

**SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
March 20, 2024**

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

EXCUSED MEMBERS: Ron LeHoullier

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

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

- 1) **Approval of the minutes**
 - A) February 21st, 2024 minutes

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

2) **COMMITTEE REPORTS**

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

City Council Report: Witham stated the construction of the solar project on the landfill is imminent. He said City Council is finalizing approval of online permitting software for the Department of Development Services to increase efficiencies and streamline permit processes. He noted that permit applications on paper may still be submitted.

Strafford Regional Planning Commission (SRPC) Update: Richardson stated there is a meeting scheduled for Friday, March 22nd and does not have anything new to report at this time.

Eyes on 30 (2030 Committee): Barry stated there were discussions about creating identities for neighborhood communities, traffic calming for pedestrian safety, and participatory budgeting, such as a community flex fund. He stated another topic of discussion was an oral history series where people talk about their experiences in the city, such as with a moderator, recorded series, or local resident. He noted the Don't Trash Somersworth public event scheduled for Saturday, April 20th from 2:00-to-3:00pm. The group will meet in the Home Depot parking lot to pick up trash in the Commercial Drive area. Basic supplies such as bags, grabbers, and vests will be provided. Attendees are encouraged to bring gloves and steel toed boots if necessary.

Community Power Coalition: Horton stated the Community Power Coalition has not yet held its first meeting. He said the electrical aggregation plan has been turned over to the City Council.

Belmore stated the City Council approved the City Manager signing the agreement with the Community Power Coalition, which has been completed and submitted to the Coalition. He stated a launch date will be set in the near future.

Housing Committee: Horton stated the Mayor's Housing Task Force met prior to the meeting at 5:30pm with members of the Planning Board, Zoning Board of Adjustment, and Conservation Commission to discuss topics such as housing and transportation to form the City's Master Plan goals and vision.

3) **OLD BUSINESS**

- A) Any old business that may come before the Board.
There was no old business to report.

4) **NEW BUSINESS**

- A) **Hideout Golf, LLC is seeking a site plan amendment for a two-phase project to construct a patio area and practice tee on an existing golf course located at 100 Hideaway Place in the Commercial/Industrial (CI) District, Map 50 Lot 11, SITE#07-2024. PUBLIC HEARING**

Mears stated the applicant is proposing a two-phase project for improvements to the existing golf course. She said phase 1 includes constructing of a 16'-by-200' practice tee and patio area with food, beverage, bathroom, and walkways and phase 2 includes a 16'-by-100' practice tee. She said the site improvements are within the Recreational portion of the lot and is found compliant with the City's zoning.

Paul Blanc of Norway Plains Associates was in attendance to represent the application. He noted all comments from the Site Review Technical Committee have been addressed. He noted they are requesting waivers from a landscaping plan, boundary survey, traffic study, and drainage study.

Belmore stated he provided his signature on the application because the City owns the land and it is leased to the corporation that is involved. He noted he did not have any involvement in the creation of the proposal beyond providing his signature on the application.

MOTION: Witham MOVED that the site plan application of Hideout Golf, LLC be ACCEPTED AS COMPLETE FOR REVIEW.

The MOTION was SECONDED by Barry.

The MOTION CARRIED 8-0-0.

Rhodes opened the public hearing.

No comments or correspondence were received.

Rhodes closed the public hearing.

Regional Impact

MOTION: Witham MOVED that the site plan application of Hideout Golf LLC DOES NOT HAVE POTENTIAL FOR REGIONAL IMPACT.

The MOTION was SECONDED by Robidas.
The MOTION CARRIED 8-0-0.

Witham stated the proposal is part of a long-term plan to improve the property. He said this is a well maintained that is utilized as intended. He expressed his support of the proposal.

Richardson asked for clarification on the proposed number of practice tees.

Blanc stated there would be two practice tees.

Waiver Requests:

1. Section 10.1.z SPECIFICATIONS FOR PLANS AND DOCUMENTS TO BE SUBMITTED -
A landscape plan showing the location, types and sizes of plantings and screenings;

MOTION: Witham MOVED that the request of Hideout Golf, LLC for a waiver from Section 10.1.z of the Site Plan Review Regulations requirement to submit a landscape plan be APPROVED.
The MOTION was SECONDED by Robidas.
The MOTION CARRIED 8-0-0.

