

**SOMERSWORTH PLANNING BOARD
MINUTES OF MEETING
January 15, 2020**

MEMBERS PRESENT: Ron LeHoullier, Chair, Chris Horton, Jason Barry, Jeremy Rhodes, Bob Belmore-City Manager, Harold Guptill-Vice Chair, Paul Robidas, and David Witham, City Council Representative

MEMBERS ABSENT: Keith Perkins, Alternate

STAFF PRESENT: Shanna B. Saunders, Director Development Services, Dana Crossley Planning Secretary

The Meeting was called to order at 6:30 PM.

- 1) **Approval of the minutes of the meeting of December 18, 2019.**
Motion: Robidas MOVED to accept the minutes as presented.

Seconded by Guptill.

The MOTION CARRIED by a 7-0-1 vote. (LeHoullier abstained)

- 2) **COMMITTEE REPORTS**

Land Use Board Reports (ZBA, HDC, Conservation Commission, SRTC): LeHoullier stated the reports are in the board's packet if they have additional comments to add. No additional comments.

City Council Report: Witham reported that at the first Council meeting of the year he was re-appointed as the representative to the Planning Board and Vincent was re-appointed as his alternate.

Minor Field Modifications Report: Horton stated he was glad to see that Cumberland Farms has gone through with removing the lighted entrance signs.

Strafford Regional Planning Commission Update: LeHoullier stated the Board continues to receive the updates via email.

- 3) **OLD BUSINESS**

- A) Any old business that may come before the Board.
No old business.

- 4) **NEW BUSINESS**

- A) **Reddy Info Sys Inc., is seeking site plan approval to add two (2) residential units in the basement of a mixed use building on a property located at 66-70 High Street, in the Business with Historic Overlay (BH) District, Assessor's Map 11 Lot 215, SITE#18-2019**

Saunders stated that the board received a staff report for this application and explained how it was different than the previous staff memo format.

Saunders stated multi-family is an allowed use in the Business District. She stated the property is located within the Special Parking Overlay, where onsite parking is not required, but the applicant has a parking lot for the building. She stated the applicant will need to install a new water hookup for

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the sprinkler system. She stated they are aware of the pavement moratoriums that are in place on High Street, Constitutional and the winter moratorium. Saunders stated site lighting was discussed but no new lighting is proposed. She stated sprinklers will need to be installed per code to protect the two new units. The applicant will be required to apply for the new water/sewer connection permits for the two new units and sprinkler system.

Saunders stated her recommendation is to accept the application as complete and begin the review process.

MOTION: Witham stated, I motion to accept the application as complete for review based upon the plans referenced staff report dated January 15, 2020.

The MOTION is SECONDED by Robidas.

Discussion: Belmore stated in the staff report it states, that third party review is not required. He stated there had been previous board discussion on third party review requirement. He stated staff does not have the authority to make that determination.

Saunders stated that is correct, it would be staff recommendation that third party review is not necessary.

Belmore stated that before he can vote on the application as complete there needs to be a discussion on the third party review requirement. He stated he would like the reasoning behind why they are recommending third party review is not required.

Saunders stated this is an addition to an existing multi-family building. She stated they have had several applicants in this nature in the past few months that have not required third party review. She stated they were keeping with past practice. She stated it is minor in the Planning Board nature since the infrastructure is all existing.

Belmore stated he would be voting against accepting the plans as complete until there is a vote to waive the third party review requirement.

Horton stated he would agree with the Director's position as it is a minor site improvement. He stated it would be consistent with the direction taken in the past.

Belmore stated he would be in favor of waiving the third party review requirement. He stated it is a matter of process and clarity.

MOTION WITHDRAWAL by Witham. The SECOND was WITHDRAWN by Robidas.

MOTION: Witham stated, I MOVE to waive the requirement for third party review for this application.

The MOTION is SECONDED by Robidas.

The MOTION CARRIES by an 8-0 vote.

MOTION: Witham stated, I motion to accept the application as complete for review based upon the plans referenced staff report dated January 15, 2020.

The MOTION is SECONDED by Robidas.

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The MOTION CARRIES by an 8-0 vote.

