

**SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
February 21, 2024**

MEMBERS PRESENT: Ron LeHoullier, Jason Barry, Jeremy Rhodes, Chris Horton, Bob Belmore-City Manager, David Witham, Doug Haberman-Alternate, Mark Richardson, Paul Robidas

EXCUSED MEMBERS:

STAFF PRESENT: Michelle Mears, Director of Development Services
Anna Stockman, Planning Secretary

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

LeHoullier appointed Haberman as voting member for the meeting.

- 1) **Approval of the minutes**
 - A) January 17, 2024 minutes

Horton MOVED to accept the minutes as presented.
The MOTION was SECONDED by Barry.
The MOTION CARRIED 8-0-1 with Robidas abstaining.

2) **COMMITTEE REPORTS**

Land Use Board Reports (ZBA, Conservation Commission, SRTC, Minor Field Reports): None.

City Council Report: Witham stated the City Council is moving forward with the road resurfacing project for 2024, which will be completed by GMI Asphalt of Belmont, NH. A priority street will be High Street, from Cemetery Road to High Street as well as nearby side streets including Pleasant Street and Silver Street. He stated City Council is finalizing engineering documents to go out to bid to reconstruct the sidewalk on the westerly side of High Street between West High Street and Memorial Drive, which will include resurfacing that section of High Street. He said progress moves forward for a Complete Streets project on Constitutional Way.

Strafford Regional Planning Commission (SRPC) Update: Richardson stated tomorrow the Committee will meet at Flight Coffee in Dover to discuss what local businesses are doing in their communities. He stated housing projects have been a significant topic of discussion, including a 296-unit duplex project and a 17-unit housing development. He noted both projects had water issues. He said the Committee's recommendation was for the Department of Environmental Services (DES) to look at those issues (a water engineer). He noted both projects lacked sidewalks in proximity of their sites. He said solid waste will be a topic of discussion at an upcoming meeting.

Eyes on 30 (2030 Committee): Barry stated the Committee met yesterday and spent time getting to know the new members, including the new Chair and Seat. He said the Committee has intentions of holding sessions to review the group's new categories of focus and strategies for 2024.

Community Power Coalition: Horton stated there has not yet been a meeting held. He noted they are waiting to hear back from Community Power Coalition. Witham stated City Council is dealing with a few agreements they have to sign to work with the Coalition and progress is on track.

Housing Committee: Horton stated the Housing Committee will hold their first meeting tomorrow at 5pm.

3) **OLD BUSINESS**

- A) Any old business that may come before the Board.
Mears stated there is no old business to report.

4) **NEW BUSINESS**

A) **Housing Chapter Presentation by Strafford Regional Planning Commission**

Mears referenced the memo provided to Planning Board members that included a progress update on the Housing Chapter. She stated the draft Housing Chapter will be presented by Angela Cleveland of Strafford Regional Planning Commission at tonight's meeting. She noted a Planning Board Workshop will be held on March 20th at 5:30pm, prior to the regularly scheduled Planning Board meeting. The Natural Resources and Land Use Chapter will be the topic of discussion. She noted the Vision and the Land Use chapters must be included in the Master Plan, as required by State RSA.

Angela Cleveland of Strafford Regional Planning Commission was in attendance. She stated the Housing Chapter draft was created based on the feedback received during the Housing Workshop held in September 2023 and other feedback received throughout the process. She noted she will reconvene with Planning Board members at their March meeting. She provided an overview of the Housing Chapter composition and themes that address housing supply, affordability, demographics, local needs, current housing stock, and land availability. She provided a set of questions for Planning Board members to consider when reviewing and providing comments on the Chapter.

Witham referenced the Infrastructure maps and suggested that maps clarify the need for sewer and that there is a high accessibility of water.

Belmore stated to clarify that areas without access to City sewer could still be suitable for housing as private septic is an option.

Rhodes stated he would like more information on a broader view outside of Somersworth, including Dover and Rochester. He said he would like for there to be a consideration of addressing housing needs through a regional lens.