2. Section 10.1.dd SPECIFICATIONS FOR PLANS AND DOCUMENTS TO BE SUBMITTED
- A Boundary Plan stamped by a Licensed Land Surveyor

MOTION: Witham MOVED that the request of Hideout Golf, LLC for a waiver from Section 10.1.dd of the Site Plan Review Regulations requirement to submit a full boundary survey be APPROVED.
The MOTION was SECONDED by Robidas.
The MOTION CARRIED 8-0-0.

3. Section 10.2 SPECIFICATIONS FOR PLANS AND DOCUMENTS TO BE SUBMITTED-
Traffic Study per 22.A.12.4

MOTION: Witham MOVED that the request of Hideout Golf, LLC for a waiver from Section 10.2 of the Site Plan Review Regulations requirement to submit a traffic study be APPROVED.
The MOTION was SECONDED by Robidas.
The MOTION CARRIED 8-0-0.

4. Section 10.3 SPECIFICATIONS FOR PLANS AND DOCUMENTS TO BE SUBMITTED –
Drainage Study per 22.A.12.17

MOTION: Witham MOVED that the request of Hideout Golf, LLC for a waiver from Section 10.3 of the Site Plan Review Regulations requirement to submit a drainage study be APPROVED.
The MOTION was SECONDED by Robidas
The MOTION CARRIED 8-0-0.

Site Plan Application

MOTION: Witham MOVED that the request of Hideout Golf, LLC for a Site Plan Amendment for a two-phase project to construct a patio area and practice tee on an existing golf course located at 100 Hideaway Place be APPROVED WITH THE FOLLOWING CONDITIONS:

1. PLAN REVISIONS:
 - a. None
2. CONDITIONS THAT MUST BE MET PRIOR TO FINAL APPROVAL
 - a. The final plans shall bear the stamp and signature of the engineer, , Please submit five folded 22" x 34" paper copies of the full set of plans to the Office of Development Services for final endorsement.
3. CONDITIONS TO BE COMPLETED PRIOR TO THE START OF SITE WORK:
 - a. Construction Cost estimate for this project shall be submitted to the Department of Development Services.
 - b. A preconstruction meeting is required prior to the start of work. Please contact the Department of Development Services to schedule this at least 1 week prior to breaking ground.
 - c. An escrow account, in an amount set by the City's contract Engineer and agreeable to the Department of Development Services, will be established for site construction inspections prior to any site work.
 - d. A performance surety, in an amount agreeable to the Department of Development Services, but no less than 25% of the cost of site construction determined by the engineer's estimate of construction value, will be established for on-site erosion control and site restoration prior to any site work and off-site improvements. If all site work is completed as proposed this account will be refunded.
 - e. The applicant shall apply for a new Water and Sewer Connection Permit. The applicant will be required to pay standard water and sewer connection fees assessed on new properties connecting to the water and sewer system. Water fees will be based on the size of water meter needed and the sewer connection fees will be based on estimate of water used and equivalent number of bedrooms.
 - f. Erosion control shall be properly installed on site PRIOR to any construction. Erosion control shall be properly maintained throughout construction; any breaks or breeches shall be repaired within 48 hours of the storm event.
4. CONDITIONS APPLICABLE DURING AND AFTER CONSTRUCTION:
 - a. All new electrical lines shall be installed underground.
 - b. There shall be no wetlands degradation during construction.

- c. A copy of the completed Stormwater Inspection & Maintenance Log shall be provided to the Development Services Department annually on or before July 1st. This requirement shall be an ongoing condition of approval and noted on the final plans.
- d. All outdoor lighting (including security lights) shall be downlit and shielded so no direct light is visible from adjacent properties and roadways.

5. AS-BUILT PLANS:

- a. Within thirty days of the completion of the project and prior to the issuance of an occupancy permit, an electronic As-Built Plan of the proposed development with details acceptable to the Department of Development Services shall be provided in a .pdf and paper copy. Once approved by the Department of Development Services the applicant shall submit final Asbuilts in both paper copy and on CD. This plan must be in a dwg or dxf file format and in NAD 1983 State Plane New Hampshire FIPS 2800 Feet coordinates.

DURATION OF APPROVAL: All conditional approvals shall be valid for a period of 120 days in which time all precedent conditions must be met or the approval shall be null and void. The applicant may request an extension no later than 14 days prior to expiration.