Saunders reviewed the proposed conditions of approval. She noted that this building has an High Street address since the existing units have access off of High St. She stated the new units will only have access from Constitutional Ave therefor they will need to go to the E-911 committee for new address assignments.

LeHoullier stated that parking lot historically was known as Marston Court.

There was a brief discussion regarding the E-911 committee and the naming of the parking lot.

Applicant Statement: **Art Guadano** of AG Architects and **Anji Reddy** of Reddy Info. Sys. Inc. were in attendance to represent the application.

Guadano presented to the board a map sketch of the property and access points. He stated addition of the two units to the basement has brought them before the board. He stated they will need to install a sprinkler system. He stated they have worked with a Fire Protection Engineer and have completed a thorough code review on the matter. He stated they plan to sprinkle the two new basement units and provide a fire rated separation between the first and basement floors. He stated they anticipate installing a 4" line for the sprinkler system. Guadano stated in terms of the moratorium dates they intend to seek access from High Street where the domestic water comes from currently. He stated they expect to be before City Council to request a waiver of the moratorium.

Guadano stated the sketch provided, highlights the units and the parking area behind the building. He stated the two units will have two parking spots designated. There are 20 parking spaces in that lot. He stated there is lighting on the existing telephone poles.

Guadano stated they will be doing some updates to an exterior window and door. He stated they are aware that these upgrades will require Historic District Commission application and approval.

LeHoullier opened the public hearing:

No public comment.

LeHoullier closed the public hearing.

Board Discussion: Witham stated as one member of the City Council, he would not approve a waiver of the moratorium on High Street. He stated he would be more willing to approve a waiver for Constitution Ave because High Street is such a busy corridor and more money was invested into it.

Witham stated the existing lighting would not be compliant to the regulations. He asked if this application would trigger review and revision of the existing lighting.

Saunders stated at SRTC they were told there was no lighting in the parking lot. She stated on this plan supplied tonight only two of the poles are on the applicant's property. She stated typically if they are not changing they allow what is there to continue. She stated it is within the Planning Board's jurisdiction to require a lighting update.

Witham stated he felt giving the parking lot a name would be the best course of action. He stated there are a number of units that have access from that parking lot.

Robidas stated the lighting ownership would need to be determined.

LeHoullier stated that in the past the parking lot was a lane before Urban Renewal.

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Witham asked the applicant if he pays an electric bill for the parking lot lights. Reddy stated he does not pay for any electric bills within the parking lot. He stated he only pays for the building.

Belmore asked if the applicant owns the parking lot. Reddy stated yes, he bought it from the previous owner.

Guptill stated he applauds Witham's stance on the High Street moratorium and agrees with his stance.

Belmore stated there is no trash pickup on Constitutional Way and would not want it there. He stated all trash pickup would be on High Street. He stated there have been issues with that area with people not following the ordinance having trash out too early.

Horton asked if these will be market rate apartments. Reddy stated the objective to provide affordable housing for the needy.

Horton stated he also applauds Witham's position on the High Street moratorium.

Reddy stated they are dealing with the winter moratorium and the High Street paving moratorium. He stated they would like to be able to complete the development prior to 2021.

Witham stated the moratorium subject will be an issue for Council to decide. He stated he was expressing his stance. Witham stated the lights light the parking lot and wants to ensure that the City is still not paying for those lights. He stated the applicant needs to consider building mounted lighting that is down lit and shielded.

Reddy stated at this time he does not receive an electricity bill for the parking lot. He stated he would be happy to pay for the light bill. He stated in terms of street name and address, he feels there is precedence there already. He stated he is not the first one trying to double up and build the apartments. He stated his neighbors, Paul Dwyer and Jeff Pratt, already have basement apartments. He stated he would support a street name change but it would impact the whole community.

Witham asked at what point is a property required to have a dumpster.

Saunders stated it is 7 units, per the City Ordinance and this property would have 6 units.

LeHoullier asked if the stairwell from that parking lot is still active.

Belmore stated yes and the City has an easement to pass. He stated the E-911 committee will deal with the address issue.

Robidas stated the E-911 will address it because of the life safety aspect.

Rhodes stated the address of the unit is a concern for the E-911 committee. He stated there are three moratoriums in play for the water line access and waivers for those moratoriums are for the City Council to grant. He stated the item of discussion within the Planning Board jurisdiction is the site lighting. He stated it would make sense to him if there are no other issues, to move this forward with a condition that the applicant install site lighting.