Horton stated he liked the data provided on the inventory and how it highlights the mix between owner-occupied housing and rental housing. He noted the differences in building permit intake between 2000-2009 and 2010-2019. He asked for elaboration on the reasoning behind the drastic decline in building permits during that time period.

Cleveland stated similar data can be observed in trends across New England over the same period. She noted SRPC is collaborating with the Planning Office to obtain building permit data between 2019-to-2023.

Mears noted from 2010-2015, there was more commercial development occurring in Somersworth as opposed to residential development, which had to do with the housing recession. She noted it takes years to build out the housing developments once they are approved, and they are typically completed in phases.

Witham stated it would be helpful to provide a housing example of owner-occupied housing suitable for people living below the median income.

Cleveland referenced the different housing types depicted on page 1 that are considered the "missing middle", which include Accessory Dwelling Units (ADUs) and fourplexes. She noted they are typically smaller units.

Richardson stated the report is readable and a good start. He noted the importance of affordable family housing and the need for kids in the school system.

B) Tammy Desrosiers is seeking to amend an existing CUP#08-2022 to add enhanced erosion control and ensure safe access to the backyard and return original shrubs and plants and various other improvements including a shed, maintenance to existing structures, landscaping and site maintenance to the property located at 14 Westman Street, in the Residential/Single Family (R1) District, Assessor's Map 25 Lot 48C CUP#08-2023. PUBLIC HEARING

Mears stated the applicant was granted a Conditional Use Permit (CUP) in August of 2022 to reconstruct the drainage along the property. She noted the area has now formed into a wetland and is under the jurisdiction of the Conservation Commission to review the CUP and make a recommendation. She said the applicant is now seeking to amend the plan to add enhanced erosion control for safe access to the backyard by constructing three rock walls in a tiered manner with three-foot landings and return original plantings and shrubs to the property that had previously been located on the Flynn Street side of the property. She noted this lot is located within the buffer area so anything that the applicant does to her property has to go before the Conservation Commission. She provided the list of improvements the applicant would like to make to her property including an access strip along the garage, erosion control along the driveway, maintenance and rehab of existing flower beds, a new flower bed, gravel strip maintenance, foundation repair, deck repair, and front step replace and repair.

MOTION: Robidas MOVED that the application of Tammy Desrosiers be ACCEPTED AS COMPLETE FOR REVIEW.

The MOTION was SECONDED by Horton.

The MOTION CARRIED 9-0-0.

Tammy Desrosiers, property owner of **14 Westman Street** was present to represent the application. She provided an overview of the previous approval received and improvements made to her property in June 2023. She stated a hole developed in close proximity to her home's foundation due to erosion caused by a drainage ditch. She stated her request to build and backfill three tiers along the slope in her backyard, which would stabilize the impacted section of her foundation. She noted the approximate two-and-a-half foot walls would run about twenty-five feet long. She noted the new engineered plan requested by the Conservation Commission is cost prohibitive to her.

LeHoullier opened the public hearing.

Tim O'Malley of **20 Flynn Street** expressed his support toward Desrosiers' request. He stated there is no source of water on the subject property, although it does receive water from a City storm drain as the property is situated low. He noted the efforts the applicant has gone through to make improvements to her property. He asked that the Board consider that this lot was subdivided after receiving approval about twelve years ago. He noted that Desrosiers is trying to do the right thing.

Jacque Breton of **11 Westman Street** stated he lives directly across from the applicant. He noted the hardship the ditch has caused to the applicant. He noted the applicant's intent to beautify the corner of her property and the benefit it would bring to the neighborhood. He noted he supports her request and has plans to help build the tiered walls and replant shrubs and plantings. He thanked the Board for their patience.

Mears stated no further correspondence was received.

Barry stated Desrosiers has great neighbors. He asked for further elaboration on the tiered walls, including the proposed distance between each tier and how they will be secured. He expressed his concern about the potential failure of the wall.

Desrosiers stated the intent is to construct the walls in tiers that will be approximately two feet to two-and-a-half feet tall with three-foot landings in between. The walls would be locked in with rip rap and stone and then backfilled.