In accordance with NH RSA 676:-a and 674:39 if active and substantial development is NOT reached within 24 months after the date of approval the Planning Board may revoke the approval because of changes in City or State regulations and policies, changes in drainage patterns or traffic counts and/or changes in municipal utility considerations

EXTENSIONS: All requests for extension must be submitted in writing to the Department of Development Services no later 14 days prior to expiration with the appropriate fees. Failure to comply with the deadline dates without submission of a written request for extension will result in the approval being null and void.

APPEAL PROCESS: Pursuant to RSA 677:15, an aggrieved party may appeal this decision to the Strafford County Superior Court within 30 days of the date the Board voted to approve or disapprove the application, or to the ZBA pursuant to RSA 676:5, III within 30 days of the date the Board made its decision.

The MOTION was SECONDED by Robidas.

The MOTION CARRIED 8-0-0.

- a. **Chinburg Builders/200 Main Street LLC is seeking conceptual review for a proposed three (3) building multifamily development located at 200 Main Street in the Millyard (MY) District, Map 9 Lot 282, SITE #06-2024.**

Mears provided an overview. She stated the proposal includes three residential buildings, two of which are new construction, one is a reuse of an existing building for an approximate total of 152,000 square feet. She said the current proposal consists of one hundred and forty-five (145) units with underground and onsite parking. She said this site is approximately 5.47 acres in size. The

number of units is conceptual and may be revised with a formal site plan submission. She noted the site is accessed from River Street. the applicant is looking to discuss any site concerns for the project, they have indicated they will be seeking a waiver for the number of parking spaces. She provided an overview of the waivers the applicant will seek including the parking ratio, buffer yard requirement, and a traffic study. She noted the applicant is seeking feedback regarding pedestrian access to Main Street and connections to offsite public sidewalks. She stated the presentation is for conceptual review for the Board's discussion.

Neil Rapoza of **Civil Consultants** and **Paul Goodwin**, Senior Development Manager at **Chinburg Builders** were in attendance to represent the proposal for conceptual review. Rapoza provided a brief history of the site. He referenced the conceptual site plan and pointed out the only remaining building onsite, Building A, which will be rehabilitated and reused for residential apartments. He said there will be an adjacent building, Building B, that is connected to that with apartments. He referenced Building C, which is a larger building that is set further down on the hillside on the site. He stated there will be underground parking beneath Building C, which will also be residential apartments. He said existing onsite infrastructure has been utilized as much as possible for the parking required based on a 1.3 ratio between residential units and parking spaces. He noted the conceptual site plan has been reviewed by the Site Review Technical Committee (SRTC). He said a site walk was held to review the existing utilities onsite. He provided an overview of the amenities onsite, including a raised concrete patio and parking areas. He referenced the proposed grading plan for parking areas and pedestrian walkways.

Goodwin referenced the walkway on page south that connects to the Aclara site. He stated the hope is to reconnect the walkway to the Aclara site, which would be the fastest way to connect to the downtown, although it is currently unclear whether they will have entry on the site. He said a sidewalk would be proposed along the site's driveway to River Street, and noted the potential for an access point near Lot F on the plan. He said they are anticipating to build a riverwalk that would publicly accessible. He noted that would be limited by their abutters, as the property on the north and south side are owned by Aclara. He noted their efforts to utilize existing historic infrastructure, including building foundations and retaining walls onsite. He said they will need to request a Conditional Use Permit (CUP) as there are proposed roadways, parking, and buildings within the riparian wetland setback. He noted although the site is located within the Urban Exempt Zone as designated by NH Department of Environmental Services (DES), the City's regulations do not provide relief, so they are still required to go before the Conservation Commission. He stated the focus of the look and feel of the development is adaptive reuse and trying to make the buildings look residential while also appropriate for the context.

Rapoza stated an initial traffic assessment has been completed, the results of which approximate six hundred and sixty (660) daily trips and fifty-seven (57) peak hour trips, which would not trigger the need for a full traffic study. He noted the site's past use had a more intense parking demand in its last use in the 1990s at approximately two thousand (2,000) trips per day. He noted all Chinburg properties are managed at just below a 1.3 parking ratio. He referenced the Emergency Vehicle Movement Plan which describes how such vehicles could navigate the site with the clearance they need.

Goodwin stated the site has unique grades and circulations. He noted there is conceptual placement for a dumpster corral and transformers. He stated their plan to contact abutters to determine the potential for greater control of the entrance and associated improvements, such as lighting. He

noted the project's landscape architect happened to provide the drawings for the 2010 Master Plan. He stated their plan to use native plants for landscaping and that the management of invasive species would be addressed. He referenced a brownfield grant the site had previously received for environmental remediation following a past fire.

Rapoza provided a brief overview of the plan for drainage, part of which will involve the effort to treat the parking area as much runoff at the point of runoff generation as possible.

Robidas stated he is excited that Chinburg is working on this project. He noted the site needs a lot of work. He referenced a former foot bridge on Main Street and asked if there has been any discussion about returning it to its place.

Goodwin stated they would like to, but it is beyond the feasibility of the project. He noted potential challenges with ADA access.

Belmore. We could look into that if you are interested. There is some railroad grant money.

Robidas stated the increases in traffic and daily trips will benefit downtown businesses. He noted the 1.3 parking ratio was granted for the 85 Elm Street project.

Goodwin noted the goal to decrease redundant parking areas so the site only fulfills its parking needs.

Barry stated he is extremely excited about this project and it is a great reuse of the property. He noted the increase in residential units will assist the City in meeting its housing goals. He said he loves the idea of the riverwalk. He said he is in support of the buffer yard waiver and wetland waiver. He asked for more information about their drainage plan.

Rapoza stated that they are proposing to use a filtration system, which would involve a series of filters in parking areas. He said there will be no large pond or retention area onsite, they are trying to get away from that to prevent impacts to water temperatures. He noted they aim to get the point of generation back into the ground.

Barry noted the applicant will have more flexibility in their design choices, unlike other development projects located within Historic District boundaries. He stated his agreement with Robidas about the parking ratio that had been approved for the residential development project on Elm Street, and that it would make sense not to require the 1.5 parking ratio for this project. He asked whether there is a wall that travels through the middle of the site. He said he looks forward to seeing the formal site plan once submitted.

Rapoza stated the presence of a retaining wall on the property, located near the existing building onsite.

Richardson thanked the applicant for their proposal of the river walk and improving public access to the river frontage. He referenced the outdoor patio and asked for its height above street level.

Rapoza stated they have not yet finished the final grading that goes up against the river wall. He stated they have twelve-to-thirteen feet of fill pushed around the structure. He noted the final elevation is still being determined.

Richardson proposed a location of an additional crosswalk to the river walk on the corner of the patio area.

Horton stated he is in agreement with the 1.3 parking ratio and the setbacks. He said he likes the walkability of the site, the proposed outdoor leisure space, and the reuse of the existing foundation. He stated his agreement with Richardson regarding the addition of stairs coming off the side of it to increase accessibility. He noted a challenge will be improvements and upgrades to the intersection on River Street. He asked whether the buildings will be four-stories.

Goodwin stated there will be four stories of residential over one level of parking. He noted both new structures are very similar to the Elm Street project. From the high side, they will appear as a three- or four-story structure and from the high side, they will appear as a five- or six-story structure depending on how grading works out.

Horton stated in the past, there were decorative lamp posts on the site and that it would be nice to see again on the site, once developed.

Goodwin stated that aesthetically, that would be very achievable.

Witham noted potential concerns from abutters, including traffic and traffic flow, the accessibility of the site, and building aesthetics. He noted he likes the way parking is addressed using mini lots which provide more landscape opportunity and sites for stormwater management. He said he is in favor of the project overall.

Goodwin stated CJ Architects is the architectural firm on the project. He noted CJ Architects and Rapoza are currently finishing a project in Dover. He stated there will be three distinct but related building aesthetics, which will include brick, a vernacular style, and a style independent of the others.

Rhodes stated he is in favor of the proposed aesthetics on the site. He asked if there were any easements with the sidewalk that extends onto Acala's site or options to interconnect with. He stated his support for the publicly accessible river walk, which would benefit the community. He noted the topography of the site would present a challenge to its development. He stated the water treatment strategy would reduce points of failure in stormwater management and the potential for runoff. He asked about the proposed unit mix that they are considering.

Goodwin stated they typically do a mix of forty percent (40%) studio, forty percent (40%) one-bedroom and twenty percent (20%) two-bedroom.