Belmore stated that recycling is another issue and how that will be dealt with should be discussed.

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Witham stated he agrees with Rhodes statement that lighting should be installed. He stated there are existing trash issues with this area and adding two more units may exasperate that issue.

Rhodes stated the other units have High Street entrances and access to High St. He stated he thinks the long walk around from Constitutional to High Street will create an issue of people not bringing their trash to the appropriate place. He asked if adding a stop on Constitutional would be an issue.

Belmore stated it would be a cost increase to the City's contract by adding an additional stop.

Horton asked if they can require the applicant to work with staff on the location and installation of a dumpster. Saunders stated it would be within the Planning Board's jurisdiction if the Board feels it is in the best interest of the public safety due to trash issues.

Reddy stated it would be a good path forward and there are a few other residents off of Constitutional Way. He stated he would support and commit to have the residents work as a team to have the dumpster. He stated it would support his building and the existing units that are his neighbors.

Witham stated that would be a good approach. He stated it would need to meet the City's specifications. He stated it would add value to the community and those properties.

Reddy stated he would be happy to coordinate with his neighbors to get a shared dumpster.

Saunders reviewed the added conditions. She stated she has added the requirement for plan revisions for onsite lighting to be added for parking lot safety. That will require HDC approval. She stated in conditions to be completed before the start of work to add that a dumpster be required. She stated the requirement can be made to the applicant before them but cannot place that requirement on those neighbor properties.

Witham stated for a condition he is considering, the applicant is required to install a dumpster to comply with City Standards. He stated funding is not the Board's concern.

Saunders stated the condition would be then that a dumpster shall be installed to City speciation's which includes screening.

Reddy stated per the Site Plan Regulations, as a less than 7 unit building he does not need a dumpster. He stated he supports making the community better and brighter but it is not technically required. He stated he would not take the approach of putting a heavy burden on one applicant.

Witham stated he considers it to be a reasonable exaction to resolve the trash issue.

Reddy stated today there is no trash issue. He stated the waste is going up to the appropriate place on High Street.

Saunders stated the applicant does not have to agree to the exaction.

Belmore stated there have been numerous violations of the Solid Waste Ordinance and complaints over the last several years.

Robidas stated he was confused because at the beginning of the dumpster conversation the applicant stated he would be willing to install a dumpster. He stated it led the Board down the path to add that as a condition of approval.

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Belmore stated he understood it that the applicant was going to try to work with the neighbors to cost share the dumpster. He stated he would advocate and hope the applicant will go down the path of installing a dumpster. He stated otherwise the applicant would have to comply with the City regulations for trash pickup.

Rhodes stated he agrees with Belmore's statement. He stated they could put the condition that a dumpster be installed and allow the applicant to work with his neighbors for cost sharing. He stated if the applicant cannot cost share with the neighbors allow him to return to the board for alternate approval.

Witham stated he does not agree with that course. He stated there are two unknowns being the dumpster and the outside lighting.

Motion, Witham stated, I move that the request of Reddy Info Sys Inc. to add two (2) residential units in the basement of a mixed use building be TABLED to the February 19, 2020 meeting to allow the applicant to get more information on cost sharing the dumpster and ownership of the parking lot lights.

The MOTION is SECONDED by Robidas.

The MOTION CARRIES by an 8-0 vote.

- B)** SNTG, LLC (Green Collar Laundry), is seeking site plan approval with waivers, to add a 4,500 sq. ft. commercial building and associated parking and infrastructure to the existing commercial site on property located at 472 High Street, in the Residential Commercial (RC) District, Assessor's Map 40 Lots 4-A & 4-B, SITE#19-2019

Saunders reviewed the staff memo of January 15, 2020. She stated the applicant is requesting four waivers. Saunders explained the applicant is requesting a waiver from the application and public notice fees, the bufferyard requirement between the commercial and residential property, paved areas to allow the parking lot to be within 5 feet of the property line and wavier from the requirement for street trees, shade trees, parking lot mitigation trees, screening and the landscape section.

Saunders stated there is no associated conditional use permit. She stated the applicant has requested the Board to consider laundry and retail use, which is both allowed in the R/C district. She stated the applicant has responded to the concerns brought up in the Fuss & O'Neil third party review in regards to traffic. She stated the parking lot has been amended to be a drive through lot and has removed some parking spaces. Saunders stated she recommends that third party review looks at the traffic memo response. Saunders stated the driveway meets the City's requirements. She stated the sidewalks have been installed by the Tara Fields developer and that it did affect one landscape tree which has been amended.

Saunders stated this structure has a High Street address but access is off of Tri City Road. She stated the SRTC recommended the E-911 committee review this structure as well. She stated no sprinklers are proposed because no dry cleaning is proposed. She stated if dry cleaning does become proposed sprinklers will have to be installed. Saunders stated the use falls into a risk category that will require the Water Division to test the water twice a year. This will identify any illegal hookups to the non-potable well. The applicant has met all the requirements for stormwater.

Saunders stated the last outstanding subject is the third party review. She stated she recommends closing out the project with Fuss & O'Neil since they have been with the project since the first proposal. She stated the Board can choose to use the City's engineer. She stated she recommends having the third party engineer attend the next meeting for the traffic review.

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Witham stated he is fine with having Fuss & O'Neil continue to complete the third party review.

MOTION: Witham stated, for the purpose of discussion, I move that the application be considered largely complete based upon the Staff Report dated 1-15-20.

The MOTION is SECONDED by Guptill.

Discussion: Belmore clarified for process if the Board wanted to first vote upon the third party review and then the acceptance of the application.

WITHDRAW: Witham and Guptill withdrew their motion and second.

MOTION: Guptill stated, I motion to required third party review by Fuss & O'Neil of the traffic memo response.

The MOTION is SECONDED by Robidas.

The MOTION CARRIES by a 7-1 vote.

MOTION: Robidas stated, I motion to TABLE the application until the Board receives a complete plan.

The MOTION is SECONDED by Belmore.

Discussion: Horton stated he feels the plans are complete enough to review with the knowledge that a third party review will be completed in the future. He stated for those reasons he supports moving forward with beginning the review.

Witham stated he thinks they have enough to at least get the review started. He stated since the application will be coming back next month anyways they will get to a point to table the application. He stated by beginning the process if there are any issues brought up the applicant will have a chance to respond to those issues.

The MOTION FAILS by a 2-6 vote.

MOTION: Witham stated, I motion to ACCEPT the application as complete to begin the review process based on the Staff Report dated 1/15/2020, minus the information to be provided by Fuss & O'Neil from Third Party Review of the traffic report.

The MOTION is SECONDED by Horton.

The MOTION CARRIES by a 6-2 vote.

Saunders reviewed the plan changes required. She stated with the sidewalk being installed in does conflict with the first proposed dogwood tree and that will need to be changed. Saunders stated in the 2013 approval it was clear in the CLD review that the applicant shall not have retail use in the second unit because of the high traffic counts and turnover. She stated that has been continued on as a condition of approval and knows the applicant has some questions about that. She stated since Fuss & O'Neil (CLD under new ownership) is still a participant in the review they can clarify that with them.

Saunders reviewed the proposed conditions of approval.

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Robidas stated he knows there has been confusion for previous laundry mats that have been developed in the City for the expected amount of the water/sewer impact fee. He asked if the applicant is fully aware of the potential costs. Saunders stated there has been discussion with the applicant about the fees for it being a brand new laundry mat facility. She stated the applicant operates a similar business and plans to submit numbers for assistance in establishing the fee. She stated it is a discussion that will happen when the applicant submits their application.

Robidas stated he would like a condition of approval that the sewer/water impact fee is paid prior to the issuance of an occupancy permit or building permit. Saunders stated it is a condition to be met prior to the start of site work but it can be stated prior to the issuance of a building permit.

Witham stated he did not note anything in the remarks about where the applicant plans to hook up for water and sewer. He stated both High Street and Tri City Road are subject to pavement moratoriums. Saunders stated she believes there are stubs, and the applicant can specify, that are in place already that they plan to hook up to.

Belmore stated it was not discussed during the motion for third party review if the Board would be requesting Fuss & O'Neil to attend the meeting. Saunders stated it can be discussed as the Board reviews the application and can be determined later.

Horton asked if there are expirations for variances approved by the Zoning Board. Saunders stated at that time no, but there is an expiration period now.

Witham stated the sidewalk constructed on Tri City Road, was that constructed to have the proper curb cuts as outlined in the plan. Saunders stated she thinks yes but the applicant can clarify. Witham stated the City has yet to accept the sidewalk as City owned property, if accepted there would then be a moratorium.

Applicant Statement: **Bob Stowell**, of Tritech Engineering and **Allen Grinnell** of SNTG, LLC attended the meeting to represent the application. Kim Hazarvartian of TEPP LLC was also in attendance for representation of the traffic memorandum.

Stowell stated the first curb cut was left when the sidewalks were installed because it is an existing driveway. He stated the second curb cut that is proposed was not left. He stated it will need to be modified to get their second entrance in.

Stowell stated the first waiver request is for the application fee, he noted the abutter fees were paid but is seeking a waiver for the balance of the application and public notice fees. He stated the other three requested waivers are the same waivers that have been requested with the previous approvals. He stated the submission and plan set made on 12/27/19 covers the comments from the Fuss & O'Neil report. He stated Fuss & O'Neil has once reviewed the traffic memo and it would be the comments that need to be re-addressed. He stated their traffic engineer attended the meeting if the Board has any specific questions for him. He stated the sidewalk that was installed did interrupt one of their landscape trees and that has been removed from the plans. Stowell stated there has been some confusion on if retail is an appropriate use there or not. He stated the applicant is looking to utilize that space for retail and he had not recalled the issue from CLD's original memo. He stated the current response was to address if there is a small retail use there. He stated he expects from their review they would state retail use could be done there.

LeHoullier inquired if the Board wanted to hear a formal presentation of the traffic memo. The Board was in consensus to opt not to have a formal traffic presentation.

LeHoullier opened the public hearing.

Bill Stowell, 470 High Street abutter, stated he is not opposed to the project. He stated he has a concern with the location of the water and sewer lines and the impact it will have on his property from construction of those lines. He stated his concern is that there are a number of trees along the property line that are his, the proposed trenching for the lines is within 4-5' of the trunks of the trees. He stated the trees will not survive that, Burke's Tree Service has written a letter that supports that and it has been submitted to the Department. He stated he other concern is that when the curb stop was installed his property was disturbed without his permission. He stated he is concerned they will disturb his property again in the future during construction. He stated he has tried to resolve these issues with the property owner and has had limited success.

Allen Grinnell, of SNTG, LLC applicant, stated there are a number of trees that are on the property line that may be disturbed. He stated it is neither property owner's benefit to see the trees die and for them to become a hazard. He stated he is willing to work with Bill Stowell to deal with the tree issue. He stated for the property disturbance, the company at the time of install of the stub, may have not known where the property line was exactly. He stated moving forward during construction they will ensure not to disturb the neighbor's property without the appropriate construction easements in place. Grinnell stated he understood the need to do the full review process, he stated it has been approved twice before, he stated none of the regulations have changed and have done their best to make the plans best. He stated this is a good plan; it will create good revenue and will be a long term business that will serve the community well. He stated it is good business and development for the City of Somersworth. He stated in the previous approvals, the retail that they were prohibiting was retail restaurants because of the amount of traffic that would generate. He stated it was not to prohibit him from having a use like a dress store. He stated it was to prohibit restaurants. He stated they are hoping to maintain the retail use. Grinnell inquired who he needs to speak to for the water/sewer application. He stated he has inquired with the State for the rates. He stated the rates are based on top loading washers that use significantly more water. He stated the State informed him the water usage fees have not been updated in years. He stated they attempt to be as green of a business as possible. He stated the non-potable well will only serve the washing machines.

LeHoullier closed the public hearing.

Board Discussion: Horton stated in the water notes, the non-potable well must be metered to show what flow might be going into the sewer. He inquired if it should be what will be going to the sewer since there is no leach field plan (Note 9 on SP2). Saunders stated originally the Water Division asked for the well to be metered to meter the non-potable well and the City water system. She stated the statement stands. The Water Division is requiring that well to be metered.

Horton stated in regards to the first waiver request he would vote against it. He stated it involves a lot of the City staff time to get the documents together and deal with the application.

