

PLANNING BOARD

TOWN OF PETERBOROUGH, NH

Minutes of October 10, 2016

Members Present: Chair Ivy Vann, Alan Zeller, Jerry Galus, Bob Holt, Joe Hanlon, and Ed Juengst

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

Chair Vann called the meeting to order at 6:30 p.m. She welcomed the audience to the regularly scheduled meeting of the Planning Board and introduced the members and staff.

Minutes:

A motion was made/seconded (Galus/Hanlon) to approve the Minutes of September 19, 2016 as written with all in favor.

Continued Preliminary Conceptual Consultation:

Chair Vann noted the first item on the agenda was the continued Preliminary Conceptual Consultation of the potential redevelopment of a parcel located at 59 Union Street which would remove an existing two-family home, subdivide the property into four building lots using the Traditional Neighborhood Design ordinance. “However” she said, “Mr. Branon has requested a continuance of his presence at our meeting tonight as he is waiting on the architectural renderings to be completed.” She noted he had also requested to meet with the Board at their Workshop on Monday, October 17th if possible.

Chair Vann read Mr. Branon’s letter and when done asked “are we willing to do that?” The members agreed to continue the conceptual to the date and time certain of October 17, 2016 at 6:30 p.m.

Chair Vann went on to say “we cannot talk about Mr. Branon’s project at all, there will be no discussion about it but one thing that is hard to remember and makes me look crabbier than I am is that zoning is parlor game, a family sport. It is about the effects on how people live their lives and how people get along.” She went on to say she would like to take the opportunity to give the members and audience a brief review of the Traditional Neighborhood Overlay District.

She began by noting the ordinance was passed in 2014 and had come out of work done by the Planning Board in 2010. She explained the exercises they had done on a scaled lot experiment, finding it turned out to be 5,000 square feet. She went on to review the work done by consultants Caroline Radisch and the late Roger Hawk. “There was *a lot* of public outreach, they came up with a proposal and the town adopted it” she said. Chair Vann continued “the purpose is encourage development in the already developed parts of Peterborough (close proximity to the Downtown) where there are established neighborhoods.” She noted this development is in furtherance of the Vision Statement and the Goals and Objectives of the Master Plan. She told the members and audience alike “this creates housing opportunities, discourages extensive development in the rural areas, locates density in close proximity to police, fire and emergency services and makes the town’s infrastructure of water and sewer more efficient.”

Chair Vann gave the example of the cost of development in the rural district: “houses on rural roads do not pay enough in taxes to cover the costs of rebuilding those road. It is the worst on cul de sacs (example of 5 houses paying a total of \$15,000 in town taxes. Public works portion is \$1,500, cost to rebuild road in excess of \$45,000). “That is a 30-year payback if every dime of public works portion of taxes went to road alone” she said adding “it is better to locate houses on streets with water and sewer. Sewer fees are lower with more users and we have plenty of capacity. This ordinance was intended to increase density plain and simple.”

Chair Vann went on to note “I understand that it is difficult to see change in your neighborhood but the good news in that under the Traditional Neighborhood Overlay the change is managed in such a way not to be overwhelming.” She reiterated the permitted uses of the Family and General Residence Districts remained the same. She reviewed the minimum requirement of existing water and sewer, lot and yards standards, building design and architecture, lot coverage (impervious material not to exceed 35% in the General Residence District, 25% in the Family District) and the reuse of existing buildings. “The demolition of existing habitable dwellings in order to subdivide a lot or create an additional dwelling unit on an existing lot is *strongly* discouraged” she said adding any proposed teardown required a site visit by the Planning Board to make a finding that the building may be torn down as part of the Conditional Use Permit application. “It is on a case by case basis and we take it seriously, but it is hard to prevent a tear down” she concluded.

Mr. Hanlon suggested adding alternative styles of housing to the mix (duplexes, triplexes) may be an attractive opportunity. Chair Vann replied “we could have a

conversation with those options.” Mr. Weeks noted the applicant gets design standards when they go through the Conditional Use Permit process. From the audience Francie Von Mertens introduced herself and asked “so they will be submitting an application to the Planning Board?” Chair Vann replied “yes, they will come in with architectural plans” adding “a conceptual review is also required for a Conditional Use Permit so they don’t come in having invested a lot. It is better for everyone.”

Kitty Perullo introduced herself and asked about the demolition permit process. It was noted that any building over 450 square feet or over 50 years of age must go through the permit process which includes a review of any historical features. Heritage Commission member Deb Kaiser reported the review “doesn’t have any teeth but it is an attempt to get the applicant to take a deep breath and do thing in a proper way as well as save money. “It also allows us to salvage things or at least take photographs” she said.

Ms. Perullo then clarified “no more than 35% of the lot can be covered in impervious material.” Mr. Throop interjected “and that does not include driveways.” Chair Vann concluded “right and you don’t meet the standards, you don’t get a permit.”

Design Review for Minor Subdivision:

Chair Vann read the request for one new residential lot of approximately 12 acres from an existing 79.5 acre lot as well as extension of Hadley Road as a private road to provide frontage. Located at 55 Hadley Road, Parcel No. R011-005-000 in the Rural District.

Dawn Tuomala introduced herself as the representative for the Petitioner as she distributed a graphic of the site. The graphic showed the parcel within the C-30 large tile tax map noting “adjacent to C-30 is the Peterborough Commerce Park, I wanted you to be aware of where it sits in relation to other lots and how they back up to each other” she said. She told the members the parcel was owned by the Peterborough Players adding “years ago they moved Hadley Road and created a Right-of-Way as shown now.” Ms. Tuomala pointed out the public portion of the road, the turn-around area for the plow trucks and where it stops. “There is a house on the lot that we want to sell off with the 12 acres and keep the remaining 67 acres for our own use. We have no intent to build on the lot at this time. The goal is to get rid of the house.”

Ms. Tuomala reviewed the advantages of a private versus a public road and noted the road would be a 16-foot wide gravel drive. “That is basically all it is with the same use as today” she said.

When asked if the town would have a turnaround on the road Ms. Tuomala replied “yes, the town will still have a turn-around there” adding “there is an existing easement for a septic system and they will put a couple of easements on for privacy.” When Chair Vann asked “are there any further waivers you are requesting?” Ms. Tuomala replied “no, just for the private road.”

Mr. Throop interjected the road could be gravel but it must be designed to town standards. “You would have to provide some sort of profile for drainage and storm water management” he said adding “and if the dead-end exceeds the standard limit of 1,000 feet you will have to ask for a waiver of the dead-end road standard.” Mr. Throop went on to say “and keep in mind any future development on the remaining lot may require the upgrade of the entire road to town standards.” Chair Vann interjected “I think we would have to get input from the Fire Chief and DPW on what is required if they were to develop the 67 acre lot.”

Going back to the dead-end Mr. Throop noted his concern of possibly creating a precedence by allowing it to be extended. Mr. Weeks noted “and the minimum width for a private road is 18 feet with 2-foot shoulders. Anything else would require a waiver.”

Going back to the odd section of land at the top of the lot Chair Vann said “I am not in love with the tongue at the top of the lot” adding “I know what our standards say about creating lots and I prefer we not create this odd shaped lot. I cannot imagine the utility of the strip up there.” She then suggested the applicant survey the back lot and encompass the 1000 foot strip of land. This prompted a discussion about the Design Standards of 237-20 *Reserve Strips* with Mr. Throop explaining reserve strips of land may show an intent on the part of the sub-divider to control access to land dedicated to be dedicated to public use (such as a road) shall not be permitted. The members also briefly discussed 237-19 *Lots* with Chair Vann noting “I think creating a lot with that tongue without a survey is kind of sloppy on our part, besides making trouble in the future. The point is the standards say *don't do it.*”

Mr. Throop asked about wetland delineation in and around the lot with Chair Vann noting “there are some streams there.” When she reiterated advocating the tongue being encompassed by the 12-acre lot Mr. Weeks interjected “I am not opposed to

the strip.” Chair Vann replied “I kinda am. I would like to make the subdivision orderly, this feels a little disorderly to me but I am only one person on this Board.” “We don’t know the intent of that tongue” said Mr. Weeks. From the audience Cy Gregg introduced himself as a Board member for the Peterborough Players. “The full intent” he said as he stood up “is that we are a non-profit scraping for pennies and if we it over we would have to survey the whole lot and that gets expensive.” Chair Vann replied “I feel for you but the truth is we don’t like the strips and when subdivision occurs, it is in the best order to have the lot surveyed. Tom does not care but I do.” Mr. Hanlon interjected “imagine sitting here in ten years and asking why?” Mr. Weeks replied “imagine sitting here in 10 years and not having a second egress?” Chair Vann asked for a show of hands for those who would like to see it encompassed into the 12-acre lot. Chair Vann, Mr. Juengst and Mr. Holt raised their hands. Mr. Hanon asked “it is 1,000 feet, does it really matter?” “Not to me” replied Mr. Weeks. Mr. Throop noted “from an academic prospective, generally we don’t like to have these without an intent. It creates land that is not useable and encroachments on to property they do not own. In general they are problematic because of that.” The members briefly reviewed 237-19 C. that states “within all newly created lots it must be possible to place a square box whose sides are equal to the minimum lot width for the district and concluded the tongue configuration did not meet that criteria.

In closing Chair Vann said “I am sorry we cannot squeeze a more definitive answer out of the Board.” Ms. Tuomala confirmed “so for a private road less than 18 feet we would have to request a waiver.” Chair Vann replied “yes, for the road width and the dead-end street but you can leave the tongue.” “We will work it out” said Ms. Tuomala. Mr. Throop reiterated input from the DPW Director and the Fire Chief would be sought out. “We’ll see what they have to say” he said. Mr. Weeks repeated “the minimum width for a private road is 18 feet with 20 foot shoulders.” Chair Vann asked “why not a driveway?” with Mr. Throop replying “then you have a frontage issue.”

In closing Ms. Tuomala told the members a privacy easement for screening was planned in the future.

Public Hearing - Minor Subdivision: 121 Old Town Farm Road, Parcel No. R004-006-200. The proposal seeks to subdivide a parcel consisting of approximately 6 acres with two existing homes and located in the Rural Zoning District into two lots with each new lot including one of the existing homes. The applicant has requested a waiver of the Planning Board Subdivision Regulations Section 237.19.C, which states; "Within all newly-created lots it must be possible

to place a square box whose sides are equal to the minimum lot width for the district."

This Application was withdrawn.

Public Workshop – Various Topics:

Complete Streets Discussion: Chair Vann noted a Webinar on this topic scheduled for November 4th and that she would send out the link

(<https://cc.readytalk.com/r/bd1ca9vk2tkm&eom>). She also told the members she had attended a recent Board of Selectman's meeting where representatives from NH DOT were present to discuss the intersection at Routes 101 and 123 and their associated problems. She was also at the meeting to present the Planning Board's recommendation that Peterborough adopt a Compete Street program and to answer any questions they had.

Plan NH Grant - New Village Project:

Chair Vann reported the New Village Design forum was this past Thursday at the High School. "We had about 50 or so people" she said adding "we saw some new faces and some of the same faces." She briefly reviewed a presentation by Carol Ogilvie, a visual preference exercise on housing styles and the table conversations.

Chair Vann concluded by telling the members they were working on a viewpoint piece to answer questions about the New Village Design. "Zoning is really complicated. People don't get how it works, how to make changes to and how it changes how we live. We hope this will help" she said. She reiterated adjacent water and sewer were a necessity and that targeted areas may be unused lots in town or played out gravel pits. "We are considering hiring an architect to design what the neighborhood would look like" she said.

Other Business:

OSRD: Mr. Throop noted the efforts of the New Village Design subcommittee "is helping in looking to open space residential development." He spoke briefly about a resident who recently bought three 11-acre parcels of land, one of which he would like to carve off the back land and sell to an abutter "but he would have to get a Variance on the minimum lot size or re-subdivide the entire property. Our goal is flexibility, maybe there is another level we can consider and still retain conservation" he said. Chair Vann agreed noting farmsteads, cottage courts and big house, little house back house, barn. "Forms do not work if they are scattered" she said.

Economic Vitality Update: Mr. Throop told the members the subcommittee was meeting regularly and had begun their need assessment interviews with local businesses and nonprofits. He noted the questionnaire was comprised of questions concerning the town's attributes as well as its barriers or challenges and what needs to happen in the future for businesses to take advantage of opportunities they do not have today. "This will help us understand what is needed for the town to invite, start, grow and retain business over time" he said.

Next Meeting:

October 17, 2016 at 6:30 p.m.

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant