

PLANNING BOARD
TOWN OF PETERBOROUGH, NH

Minutes of August 13, 2018

Members Present: Dario Carrara, Bob Holt, Ivy Vann, Tyler Ward, Sarah Steinberg Heller, Joe Hanlon, Alan Zeller, Ed Juengst and Jerry Galus

Staff Present: Peter Throop, Director, Kristin Bixby, Assistant Planner, and Laura Norton, Administrative Assistant, Office of Community Development

Chair Holt called the meeting to order at 6:30 p.m. and introduced the Members and Staff.

Minutes:

A motion was made/seconded (Galus/Ward) to approve the Minutes of July 9, 2018 as written with all in favor but Ms. Vann who abstained.

Public Hearing: Tree Cutting on a Scenic Road: Chair Holt announced this item, submitted by Eversource Energy was cancelled.

Public Hearing: Site Plan Review: 1810 Realty Group is seeking site plan approval for proposed development on property currently owned by Peterborough Shopping Plaza LLC, located at 25 and 30 Bridge Street, Parcel Numbers U021-003-000, U021-002-000 & U021-001-000. The proposed development includes a two-story building of approximately 65,000 square feet with parking lot and stormwater management facility, to accommodate a 64-bed rehabilitation facility. This property is located in the Village Commercial Zoning District and the Ground Water Protection Overlay Zone.

Attorney Jim Callahan corrected the notice by noting the square footage of the facility was building was in fact 13,900 square feet, two stories high with a partial basement.

Jeff Kevan, Civil Engineer with TF Moran and representative for the applicant, introduced himself. He referred to a graphic as he pointed out the orientation of the proposed building in relation to the Peterborough Plaza. He told the members they had flipped the locations of the parking lot and building, a suggestion they received at the Preliminary Consultation. He reviewed the bio-retention and leaching systems, noting all work will conform to the regulations and standards of the Town

and in accordance with the plan. He went on to say at one point the electricity would go underground. Pointing out a fire hydrant, he told the Members the project would connect with the current system. Mr. Kevan reviewed the landscape and lighting plans as well as a loading area and location of the screened dumpster before projecting elevations of the facility. "It is pretty straight forward" he said, as he pointed out the client drop-off area, peaked roof with dormers and wings on either side and clapboard vinyl siding. Mr. Kevan reiterated that the facility provides 64 beds for residential treatment with no visitors allowed. He told the Members that the only people coming and going would be staff members (approximately 20 for the day shift and 8 at night). Mr. Kevan explained, "a little more than 20-24 trips per day, which is a *bit* more but not at peak hours." Regarding the parking regulations Mr. Kevan simply said, "they do not capture this use in any fashion." He went on to say that the regulations required 56-60 spaces "when in reality, 27 spaces are more than adequate." Mr. Kevan continued with a review of the maximum allowed lot coverage (allowed 80%, have 60% with 20% impervious coverage per the Groundwater Protection Overlay Zone) and the location of the required bike rack. He concluded by noting that they would be updating their driveway permit for NH DOT.

Chair Holt thanked Mr. Kevan and asked if the Board had any questions.

Ms. Vann began by asking about the rooftop units (location and screening). It was determined some of the units may be housed or screened in a parapet. Ms. Vann noted, "we have had this problem in the past, we hear the case without the mechanicals being complete and they end up perched on top of the building. Let's just make sure they are screened." "We are aware of it" replied Mr. Kevan.

Mr. Hanlon asked about where the building might be seen from the highways and Mr. Ward noted his concern about the trees that may be cleared. Mr. Kevan referred him to page 3 of the plan where he pointed out the trees on the (Route) 202 side of their property. "The tree coverage on (Route) 202 will be the same" he said.

Mr. Ward also expressed his concern about the height of the building (two stories high with an additional 20 more feet of roof). "That is really tall... is there a height limit in the District? Why do you need dormers on the roof?" Mr. Ward asked if the attic space would be used for any particular purpose. Ms. Vann replied, "We just talked about using some of that space to store the roof units."

Before proceeding Mr. Galus suggested the Members accept the application as substantially complete. A motion was made/seconded (Vann/Zeller) to accept the site plan application for 1810 Realty Group as complete with all in favor.

Mr. Galus then asked Mr. Throop for his input. Mr. Throop noted many of his concerns had been addressed in Mr. Kevan's presentation, noting "minor plan differences or modifications can be reasonably addressed by Staff. I just want to make sure the Board is aware of them."

Mr. Zeller asked for clarification on the curb cut (the proposed access driveway shares an existing driveway and curb cut) and Ms. Vann reviewed the remaining Performance Standards for the Village Commercial District: *parking to side and rear with a bike rack for lots over 10 spaces, inclusion of interconnecting driveways, easements, sidewalks and trails for vehicle and pedestrian access, sign requirements for the District be met, features of the site to blend with the existing building design, design considerations for blank walls (facades) and screening of dumpsters, HVAC equipment and above ground storage (fuel) tanks.*

Mr. Ward again questioned the presence of dormers on the roof. "Is it for aesthetics? It just does not make sense to me" he said. When Mr. Hanlon suggested the dormers would break up the mass of the roof Mr. Kevan agreed noting "with a roof 140 feet in length, the dormers will break up the façade. Just like the cupola, it is an aesthetic feature." Mr. Ward replied, "it is not traditional for New England and that roof does not match the aesthetics of the Grove Street corridor." A brief discussion about the dormers (especially the eyebrow dormers) followed. Confusion over what elevation the Members were looking at (side elevation) was clarified and Board's decision was to remove the dormers from **both sides** of the building. John Christian of Bridge Street Recovery Center stood and told the Board, "For the record, dormers, especially eyebrow dormers are very expensive. We will gladly take the side dormers off the plan."

Chair Holt then opened the Hearing to the public. With no comments or concerns from the audience, Chair Holt closed the case.

A motion was made/seconded (Vann/Zeller) to approve the site plan for Bridge Street Recovery Center located at 30 Bridge Street, Parcel Nos. U021, Lots 001, 002 and 003 as shown on the plan entitled "Bridge Street Recovery Center", 30 Bridge Street, Peterborough, NH. Owned by the Peterborough Shopping Plaza LLC and prepared for the 1810 Realty Group. By TF Moran Civil engineers at a scale of 1"=30', dated March 20, 2018 and last revised August 2 2018, subject to the following conditions prior to the signing of the plan:

- A. The drainage report shall be reviewed and approved by the Planning Board's Storm Water and Erosion Control Consultant at the applicant's expense.

- B. The applicant shall provide revised plans showing minor modifications including but not limited to minor changes to utility designs, drainage designs, grading detail, stormwater management design, erosion control design, landscaping design and construction detail, as directed by the Planning Board during site plan review, the Office of Community Development, the Board's Drainage Consultant, and the Public Works Director. Copies of all required state or federal permits shall be provided for the file.
- C. A demolition permit will be required prior to removing existing structures on the site.
- D. Before breaking ground, throughout the construction process and until all disturbed soils have been stabilized, regular inspections will be conducted by the Planning Board's Stormwater and Erosion Control Consultant at the expense of the applicant as directed by the Office of Community Development Staff.

The site plan was **approved** with all in favor, except Mr. Carrara who abstained.

Preliminary Consultation – Conceptual Review for a property owned by “Elias Olmeta and Carmen Bohm Living Trust” located at 110 Hunt Road, Parcel No. 011-01-000. The non-binding consultation will consider a conceptual design for a possible subdivision under Section 245-26 “Open Space Residential Development” to accommodate conversion of an existing barn on a residential property into a single-family dwelling. A conceptual plan will be presented by the applicant at the meeting. Public comment will be taken at the discretion of the Board Chair.

Attorney Jim Callahan introduced himself as the representative for the applicant. “This is very preliminary,” he said. As he pointed out the property on a graphic he noted, “You see a colonial house and a barn. The owners would like to convert the barn into a living space.” He told the members the applicant has family members that visit for a few weeks each year “and they would like to accommodate them in the barn.”

Mr. Callahan told the Board that they had initially planned to employ the Accessory Dwelling Unit (ADU) Ordinance, “but we were constrained by the square footage of 700 square feet or 30% of the gross living area of the principal unit.” He went on to say, “the house is about 3000 square feet and so is the barn, so we don't meet the criteria.” Mr. Callahan told the members the lot was between 14 and 15 acres, “but the family does not want to subdivide so we decided on an Open Space Residential Development (OSRD) unless the Board would be willing to waive the size requirements of the ADU regulation. Ms. Vann replied, “that is not waivable by us.” Mr. Callahan noted OSRD typically produces condominiums and was quick to

reassure the Members a condominium is a *form* of ownership and the family was not interested in changing anything but being able to utilize the barn space for residential use.