Horton stated the applicant's safe access to her property is most important. He said he has no objection to

her proposal.

Rhodes provided context from the Conservation Commission's discussion. He noted this property falls within the buffer zone of a larger buffer zone which puts the applicant in a difficult position. He noted the applicant had originally submitted an engineered plan that was approved by the Conservation Commission, but not all the grading work was completed. Since then, the applicant returned before the Commission with requests that had not been stamped by an engineer. He noted the reasoning behind the Commission's recommendation for denial was that the new requests were not approved by an engineer so members were unable to verify the proposed work.

Witham stated the homeowner is trying to do the right thing on a property that perhaps shouldn't have been a buildable lot. He expressed his support for the proposal. He noted his understanding of the Conservation Commission's points, though noted the project is not large-scale, it is residential.

Belmore expressed his support for the proposal and thanked the applicant for trying to do the right thing.

Robidas stated he has no issues with the proposal. He said if the home's foundation is close to being compromised, the Board should help the homeowner resolve that by supporting her requests.

Richardson echoed his support for the application.

Regional Impact:

MOTION: Horton MOVED that the Conditional Use Permit request of Tammy Desrosiers DOES NOT HAVE POTENTIAL FOR REGIONAL IMPACT.

The MOTION was SECONDED by Richardson.

The MOTION CARRIED 9-0-0.

Waiver Requests:

Section 9 FORMAL APPLICATION PROCEDURE FOR A CONDITIONAL USE – Requirement to provide engineered plans

MOTION: Rhodes MOVED that the request of Tammy Desrosiers for a waiver from Section 9 of the Site Plan Review Regulations requirement to provide fully engineered plans be APPROVED.

The MOTION was SECONDED by Robidas.

The MOTION CARRIED 9-0-0.

Conditional Use Permit:

Rhodes MOVED that the request of Tammy Desrosiers for a conditional use permit to

1. install a 10' x 12' shed with a 1' tall wall of rock or timber along the right for erosion control surrounding with plantings
2. to amend the previously approved CUP to add enhanced erosion controls by constructing 3-tiered rock walls and returning original shrubs and plants to the property as shown on plan #1

BE APPROVED.

The MOTION was SECONDED by Robidas.

The MOTION CARRIED 9-0-0.

C) Jaime Aldebot is seeking a Site Plan Amendment for a waiver from parking space requirements for Motor Vehicle Services (indoor car detailing business) on a property located at 497 High Street, in the Residential/Commercial (R/C) District, Assessor's Map 40 Lot 53, Condo Map 90 Lot 53C, ZBA#20-2023. PUBLIC HEARING

Mears provided an overview of the application. She stated the subject property was developed in 1990 for a 14,000 SF building to create three commercial condo units with fifty-two parking spaces provided. She noted twenty-five parking spaces were allocated to the 3,500 SF motor vehicle services use, indoor car detailing

business. She noted the applicant received a special exception in January 2024 to allow motor vehicle services, indoor car detailing, with the conditions that all motor vehicles shall be contained within the building and shall not be done in the parking lot to include the washing of cars. She noted the applicant is proposing to split the 7,000 SF unit to 3,500 SF retail and 3,500 SF motor vehicle service. She provided a summary of the parking space requirements per the Site Plan Regulations.

MOTION: Richardson MOVED that the application of Jaime Aldebot be ACCEPTED AS COMPLETE FOR REVIEW.

The MOTION was SECONDED by Robidas.

The MOTION CARRIED 9-0-0.

Jaime Aldebot, owner of Seacoast Auto Detailing was present to represent the application. He stated he is seeking a waiver from providing twelve parking spaces. He noted there is a three-bay garage onsite and seven parking spaces he would offer to customers. He stated there are twenty-five parking spaces on the AT&T side of the building. He noted the property owner completed the maintenance inspection of the oil and water separator which he brought to the meeting, along with the product list of chemicals he proposes to use.