Guptill stated he would not be in favor of the first waiver either. He stated they have spent a lot of resource and time on the application. He stated he is looking for more information on stormwater and snow storage for this property.

Stowell stated the stormwater is a very detailed system shown on SP2. He stated it was accompanied by a drainage report that was provided to Fuss & O'Neil for their review. He stated they catch all of the stormwater by catch basins, pretreatment and then feeds into a leach field for stormwater. He stated test pits show that well over 12' down had not met a water table. It is under the pavement.

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Stowell stated the snow storage, is snow removal. He stated they do not have a lot of room left for snow storage and anticipate trucking off the snow on a regular basis. He stated that plan was incorporated into the stormwater maintenance manual. There will be a log of who is doing the snow removal and where it is being trucked.

Rhodes inquired about the loading dock position, he stated as currently in place a vehicle would have to back from Tri City Road. He stated he thinks it is a safety concern that should be addressed. He stated in regards to the waiver for the landscaping, the City has gone to considerable effort to improve the visible condition of projects and enforcement of landscaping. He stated the addition of the sidewalk has further diminished an already minimal landscaping on this lot. He stated he is disinclined to grant a waiver to allow very limited landscaping. He stated it appears there are a number of trees along the property line that would be killed in order to establish utilities for this project. He stated he does feel it would be appropriate for the Planning Board to address that issue and feels the abutter's concern is valid.

Stowell stated the loading area is required by code but there is no need for the loading area for the proposed project. He stated the movement will be through the parking lot rather than from Tri City Road.

Witham stated he agrees with Rhodes comment in regards to the pine trees. He stated it should be addressed and language should be put together prior to the approval. He asked if the second access point is necessary or could they use just one entrance/exit.

Stowell stated the configuration would just close off the curb cut and not provide any additional parking. He stated with the amount of spaces and proximity of the buildings the traffic flow will benefit from the second curb cut.

Witham stated he has no issue with the building design. He stated he agrees with discussion on the first waiver, and would not be inclined to grant the waiver. He stated since the well is non-potable, it will be metered, inspections will be done by the Water Division he is good with that. He stated he thinks the applicant can be creative with the landscaping and suggested some planters.

Belmore stated he thinks the tree issue should be a condition of approval that requires replacement landscape/buffer that is satisfactory between the applicant and abutter. He questioned if there is a survey to ensure the water/sewer stubs are on the applicant's property. He stated if it is on the abutter's property there needs to be some sort of easement agreement.

Stowell stated at this point they have as-built the location of those stubs and it is very close to the abutters. He stated the abutters concern is moving forward to ensure his property is not disturb again. He stated with proper technique thinks it can be done without disturbing the abutter property but needs to be done with care.

Horton stated his comments are consistent with the Board's discussion. He does think a condition should be added to protect the replacement of any damaged pine trees. He stated in regards to the landscaping where it is a small site encourages the applicant to be creative to meet the City's intent and would be inclined to deny the request.

Rhodes stated on the landscaping piece, Witham has great points, something not glass, steal, wood or paint would be great to see. He stated he thinks the second curb cut should remain in place especially for the purpose of emergency vehicle access. He stated the stubs for this site sound like they are on or close to the property line.

Stowell stated they are on the applicant's property but very close to the line.

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Grinnell stated he spoke with his abutter, Bill Stowell, and they have come to an agreement that can be a condition of approval. He stated they agreed he would put forth an escrow of \$5,000 for tree remediation. He stated it would resolve concerns.

Barry asked if the 4th waiver request was granted and one of the pine trees was damaged if they would have to replace it. Saunders stated if the waiver was granted and these existing trees died the applicant would still need to replace those pine trees.

Saunders clarified that it would not be the in the best interest for the City to hold the escrow for the trees. Grinnell stated it would be a private agreement of an escrow between himself and his abutter.

Barry stated that agreement solves his tree problem. He stated he likes the project and does want to see this project succeed.

Grinnell stated during the first proposals for this site he had proposed landscaping within the City's right of way. He stated the previous Board was not in favor of that and preferred to grant the waiver alternatively.

Witham stated he understands the need for the landscaping waiver and would be fine with granting it but within lieu of the landscaping an alternate plan of planters to be installed. He stated he would like to see more information from the applicant on that plan at the next meeting.

Witham stated it would be helpful to have a representative from Fuss & O'Neil at the next meeting to talk about the traffic. He stated that was one of the major sticking points because it has dragged on so long. He stated there has been a lot of a change in that area.

Witham stated the Board need's to have a discussion on the allowance of retail or not. He stated not all retail is the same.

MOTION: Horton, stated I move that the request of SNTG, LLC for a waiver from Section 22A.15 of the Site Plan Review Regulations regarding applicant and public notice fee be DENIED.

The MOTION is SECONDED by Guptill

Discussion: Belmore stated he agrees with the conversation that has been had tonight in regards to this waiver. He stated he does not think the request is unique to the property because there have been other projects that have been required to pay twice for other reasons.

The MOTION CARRIES by an 8-0 vote.

MOTION: Witham stated, I move that the request of SNTG, LLC, for a waiver from Section 22A.11.6.d of the Site Plan Review Regulations regarding buffer yard requirement between commercial property abutting residential property be APPROVED.

The MOTION is SECONDED by Robidas.

The MOTION CARRIES by an 8-0 vote.

MOTION: Horton stated, I move that the request of SNTG, LLC for a waiver from Section 22A11.4.b.vii of the Site Plan Review Regulations for paved areas to be allowed 15 ft. or one half the setback area be APPROVED.

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The MOTION is SECONDED by Robidas.

The MOTION CARRIES by an 8-0 vote.

Witham stated he thinks they should hold on the landscape waiver till the next meeting to hear what the applicant has to propose for alternate landscaping.

Horton asked if it would be in order to suggest plantings in the center islands or if it is right of way.

Witham stated it is sidewalk.

Stowell stated the issue is that it is the City right of way.

Robidas stated his concern would be that the salt would kill any plantings there.

Motion: Belmore stated I move that the request of SNTG, LLC (Green Collar Laundry) to add a 4,500 sq. ft. commercial building and associated parking and infrastructure to the existing commercial site be TABLED to the February 19, 2020 Planning Board meeting in order for the applicant to propose a new landscaped plan and for Third Party Review of the traffic memo.

The MOTION is SECONDED by Witham.

The MOTION CARRIES by an 8-0 vote.

C) Any other new business

Saunders stated the City of Somersworth has the opportunity to have 3 representatives to the Strafford Regional Planning Commission. She stated Mark Richardson has requested to fill one of those seats. She stated the Planning Board votes to nominate to the City Council.

MOTION: Robidas stated, I move to recommend Mark Richardson to be a representative of the City of Somersworth to the Strafford Regional Planning Commission

The MOTION is SECONDED by Witham.

Discussion: Belmore stated this is for an SRPC commissioner and the City is entitled to 3 commissioners. He stated he met with the Mayor and filled out the application. Mark Richardson was a Planning Board member and School Board member and would be a good addition.

The MOTION CARRIES by an 8-0 vote.

5) **WORKSHOP BUSINESS**

A) **ZBA Proposal to review the Business District Zoning on Main Street**

Saunders stated she does not have the proposal for the board and will bring a proposal to the February meeting.

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

No other workshop business

6) **COMMUNICATIONS AND MISCELLANEOUS**

Witham stated the Board received communications from representatives of the community of North Hampton regarding some legislation. He stated after review of the letter he sees that they oppose the legislation and are seeking support for that cause. He asked for clarification on the legislation from the Director. Saunders stated it is not proposed legislation but rather passed legislation. She stated is a housing appeals board comprised of three members appointed Supreme Court. The Housing Appeals Board will have the power to hear, affirm or modify in whole or part any decision by the Planning Board, ZBA, HDC, Heritage, Conservation and other municipal decisions applicable to housing and housing developments.

Witham inquired what, prior to this Commission, was the appeal process. Saunders explained the prior appeal process. Saunders explained the course of action should anyone oppose the Housing Appeals Board they would need to petition their State Representative.

MOTION: Belmore MOTION to ADJOURN.

Guptill SECONDS the motion.

The motion carries by an 8-0 vote at 8:28pm.

Respectfully Submitted,

Dana Crossley, Planning Secretary