



TOWN OF NEWMARKET NEW HAMPSHIRE

PLANNING BOARD

Tuesday, October 14, 2025 at 7:00 PM

Town Hall, Council Chambers

DRAFT MEETING MINUTES

Present: Val Shelton (Chair), Zachary Shollar (Vice Chair), Jane Ford, Jeff Goldknopf, Bill Arcieri (Alternate), Bart McDonough (Director of Planning & Community Development)

Absent: Michael Scully, Jamie Bruton, Eric Botterman (Alternate), Scott Blackstone (Town Council – Ex officio)

The Chair opened the regular meeting at 7:03 PM.

The voting members will be: **Val Shelton, Zach Shollar, Jane Ford, Jeff Goldknopf, and Bill Arcieri** (*in place of Michael Scully*).

1. Pledge of Allegiance

2. Public Comments (None)

The public comment was opened at 7:04 PM. There were no public comments for items not on the agenda. The public comment was closed at 7:04 PM.

3. Review & Approval of Minutes

a. September 9, 2025

Action

Motion: Jeff Goldknopf moved to approve the minutes of September 9, 2025, as drafted.

Second: Zach Shollar

Discussion: None

Vote: Approved 5-0-0

4. Regular Business

- a. Pursuant to RSA 676:4, Chapter 32-Zoning, Appendix A - Subdivisions and Appendix B - Site Plans of the Municipal Code of the Town of Newmarket, New Hampshire, notice is hereby given that a public hearing for a Major Site Plan and Major Subdivision application and two Special Use Permit applications, pursuant to 32-155 Wetland Protection Overlay District, requested by applicant 200 New Road LLC, will be held for a proposed residential development comprising 23 single-family, age-restricted units with associated utilities and infrastructure while disturbing 2,900+- square feet of wetlands and 12,900+- square feet of wetland buffers. The property involved in this application are located at 200 New Road, Tax Map R3, Lot 56 within the B-2 zoning district and wetland protecting overlay district..

The Chair explained that 200 New Road will not be heard and that they will not be having a public hearing tonight.

Bart explained that there is missing information from the application, therefore making a recommendation not to accept the plan as complete. The missing information includes a full traffic impact study, the wetland delineation required to be stamped by a wetland scientist, and

criteria in the special use permit that was not answered sufficiently. Therefore, it is recommended to not accept the application and to send the project to Technical Review Committee (TRC), which involves the applicant and their team, department heads, and peer reviewers to resolve issues and have further review before returning to the Planning Board.

The Chair confirmed that the applicant did not withdraw the application.

Action

Motion: **Bill Arcieri** moved to not accept the application for major site plan and major subdivision by 200 New Road LLC for 200 New Road, Tax Map R3, Lot 56, as substantially complete, based on the report dated October 14, 2025, without prejudice.

Second: **Zach Shollar**

Discussion: None

Vote: **Approved 5-0-0**

The Chair explained that the applicant will have to refile the application, and therefore it will be reposted in the newspaper for noticing and that abutters will be renotified as well. The earliest could be November, but they will first meet with TRC, and the application should be complete at that time as more questions will be resolved at TRC. It was also clarified that accepting the application as substantially complete is different than approving the application, and that aspects of the plans could still change as discussions continue and other items arise.

Bart added that once it is accepted, per state statute there is then 65 days to make a decision after that per state law. If there is regional impact, then it is 95 days. They would then need to make a decision when possibly having incomplete information if it were to be accepted now. Both parties could agree to extend that timeline, though.

Matthew Larkin, 189 New Rd, asked if there are additional reviews needed such as for wetlands or soils, whether the timeline is further extended if the ground is frozen at that point. It was stated that that would be at the discretion of the professional or wetland scientist involved, as it is not explicitly part of Newmarket regulations.

Claudia Vatcher, 184 New Rd, asked if the TRC meeting is open to the public.

Bart explained it is typically a closed meeting and is not posted; no decisions are made at that meeting. It was also confirmed that all documents are available in the Planning Office and online.

Action

Amended Motion: **Bill Arcieri** moved to not accept the application for major site plan and major subdivision by 200 New Road LLC for 200 New Road, Tax Map R3, Lot 56, as substantially complete, based on the report of the Town Planner dated October 14, 2025, without prejudice, and to send the project to the Technical Review Committee.

