

**PLANNING BOARD**  
**Town of Peterborough, New Hampshire**

**Minutes of July 15, 2019**

**Members Present:** Dario Carrara, Tyler Ward, Alan Zeller, Rich Clark, Ivy Vann, Judy Wilson Ferstenberg, and Sarah Steinberg Heller.

**Staff Present:** Peter Throop, Laura Norton, and Kristin Bixby, Office of Community Development

**Site Visit : 10 Laurel Street**

Chair Carrara (Mr. Carrara) called the site visit to order at 6:00 p.m. He and Beth Alpaugh-Cote (Ms. Cote) welcomed the Members and audience to 10 Laurel Street. The group entered through the middle entrance to the lot where Ms. Cote pointed out the location of the potential condominiums, their garages and their relationship to each other.

The Members observed the topography and high point (790 feet ) of the steep and unstable slope on the south side of the lot and briefly discussed related site engineering issues.

**Site Visit: 69-75 Concord Street:**

Mr. Branon thanked everyone for coming out noting he had staked out the location of the road and the triplexes for reference and greater clarity.

Mr. Branon noted the 100-year flood plain and told the group that the project in its entirety will be elevated 3 feet above the road to compensate. “There will be 3 or 4 steps off the front porches much like the houses across the street,” he said. From the crowd someone asked about basements. Mr. Branon replied, “there will be no basement units on the front of the site.”

Walking up to the site at the back of the lot, Mr. Branon noted the grade was about 20%, adding, “our maximum grade will be 8% so that drives the position of the units.” The site visit ended with a viewing of the apartment house on the adjacent lot.

**Continuation of Public Meetings:**

Mr. Carrara welcomed the audience, introduced the Members and Staff and called the continuation of the Preliminary Consultation to order at 7:00 p.m.

**Preliminary Consultation: Conceptual Review** for Beth Alpaugh-Cote on land owned by John Kaufhold located at 10 Laurel Street, Parcel No. U018-087-000 in the General Residence District. This non-binding consultation will consider a proposed concept for developing a multi-family residential development. As this is not a formal public hearing, public comment will be heard at the discretion of the Planning Board Chair.

Ms. Cote began by noting nothing had really changed since last week and hoped the Board got a good look at the site and its' topography. Ms. Vann suggested a new design for her buildings which included two rectangular structures (three units each) facing each other (east and west), connected with a parking structure. "Almost in a U-shape, that would resemble a courtyard, very similar to the gardens apartments on Cheney Avenue," she said.

Mr. Carrara asked for clarification between the TNOZ I and TNOZ II ordinances. Ms. Vann noted that Ms. Cote cannot use TNOZ I as an extension of municipal facilities (sewer) up Laurel Street will be necessary. "And she cannot use TNOZ II because the lot is located in the TNOZ I Overlay." Ms. Vann added, "so she is going to use the General Residence underlying zoning where multi-family housing is permitted but it must be connected." Ms. Steinberg Heller noted that such a plan would necessitate the removal of all the existing structures but would allow a better concentration of the dwellings, staying away for the steep slope.

Mr. Clark asked about the Right-of-Way from Route 101 with Ms. Ferstenberg noting she liked Ms. Vann's rendition as it afforded more privacy to the residents. "I think it provides a good solution," she said.

Ms. Cote thanked Ms. Vann for her suggestion replying, "I hear you, but I would prefer to avoid a barracks type look. I would like it to feel *homey*, like I had my own home with two bedrooms and an attached garage. It is a thought though."

Sharon Monahan introduced herself and told the Board, "I prefer the original, staggered model. I like it better because it gives the impression of small single-family cottages and we are a single-family neighborhood."

Peggy Vanvalkenburgh commented on the building design. Mr. Throop briefly discussed the required design guidelines for the General Residence District.

Stephanie Hurley introduced herself and asked about the traffic impacts to Laurel Street. It was noted that currently there is no sidewalk on the street, "and maybe we should be advocating for one," she said.

Mr. Throop noted the applicant could get a traffic opinion letter under the site plan review process, “but with only 6 units it can’t be more than 50 trips a day,” he said.

Hope Taylor introduced herself and noted any problems with the site should be easily fixed or mitigated. Ms. Monahan concluded, “this had been a non-conforming use for some time and the project makes it more conforming with the District. I am happy that a residential use is going in here.”

**Preliminary Consultation: Design Review** for “Woodman’s Place” owned by EAM Peterborough Holdings, LLC. located at 69 & 75 Concord Street, Parcel No. U016-041-000 (Lot 1) and Parcel No. U016-042-000 (Lot 2). This non-binding consultation will consider a proposed design for demolishing an existing house and former commercial building and developing a 20-unit residential subdivision served by a new road using Traditional Neighborhood Overlay Zone I (TNOZ I) Parcel U016-041-000 is located in the General Residential District and Parcel U016-042-000 is located partially in the General Residential District and partially in the Family District. As this is not a formal public hearing, public comment will be heard at the discretion of the Planning Board Chair.

