



TOWN OF NEWMARKET NEW HAMPSHIRE

PLANNING BOARD

September 12, 2023 at 7:00 PM

Town Hall Auditorium

DRAFT MEETING MINUTES

Members Present: Eric Botterman (Chair), Val Shelton (Vice-Chair), Bart McDonough via zoom (Director of Planning & Community Development), Abigail Bachman (Alternate), Scott Blackstone (Town Council- Ex officio), Jane Ford, Patrick Reynolds and Michal Zahorik (Alternate)

Member Absent: Jeff Goldknopf and Timothy Rossignol

The Chair opened the meeting at 7:01 PM.

[time on DCAT 3:35]

The Chair appointed alternates **Michal Zahorik** and **Abigail Bachman** as voting members this evening.

The voting seven members this evening will **Eric Botterman, Val Shelton, Abigail Bachman, Scott Blackstone, Jane Ford, Patrick Reynolds, and Michal Zahorik.**

1. Pledge of Allegiance

2. Public Comments

The Chair opened public comment at 7:01 PM. There were no public comments relevant to items not on the agenda this evening. The Chair closed public comment at 7:02 PM.

3. Acceptance of Minutes

[time on DCAT 4:15]

a. July 11, 2023

The acceptance of the Draft Minutes for July 11, 2023 is postponed until the next meeting in October.

b. August 18, 2023

Action

Motion: **Patrick Reynolds** moved to approve the Draft Minutes of the August 8, 2023 meeting.

Second: **Jane Ford**

Discussion: none

Vote: **Approved 5-0-2 (Michal Zahorik and Abigail Bachman abstained)**

4. Regular Business

[time on DCAT 5:39]

Read by the Chair:

a. **Pursuant to RSA 676:4, and Appendix-A Subdivisions, Appendix-B Site Plans, and §32-236 Affordable elderly housing of the Municipal Code of the Town of Newmarket, New Hampshire, a continuation of a public hearing shall be held for an application filed by DR Lemieux Builders LLC requesting Minor Subdivision, Major Site Plan, and Special Use Permit approval for a proposed development seeking to create a split lot subdivision with the original lot (0.54 acres) retaining the existing single-family housing unit and the new lot (7.22 acres) constructing a 32-unit, age-restricted, multi-family development with associated utilities, parking, landscaping and stormwater mitigation infrastructure located on real property with an address of 242 South Main Street, Tax Map U4 – Lot 69 within the R2 zoning district.**

The Chair updated members, and those present in the audience, with the current information/status of this proposal. Since the last hearing in July, a Technical Review Committee (TRC) met on August 9 and a site walk was held on Saturday, July 29, 2023 at 8:30 AM (the site walk was publicly noticed).

The Chair opened the continuation of the public hearing.

[time on DCAT 6:52]

Attorney F.X. Bruton, Bruton & Berube PLLC of Dover, rose to represent the applicant. Also present this evening are **Dave Lemieux**, Principal, and **Heather Droesch**, General Manager, of D.R. Lemieux Builders LLC.. Also present are members of the design team: **Christian Smith**, Principal at Beals Associates, PLLC, **Daniel LaCivita**, Vanasse & Associates, Inc., **Brian White**, White Appraisal, **Vicky Martel**, Woodburn & Co., **Sarah Hourihane**, Lassel Architects.

Mr. Bruton said that they have taken all the information from the site walk and the comments from the TRC and the public comments from July into consideration as they now present final changes this evening. He emphasized the key words '*affordable elderly housing*' as this project fits into the Town's needs and zoning. He believes that this is perhaps the only property remaining in Town that meets the standards for this type of project. He highlighted all the changes in his letter to the Chair. **[Please see Addendum pages 1- 5 for the letter.]** The landscape architect firm has put together a number of different plans that they feel address the issues of concern from the neighborhood. He wanted to emphasize that the property was not over designed by not asking for a density bonus in order to create a balance with the neighborhood - having fewer units than the density bonus would grant. He has sent the Town Planner two conditions of approval and he has asked that he share those with the Board. One

condition, however, does have to do with the granting of an easement to the Town in perpetuity for drainage concerns.

[time on DCAT 20:26]

Christian Smith, Principal at Beals Associates, PLLC, spoke next to discuss the pier comments and their responses to concerns by Underwood Engineering. He specifically mentioned a few responses including Site Layout Intent. He mentioned that there seems to be no need for sidewalks or painted pedestrian crossings, etc. Underwood Engineering deferred this issue back to the PB. **Patrick** commented that he feels that the parking area is too cramped. He would like to see safe cross walks or markings. He visited Wadleigh Falls community to look at their parking area. They have cross walks on both sides of the driveway in order to get to the dumpsters. 8b) Consideration of an Alternate Parking Layout: They looked at line stripes, but this is the only configuration without placing parking in the wetland setbacks. **Patrick** again mentioned the Wadleigh Falls project. It has 52 units, 58 parking spots, and 6 guest parking spaces. He visited the project at six different times over the week and found that 90% of the parking was being used. He believes that 10% should be set apart for guest parking. 8c) Backing/Turning Areas must be provided at both dead ends per Town regulations: They have widened the drive aisles to 25' so that any box truck could easily make a turn for deliveries. 8d) ADA Parking Spaces Required to be 20' in length: A waiver has been requested to the ADA requirement to reduce to 18'. 8j) No Parking Signs on Rt. 152: This would be a decision of the Town Council and DPW as detailed at the TRC meeting. 9) Dumpster Location: The distance to the dumpster will be 180 ft. (60 yds) from the building and they believe that the design is adequate. 20) Hydrant at Entrance: He will confirm the location with Rick Malasky to be sure that it will be located as determined at the TRC. 24) Clean-Out: The manhole will be placed in the right-of-way and placement will be confirmed with Rick Malasky. 27-30) Stormwater Modeling and Management: He reviewed these itemized concerns with the PB and they are discussed in the **Addendum pages 4-5.**

[time on DCAT 48:56]

Daniel LaCivita, Vanasse & Associates, Inc., rose to speak to the traffic engineering study completed by Vanasse. UEL solicited an engineering study from Greenman-Pedersen, Inc (GPI). **[Please see Addendum pages 6- 10 for the letter and responses.]** They are still waiting for the traffic accident report requested from the Newmarket Police Dept.