Rhodes noted the applicant's plan for a majority of smaller residential units would mean a lower need for excess parking onsite. He noted the challenge of interconnecting with neighboring properties. He stated his excitement for what they come back with for a final plan.

Goodwin noted the development of the site would be a significant change of use, compared to the vacant site the area has been for the last twenty years. He stated they have agreed to host an

informal community meeting to share what the project will entail and to hear any community concerns.

Rhodes thanked the applicant for their presentation.

Belmore thanked the applicant for their presentation and stated he is in favor of the proposed project and waivers.

5. WORKSHOP BUSINESS

a. Solar Ordinance Discussion

Mears noted a local developer had asked that the Planning Board further discuss ground mounted solar height. She stated the Solar Ordinance was adopted in October 2023 and the Board has discussed the potential to revise the Solar Ordinance to allow for greater flexibility for solar use. She stated the developer's biggest concern is ground mounted solar height which is only allowed to be fifteen feet high, which includes the Commercial and Industrial districts. She noted the developer is asking if the Planning Board would consider increasing the height within those zones to thirty-five feet and also allow ground mounted solar in the residential zones, the engineering requirement for roof mounted solar, ground mounted solar within the wetlands or wetland buffers to allow for this use with appropriate approvals, to revise the training requirement for fire, police, and ambulance services, to revise the buffer requirements to address blocking out sunlight, and to classify solar collection systems as auxiliary systems, to allow for small, medium or large solar by CUP by R-1, R-1A, R-2, R-2A, R3, RB, RC, RO, and MH, and to discuss the state solar RSA. She noted each member had a red line version of the proposed changes for discussion and staff would make proposed revisions depending on the Board's decisions.

Belmore stated he had attended a meeting with the developer and learned the developer was of the opinion that the City's Solar Ordinance was illegal. He said he connected with the City attorney who determined the Ordinance is legal. He said the only item would be interested in reconsidering is the height in the Commercial and Industrial zone. He noted, as one Board member, he is not interested in the other proposed changes the developing is asking for the Board to revisit.

Witham stated he is not in a hurry to revisit the Ordinance that was just passed in October 2023. He noted there was ample opportunity for public comment. He said he recalled their conversations about ground mounted solar in the residential areas that most of our lots in the City of Somersworth are small and would not support that very well. He said there are very few areas in the City where the lot size is large enough to support a system that would supply a house. Regarding solar height, he said the Board would need to be careful about that as most members might agree that they either fit in or don't where they are located. He said he is not interested in revisiting the Ordinance at this point.

Robidas stated he is in agreement with Belmore and Witham.

Barry stated he doesn't have a problem with height, although he is in agreement with Witham that the Board should wait to be revised the Ordinance in light of its recent approval. He stated he will never support to not require engineering review for solar in order to ensure safety of residents and the structure.

Richardson stated he can't see the approval of thirty-five (35) foot solar in a residential area. He suggested requests such as these to be sought on a waiver basis.

Rhodes stated he is largely in favor of any reasonable solar project. He noted rooftop installations in residential districts are currently permitted per the City's regulations. He referenced larger solar installations and noted the potential impacts to abutting properties of such installations in smaller lots in the Commercial/Industrial District. He said he would not be in favor of revising the Ordinance to remove the training requirements for fire, police, and ambulance services. He said he would not be inclined to revisit the Ordinance due to its recent approval.

Haberman stated he is in favor of allowing the Solar Ordinance time to work prior to revisiting and making revisions to the document.

6. COMMUNICATIONS AND MISCELLANEOUS

Mears noted a project located off of Willand Drive may be returning before the Planning Board with a site plan amendment. She said Strafford Regional Planning Commission will be assisting with a downtown parking study which will begin in April. She said the June Planning Board meeting currently falls on a City holiday. She asked whether the Board has any preference on when the meeting is rescheduled.

Belmore suggested to distribute a survey to Planning Board members with potential meeting dates to ensure there is a quorum.

Witham noted his observation of utility work being completed on a parcel for City staff to follow up on.

Belmore noted the online permitting software will include planning software, and applications that go before the Board will be able to be submitted by applicants electronically.

MOTION: Robidas MOVED to ADJOURN the meeting.

The MOTION was SECONDED by Witham.

The MOTION CARRIED 8-0-0.

The meeting was adjourned at 7:51pm.

Respectfully submitted,
Anna Stockman, Planning Secretary