Mr. Callahan concluded by noting the plan was still very preliminary, “but that is the general plan and we welcome any ideas you may have, that is why we are here.”

Chair Holt asked if there were any questions from the Board.

A brief review of the OSRD design criteria followed with Ms. Vann asking about requirements to subdivide under OSRD. Mr. Throop reiterated that condominiums were a form of ownership, that OSRD waivers could be granted, and in fact, there was no reason *not* to grant them “as long as they designate at least 50% of the land as permanent, protected common open space that cannot be further subdivided.”

The Members briefly reviewed dimensional requirements for the regulation’s use (minimum frontage of 50 feet, no building closer than 75 feet to the perimeter of the tract and buildings not closer than 20 feet to one another). Ms. Vann interjected “and this comes up all the time. They are using an existing building. I don’t see why it is not approvable. I look favorably on this.” A very brief discussion about what may happen to the property long after Elias Olmeta and Carmen Bohm are gone with Mr. Callahan noting the property would still be bound by the requirements of the Open Space Residential Development ordinance and what is recorded at the Registry of Deeds. “The language of the condominium docs and the ordinance provide that kind of insurance” said Mr. Callahan.

Chris Neuhardt introduced himself as an abutter and asked about additional structures on the parcel. Mr. Throop explained “more structures mean more subdivisions, which they say they do not want. Also the ordinance requires that at least 50% of the total tract shall be designated as permanently protected common open space which cannot be further subdivided.” Mr. Throop did note however that agricultural uses were allowed on the protected land, so one may see a structure like a barn. Chair Holt interjected “and there is nothing preventing them from doing that now.”

Mr. Neuhardt asked about the extent of family that visit the couple. Mr. Callahan replied, “Typically two families each with a couple of children... this is the only way to turn the barn into living space.”

A gentleman who introduced himself as an abutter at 130 Hunt Road spoke in support of the project, noting the couple was not around much (vacations and

holidays) and that “not much more than finishing off the interior of the barn is being done.”

There being no further comments, the Board proceeded to the next agenda item.

Preliminary Consultation /Conceptual Review for Peterborough Highland Farm LLC located at 63 Old Street Road, Parcel No. U002-039-000. The non-binding consultation will consider a conceptual plan for an “Agrihood” development with 31 dwelling units located in three or four building, within and clustered near the Stone Barn, a farm-to-table café located at the rear of the barn building, and agricultural uses in the undeveloped land behind the buildings. This property is located in both the Family Zoning District and the Rural Zoning District. The proposal would require the application of the Traditional Neighborhood Overlay Zone II (TNOZ II). Issuance of a Conditional Use Permit and extension of municipal water and sewer to the property would be required.

Amelia Tracy introduced herself as a part of the Conducive Development team working on the Village at the Stone Barn project, which includes a working farm, a farm-to-table café and Community Supported Agriculture (CSA) distribution program. “In a green and sustainable way, we are developing this beautiful asset in the community that will uphold its natural and cultural heritage. With land use planning and renewable energy, we can also address climate change and global warming problems” she said.

Ms. Tracy introduced Chad Branon, a Civil Engineer for Fieldstone Land Consultants, who gave a brief review of the goals of the project as well as a few changes from the initial preliminary review. “We took your feedback and incorporated them into the plan” he said. Mr. Branon pointed out several landmarks on the 32-acre lot, noting that 4 to 5 acres to the front would be developed. He reviewed the entrance with its north/south split, carports and visitor parking, walkways, growing fields, emergency access, the village-style condominium living units, and café. He noted that the Town’s parking requirements are high. They planned to provide adequate space for parking that would only be developed if needed in the future. Mr. Branon noted the amount of site work that had been done and pointed out some significant difference in elevation in the southern area of the lot. “We may need to do a retaining wall or fill to have proper access to the location” he said. He asked the Members what their preference might be. A brief discussion on the impacts to the wetlands followed with all agreeing there would be an active dialogue on the subject.