For the record Chad Branon introduced himself as a civil engineer with Fieldstone Land Consultants, PLLC located in Milford, New Hampshire and representative for EAM Peterborough Holdings, LLC. He also introduced architect Michael Petrovick of Catlin & Petrovick Architects PC. He then thanked all who attended the site visit and noted that a week ago they had a formal presentation reviewing a new plan for project that will minimize cuts and stabilize the slopes. “Without any significant modification to the layout this had become the best design for the site,” he said. He went on to note the waiver requests as Mr. Petrovick distributed a new graphic of the redesigned three-bedroom triplexes. A brief discussion followed regarding building materials, the height of the units, and the potential of a retaining wall. Mr. Branon also briefly reviewed the grading and drainage plans.

As Mr. Carrara noted the applicant’s request for several waiver considerations he looked to the Members and said, “I’d like to touch on each one individually and get a sense of whether you approve, are neutral or disagree.” As he asked Mr. Branon to point out the General Residence and Family District Boundary lines he reminded the Board of 235-19 B. 3 that states, “where a district boundary line divides a lot of record, the regulations for either district of such lot may extend up to fifty (50) feet into the other district, providing the lot has frontage on a street in the district that is being extended.” Mr. Branon had delineated the General Residence District and Family District boundary line with an orange marker and the extension of the General Residence District up into the Family District by fifty

(50) feet with a blue marker for clarity. He pointed out most of the two triplex buildings were within that fifty (50) feet.

The first waiver request was for the *triplex units in the Family District*.

Noting the waiver request for this particular requirement of the TNOZ I Mr. Carrara asked about the sense of the Board with all favoring approval.

With the second waiver request Mr. Branon reviewed the *minimum lot sizes* with some irregularities in the limited common area geometry, “that if to be eliminated would result in one of the lots to be under 5000 square feet in size.”

Noting the waiver request for this particular requirement of the TNOZ I Mr. Carrara asked about the sense of the Board with all but him favoring approval. “I am feeling neutral on this one,” he said.

The third waiver request was for the porch *encroachment into the setback*. Mr. Branon told the Members the front porches of a few of the units extend into the front setback but noted their distance off the roadway is consistent with the surrounding neighborhood. He noted they could modify the porches, “but the Board has repeatedly requested deeper (at least a 6-foot depth) porches in the past.” Pointing out the geometry of the road, Mr. Branon noted it was consistent with the other side of the road, that the porches would bring pedestrian activity closer from the sidewalk and that they had been granted similar waivers in the past. Ms. Vann interjected, “I am inclined to grant the waiver if the porch is useable.”

Mr. Ward noted sidewalks would be created for this project but had a lack of consistency with the intermittent existing sidewalk on the street. He noted the new sidewalk leads to nowhere and asked if the applicant would petition the State for a crosswalk. Mr. Branon agreed, “you are right, but the sidewalk is a step in the right direction.” He went on to explain that it was quite difficult to get the state to put in mid-street crosswalks. Mr. Ward noted other mid-street crosswalks along Concord Street with Mr. Branon replying, “yes but it is very hard to get new ones.”

Noting the waiver request for this particular requirement of the TNOZ I Mr. Carrara asked about the sense of the Board with all but Ms. Ferstenberg in favor. Ms. Ferstenberg was neutral on this waiver. Ms. Vann reiterated, “as long as the porches are useable and *not* ornamental” adding, “typically that is a depth of at least six (6) feet, and I like to see a depth of eight (8) feet.”

The fourth waiver request was for the TNOZ I guideline that the garages and parking areas be located to the rear of the lot with the *garage setback* (20 feet from the front façade of the house). “We have met the site and building design

guidelines for all the single-family units,” said Mr. Branon as he pointed out the multi-family units whose garages technically face the houses. “We need relief for the triplexes.”

Ms. Vann noted she liked the garage placement on the new plan and based on the new design “I drudgingly am in favor.”

Noting the waiver request for this particular requirement of the TNOZ I Mr. Carrara asked about the sense of the Board with all favoring approval.

The fifth waiver request was for the *minimum frontage*. “Specifically, some of the Limited Common Areas (LCAs) do not meet the minimum frontage required for TNOZ I,” said Mr. Branon. “Specifically, Units 2, 3, 13 and 14 do not meet the 50-foot frontage requirement as they are positioned on the corners of the proposed driveway.” He went on to say, “this is not uncommon in cul-de-sacs to have reduced frontage along the road.”

Noting the waiver request for this particular requirement of the TNOZ I, Mr. Carrara asked about the sense of the Board with all favoring approval.

Mr. Carrara noted he would like to take a moment and discuss the TNOZ requirement of the reuse of existing buildings. “I would like to take a straw poll on that as well” he said. Mr. Ward interjected, “may I say something first?”

Mr. Ward told the Members, “I have pretty much given up on that hope” (use of the existing 3-story apartment building on the site). “It’s a dead horse, but what I hope may come from this is the idea that developers will collaborate with the town in saving a showpiece like this in exchange for other things like the waivers that have been requested.”

Mr. Ward went on to say, “this is a fine project, we need housing and it is a good design.” He credited the applicant, Mr. Branon, and Mr. Petrovick, for their hard work but reiterated a lack of incentive to collaborate “lost us this house. With its architectural style, it is a gem to be embraced and could have been incorporated adding diversity to the project, it could have fit four units, it *could* have been done.” Mr. Ward concluded, “it is a good project, but the house is a great loss and we need to do what we can in the future to avoid that.”

Mr. Carrara agreed, but added the house had structural issues and exposed wiring, insulation, and plumbing, as well as asbestos and lead paint. “If it were in better shape, I would be much more inclined to say let’s save it,” he concluded. Ms. Vann noted, “by and large given the cost of construction we seldom lose a building that

can be rehabbed in a way to rent or sell it. The ones that get torn down are usually demolished by neglect.”

Mr. Ward asked about the road. Mr. Branon replied, “it will be a private road. Ms. Steinberg Heller interjected, “and will it still be one-way?” Mr. Bannon replied, “initially it was designed to be one-way (12 feet wide with 2-foot gravel shoulders) but noted a change in the plan to 14 feet wide with 1-foot gravel shoulder (but engineered for 2 feet). When asked why the plan changed Mr. Branon noted “one-way road require a lot of signage. He pointed out several areas where one-way signs would be required throughout the project. Noting the signs would be a blight, he told the Board, “the main reason is the aesthetics and making it wider opened up options to make it nicer. We have gotten great feedback from your DPW as well.” Mr. Throop suggested Mr. Branon get in touch with NH DOT as soon as possible about the change. Mr. Branon replied they had been in touch and “DOT is happy any time we reduce our curb cuts (and) this gives us good separation without entrances.”

Mr. Carrara opened the meeting to the public.

Ms. Hurley stood and told the Board, “this seems like a perfect scenario to get some affordable units.” She went on to say, “the town is in a very good position to ask for something *in return* for the waivers.” Mr. Throop noted the Board had no authority under state law to govern affordability. “There are sections of zoning that could be adopted which is called inclusionary zoning, but it is still voluntary. The Planning Board cannot deny density as a condition of approval,” he said.

A brief discussion about affordability followed. Ms. Vann noted that the Board had “really no control” and that restricting density (fewer units) with the same infrastructure (fixed costs spread over fewer units) “does nothing to keep the cost down and works against us.” Ms. Vann also inquired if the applicant may be interested in units with the master bedroom on the first floor and unfinished second floors to assist in affordability. Mr. Branon replied, “it is too early in the process for that consideration.”

Pointing out the single-family units along Concord Street (in the General Residence District) with the multi-family units tucked up above them (in the Family District) Ms. Monahan asked why the triplexes were not just built in the General Residence District in the first place. “Why don’t you just flip them?” she asked.

Mr. Branon replied, “aesthetics. Looking up and down at the streetscape of the neighborhood the architectural of the single-family units conform and met the

objectives of the TNOZ I without changing the appearance of the street. The multi-family units fit better with the slope of the hill.” He then reiterated that the multi-family units “just slightly extend out of the 50-foot extension of the General Residence Zoning District boundary.”

Mr. Branon presented a facsimile view of what the front units would look like if walking by on Concord Street. “The new plan has the units elevated, which is way better,” said Mr. Branon, “and we are going to try to make the porches a *little bit* smaller!”

Hope Taylor introduced herself and whole heartedly agreed with Mr. Ward’s sentiments on collaboration between developer and the town. She mentioned the former River Center building (also on Concord Street), “which was in better shape than this apartment building – and it is gone.” Ms. Monahan agreed, “there must be some way to do something, but it has not happened so far.”

**Other Business:** None

**Minutes:**

A motion was made/seconded (Zeller/Vann) to approve the Minutes of July 8, 2019 as written with all in favor.

**Next Meeting:** August 12, 2019 at 6:30 p.m.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Laura Norton

Administrative Assistant