout the evening. Mr. Williams said that he wanted to return to the Board's discussion of contiguous buildable area. Don Clifford stepped off the Board. Mr. Williams then addressed the Board, sharing his opinion of the meaning of the contiguous buildable area requirement in the Subdivision Regulations and reading out various paragraphs in the Regulations.

There being no further business before the Board, there was a motion to adjourn. Scott Young seconded the motion. There was no further discussion and the vote was unanimous in the affirmative and the meeting adjourned at 11:00 PM.