LeHoullier opened the public hearing.

No correspondence or comments were received.

LeHoullier closed the public hearing.

Belmore asked about what the Site Review Technical Committee discussed at their meeting with the applicant.

Mears stated the SRTC recommended approval of the application with conditions that all outdoor lighting shall be downlit and fully shielded, the oil and water separator shall be inspected annually by July 1st, reports shall be submitted to the Department of Development Services, a copy of the completed Stormwater and Maintenance Log shall be submitted annually to the Department of Development Services on or before July 1st, and the applicant shall provide a chemical list to the Wastewater Division.

Belmore stated he has no objections to the project and would support it.

Robidas stated SRTC had discussed the parking requirements for the size of this business. He noted they had received correspondence from AT&T that had stated they do not utilize all of their twenty-five allocated parking spaces. He stated the applicant's intent is to drop a car off for service and most would pick up their cars within the same day. He stated SRTC was in full support of the applicant's request.

Witham stated he has not ever observed a parking issue at the site nor does he believe the applicant's business would create one.

Waiver Requests:

MOTION: Belmore MOVED that the request of Jaime Aldebot for a waiver from Section 12.4.v. Exhibit A of the Site Plan Review Regulations to provide 20 exterior spaces where 30 are required be APPROVED.

The MOTION was SECONDED by Robidas.

The MOTION CARRIED 9-0-0.

D) Bill Dube Kia, LLC is seeking Conceptual Review for an Automobile Sales use located at 220 & 222 Route 108, in the Commercial/Industrial (CI) District, Assessor's Map 61 Lots 10 & 11, SITE#02-2024.

Mears provided an overview of the application. She stated the applicant is proposing to develop 220 and 222 Route 108 as a full-service car dealership. She noted the applicant has provided conceptual plans for discussion. She said the application would be accompanied by a number of waiver requests from the Site Plan Review Regulations and provided an overview of each waiver request related to landscaping, architectural design, and parking. She noted the applicant had to redesign the proposed site in response to the Route 108 Complete Streets project plans. She said the applicant submitted a landscaping plan for the Board to consider.

She noted Kia has a standard for architectural design that is modern and does not fit within the City's New England architectural regulations.

Erik Saari of **Altus Engineering** was present on behalf of the applicant. Also present were **Debbie Dube Reed** and **Emily Dube Gray** of the **Dube Family**, **Doug Raymore** from **Jewett Construction**, and **Victoria Martel** of **Woodburn & Company Landscape Architecture**. Saari referenced his projected presentation and indicated the location of the proposed project and past uses. He noted the site currently has seven curb cuts and the project has access to City water and sewer. He said the proposed building will be a one-story 2,200 SF building with a mezzanine section and service in the back. The main entrance would be on Route 108 and another curb cut on Blackwater Road. He noted the site expects to receive approximately ten customers an hour and offer a total of seventy parking spaces onsite, although there is room for two hundred and ninety-seven spaces. He noted a letter of support submitted by the abutting mobile home park. He referenced the location of a dumpster pad, a pad for electric vehicle batteries, and lighting. He stated the site plan had to be shifted by twenty feet in response to the anticipated Route 108 Complete Streets project along the frontage of the property.

Victoria Martel of **Woodburn & Company Landscape Architecture** referenced the preliminary landscape plan developed for the site to provide the Board with an idea of the proposed locations of shade trees and ornamental trees and plantings. She noted there will be a fence with evergreens between the site and the abutting mobile home park to provide a buffer.

Doug Raymore of **Jewett Construction** presented the proposed architectural renderings of the building. He pointed out the proposed glass storefront and dark gray mixed metals on the building façade. He stated there would be a dual service drive facing the street.

Saari provided an overview of the site's proposed waivers from Site Plan Review Regulations including parking spaces, a parking island, curbing, shade trees along the perimeter, screening in the front and side parking lots, sidewalks, reduced buffer yard, New England design standards, Roof Top Units (RTUs), lighting, drainage infrastructure setbacks. He asked if the Board has any feedback.

Witham stated he likes the project and the look of the building. He pointed out most buildings along the Route 108 corridor do not meet New England architectural design standards. He expressed his appreciation that they have reached out to the abutting mobile home park owner. He asked that the applicant provide a lighting plan with proposed lumens. He noted the importance of ensuring service doors are kept closed in the rear of the building. He said there will be robust discussion about the sidewalk regarding the cost of maintenance and the site's contribution. He noted the City's current fleet of sidewalk tractors do not meet the anticipated sidewalk increase along Route 108 and that the City is asking that applicants calculate what their sidewalk portion will cost and consider a contribution to that fund.

Horton stated this project would bring additional jobs to the community. He said he likes the appearance of the structure and landscaping; it is consistent with other local auto dealerships. He noted a recent applicant was before the Board due to the impact of mechanical noise on abutting properties. He said the eight-foot fence was not as effective for the other applicant, but perhaps additional plantings in addition to the fence would be effective. He said he agrees the lighting plan should show regular hour lumens and diminished lumens.

Rhodes stated mechanical noise of motor vehicle service businesses has been a consistent issue recently. He said the waiver for New England architectural design standards would bring the property into more consistency with other existing buildings along Route 108. He said they are striking a good balance between complying with design standards and landscaping standards. He noted the City has a suggested tree list that the applicant may find helpful.

Richardson stated he has no issue with the parking plan, the lot is designed for what they are using it for. He expressed his content with the landscaping plan.

Barry said he likes the project, including the proposed infiltration system. He noticed the high extent of lighting on abutting properties. He said he has no objections to the waivers.

Belmore emphasized the importance of buffering mechanical noise for the abutting mobile home park and ensuring service doors open and close automatically. He noted vehicle test drives should not be conducted in neighborhoods. He asked whether the dealership will have EV charging stations onsite. He asked about anticipated plans to partner with the Fire Department in the event of a charging station fire.

Saari stated there will be a total of five EV charging stations. He said the batteries will be stored in a container located away from the building so they will be isolated.

Haberman noted the close proximity of the service bays to mobile homes and the Board's concern. He noted the project looks great.

Saari thanked the Board for their comments.

E) Adam Johnson is seeking Conceptual Review for Multi-Family development located at 10 Green Street, in the Business (BH) District with Historic Overlay, Assessor's Map 10 Lot 172, SITE#03-2024.

Mears provided an overview of the proposal. She stated the applicant is proposing to add two additional units to an existing twelve-unit multi-family building. She noted the building is served by an existing onsite parking lot with fourteen spaces. The lot is subject to a parking and access easement that benefits 67 Elm Street. The applicant is looking to discuss the parking plan associated with adding additional residential units to the existing building. She noted this application will need a waiver from the City's parking regulations, two parking spaces are required per residential unit.

Adam Johnson was present to represent the application on behalf of the owners of the property. He noted they are seeking to add two new residential units to the existing building. He noted the ongoing demand for multi-family housing. He said they are requesting a waiver from the parking requirements. The plan highlights twenty-two spaces, two of which are allocated per the easement to the adjacent property which would result in twenty-two parking spaces for the units at 10 Green Street. He said the intent is to maintain the existing exterior of the building and to develop underutilized space in the interior.

Witham asked for further clarification on the parking waiver.

Mears stated the proposal would require twenty-eight parking spaces so the applicant would need a waiver from parking. She said there are currently fourteen parking spaces onsite. She noted the easement for 67 Elm Street.

Witham asked if the reasoning behind the low number of parking spaces is because parking standards were different and did not require as many at the time or whether there was a waiver to have fewer to begin with.

Mears stated Planning staff would research that further.

Robidas stated that perhaps the site was originally developed as elderly housing.

Witham stated he has never recognized a parking issue with that property. He noted the demolition of 67 Elm Street and asked whether there will still be an opportunity to park at that site when it is redeveloped.

Johnson stated the easement is deeded so two of the new parking spaces at the redeveloped site will be allocated.