Second: **Zach Shollar**

Discussion: None

Vote: **Approved 5-0-0**

- b. Presentation by Mark West of West Environmental on proposed amendments to the prime wetland maps.

Mark West introduced himself, beginning West Environmental in 1998 out of Nottingham, and continued to present the Newmarket Prime Wetlands Mapping Project presentation, as can be found here: <https://newmarketnh.portal.civicclerk.com/event/1564/files/attachment/6484>.

Beginning in 1999 with college students, the prime wetlands were originally mapped and designated per the NHDES 100' buffers. In 2012, under lobbying pressure, NHDES then voided the buffers, except for towns designated between 2009 and 2012. Towns can also have their own buffers, as Newmarket does. For this 2024 update, 2022 aerial maps and 2019 LiDAR maps were used to remap the boundaries, preparing a final report as a deliverable with the intent to also hold a site visit in the future.

It was clarified that the project scope was a remapping of the 17 wetlands that were originally previously mapped, and not to determine new ones.

The presentation continued to highlight how LiDAR better displays where slopes are located as well as breaks between flat areas. Also, it was previously it was only very poorly drained to be considered prime wetland, but now it included poorly drained soils as well. The presentation displayed the direct boundary comparison between the 2002 mapping versus the 2024 updated version. In total, eight of the 17 had less than 1 acre of change, 5 decreased, 4 increased, and the total acreage increased by 81.9 acres. For example, it was highlighted that Tuttle Swamp increased by 25 acres.

It was noted to maintain consistency with the color usage throughout (red for 2002, blue for 2024 update).

The presentation further continued to discuss the importance of buffers, noting water quality protection critical in 100' buffer, and bank stability is critical to 50' buffer. Buffers also offer protection from invasive species, as they spread quickly in disturbed areas. No disturb buffers are therefore best, as Newmarket has. It was noted that no disturb buffers to vernal pools would be important to add too as they need consistent hydroperiods to thrive. If it is cut back, it attracts bullfrogs and green frogs, which prey on the egg masses of wood frogs and salamanders. An example from Londonderry was also shown, displaying vernal pools and Blanding's turtles found on the property, and how for projects with open spaces, it is best to have contiguous rather than breaking it up with roads in order to have the least impact to wildlife. Now, it is mandatory to consult with NHF&G before they are able to get a wetland permit, having more authority than in the past.

Bart reiterated that the scope was to update the existing map per the grant that was received.

Mr. West added that they could choose to add more wetlands, but the state will not protect the 100' buffer, while the town could separately.

Bart confirmed that Town Council will ultimately approve the map.

The Chair confirmed that review of wetlands moved from NHF&G to NHDES recently.

Mr. West confirmed that the wetlands are protected by the state, and that they are allowed to remap and resubmit that and still have the protections from the state as they were already designated. The importance of the town wetland buffers was highlighted.

Jeff confirmed that this is not a delineation, and asked that as part of a project application if this is used as a guide. **Mr. West** confirmed that it is different from a delineation than a prime wetlands map. It is a grey area, though, and different designations within the same wetland are therefore common, as well as overlapping buffers.

The Chair pointed to the example of Rockingham Green where they had a second opinion.

Bill asked if they were to add other wetlands not currently mapped, if it would be best to go through the prime wetland evaluation, or if there is a better process. It was suggested to include it as a prime wetland.

Bart confirmed that it would either have a public hearing through Planning Board, or directly to Town Council. Itg was also mentioned that abutters will also have to be notified through NHDES, and to check the specific language on those requirements.

Discussion ensued whether to recommend it to Town Council or to have it on the next Planning Board meeting agenda for continued further discussion. **Bart** recommended that it be recommended to Town Council directly from the Planning Board. It was clarified that the grant was originally applied for by **Bart** and the Conservation Commission. The Chair recommended checking with Town Council whether or not they want an additional hearing at the Planning Board level.

Jeff confirmed with Mark West that NHDES has to accept the maps as well; the town protects the buffers and the state protects the wetland itself.

Action

Motion: **Bill Arcieri** moved to recommend to Town Council for consideration of adopting the updated prime wetlands maps in the ordinance.