Mr. Branon concluded by noting a traffic study would be performed by Steve Pernaw of SGP & Company. He thanked Town staff for assisting in the collection of traffic data and peak hours of travel. Ms. Vann interjected a question about parking requirements in TNOZ II (*parking spaces or garages must be located in the rear of the lot unless the applicant can demonstrate that it is either not reasonable or feasible to create a parking area in the rear*). “That is a requirement of the ordinance” she said, adding “it looks like you are putting a lot of parking right out front.” Mr. Branon spoke briefly to their interpretation of the ordinance noting none of the parking was forward of the barn. He pointed out common and wooded areas, noting “we felt we were aligning with all the objects of the ordinance.” He went on to tell the Members “we designed them to look like carriage houses, complementing the barn.” Mr. Ward asked about screening for the abutter on the north side of the property. Mr. Carrara asked about the potential encroachment into the wetland buffer with Mr. Branon reiterating the need for a retaining wall or a vegetative slope to landscape within the jurisdictional wetlands. Mr. Zeller suggested a site visit to explore the two options.

With no other questions, Mr. Branon introduced Katie Sutherland of KCS Architects to review the architectural details of the project and how it would look. Ms. Sutherland expressed her excitement with the project and the creation of 31 highly energy efficient condominiums approaching net zero of an old barn. “The units will compliment and respect the highlights of the barn” she said as she began her presentation.

Ms. Sutherland showed photographs and before and after graphics of the project pointing out the one, two, and three-bedroom units (ranging in size from 600 to 1400 square feet) throughout the site. She noted each unit would be designed to maximize natural light and air circulation and have modern finishes and appliances within a high-performance building envelope. She concluded with “I hope this gives you an idea. We are working on a 3D model for the Site Plan Review.”

Mr. Ward interjected several questions about the height and form of the Stone Barn and then recapped the information noting the barn had a large, long high roof *without* dormers. Chair Holt cautioned Mr. Ward not to refer to other applicants when they are not present. “Not even obliquely” Holt said.

Chair Holt then opened the hearing up to the public. A letter was read by Thomas O’Hare for Sydney Waltras, an abutter not able to be present. Ms. Waltras expressed her concerns and an objection to the proposed project. Her letter also stated the presence of a café in a residential neighborhood would necessitate a

change in zoning, which Chair Holt addressed by confirming the Café was a permitted use in the TNOZ II by Conditional Use Permit and applicable Site Plan Review requirements.

Lauron Lewis introduced himself as an abutter and noted his concerns about construction and traffic. “The traffic is going to be huge” he said. Mr. Lewis suggested an easement on the other side of the Barn property for access to the lot. Ms. Vann interjected, “I don’t know, it is pretty wet back there.” A brief discussion about the wetlands, stormwater management, the steep drop-off of the topography, as well as wetland mitigation (lots and lots of fill) would change the character of the neighborhood. Mr. Lewis told the Members, “if there is any opportunity to have an easement I urge you to do so.”

Janet Shea introduced herself as an abutter and asked about parking setbacks from the property line in the District. It was noted that the setback in the Rural District was 20 feet but the TNOZ II was 5 feet. Ms. Tracy noted that the lot had enough parking, but they would like to not develop some of it until it was (if it was) needed. “It is better for us to have more planting space” she said. Ms. Shea also noted that the Farmer’s residence was quite close to her property line.

James Kelly introduced himself and told the Members and audience he did not see the traffic as being a problem. “I live at Governor Square with 23 condos and we have no problems at all” he said.

Jacqueline O’Hare disagreed, citing huge problems for children, pets, and herself when it came to traffic on Old Street Road. “It is too dangerous now. There are no sidewalks. Thirty-one more condos being accessed is going to be headache. It is going to be a problem” she said.

Mr. Carrara noted that he felt the proposed plan was better than what was previously approved. “I have concerns about the wetlands and the buffer issue as well as the proximity of the parking close to Mrs. Shea’s property line.” “We understand and acknowledge that” Carrara said.

Mr. Throop told the Members and the audience he’d had discussions with Police Chief Scott Guinard about traffic calming measures. “Without putting words in his mouth” he said, he went on to note the possibility of traffic tables (not speed bumps) and electronic data collection devices to assess traffic statistics such as traffic volume, flow, and speed. He also told the audience that contrary to popular belief, the Cheney Avenue intersection stop signs have made a significant difference.

Next Meeting:

September 10, 2018 at 6:30 p.m.

The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant