

PLANNING BOARD
TOWN OF PETERBOPROUGH, NH

Minutes of July 9, 2018

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

Staff Present: Peter Throop, Director, 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.

A motion was made/seconded (Ward/Zeller) to seat Alternates Ed Juengst and Sarah Steinberg Heller with all in favor.

Minutes:

A motion was made/seconded (Galus/Ward) to approve the Minutes of June 18, 2018 as written with all in favor.

Chair Holt noted the first item on the agenda:

Continued Public Hearing –Two Lot Subdivision of a 174.57-acre parcel owned by Lavinia Clay, located in the Family Zoning District, Parcel No. U004-001-000, located at 188 Old Street Road.

Chair Holt noted, “this application was continued to tonight” and asked who would be presenting the case. Peter Mellen introduced himself as a Licensed Land Surveyor representing Mrs. Clay. As Mr. Mellon distributed the new site plan he told the members that “the only thing that has changed from the last time we were here is the property line around the tennis court (sheet 2 on the plan), which was adjusted to meet the required setback for the court’s retaining wall. It was 5 feet from the wall and now it is back to 20 feet. The plan has been reviewed and revisions are noted on the plan. That is basically it.”

Chair Holt thanked Mr. Mellen and asked if there were questions from the Board. Mr. Ward noted the Town’s first cemetery (the Robert Stewart Cemetery, colloquially known today as “the small cemetery”), and asked about accessibility and if there was a right-of-way to the site. While unsure if a right-of-way existed, Mr. Mellen noted that Mrs. Clay allows access but asks people to request

permission. “Who maintains it?” asked Mr. Ward. Mr. Mellen replied, “Mrs. Clay says she does.”

Mr. Zeller asked for clarification. Mr. Mellen noted that “there are actually two Town cemeteries there now that are public and Mrs. Clay’s proposed burial ground which would be private. From the audience Janet Shea confirmed the cemeteries were public “but Mrs. Clay asks people get permission.”

Mr. Galus asked Mr. Throop if he had anything to add. Mr. Throop gave a brief review of the existing conditions, the dimensional requirements, compliance with zoning in the Family District, and notes appropriate to waiver requests and access. A note on the plan stated that the parcel was not to be used for residential purposes. In conclusion, Mr. Throop noted, “if the landowner seeks a driveway permit or a building permit for construction of a structure on the parcel, all waived submissions must be provided to demonstrate compliance with the zoning ordinance.” He noted slopes greater than 15% over 25 feet are defined as “critical areas” and that disturbance of such would require the applicant to demonstrate compliance with the Town’s Stormwater and Erosion Control Regulations.

Mr. Mellen told the Members that the burial plot would be placed in a family trust. When Ms. Steinberg Heller asked if they would sell plots, Mr. Mellen noted it would be a private family burial area.

A motion was made/seconded (Galus/Zeller) to approve the Two Lot Subdivision of a 174.57-acre parcel owned by Lavinia Clay into two lots as shown on the plat titled “Plan of Proposed Burial Ground” in Peterborough NH at a scale of 1”=200’ dated December 27, 2017 and revised June 8, 2018 and to grant the requested waivers of submission requirements set forth in Section 237-14.B.18-21 subject to the following conditions:

1. A driveway permit shall be required prior to constructing a driveway or access road on the new parcel.
2. In the event the landowner seeks a driveway permit or a building permit for construction of a structure on the parcel, all waived submission information shall be provided as needed to demonstrate compliance with the Zoning Ordinance and Planning Board Regulations prior to issuance of the permit.
3. Planning Board Regulations define slopes greater than 15% over 25 feet as “critical areas” and disturbance of such areas require the applicant to demonstrate compliance with the Board’s Stormwater and Erosion Control Regulations prior to issuance of a driveway or building permit.

The motion was approved with all in favor.

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 design for an “Agrihood” development, with 31 dwelling units located in three or four buildings 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 partially in 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.

Chair Holt noted the purpose of the preliminary consultation was to give an opportunity for the Planning Board to hear a proposal and recommend any changes they may have to it. “It is not binding, and the applicant may or may not make those changes” Chair Holt said, concluding “this is *not* a public hearing.”

Phil Runyon introduced himself and spoke briefly about the Stone Barn. He began by noting the barn was owned by Peterborough Highland Farm LLC, “but that is not who is doing the project” he said, noting “Village at Stone Barn LLC will be carrying it on from here.”

Mr. Runyon told the Members the land was owned in the 1880s by Benjamin Cheney (who was one of the founders of the American Express Company). “His daughter Elizabeth Cheney Kaufman built the barn in 1910 and it was initially used as a cow and horse barn. It turned out it was not good for the animals and ceased operation in the 1940s. Since then there has been no productive use of the property. It has just stood there vacant.”

Mr. Runyon reviewed a few condominium proposals over recent years (1984, 1986, and 2016), “but none were ever built” he said. He went on to tell the Members “when Peterborough Highland Farm took over, the barn was about to fall down. They invested a lot of money to shore it up and now it is beautiful inside with its post and beam construction but without a productive use it will deteriorate again.” In conclusion, he noted that “this is a financially feasible project for the barn coming to fruition. We’d like to get ideas from you on how to progress to have it happen.” He then introduced Project Manager Amelia Tracy of Conducive Life.

Ms. Tracy gave a brief review of her background in architectural and ecological design, construction management, land use planning, and renewable energy development. She noted a relationship between farming and climate change as well

as global warming and told the Members she would like to work with the land to address a major global problem.

Ms. Tracy told the Members the Stone Barn was an ideal place for her project. “Close to Town but far enough away with access to both natural and cultural resources of the town (rivers, bike paths, hiking trails, arts, museums, and theater).” She described the 30 (31 with the Farmer’s Unit) net-zero condos ranging in size from 600 to 1400 square feet featuring energy efficiency specs and solar power. She noted the on-site farm and food forest will grow nutrient dense, organic produce year-round, perennial crops like nuts, berries, biomass, and grains, and small livestock. A CSA model would be set up and members can purchase farm-fresh produce at a discount. She concluded by noting occasional farm events and educational seminars will be hosted on-site.

Katie Sutherland of KCS ARCHITECTS introduced herself and gave a brief review of the site pointing out the location of the access roads, condominiums, covered parking and carports, vegetable production, and the Café tucked in the back of the barn. Ms. Sutherland gave a brief photographic review of the Barn (front and back).

She noted the barn was referred to as a Bank Barn, as it was built into the bank of the land. She pointed out two additions (since demolished) that complimented the Barn in its early days noting they would like to put those additions back in place “taking architectural cues from the photos we found.” Ms. Sutherland told the Board that the additions would not be seen from the road and would maintain the character and feeling of the barn. She concluded with some 3-D models to show the Members and audience what the project may look like from the front, back, and north and south sides.

Chad Branon, a Civil Engineer for Fieldstone Land Consultants, PLLC introduced himself and reviewed the goals of the project (maintaining the appearance and symmetry of the barn as it stands today and keeping the existing entrance with some modifications). He also reviewed the site itself pointing out the green space in the front, 20-foot access roads going to the north and south, carports (two levels to fit with the topography of the land in the south; single level in the north), walkways, emergency access, growing fields, and the village-style condominium living units, including the Farmer’s unit.

Mr. Branon reviewed the minimum requirements of the Traditional Neighborhood Overlay Zone II (TNOZ II) including *municipal water and sewer, lot and yard standards, stormwater management, building design, parking and driveways, maintenance agreements, and reuse of existing buildings*. He noted there were 80

parking spaces, pointed out a bike rack area within the pedestrian friendly development, and noted other amenities such as the Café, common areas, a greenhouse structure, a yoga platform, community function room, a fire pit, and a sauna.

Mr. Branon also pointed out some wetland buffer encroachment (wetland delineation and wetland buffer shown on the plan). “The majority of the impact is temporary. The area will be stabilized and vegetated, doing what the buffer does at this time” he said, and added “invasive species will be removed and the area will be rehabilitated. We have put a lot of thought into the layout.”

Mr. Galus asked about impacts on traffic. Mr. Branon noted he’d had a discussion with a traffic consultant who noted they did not anticipate a significant impact and once again reviewed the 31 units (14 units in the barn, 3 to the north left of the barn, and 13 to the south as well as the Farmer’s unit). When Mr. Carrara asked about the size of the water and sewer lines, Mr. Branon noted the parcel had town water and the sewer line would have to be extended to the site. “Extending the sewer line would be a requirement of the TNOZ II” he said. Mr. Branon did not know the size of the water line but noted the presence of a fire hydrant “which takes an 8-inch line to service.”

Mr. Ward asked about snow storage and Mr. Galus asked about light (and headlight) trespass as well as the dangerous intersection at Route 101 and Old Street Road “that is going to come up” he said. Ms. Tracy reiterated that the size of the units (600 to 1400 square feet) were designed for one to two residents per unit and the number of trips in and out was less than what was approved for the (previously approved) larger units. She also noted that the homes were good for the environment (new construction, aggressive building performance measures, net zero project using solar power, and no fossil fuels).

Mr. Ward asked about the paving material that would be used. Ms. Tracy note that they were not into the project deep enough yet, “but if you have any insight into preferred materials that would be great.” Chair Holt reiterated the large amount of parking on the site and a brief discussion about phased parking or approved parking to be developed as needed. Mr. Branon noted phasing parking would narrow the current parking down and would allow them to add parking as needed without having to come back to site plan review. Mr. Throop noted that was an option that could be reviewed.

Ms. Steinberg Heller asked if Mr. Tracy had a particular farmer in mind. Ms. Tracy noted that formal RFPs had been announced for both a Farm Manager and a Café Manager and with a smile added “and we’ve had some really exciting responses.”

With no other questions from the Board, Chair Holt asked if the audience had any questions or concerns.

Janet Shea introduced herself as the abutter to the north (81 Old Street Road) and noted her concern about vehicles parking close to her lot line. She asked about the setback requirements (side setback is 20 feet) and who the parking would be for (residents and visitors).

Ms. Shea went on to note that a café would function as a commercial use, which she did not think was allowed in the Family District. Chair Holt explained a café was a permitted use in the TNOZ II District (Adopted May 2016). When Ms. Shea asked if other residents would be required to tie into the municipal sewer line (she preferred not to) both Chair Holt and Mr. Throop agreed they would have to research it. Ms. Shea concluded by noting “it is like an amphitheater back there. There will be noise and that is a concern. This is a residential neighborhood. I think you should think twice about the Café.”

Laurie Lewis introduced herself as a resident (84 Old Street Road) and asked about the types of farm animals the Barn would have. Ms. Tracy replied, “we’d like to have some chickens and pigs. Not many. Space is an issue for the animals.” Ms. Lewis then asked about exterior lighting with Ms. Tracy noting that they had not considered lighting plans yet. “It is too early for those specifics” Ms. Tracy said, “but they will be high efficiency and as low lumen as possible.”

Dave Delworth introduced himself as a resident (68 Old Street Road) and told the Members he thought it was a great proposal but was concerned about the traffic. He noted he’d bought his house 8 years ago, “and I was unpleasantly surprised with the traffic on the road.” He asked about other commercial uses that may be open to the public at the Barn. He also expressed concern about additional expansion to the site in the future. A brief discussion about the project’s amenities for both residents and the public followed. Ms. Tracy stated, “many onsite amenities are for the residents and the neighborhood. It will not be an issue to bring people in.” Ms. Tracy also noted much of the interest in residency had come from people who bike to work and like to walk to Town. “Their transportation patterns are designed into the site” she said.

Mr. Ward inquired about the selling prices of the condominiums with Ms. Tracy replying that the price range should be \$200,000 to \$400,000. Mr. Ward quickly

estimated a calculation of the Property's assessed value to be upwards of 9 million dollars.

From the audience, Peter Campbell introduced himself and expressed his concerns for traffic and traffic calming.

Virginia Lee Miller introduced herself as the resident of 95 Old Street Road and spoke about traffic calming efforts that residents have tried to instill over the years. Ms. Miller added, "for years we have been told raised crossing and speed bumps were not allowed because Old Street Road was the main road to the Hospital." It was the consensus of the Old Street Road residents present that the speed limit is exceeded daily and the stop signs are not working.

A question was asked about the type of farm equipment that may be used. Ms. Tracy stated that no major heavy equipment would be used.

Next Meeting:

August 13, 2018 at 6:30 p.m.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant