SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
FEBRUARY 20, 2013

MEMBERS PRESENT:	**William Sweeney, Chairman, Anthony Delyani, Vice Chairman, Dave Witham, City Council Representative, Bob Belmore, City Manager, Ron LeHoullier, Paul Robidas, Dan Proulx, Ernie Gallant and Chris Cortez, Alternate.**
MEMBERS ABSENT:	**Erwin Grant.**
STAFF PRESENT:	**Dave Sharples, Director of Planning and Community Development and Tracy Gora, Planning Secretary.**

The meeting was called to order at 6:30 pm.

1) APPROVAL OF MINUTES

Motion: LeHoullier moved to accept the minutes of the meeting of January 16, 2013.

Seconded by Proulx. Motion carried with a 9-0 vote.

2) COMMITTEE REPORTS

A) ZBA Report

See attached report.

B) City Council Report

Witham stated that there was a presentation at last night's City Council meeting by Hoyle, Tanner & Associates, Inc. regarding the downtown improvement project. Stated that Hoyle Tanner is about 30% done with the design but has asked the Council to focus on some changes like possibly eliminating some parking for better traffic flow and pedestrian access. Stated that some local business owners attended the meeting and offered feedback but that the plans continue to be worked on. Stated that the Council discussed the plans to replace all the water lines in the downtown area. Stated that there will be an entire new drainage system and some minor sewer work. Stated that the preliminary schedule is to get underway this spring and have the project substantially complete by Thanksgiving. Stated that the Somersworth/Berwick Bridge project will get started in 2014 so there will be a couple of years of construction in the downtown area. Stated that next week the firm working on the Transportation Enhancement (TE) Grant will give a presentation on Thursday, February 28, 2013 at 6:00 pm. Stated that at last night's meeting, the Council unanimously passed an ordinance adopting RSA 79-E, which is a tax incentive. Stated that Paul Goodwin did an internship with the City last summer and gave a presentation to the Planning Board regarding this RSA. Stated that two new members were appointed to the Historic District Commission (HDC): Madeline DeSantis and Pius Charles Murray. Stated that there has been road de-lamination on High Street and that the Council is weighing options on how to fund repairs.

Belmore mentioned that if people are unable to attend a meeting, they are shown on channel 22 and on the City's website. Stated that they are shown live and archived to be watched later.

C) Site Review Technical Committee Report

Sharples referred to the attached report and stated that there was no meeting but that there is one scheduled for March 7.

D) Minor Field Modification Report

Sharples stated that a minor field modification was approved for the Next Level Church for façade changes. Passed out a copy of the changes (see attached).

E) Strafford Regional Planning Commission Update

Brian Tapscott, City Councilor and member of the Strafford Regional Planning Commission addressed the Board and stated that he attended the January quarterly meeting. Stated that they had a speaker from the Nature Conservancy and he gave a PowerPoint presentation on estuaries. Stated that the SRPC is made up of volunteers and that Somersworth is looking for a third member.

Robidas asked about the time commitment of a membership.

Tapscott stated that there are quarterly Commission member meetings and that the MPO meets every month.

Robidas volunteered to join the SRPC

Motion: Witham nominated Paul Robidas to the Strafford Regional Planning Commission.

Seconded by LeHoullier.

Belmore stated that the nomination would have to go to the City Council for consideration.

Motion carried with a 9-0 vote.

F) Vision 2020 Report

Sharples stated that the next meeting is scheduled for this Monday at 5:30 pm and that they are still working with the Somersworth Festival Association.

3) OLD BUSINESS

A) Any old business that may come before the Board.

Witham stated that street lights that were a condition of approval for the Avis Goodwin site plan have been installed.

4) NEW BUSINESS

A) The Russell T. Browne and Frances V. Browne Living Revocable Trusts of 1999 and James B. Browne and seeking minor subdivision approval for a lot line adjustment on properties located at 370 and 400 Old Rochester Road and Blackwater Road, in the Residential Single Family (R1) District, Assessor's Map 68, Lots 01, 03 & 11, SUB #02-2013.

Kevin McEneaney of McEneaney Survey Associates, Inc. addressed the Board and referred to the plans. Stated that this is for a lot line adjustment and that there are no new lots being created. Showed how the lots exist now and stated that there are two small lots and one larger one. Stated that they are looking to expand the two smaller lots and showed the proposed plan. Stated that the Browne Trust is going to be dissolved and that this is a housekeeping issue with

the attorney and Trust. Stated that the third lot is to be sold as a buildable lot. Stated that test pits have been done and that the access to the lot would be through the frontage in Dover.

Public hearing opened 6:45 pm.

Mike Foligno of 193 Blackwater Road addressed the Board and stated that the larger lot abuts his backyard. Stated that he doesn't have a problem with the lot being developed as much as the wetlands being disturbed. Stated that after his neighbor's lot was developed he ended up with water running in his front yard. Stated that the land in the back is wet most of the year and that he is concerned where the water will go when the lot gets developed.

Witham confirmed that Foligno's home and driveway are located in Dover but part of the land and the detached garage are located in Somersworth.

Joy Robbins of 194 Blackwater Road in Dover addressed the Board and stated that she has lived here for about 30 years. Stated that the plans show that there will be a driveway next to her property but that there is a creek there. Stated that she is concerned that the proposal will disrupt it. Stated that it is swampy back there and asked what will happen with her water. Asked if this is going to be developed.

Public hearing closed 6:52 pm.

Belmore stated that he will refrain from this discussion and abstain from voting because he is a member of the homeowner's association that is an abutter to this property.

Witham asked if the larger parcel would be landlocked if lot line wasn't abandoned.

McEneaney stated that it is not currently landlocked.

Proulx asked if the lot that Witham was referring to has road frontage.

McEneaney stated that it has road frontage in Dover.

Witham stated that, regarding the comments from the abutters, this proposal is just to change lot lines. Stated that they are buildable lots now and they still will be after the lot lines move.

McEneaney stated that two of the three lots have houses on them now.

Sweeney asked where the buildable area is.

Sharples clarified.

Sweeney stated that his plans don't show the wetlands.

Sharples confirmed and stated that the updated plan that he has shows the wetlands.

Sweeney stated that it would be helpful to know where the wetlands are.

Robidas stated that there is no proposal to change anything about the land right now.

Delyani stated that they are just moving lines around and that there is no physical change to the land with this application.

McEneaney stated that Sharples recommends that they get wetland approval and that they will go through that process. Stated that they have already done test pits and that the majority of

the lot is not wet. Stated that the abutter is correct that there is a drainage swale where the driveway would be. Stated that a culvert may have to go in farther up.

Cortez stated that it is zoned R1 and that they have the right to build a house on the lot. Asked if there is an understanding of where the septic system would go.

Robidas stated that a septic design would have to be done.

LeHoullier asked about having a condition of approval for State septic approval.

Sharples stated that he already has a suggested condition of approval for that and one for an electronic as-built plan. Stated that a conditional use permit from the Planning Board will be needed because any development of the lot will be within the 50-foot wetland buffer. Stated that a proposal for a single family home would need review by the Conservation Commission and approval from the Planning Board.

McEneaney stated that the driveway and setbacks would be delineated at that time.

Witham stated that the State has additional protections beyond what the City has. Stated that this proposal is straight-forward but an application for a building permit will trigger all the other reviews. Stated that the City has aggressive ordinances. Stated that he is okay with the lot line adjustment proposal.

McEneaney stated that the existing vacant lot is larger than the other lots in the area.

Witham asked if Old Rochester Road is a State road and would need a driveway permit.

Sharples replied yes. Stated that McEneaney indicated that lot 11 will be on a well and septic system. Asked McEneaney considered an easement for water lines as an option in the future.

McEneaney stated that he did not consider that as there is a series of wetlands that run through the property.

Sweeney asked if lot 1 and 3 are predominately wetlands.

McEneaney stated that there are pockets of wetlands.

Sharples stated that there isn't much development potential.

McEneaney stated that it is 50/50 wetlands versus uplands, plus buffers.

Motion: LeHoullier moved that the minor subdivision request of The Russell T. Browne and Frances V. Browne Living Revocable Trusts of 1999 and James B. Browne for a lot line adjustment be **APPROVED WITH THE FOLLOWING CONDITIONS**:

1. An electronic plan of the entire property with details acceptable to the City shall be provided prior to recording the Mylar. This electronic plan must be in dwg file format and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates; and,
2. The applicant shall obtain NH subdivision approval and shall provide this approval number on the final plans for map 63 lot 11 prior to recording the Mylar.

Seconded by Proulx. Motion carried with a 7-0-2 vote with Sweeney and Belmore abstained.

B) Any other new business that may come before the Board.

None.

5) WORKSHOP BUSINESS

A) COAST Bus shelter advertising update.

Sharples stated that he spoke with Executive Director of COAST Bus Rad Nichols and he is developing language. Stated that they had submitted a copy of their advertising policy but that it wasn't ready-to-go language. Stated that COAST Bus will develop language and get it to him and will forward it to the Planning Board.

Witham stated that the City Council will be provided with a COAST Bus funding request and that he understands that it will be more this year. Stated that there has been a discussion that advertising dollars do not offset the financial need directly. Stated that he is struggling with that because some communities would reap benefits of advertising in Somersworth.

B) Any other workshop business that may come before the Board.

None.

6) COMMUNICATION AND MISCELLANEOUS

Sharples told the Board about the public input meeting regarding the TE Grant, which is scheduled for next Thursday, February 28 at 6:00 pm. Stated that this is an opportunity to hear VHB's (the consultant) concept design. Stated that this allows for input before the design gets too far along.

Delyani asked if the people in the downtown district know about the acceptance of 79-E.

Sharples stated that Economic Development Manager Christine Davis has been talking a lot about it.

Witham stated that Davis has been engaged with the downtown businesses regarding the upcoming construction.

Motion: Robidas moved to adjourn the meeting.

Seconded by LeHoullier. Motion carried with a 9-0 vote.

Meeting adjourned at 7:17 pm.

Respectfully submitted:

Tracy Gora, Planning Secretary
Somersworth Planning Board