#1 Steve Suraci, 240 South Main Street. He asked a specific question about whether the basis of the study was determined on the posted 35 MPH speed limit. **Mr. LaCivita** replied that the study was based on 40 MPH because they used an average traveling speed in the 85th percentile – which was 37 MPH, so they bumped it up to 40 MPH.

[time on DCAT 58:22]

Vicky Martel, Woodburn & Co., spoke about the revised landscape plans. They have not changed the interior trees from the first design. They have added a 6 ft. solid-board privacy fence on the eastern border with a solid line of evergreens behind the fence and along the front (along S. Main Street). She showed the new landscape options and

spoke to the use of Western Red Cedar trees that will be 8-10 ft. at planting. They can grow to 50-60 ft. if they are happy.

[time on DCAT 1:03:13]

Brian White, White Appraisal, was asked to expand on his initial five comps. He presented his report. He expanded adding more comps for a total of 19 comps and his conclusion remains unchanged – there will be no diminution of value from all his discussions with assessors in each town. **Patrick** asked if this is the entire list of senior housing by town. **Mr. White** said that this is a complete list based on the list from the State of similarly funded senior housing.

#2 Derek Conrad, 245 South Main Street. He asked if **Mr. White** received any comments from assessors that indicated a diminution in value. **Mr. White** had not. #3 Steve Suraci, 240 South Main Street. He wanted to know what has been done to determine whether or not any of the properties listed as comps compare to the neighborhood under consideration? Lafayette Road in Portsmouth is Rt. 1 and not at all comparable to S. Main Street. He also wanted to know if anyone has spoken to real estate agents. The assessment does not reflect the property value...they are two very different things.

There was a discussion of abatement requests for the properties near those on the list and **Val** described the process to apply for an abatement.

#4 Liz Dowst, 255 Wadleigh Falls Road. She had a specific question about the language being used to describe this project... 'elderly' housing and 'senior' housing. What are the definitions? She said that the studies were all done on senior housing – 55+ yrs old vs. elderly housing – 64+ yrs old. She is concerned about the use of elderly housing in the opening statements by **Mr. Bruton**. Were the traffic studies and assumption of tenants needing vehicles done in rural areas or urban areas where there may be more public transit options available? **Mr. Bruton** confirmed that this project will be 55+ i.e. senior housing. **Daniel LaCivita** confirmed that the traffic studies were all done with 55+ in mind. **Sarah Hourihane**, Lassel Architects, confirmed that they had been working with developers of senior housing 55+ when working on this project. They looked at data from both ME and NH.

Mr. Beal spoke about putting a painted pedestrian walkway in the parking lot and, if the Board would like one, the developer is willing to make that a condition of approval. It would be in the vehicle travel aisle, but it would alert any drivers entering and exiting.

#5 Linda Doshier, 249 South Main Street. She had a question about the age requirement for tenants – if there are two people in the unit, would they both need to be 55+. The answer is no. She also asked about a fire lane...Rick Malasky said, at the TRC meeting, they he did not need a fire lane to reach all sides of the building with fire and rescue vehicles. She also brought up the need for additional parking for visitors, cleaners, visiting nurses, etc. There is no parking available anywhere near this

1 proposed building. With possible younger tenants sharing a unit, she is concerned
 2 about headlights of cars coming and going. She also mentioned that assessors will
 3 never lower value, because it is tax revenue based. It is the real estate agents who are
 4 trying to get the most value from a home. She is also skeptical about the evergreen
 5 trees reaching a sufficient height to seclude the building...the trees grow very slowly
 6 and it could take more than 10 years to cover the area. She asked about pets...how
 7 many dogs could they have? **Val** said that there is no ordinance about pets. Ms. Dosier
 8 thinks that the colors selected for this building do not blend into the neighborhood...grey
 9 and brown are awful choices.

10 #6 Liz Dowst, 255 Wadleigh Falls Road. Yes, we need senior housing and she is not
 11 against senior housing...just not this project. The ordinance clearly says that the project
 12 could be granted approval if the scope and size and bulk of the project is consistent with
 13 the adjacent properties and consistent with the neighborhood. This project is much,
 14 much larger than what is around it and the PB should discuss whether or not this
 15 property is appropriate for this use given the size of the lot and the percent of the
 16 wetlands on the lot. In terms of the parking, she did research using data from the
 17 Federal Highway Administration. They show that 93.5% of people aged 50-69 yrs are
 18 licensed drivers and 84.9% of people between 70-84 yrs are licensed drivers. The
 19 closest public parking lot is down on Railroad Street.

20 #7 Gail Wasiewski, 236 South Main Street. She asked if all the apartments will be
 21 affordable or just 75%. **Dave Lemieux**, the developer, stated that 100% of the
 22 apartments will be guaranteed affordable and remain so. She mentioned the speed
 23 along S. Main Street and the traffic accidents. The added speeding sign traveling
 24 eastward into Town is there, but nothing slows with traffic heading westbound. She also
 25 asked if anyone on the PB is involved with this project. The Chair said that PB member
 26 **Jeff Goldknopf** works for Doucette Engineering has recused himself from all
 27 discussions and votes.

28 #8 Lisa Henderson, 6 Maplecrest Street. She supports this proposal and feels that older
 29 residents need other options for living situations. This proposal would allow for
 30 additional options. She has lived in the neighborhood for 18 years and has seen many
 31 changes in the area with people leaving their homes to find situations that meet their
 32 needs as they age. She believes that the landscaping is moving in the wrong direction
 33 and that elderly people really love to look out and see what is happening.

34 #9 Linda Doshier, 249 South Main Street. She is not against senior housing, but they
 35 do need safe parking situations. People are still driving and have vehicles well into their
 36 senior years. This proposal is just too big for the area.

37 #10 Steve Suraci, 240 South Main Street. He wanted to touch again on the point that no
 38 one in the neighborhood is against senior, elderly or affordable housing. The problem
 39 with this development is the size...it is just too big and looks like a small motel on
 40 Nantucket - not looking like the neighborhood surrounding it.

[time on DCAT 1:45:20-1:53:21]

42 #11 Ed Suraci, 240 South Main Street. He is a direct abutter. He presented to the

members a power point with the help of **Bart**. He began with the presentation of the complete ordinance and a review of information about the pros and cons of affordable housing – both senior and elderly. The presentation including a picture of another project, done by this developer in Rochester NH, showing their attempt at using trees to provide insufficient coverage from the abutters. It was not successful.
#12 Linda Doshier, 249 South Main Street. She had a question about when this ordinance was written.

With no more speakers, **Bart** read into the record two emails he received: 1) Paul Dobberstein, 229 S. Main Street and 2) Ernie Clark, former Executive Director of the Newmarket Housing Authority and not a resident of Newmarket. **[Please see Addendum pages 11- 12 for the letters.]**

[time on DCAT 2:02:23- 2:25:37]

The Planning Board began to discuss the individual Criteria of Approval as read by the Chair. He asked for an opinion from members as they proceed through the criteria.
(1) Any site on which an affordable elderly housing complex is proposed shall be reviewed with respect to the availability of shopping services, medical services and transportation services thereto, and that the proposed construction and design of the affordable elderly housing complex shall contain the usual amenities and living aids found in housing designed for use by the elderly and as required by state and federal law such as accessibility features, communal facilities, etc.

Patrick began the discussion with the premise that there is a necessity for the residents to have a car in this area as there currently is no public transportation. **Val** mentions the availability for some seniors of volunteer help with transportation services to doctor appts. etc. The members generally agree that people may need their own vehicles.

(2) That the public interest will be served generally if the proposal were to establish affordable elderly housing on the site and the establishment of an affordable elderly housing complex on the site would not cause a diminution in the property values of surrounding parcels.

Patrick, Jane, Scott, Michal feel that the building exceeds the site and would cause a diminution of surrounding property values...not assessed value, necessarily, but property value. **Abigail** mentioned that although the property is tall, she agrees with Mr. White's report based on his due diligence, that there would be no diminution in assessed value. **Val** understands the concern for the public interest, but she agrees with Mr. White's report.

(3) That any conflicts with the character of the adjacent properties will be minimal in terms of the size and bulk of the visible buildings, through the use of buffers, landscaping or location of the buildings on site. This provision is meant to assure that

facilities are reasonably consistent either with residential style buildings or sufficiently secluded so as to minimize negative impacts to abutting property.

The members felt that the size and bulk of the visible building would just be too large for the neighborhood. **Patrick** expressed his appreciation to the applicant for the efforts made to increase energy efficiency.

(4) The development shall be landscaped so as to enhance its compatibility with the town with emphasis given to the use of existing natural features where possible.

The members felt that in general the landscaping was very well done. However, landscaping can only accomplish so much with a building of this size.

(5) The design and site layout of the development shall emphasize the rural character of the town, maximize the privacy of the dwelling units, preserve the natural character of land, provide for the separation of parking and neighboring residential uses, and consider such factors as orientation, energy usage, views, etc.

Jane feels that, although the design has been created with a great deal of thought, the project does not meet the rural character of the Town/neighborhood. **Scott, Abigail,** and **Patrick** concur. **Michal** is undecided.

(6) Parking facilities shall comply with the existing site plan review regulations, unless the planning board authorizes waivers in accordance with information submitted showing a decreased need in parking. The planning board may require land to be set-aside for future parking facilities and require adequate financial security to assure its construction with the Newmarket Site Review Regulations.

Predicated on this approval of the waiver requested, the members agreed that the applicant has met the criteria.

(7) Seventy-five percent of all units on the site shall be identified as and remain affordable in accordance with this section for as long as the on-site structures fail to comply with all other zoning requirements of the underlying district.

The members agreed that this has been satisfied.

(8) Affordable elderly housing facilities shall not include manufactured housing units.

Not applicable in this case.

The Chair addressed **Mr. Bruton** and said that the Board could continue their deliberation and vote this evening or he could ask for a continuation to the next meeting.

1 **Mr. Bruton** said he was glad to hear the conversation and thoughts of the members
 2 and, after speaking with his client, they would like to request a continuation to the next
 3 meeting. There were no further comments from the Board or the public.

4 5 Action

6 **Motion:** **Val Shelton** moved to continue the public hearing on this application to
 7 October 10, 2023 based upon the applicant's request for continuance.

