

PLANNING BOARD
Town of Peterborough, New Hampshire

Minutes of September 16, 2019

Members Present: Dario Carrara, Ivy Vann, Rich Clark, Sarah Steinberg Heller, Judy Wilson Ferstenberg, Alan Zeller, Tyler Ward, Rebecca Adey-Merrithew, Lindsay Dreyer, and Ed Juengst

Staff Present: Pete Throop and Kristin Bixby, Office of Community Development

Mr. Carrara called the meeting to order at 6:30 PM. He welcomed the audience and introduced the Members and Staff.

Minutes:

A motion was made/seconded (Zeller/Vann) to approve the minutes of August 19, 2019 as written with all in favor, except for Mr. Ward who abstained.

Public Hearing: Conditional Use Permit and Site Plan approval for a proposed change of use on property owned by Charlie Hough of Cranberry Meadow Farm, LLC, located at 226 Wilton Road, on the northeast corner of Wilton Road (Route 101) and Old Street Road (Parcel Number U001-010-000). The proposal seeks to convert an existing single-family home into a 9-guestroom Bed and Breakfast establishment with an accessory dwelling unit. The 79.1-acre parcel is located partially in the Family zoning district and partially in the Rural zoning district.

Mr. Hough introduced himself as the applicant. He explained that he and Carolyn Hough, his wife and Co-CEO of Cranberry Meadow Farm LLC, are here to seek your approval of a Conditional Use Permit and Site Plan review to convert what is currently a residence at 226 Wilton Road into a Bed & Breakfast, thereby returning it to its use when it was built in 1797 as Wilson Tavern and Inn.

Mr. Hough went on to read from a prepared statement (attached) that outlined the proposed project. The note highlighted what the applicants considered as the four most important points of what they were proposing, including the kitchen expansion, the change in access to the property, now proposed to be from Old Street Road, the configuration and layout of that new driveway, and the drainage changes for the man-made koi pond, which includes the replacement of an existing culvert.

Mr. Hough ended his speech by thanking Cy and Joyce Gregg, the past owners of the property. “We intend to respect and build upon what they so generously have built,” he said.

Mr. Throop clarified for the Board that the NH Department of Environmental Services does not consider the man-made koi pond as a wetland, correcting a reference in the Applicant’s prepared statement. made while reading his opening remarks. Mr. Throop reiterated that the water level in the koi pond is maintained by daily pumping from a nearby well. He continued stating that “the existing culvert is being replaced in-kind and location and the driveway will be sited following the path of an existing logging access road.

Acceptance of Complete Application: A motion was made/seconded (Vann/Zeller) to **Accept** the application as complete, with all in favor.

Mr. Throop commented that on page 3 of the Staff Report, it had noted that a septic system inspection report has required and has now been received from the applicant. He indicated that the report shows the septic system is in fair condition and suggests several improvements. Mr Throop indicated that the septic system should be reinspected every year. Mr. Throop also stated that there is an existing non-conforming ADU on the property. He told the Board that the applicant has indicated that the existing ADU will be removed and that they will be applying for permit for a new ADU in a different structure on the property.

With no other questions from the Board members, Chair Carrara opened the hearing to the public.

Cy Gregg, introduced himself and noted that he was present in both an official and unofficial capacity, as he represents Stone Barn, LLC (an abutter), but he is also a past owner of the property. He said that he has had the pleasure of getting to know the Applicants, and that in both of his capacities, he is in support of this project moving forward.

Michael Kline, an abutter, introduced himself and said that he was very happy to have them as new neighbors and had no qualms about any activity that this would bring in. He thinks it's a great addition to the neighborhood.

Sue Martin introduced herself and said that although she had just heard of project, after learning about it, she is in support of this project moving forward.

Mr. Ward asked about the fencing around the swimming pool and wondered if it could be fenced in any other way. Mr. Hough mentioned that the pool will also have a remote-control retractable pool cover, and although he had researched that additional fencing would not be required under state code regulations, the State Department of Environmental Services (DES) likes to see the fencing as proposed on the plan. Peterborough Code Enforcement Officer, Tim Herlihy, has decided that they would also need the pool fence to honor DES. Chair Vann asked, "do we have to have the second fence?" Mr. Throop advised that is was Mr. Herlihy's call, as the code officer. Chair Carrara also noted that if anyone were to apply for building permit after today, the State of NH will be adhering to updated codes. Mr. Hough said that the Department of Environmental Services wants the site to have a pool fence, and he is proposing to build four (4)-foot pool fence that can and will be removed if the State changes its mind in the future.

Chair Carrara closed the Hearing and the Board members went into Deliberation.

Vice Chair Vann directed the Board to the staff report that laid out the criteria and standards for an Accessory Dwelling Unit.

Mr. Clark stated that "the only nuisance I see are the lights going out of parking lot. If the neighbor is fine with that, I don't think there is a problem. It sounds like they are willing to work with their neighbor moving forward if there is a problem."

Mr. Carrera stated that "a fence over 7 ft tall will need to be part of the building permit." A

After reviewing the criteria, a motion was made/seconded (Vann/Zeller) to make the following findings:

1. The use, size and scale of the use, and site design are compatible with the neighborhood, the public or private roads used to access the site, and the surrounding area; the property is otherwise reasonably well suited for the proposed use;
2. The use will not adversely impact the aesthetic quality of the streetscape or neighborhood;
3. The use and site design will not result in any substantial adverse impacts including but not limited to noise and light trespass, or place any undue burden on any abutter;

With all in favor.

A second motion was made and seconded (Vann/Zeller) that the Board has reviewed the proposal for compliance with the Standards for a Bed and Breakfast establishment and finds the following:

1. The Applicant has indicated that they will be residing in an accessory dwelling unit (ADU) to be constructed within the existing detached garage.
 - The Applicant stated that they will apply for the ADU in accordance with Section 245-24.1 of the zoning ordinance prior to issuance of a building permit. An existing unpermitted ADU located in another building on the property shall not be used as an ADU and shall be removed within a reasonable timeframe as directed by the Code Officer.
2. The application proposes 9 guest bedrooms.
3. Adequate provisions for water and sewer will be provided. The property is served by the municipal water system.
 - The Applicant has provided a stamped septic plan showing a 3,000-gallon septic system designed for ten (10) bedrooms and septic system inspection report stamped by a NH licensed septic designer indicating that the system is in fair condition, and further that the Applicant has stipulated they will make improvements to the system as directed by the inspector. The applicant has also indicated that the septic system will be inspected annually.
4. The number of off-street parking spaces for the dwelling and establishment provided (18) exceeds the number of spaces required by the standards (13).
5. Visibility of parking and service areas from public streets and neighboring dwellings will be minimized through construction of an 8-foot fence and landscaping to be completed prior to issuance of a certificate of occupancy.
6. The Bed and Breakfast establishment will comply with applicable building, health, and life safety codes.
7. The applicant proposes to provide a morning meal provided for guests of the Bed and Breakfast and the establishment will not serve as a restaurant open to the general public.
8. The Board has reviewed the proposal for compliance with Site Plan Review

As such, the Board finds that the proposal to convert a single-family residence into bed and breakfast establishments as shown on a plan entitled:

“Charlie Hough, 226 Wilton Road, Map U001-010-000 Peterborough, - NH Bed and Breakfast Building Remodel – Site Plan - dated August 29, 2019 last revised September 13, 2019, Prepared by Meridian Land Services of Amherst, NH, Plan consisting of 3 pages, and landscaping plans prepared by Jenny Lee Hughes dated May 2019, consisting of 2 pages”

will meet all criteria and standards, subject to meeting the stipulations and conditions included here in and here by grants a conditional use permit for this project.

With all in favor.

Motion for Site Plan Approval

A motion was made/seconded (Vann/Zeller) that the Planning Board **Approve** the Site Plan referenced above, as it may be amended to address the following conditions of approval, prior to signature of the plan:

1. The Applicant shall submit a final revised plan stamped by a qualified engineering certifying that the design and capacity of the stormwater system meets Town standards. In the event that minor modifications are necessary prior to certification, these modifications may be approved administratively the OCD Director in consultation with the Planning Board Chair or Vice Chair.

With all in favor.

Other Business: Procedure for Distribution of Packet Information to Board Members

Mr. Throop addressed the Board regarding their packets, asking if it worked better if the members received all of the information electronically with larger sheets available upon request or at the meeting. He clarified that for the plan sets that typically come in an 11-by-17 format, staff can still print those out and have them available for pick-up. Mr. Clark and Vice Chair Vann stated that they would still want the full packets printed and available for pick-up. Mr. Zeller voiced that he is fine moving to getting electronic copies, as long as he can see a hard copy at the meeting. The Board agreed to switch over to receiving all materials electronically, with the acknowledgement that they could continue to request paper copies and retrieve them from the office.

Next Meeting: September 23, 2019 at 6:00 p.m. in the Select Board Room, Peterborough Town House

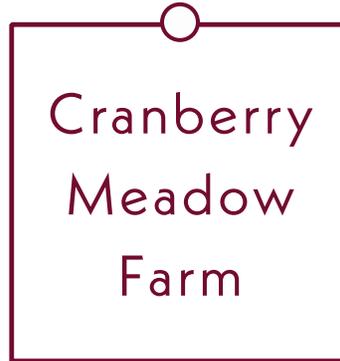
Adjournment: A motion to adjourn was made/seconded (Ward/Clark) with all in favor.

The meeting adjourned at 7:35 PM.

Respectfully submitted:

Kristin Bixby

Assistant Planner

Statement Prepared and Read by Charles Hough

Good evening to the Town of Peterborough New Hampshire Planning Board, and good evening to the residents of Peterborough who may have an interest in this project. Carolyn, who is my wife and the Co-CEO of Cranberry Meadow Farm LLC, and I are here to seek your approval of a Conditional Use Permit and Site Plan approval to convert what is currently a residence at 226 Wilton Road into a Bed & Breakfast, thereby returning it to its use when it was built in 1797 as Wilson Tavern and Inn.

This has been a long and sometimes challenging and painful journey for Carolyn and me. I would like to read you her Facebook post after we closed on this property on June 15th, 2019:

“We have finally found our place! It took two years but Charles and I knew it was the place as soon as we saw it. Built in 1797 as a tavern, its history runs deep and rich. Over the years it has been expanded to cover 80 acres of gardens, hiking trails, ponds and the most beautiful lilacs I have ever seen. Along with fruit trees, hedges of peonies, poppies and twelve raised beds for planting, the possibilities seem endless.

The next year will be spent converting this property to an inn, respecting the deep roots of this place in Peterborough, New Hampshire. We want to be an integral part of this vibrant community - not just sourcing all of our produce and amenities locally but also serving as a destination, meeting place and source of celebration.

We are just unearthing both the past of the farm - it was reportedly a way station on the Underground Railway! - and determining what its future may be. Please join us on our journey as we look to opening in Spring 2020.”

Our application is fairly straight forward, but I would like to highlight four important points:

(1) We are proposing to make a 176 square foot expansion to the current 7,400 square foot home, which will be an 8 foot by 22 foot extension of the kitchen to accommodate a professional kitchen space for Carolyn, who will be in charge of all culinary activities and events, leveraging her restaurant and catering experience over many years.

(2) For safety reasons, we plan to remove the current driveway cut from Wilton Road (also known as Route 101) and create a new asphalt driveway over the existing logging road on Old

Street Road. We were asked to consider moving the driveway entrance location slightly north or south to minimize the potential evening car headlights from shining into Svein and Deborah Nortu's home directly across the street. We are willing to do whatever they would like us to do with the driveway location at the street. They are here tonight, and I believe they would like the driveway entrance left in the current location of the old logging road that we propose to pave with asphalt.

(3) We originally proposed an 18-foot wide driveway to allow vehicles to pass each other as they enter and exit our property. However, after consulting with Pete and Kristin from the Peterborough Office of Community Development, we now propose a 12-foot wide driveway with two feet of hard pack on either side in case there is a need for large vehicles to pass each other. There are also two turn-outs along the length of the driveway, which would allow vehicles to move off of the road temporarily if two large vehicles meet each other while entering and exiting the property at the same time.

(4) And finally we have the issue of the koi pond and drainage channel that Cy and Joyce Gregg built in 2006. Even though this was a man-made addition in an upland (dry) area, it is now considered a wetland for New Hampshire State Department of Environmental Services purposes and for Peterborough Conservation Commission purposes. We had originally proposed to have the driveway swing to the left of the existing culvert over a new approximately 20-foot culvert extension in order to allow for a more gentle right turn around the pond to drive up the hill to the inn. However, after a conversation with both Pete Throop and a member of the Peterborough Conservation Commission, we agreed that the plan should be modified such that the asphalt paving of a 12 foot wide driveway will follow the exact location of the current gravel logging road over the existing culvert, which will need to be replaced in-kind and in-place with a new culvert.

Regarding the drainage plan, there is one area here where water does collect in a wetland area as a result of rainwater coming off of the hills to the east of the proposed new driveway. We are proposing to add a new culvert with a sediment station in order to drain water into the wetlands area that will eventually make its way into the man-made pond. Currently, the pond is fed by an irrigation pump, which runs for two hours each day in order to keep the pond full. If no water is pumped, which is currently the case because of a cut to the irrigation lines near the pump, the water in the pond drops significantly. This would indicate that there is more than enough drainage capacity to accommodate the new culvert in this area.

Regarding noise and visual disturbances from our property in general, we plan to construct an 8-foot high solid board natural cedar fence with v-notched boards in order to dampen some of the noise coming from route 101. This fence would extend the full length of our property along route 101 and along Old Street Road up to the entrance of the landscape staging entrance, which will be normally closed off with a chain and very small sign that says "Service Entrance," so that inn guests don't get confused and think this is the main entrance to the inn. With this fence installed, none of the cars will be visible to any neighbor or to any of the cars or trucks driving along Route 101.

Regarding parking, there are 1.2 spaces required for each guest room. With nine guest rooms, that adds up to 11 required for guest rooms. My wife and I will park our cars inside the existing garage, so no additional exterior parking is required for us. As you can see on our site plan in this area, we are proposing 15 parking spaces and one ADA designated space with a lift under the breezeway here in order to keep wheelchairs and the lift out of the rain or snow. We have proposed four more parking spaces than are required because we intend to hire at least four staff members, and our desire is that we treat staff members with the same level of respect and politeness as we will treat our guests.

Regarding the septic system, a new one was installed in 2003 that can accommodate 10 bedrooms, which is the number of total bedrooms that we plan. We have provided the Office of Community Development with an inspection report of the septic system that was conducted on our behalf by a licensed engineer who rated the system as in fair condition. If we receive approval of our plan today, we will implement their recommendations to improve the functioning of the system by adding a vent to the leach field, risers over the two caps, and a grease trap either at the entrance to the system or underneath our kitchen sink.

Regarding our landscape plan, we intend to plant additional rhododendrons beside new the new driveway entrance in order to minimize any residual car headlight beams disturbing neighbors across Old Street Road.

We are aware that there are three criteria to be evaluated by the Planning Board before issuing a Conditional Use Permit, including (1) Compatibility, (2) Aesthetic Character, and (3) Nuisances.

- (1) Regarding compatibility, this home was originally built as Wilson Tavern and Inn in 1797.
- (2) Regarding Aesthetic Character, the natural solid board cedar eight-foot fence will minimize the impact of the new use of the property for the neighbors.
- (3) And regarding nuisances, the proposed fence and additional plantings will address this issue.

Carolyn and I plan to live on site full time, and we are excited about the prospect of working on this property for many years to come and welcoming many guests both from far away and from Peterborough.

And every step of the way, we want to involve people from Peterborough and to ensure that we are good neighbors.

Finally, I would personally like to recognize Peter Troop and Kristin Bixby from the Peterborough Office of Community Development, who have provided great support for Carolyn's and my development of this application, including field visits and multiple telephone calls. And in closing, I would like to thank Cy and Joyce Gregg who lived in our home for 37 years and made it the beautiful place that it is today. We intend to respect and build upon what they so generously have built.

Thank you.