LeHoullier asked if Somersworth Housing Authority is involved in the site and whether the apartments are market rate.

Johnson stated the units are market rate, although some tenants at the property are Somersworth Housing Authority voucher holders but the units are not subsidized.

Horton asked for further clarification on the location of parking spaces. He asked if the intent is to build out the upper parking lot. He noted his concern that there doesn't seem to be adequate space to build out additional parking spaces. He said he has no objection to utilizing off-site parking to meet requirements.

Johnson stated there are currently four parking spaces on the lower level which are proposed to remain, the revisions would take place in the upper parking area. He noted there is brush that would need to be removed and paving that would have to take place for there to be parking in the upper parking lot.

Robidas stated the transition to market rate apartments would result in a higher need for parking. He noted parking overflow will need to be kept in mind.

Johnson noted there are currently a small number of tenants that are housing voucher holders. He thanked Robidas for his feedback.

Rhodes stated his only concern is the total parking count. He asked for further clarification on the total number of parking spaces to be offered.

Johnson stated there would be twenty-two parking spaces total, which includes the existing parking down below that is not reflected because it's a different elevation.

Rhodes clarified that the parking waiver request would bring the site closer to compliance than it is today.

LeHoullier asked about how this proposal would affect the 85 Elm Street project.

Mears stated the applicant has been in discussion with the owners of 67 Elm Street. She said they are trying to maintain the two parking spaces as reflected in the deed. She noted the owners of 67 Elm Street will maintain lease agreements for off-site parking.

Horton stated upon the approval of the plan, he would like to see the curbing to be addressed and groundskeeping that could use some attention.

Johnson stated those will be addressed.

Witham thanked Rhodes for the clarification provided. The waiver is not compliant but brings the site closer to compliance. He said offsite parking arrangements is a good solution. He noted one factor he would like to see on a formal plan would be the location of snow storage and the plan for its removal.

Richardson pointed out the way in which space has been made for two additional units.

Johnson noted the ledge surrounding the space in the basement. He stated it is a sizable space.

Haberman referenced A2 on the plan and asked about one of the rooms in the plan.

Johnson responded that room is a restroom exclusively for staff and contractors.

Rhodes noted to ensure the bathroom in the basement has sufficient plumbing as some basement bathrooms historically have not.

5) **WORKSHOP BUSINESS**

A) Revision of Subdivision Regulations – Chapter 22. PUBLIC HEARING

Mears provided an overview of the two revisions made to the Subdivision Regulations following the comments received at the January 17, 2024 Planning Board meeting. These revisions included updates to Section 7.XI. Lighting.

Belmore asked whether a revision was made regarding the types of bonds accepted by applicants, and noted the revision could be made administratively.

Witham noted lighting should be on photocells instead of a timer. He proposed the amendment that all streetlighting be controlled using on/off photocells.

LeHoullier opened the public hearing.

No correspondence or comments were received.

LeHoullier closed the public hearing.

MOTION: Witham MOVED that all streetlighting be controlled for on/off with a photocell and that to replace LED “fixtures” instead of LED “bulbs.”

The MOTION was SECONDED by Horton.

The MOTION CARRIED 9-0-0.

MOTION: Witham MOVED that the proposed amendments to Chapter 22 Subdivision Regulations be APPROVED.

The MOTION was SECONDED by Horton.

The MOTION CARRIED 9-0-0.

6) **COMMUNICATIONS AND MISCELLANEOUS**

Haberman suggested the Board consider revising the Subdivision Regulation language from “bulbs” to “lumination.”

LeHoullier asked about the status of the BP properties, two former gas stations in the City.

Mears stated the Planning Office has not heard from the owners of the former gas station in downtown and the owners have cleaned some of the gas tanks at the site of the former gas station in the Residential/Commercial zone.

MOTION: Robidas MOVED to ADJOURN the meeting.

The MOTION was SECONDED by Barry.

The MOTION CARRIED 9-0-0.

The meeting was adjourned at 8:33pm.

Respectfully submitted,

Anna Stockman, Planning Secretary