8 **Second:** **Jane Ford**

9 **Discussion:** none

10 **Vote:** **Unanimously Approved 7-0-0**

11
12 *****

13 [time on DCAT 2:25:26]

14 b. **The Planning Board shall hold a discussion on proposed language to**
 15 **amend §32-160 Downtown commercial overlay district and §1.03 Definitions,**
 16 **§1.06 Applicability and §3.21 Architectural/aesthetic review of Appendix B -**
 17 **Site Plans of the Municipal Code of the Town of Newmarket, New Hampshire,**
 18 **that seeks to add architectural design and review requirements within the M2**
 19 **district and Downtown commercial overlay district, or take any other action**
 20 **relative thereto.**

21 **Val** clarified for the members that **Bart** is still waiting to hear from Attorney Rattigan on
 22 the proposed language.

23 24 **5. New/Old Business**

25 **Chair's Report:** The Chair did not have a report this evening. He did, however, receive
 26 a complaint about handicapped parking in the parking lot between Deciduous Brewing
 27 and Newberry Farm Market. During the pandemic, Deciduous put some tables outside
 28 which extended into the parking area. It is believed that these tables cover handicapped
 29 parking spaces. **Bart** said that this is a compliance issue granted with special
 30 permission during Covid from the previous Code Enforcement Officer. They did not
 31 come before the PB to amend their site plan. He will look into this matter and report
 32 back.

33 **Committee Reports:** **Scott** reported that the Town Council and the School Board had a
 34 joint meeting. They would like the PB to be part of future joint meetings because school
 35 enrollments are dropping and the SB would like to see more housing planned for
 36 families with children. He reported on issues of renovation to the Police Station, the
 37 Town Hall, the Recreation Center, and the Library. Steve Fournier will be meeting very
 38 soon via zoom with all committee/commission/board chairs to discuss the right-to-know
 39 law and to explain their role as a Chair. The Arts, Culture, and Tourism Commission is
 40 planning a small park in front of the Willey House. **Scott** reported that the Town is no
 41 longer working with the previous consultant about the "gateways" into Newmarket. **Bart**
 42 confirmed that the Strafford Regional Planning Commission will be working with the

Town on the Master Plan Updates and re-zoning plans and reviewed the funding of all of this work. The Master Plan Sub-Committee will be meeting shortly to begin work on the Open Space Chapter.

Energy and Environment Advisory Committee: **Patrick** said that the Community Energy Plan is being reviewed by the Town Attorney and staff.

6. Adjourn

[time on DCAT

2:38:39]

Action

Motion: Jane Ford moved to adjourn the meeting at 9:32 PM.

Second: Patrick Reynolds

Discussion: none

Vote: Unanimously Approved 7-0-0

Respectfully submitted,

Sue Frick

Recording Secretary

DCAT:

https://videoplayer.telvue.com/player/XSekkdEeRsk0JHQVHAvKJVka7_5VjxKP/videos

ADDENDUM page 1



Newmarket Planning Board,
Mr. Bart McDonough
Director of Planning and Community Development,
186 Main Street Newmarket, NH 03857

August 22, 2023

Ref: Map u-4 Lot 69
Elderly Residential Development Review #1

Dear Mr., Chairman & Members of the Board:

We are in receipt of a review letter from CMA Engineers, dated Aug. 10, 2023 and we offer the following responses to the noted comments. Each comment is followed by our response in **bold**.

General / Administrative

1. Site Layout Intent: We recognize the intent of the current proposed layout appears to be avoidance and minimization and cost minimization. While we applaud minimization of disturbance area; we encourage striking a balance between disturbance minimization and providing sufficient space for functionality within the site layout.
Response: We feel the site layout facilitates sufficient space for functionality while minimizing disturbed area and preserving local wetland buffers. As the anticipated vehicle travel speed within the parking area would be 5mph+/-, there seems to be no need for sidewalks and or painted pedestrian crossings, etc.
2. Route 152 Crosswalk: As discussed at the TRC meeting the Town would prefer the crosswalk across Route 152 to be moved to the south of the school driveway. The intent expressed was the elimination of sidewalk along Route 152. UE notes that there will be a tip-down and limited sidewalk within the Route 152 ROW. Responsibility and maintenance of the proposed "public" section of sidewalk should be clarified.
Response: The cross-walk location has been revised as discussed, and a new one added within the school driveway as needed.

Cover Sheet

3. A plan set date should be listed.
Response: The date has been added as suggested.
4. Required permits/approvals should be listed, if applicable.
Response: This information has been added to cover.

Existing Conditions Plans

5. Utilities: Show and label the existing water main.

Response: The existing watermain is now shown per DPW records and labelled.

ADDENDUM page 2

Site Plan

6. Site Entrance: The entrance should be revised to a 90-degree angle, or as close as practicable, with Route 152.

Response: The driveway entrance has been revised as requested. The pavement angle from Route 152 is 89° to on the westerly side and 85° on the easterly side of the entrance drive. Based on the curvature of the existing road, this is the best that can be arranged and well within the allowed 15° departure from perpendicular.

7. Aisle Widths: Town of Newmarket regulations require the parking aisles to be 25' in width.

Response: The aisles have been revised to 25' wide.

8. Parking Layout: We feel improvements can be made to the layout of the parking area to improve pedestrian safety and traffic circulation. Town regulations referred to below can be found in the Site Plan regulations, Section 3.02.

- a. We suggest adding a striped lane between parking spaces in front of the southerly main door to more remote parking spots for first responder access, pedestrians walking, mail delivery, and for package deliveries.

Response: A striped area has been added in conjunction with handicap stalls at the southerly door as requested.

- b. We recommend consideration of an alternate parking layout to allow all residents to access their cars via sidewalks rather than walking within travel lanes and behind other cars. **Response: The design is adequate for the proposed use (please refer to response to #1).**

- c. Backing/turning areas must be provided at both dead ends per Town regulations. **Response: With a 25' aisle there is adequate room for a vehicle to back out of the parking stalls per the regulations. Based on this no additional turn-out areas are necessary.**

- d. ADA parking spaces are required to be 20' in length.

Response: A waiver has been requested to the ADA required 18'.

- e. Two locations show ADA spaces adjacent to each other without a striped access aisle, this is non-compliant with ADA guidelines and Town regulation.

Response: This has been revised.

- f. Confirm the requirements for designated ADA Van spaces and access aisles when multiple spaces are provided.

Response: The van accessible spaces meet ADA specifications and requirements.

- g. Consideration should be given to moving two of the handicap parking spaces to the main door area.

Response: See previous response to comment "a."

- h. Headlights will shine directly into the windows of first floor apartments. Please consider alternative layouts or screening options between the two uses.

Response: This is at the developer's discretion.

1. Outside of the minimum number of required spaces, the layout only offers two additional spaces for use to accommodate visitors, facility/maintenance staff, office staff, etc. In light of sub comment (e) above, two spaces may be required to become striped access for adjacent ADA.

Response: See previous response to comment "a."

- J. We recommend consideration be given to posting "No Parking" signs along Route 152, if permissible by the NH DOT, to deter overflow parking along the roadway.

Response: This would be up to the Board of Selectmen as detailed at the TRC hearing.

ADDENDUM page 3

9. Dumpster Location: The location of the dumpster is inconvenient for both residents and trash collectors. Provide a plan showing turning movements for trash trucks. If the dumpster remains in its current location, a sidewalk should extend to that area.

Response: The design is adequate with the proposed use, a truck turning path has been depicted on the plans, and no sidewalk will be proposed internally.

10. Truck Movements: Provide a plan showing turning movements within the site of fire trucks, moving trucks, and delivery trucks.

Response: A truck turning path has been added. The fire chief indicated at TRC that fire truck in emergency response will pull into the drive, access the newly proposed hydrant and back out onto Route 152.

11. Rear Building Access: No landing or steps are shown at the rear mechanical area door.

Response: Steps have been provided with a break in the stone drip edge.

12. Pads: Show the location of transformer, emergency generator, and HYAC pads, as applicable.

Response: The proposed transformer, generator and underground propane tank locations have been added. HVAC will be internal to the building as reviewed at the TRC hearing.

Grading and Drainage Plan

13. Erosion Control: Silt fence should be moved further from the building and parking areas in order to allow construction vehicles and builders enough room to access those areas.

Response: The silt fencing has been so revised.

14. Contours: Due to the flat nature of the site, we recommend providing 1' contours (existing and proposed) for clarity.

Response: Additional spot grades were added for site data. 1' contours would render the plan unduly cluttered & we feel with the added spot grades (proposed and existing), the design intent is clear.

15. Building Access: It appears steps or a ramp may be warranted at the rear mechanical area door.

Response: See previous response to comment #11.

16. Curbing: Spot grades at the front of the building indicate curbing. Please show the offset for the curb line and label.

Response: The curb line has been added.

17. Snow Storage: Snow storage (labeled on the site plan) is proposed on all of the stormwater management features. Snow storage areas should be separate areas not located within or in obstruction to stormwater features.

Response: Snow storage labels have been removed from those areas.

18. Stone Drip Edge:

- The drip edge should be broken at the rear mechanical room door area.
- Provide proposed spot grades at multiple locations along the drip edge to ensure the finished grade of the drip edge is such that the 1' of separation between the bottom of the stone and the ESHWT is achieved.

Response: The drip edge has been gapped at the mech. room entry, and spot grades added as requested.

19. Roof Runoff: Show the location of gutter downspouts on the front side of the building.

Response: Please refer to updated architectural plans.

ADDENDUM page 4

Utilities and Lighting Plan

20. Hydrant at Entrance: The site should be equipped with a hydrant; UE understands that the Fire Department has suggested it be near the entrance driveway. Coordinate as required.
Response: A hydrant has been added near the entrance per Newmarket Fire.
21. Water/Fire Service: Label material of the pipe.
Response: Service has been revised and labeled.
22. Water/Fire Service: UE recommends that the 2" domestic service be taken off the 4" fire line outside of the building rather than inside as proposed, however we will defer the final layout to the Fire Department.
Response: Water service has been revised as suggested.
23. Sewer Service: Label the material, slope, and inverts of the pipe.
Response: Pipe material and min. slope added. Elevations to be coordinated after existing SMH 65 is verified.
24. **Clean-Out:** At a minimum, a sewer clean-out should be installed at the ROW line. UE understands that the Newmarket Sewer Department has requested that a manhole be installed in lieu of a PVC clean-out. Please amend the plan and include a sewer manhole detail in the plan set and amend the Sewer Service Detail as required.
Response: A SMH has been added as requested.
25. **Pads:** Per 13 above, show conduit runs to transformers, generators, and HVAC as appropriate.
Response: Conduit runs have been added to the plans.
26. **Lighting:** Will a building mounted light be located at the rear mechanical room door?
Response: An entry door security light is now proposed.

Stormwater Modeling and Management

27. **Pollutant Removals:** The stormwater narrative indicates a removal efficiency table in the appendices, but none was found. Please provide.
Response: The removal efficiency table is provided herewith in the revised drainage analysis appendix III.
28. **Sub catchments:** Post sub catchment I B includes the entire roof. The architectural drawings show a peaked roof, with the front of the roof sloping toward the sidewalk/parking area. Please clarify how the runoff from the front half of the roof will be conveyed to the stone drip edge.
Response: Please see the revised architectural plans
29. **Sed Ponds:** As modelled, the Sed Pond nodes, I CP and I DP, have storage capacity and offer attenuation, which as the basin fills with sediment is reduced. The sed ponds, below the top of the weirs, should be eliminated from the modelling or the model should presume that they are already full of water (sediment).
Response: A starting elevation set at the top of the riprap weir has been applied to each respective sediment forebay as requested.
30. **Freeboard:** Neither Bioretention Pond exhibits 1' of freeboard in larger storm events as required by NHDES.
Response: NHDES does not enforce a 1' freeboard, simply that the ponds don't overtop under a 50-YR storm evaluation. These ponds do not overtop during a 100-YR storm event. The design is adequate and appropriate.

ADDENDUM page 5

31. Hydraulic Coupling: In several model runs, the peak water elevation in the BioRetention Ponds exceed that of Sed Ponds immediately upstream of them. As graded, the two features will be "one" at elevations greater than the top of weir.

Response: This is not uncommon in larger storm events, particularly when the starting elevation of the sediment forebays is concurrent with the overflow weir elevation. This is not an issue, nor does it compromise the designed function of the ponds.

32. Landscaping Conflicts: A number of plantings are within the stormwater features. Please confirm and adjust accordingly.

Response: Landscape plantings have been removed from the treatment areas. One elm in the forebay in the parking island. Elms are tolerant of wetland conditions and are perfect plants for a retention area, and, in this case the tree in the island marks the island and will be visual warning to older residents not to back into that area.

33. PTAP Database: This project requires registration with the PTAP Database, the Applicant is requested to enter project related stormwater tracking information contained in the site plan application documents using the Great Bay Pollution Tracking and Accounting Program (PTAP) database (www.unh.edu/unhsc/ptapp) and submit the information with the resubmitted response to comments.

Response: The PTAPP filing is attached as requested.

Thank you for your timely and professional review of the submitted plans. We hope the information provided address your concerns. Please feel free to contact our office if you have any additional question and/or comments.

Very Truly Yours,

BEALS ASSOCIATES, PLLC

Scott D. Cole

Scott D. Cole
Senior Project Manager

Christian O. Smith

Christian O. Smith, PE
Principal

ADDENDUM page 6



Engineering | Design | Planning | Construction Management

September 11, 2023

NEX-2300229.00

Ms. Allison Rees, P.E. Underwood Engineers 25 Vaughan Mall
Portsmouth, New Hampshire 03801

SUBJECT: Traffic Peer Review – Proposed Multifamily Residential
Development 242 South Main Street (NH Route 152) –
Newmarket, New Hampshire

Dear Ms. Rees:

Greenman-Pedersen Inc. (GPI) previously performed a review of the transportation impacts associated with the proposed 32-unit age-qualified multifamily residential development to be located at 242 South Main Street (NH Route 152) in Newmarket, New Hampshire in a letter dated August 23, 2023. The review focused on the following documents:

Traffic Impact Study, Proposed Multifamily Residential Development, 242 South Main Street (NH Route 152), Newmarket, New Hampshire; prepared by Vanasse & Associates, Inc. (VAI); May 22, 2023.

Parking/Pavement Plan for Residential Development, prepared by Beals Associates, PLLC; Jan 2023.

Subsequent to this review, the Applicant's traffic consultant, VAI has prepared additional documents to respond to GPI's review comments. These documents include:

Response to Traffic Peer Review, Proposed Multifamily Residential Development, 242 South Main Street (NH Route 152), Newmarket, New Hampshire; prepared by Vanasse & Associates, Inc. (VAI); September 6, 2023.

All comments requiring responses have been addressed by VAI and are provided below:

Motor Vehicle Crash Data

5. Crash data was requested from the Newmarket Police Department but had not yet been received. A supplement to the Traffic Impact Study will be provided once the data is received. **In the interim, data for the following two intersections should be investigated from available NHDOT crash data to determine if there any identifiable crash patterns:**

- a. NH Route 152 at Grant Road
- b. NH Route 152 at the Newmarket Elementary School Driveway

VAI Response: A follow up request for motor vehicle crash data has been sent to the Newmarket Police Department. NHDOT was also contacted regarding motor vehicle crash data at the specified intersection as public crash information appears to have been removed from the NHDOT website.

GPI Final Comment: As stated in the Traffic Impact Study, a supplement to the Traffic Impact Study will be provided once the crash data from the Newmarket Police Department is received, which is sufficient.

ADDENDUM page 7

Trip Generation

9. Based on the Project Description in the Traffic Impact Study, the existing single-family home (242 South Main Street) will be removed to accommodate the project, however, it appears the building is still included on the Parking/Pavement Plan dated January 2023. **The Applicant should clarify whether or not the existing single-family home will be razed or remain.** Regardless, the Applicant has not applied any credit for the trips generated by this use, nor would it make an impact either way due to the low traffic it generates.

VAI Response: *The existing single-family home located at 242 South Main Street will be retained and will be situated on a separate lot that will be created through the subdivision of the subject property to create two (2) lots. Traffic volumes associated with the existing home are reflected in the traffic volume data that forms the basis of the May 2023 TIS.*

GPI Final Comment: Response acknowledged. No further information is needed.

Trip Distribution

10. The Applicant has based the distribution of site-generated trips on U.S. Census Journey-to-Work data for residents of the Town of Newmarket and then refined based on review of existing traffic patterns. Below is a table exhibiting the trip distribution calculated by GPI based on Journey-to-Work data and the distribution utilized by VAI. It should be noted that the Trip Distribution section of the Appendix inadvertently provides the growth rate calculations instead of the Journey-to-Work back-up. **GPI requests that the Trip Distribution calculations be provided.**

TABLE 1
Trip Distribution Comparison

Roadway	Direction To/From	GPI Calculations	VAI Study
NH Route 152	East	80%	75%
NH Route 152	West	5%	10%
Grant Road	South	15%	15%
TOTAL	--	100%	100%

VAI Response: *The trip distribution worksheet is attached.*

GPI Final Comment: GPI reviewed the journey-to-work data provided by VAI and it is deemed satisfactory. Minor discrepancies in the expected travel routes resulted in the minor discrepancies in the overall distribution. The difference in distribution is not expected to have an impact on the end result of the analysis. No further information is needed.

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Sight Distance Analysis

12. VAI states that “with the selective trimming/removal of trees and vegetation located within the sight triangle areas of the Project site driveway, the available lines of sight to and from the Project site driveway intersection with NH Route 152 were found to exceed the recommended minimum sight distance to function in a safe manner (SSD).” While GPI agrees with the required minimum distances based on 40 mph, the sight triangle areas should be provided on a sight line diagram based on the proposed plan and profile of the finished grade at the proposed site driveway. The vegetation to be cleared should be indicated on the diagram. Additionally, it is unclear as to where the driveway was assumed to be located, considering the driveway shown on the Concept Site Plan 2 provided in the Appendix of the Traffic Impact Study is in a different location than the driveway shown on the Parking/Pavement Plan dated January 2023.

VAI Response: A Sight Triangle Plan for the Project site driveway is attached and reflects the current driveway location.

GPI Final Comment: A Sight Triangle Plan was provided showing intersection sight distances of 310 feet west of the site driveway and 400 feet east of the site driveway. Vegetation within these triangles must be cleared and maintained in order to achieve minimum intersection sight distance (ISD) requirements for safe operation based on a speed of 40 miles per hour (mph). The 85th percentile speeds were documented as 37 mph in the Traffic Impact Study; accordingly, the use of 40 mph is conservative. It should be noted that the desirable ISD (445 feet) to the west of the site driveway will not be achieved based on the clearing shown on the Sight Triangle Plan. Although minimum ISD requirements will be met, any additional clearing would be preferred for the proposed type of use.

Site Access & Parking

13. It appears that the Concept Site Plan 2 provided in the Traffic Impact Study has progressed since submission of the Study.
- The Concept Site Plan 2 in the Traffic Impact Study provides spaces for 33 vehicles.
 - The Parking/Pavement Plan appears to provide spaces for 34 vehicles.
- GPI concurs that the proposed number of parking spaces (34 spaces) is in excess of the required 32 parking spaces (1 space per unit) for the elderly housing based on Chapter 32, Appendix B, §3.02. – Parking, of the Municipal Code of the Town of Newmarket. **The proposed number of parking spaces should also be compared with the ITE *Parking Generation Manual, 5th Edition* for Land Use Code (LUC) 252 (Senior Adult Housing - Multifamily).** It should be noted that there does not appear to be any guest parking and the parking provided only exceeds the number of proposed units by 2 spaces.

VAI Response: A review of parking demand data published by the ITE for LUC 252, Senior Adult Housing – Multifamily, indicates that the observed peak parking demand for a multifamily senior housing community is 0.61 parking spaces per unit and the 85th percentile peak parking demand is 0.67 parking spaces per unit. As such, the ITE parking demand data affirms that the proposed parking supply is sufficient to accommodate the anticipated peak parking demand of the Project.

GPI Final Comment: Based on the ITE *Parking Generation Manual*, the provided parking spaces (34 spaces) exceeds the average peak demand (20 spaces) by 12 spaces and exceeds the 85th percentile peak demand (21 spaces) by 11 spaces. Accordingly, based on data provided in the ITE *Parking Generation Manual* for Senior Adult Housing (LUC 252), sufficient parking will be provided. No further information is needed.

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14. As designated on the Parking/Pavement Plan dated January 2023, the distance between the proposed site driveway and the Grant Road intersection measures ± 100 feet from center to center or ± 50 feet from edge of right-of-way. Per the Newmarket Site Plan design standards, Section 3.01 – Vehicle Access, *Driveways shall not be located closer than 50' from the edge of the right-of-way of an intersecting street.* Accordingly, the driveway distance appears to meet the Town standards. It should be noted that the driveways are aligned as such that the left-turn movements out of the minor road approaches do not conflict with one another, and due to the low traffic volumes projected at the proposed site driveway, the proximity of the two intersections is not of concern. **Although the minimum driveway offset requirement appears to be satisfied, the Applicant's engineer should provide a supplemental/supporting sketch or site plan revision that graphically depicts the 50-foot offset reference in relation to the ROW line of Grant Road.**

VAI Response: *A sketch plan is attached that illustrates that the Project site driveway location exceeds the 50-foot off-set per Section 3.01 – Vehicle Access, Driveways, of the Newmarket Site Plan design standards.*

GPI Final Comment: Response acknowledged. No further information is needed.

Pedestrian Access

15. The proposed crosswalk on the Parking/Pavement Plan is shown on the east side of the Newmarket Elementary School Driveway. It is our understanding that, based on discussions at the August 8, 2023 TRC Meeting, Newmarket DPW officials prefer the proposed crosswalk on the west side of the school driveway, eliminating the short stretch of sidewalk along Route 152, with a concrete tipdown and truncated down on the south side. **This update should be incorporated on a revised Site Plan.**

VAI Response: *A revised Parking/Pavement Plan is attached that reflects the relocation of the proposed crosswalk to the west side of the Newmarket Elementary School driveway. In addition, as requested at the TRC meeting, VAI conducted sight distance measurements at the relocated crosswalk location, the results of which are summarized in the table below:*

CROSSWALK SIGHT DISTANCE MEASUREMENTS^a

Intersection/Sight Distance Measurement	Feet	
	Required Minimum (SSD)	Measured
<i>NH Route 152 at the Proposed Crosswalk</i>		
<i>Stopping Sight Distance:</i>		
NH Route 152 approaching from the east	305	372
NH Route 152 approaching from the west	305	460
<i>Intersection Sight Distance:</i>		
Looking to the east from the north side of the Crossing	305	321
Looking to the west from the north side of the Crossing	305	372
Looking to the east from the south side of the Crossing	305	460
Looking to the west from the south side of the Crossing	305	460

^aRecommended minimum values obtained from *A Policy on Geometric Design of Highways and Streets*, 7th Edition; American Association of State Highway and Transportation Officials (AASHTO); 2018; and based on an approach speed of 40 mph along NH Route 152.

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As can be seen in the table above, the available sight distances to and from the proposed crosswalk exceeds the recommended minimum distances for safety. As discussed at the July 11, 2023 Planning Board hearing, the crosswalk should include the installation of a pedestrian actuated Rectangular Rapid Flashing Beacon (RRFB) and should include School Zone pedestrian crossing warning signs at and in advance of the crosswalk.

GPI Final Comment: GPI reviewed the revised Parking/Pavement Plan that reflects the relocation of the proposed crosswalk to the west side of the Newmarket Elementary School driveway. GPI has no concern with the location of the crosswalk and is in agreement with the installation of a pedestrian actuated Rectangular Rapid Flashing Beacon (RRFB) as well as School Zone pedestrian crossing warning signs at and in advance of the crosswalk.

Should you have any questions or require additional information, please feel free to contact me at (603) 766-5229 or bbollinger@gpinet.com.

Sincerely,

GREENMAN-PEDERSEN, INC.



Robert E. Bollinger, P.E.,
PTOE Traffic Engineering
Department Head

ADDENDUM page 11

From: Paul Dobberstein <pdobber@gmail.com>
Sent: Tuesday, September 12, 2023 11:40 AM
To: Bart McDonough <bmcdonough@newmarketnh.gov>
Cc: Sue Jordan <sjordan@newmarketnh.gov>
Subject: 242 S Main Street

Mr. McDonough

I had planned to attend this evening's Planning Board meeting, but due to a scheduling conflict will not be able to be present. I hope that this email can be entered into the record to reflect my strong opposition to the approval of this project.

I have reviewed the previous meeting minutes and project documents. In short, this project does not meet the requirements of a special use permit. There is a reason that this use is permitted in the M zones and only allowed by SUP in the R2 Zone. There are certain elderly housing developments that, by their scope and design, are appropriate within the R2 Zone. The proposed project is not one of them.

The project is far too large for the surrounding neighborhood. As pointed out in Mr. White's appraisal report, the neighborhood consists of modest single family homes. The proposed structure is so out of character with the surrounding neighborhood it does not pass the straight face test. Yes, the Pines is nearby, a modest, one story facility, nothing like the proposed. Likewise, Wadleigh Falls Senior Housing is also nearby, however, the siting of that facility on the property makes it incomparable to the eyesore that the proposed building will impose. This is in direct conflict with Approval Criteria 3 in Section 32-236(e) of the Newmarket Zoning Ordinance.

Likewise, the design does not comply with Approval Criteria 5 in that the development in no way emphasizes the rural character of the Town and is not appropriate for the neighborhood setting of this section of S Main Street. While Ms. Woodburn is a very talented Landscape Architect, the landscaping cannot hope to adequately separate the proposed development from the adjacent residential uses given the inappropriately oversized building and associated appurtenances relative to the developable area available.

I am in no way opposed to development of this parcel. A more reasonably sized proposal is completely appropriate for the property. However, I am strongly opposed to the proposed development, particularly when it is not allowed by right. The applicant purchased this property knowing that the desired use was not permitted but only allowed by a special use permit. The Zoning Ordinance gives the Planning Board the authority to grant the right, but does not require it to do so. The applicant is simply attempting to maximize their profits at the expense of our Town, good planning, and future residents of the development.

Thank you for your time.

Paul Dobberstein
229 S Main Street

ADDENDUM page 12

From: Ernie Clark <ernieclark32@comcast.net>

Sent: Tuesday, September 12, 2023 5:56 PM

To: Bart McDonough <bmcdonough@newmarketnh.gov>

Subject: Support DR Lemeiux Affordable Housing Proposal

Newmarket Planning Board Members,

Please read my letter of support into the official Planning Board public hearing record and know that if it was possible I would address the board in person.

My name is Ernie Clark. I am the former (37 years) Executive Director of the Newmarket Housing Authority and although not a resident I consider Newmarket my second home. I am writing in support of D. R. Lemeiux Builders' application for construction of 32 units of affordable senior housing. Newmarket's last project of this type was over 10 years ago! That project was opposed by some abutters yet today has become an important community asset, aiding Newmarket elderly to be able to remain residing in their hometown.

David Lemeiux is a quality contractor, an advocate for affordable senior housing and understands building to community standards. Lemeiux has been very successful building affordable senior housing in Rochester and I am excited that he and his associates want to build in Newmarket. I wish NHA was able to build with D.R. Lemeiux and hope it will happen one day.

Aside from all the positive testimony I can share I wish to make you aware that there is a long list of applicants for one bedroom apartments at the Terrace, at Newmarket House and at Wadleigh Falls. Specifically, a 62 year old applying for housing through Newmarket Housing Authority will be in their 70's before an apartment becomes available.

Thank you for your consideration.

Respectfully,
Ernie Clark