Second: **Zach Shollar**

Discussion: None

Vote: **Approved 5-0-0**

Bart recommended that **Jeff** bring it up to Conservation Commission for a letter of support.

c. Discussion relative to reviewing proposed site plan and subdivision amendments.

Bart referred to the materials provided for [Appendix A, Subdivisions](#), and [Appendix B, Site Plans](#), linked here, with changes incorporated from when it was last discussed in September.

Discussion began with Appendix B, Site Plans, with review of the redlined changes. The Chair asked for clarification that the thresholds listed in Sec. 1.05 Applicability is the increase in the square footage; **Bart** confirmed. **Bill** added that a good metric for drainage would be 5000' SF.

Bart continued that there was some clarification of the TRC added (page 8). The Chair commented that there could be an alternate if someone has to recuse themselves. There was consensus to have three members and an alternate, with a maximum that three total from Planning Board could attend. It was discussed for other committees to add an alternate as well. There was clarification that Public Transportation Advisory Committee's involvement is to add a different perspective as transportation is a key piece for developments. Then, Energy & Environment could discuss waste management, renewable energy, and add suggestions and ideas even if not a requirement. **Jane** questioned if by having an expansive TRC, if it would be intimidating for applicants; it was clarified that it would only apply to major site plans or major subdivisions.

Jeff noted that not all of the committee members would be needed for all projects. **Bart** also clarified that TRC is non-binding. **Zach** noted that the different committees could be as needed; there was consensus to move Public Transportation Advisory Committee and Energy & Environment Committee under "(6) Other entities." The Chair reiterated the importance of applicants going to TRC before coming to Planning Board. TRC would be discretionary for minor reviews. It is currently mandatory but after it has already come to Planning Board; therefore this will make it a requirement before the Planning Board. The Planning Board also has the authority to send it back for a second TRC if needed. TRC allows for a more collaborative process as well. At that point the project is further along that a conceptual/design review. It also allows for

waivers to be clear, creating efficiency once it gets to the Planning Board and public hearing stage.

Review of the redlined edits continued.

For regional notice, **Bart** noted that he can send language regarding the RSA highlighted (referred to on page 15). It was also noted that the wording on requiring applicants to consult with COAST changed from “shall” to “may” (page 23).

Bill noted that at the previous meeting it was decided to take out the lots and acreage and to therefore require all proposals in development under (A)(2) in Sec. 3.12. Floodplain management (page 26).

For Sec. 3.21 Architectural and aesthetic review (page 31), **Bart** noted that it is changed to apply to the VC district as a whole, posing the question if it should extend down to the Newfields line to include the whole corridor. There was consensus to keep it as just VC for now.

The Chair noted that for the copies required, that it should also include an electronic version. Under Sec. 4.10. Site information, for the wetland summary table, it was corrected to add buffer calculation, and test pits under the section as well, as applicable (page 36). **Jeff** also noted that under (A) (4), to add clarifying language for “*plottable* covenants.”

For Sec. 5.07. As-built plan (page 39), it was noted that minor site plans with underground utilities should have an as built, and if there are no underground utilities, then it is not needed. The board can then consider on a case by case basis and it could be waived.

Bill, referred back to Sec. 3.09. Sewage disposal (page 25), questioning the requirement of a state approved disposal system design prior to final approval. It was explained that it could be conditionally approved, and then receive final approval once that is received. If the state determines it has to be moved and the change is determined to be significant enough, then it would have to come back to the Planning Board if adverse to Planning Board approval. It also requires the state approved test pits to meet regulations.

Discussion continued to review of the redlined changes in Appendix A, Subdivisions, with it noted that the majority changes mirror Appendix B changes, creating consistency.

Jeff commented that the TRC letter should also have other applicable/present boards copied on the letter, clarifying that only for those other entities relevant/involved and that participated so that they see the final product that is sent to the applicant and what recommendations were relayed. There was consensus that the letter will be sent to participants.

There was board consensus to have public hearing for the Appendix A and B amendments at the November meeting.

- d. Discussion relative to identifying the extent and composition of a new form-based code zoning district (T-4).

Bart presented the proposed map for T-4 and conceptual sub-districts. It was discussed at the September meeting to decrease/consolidate the proposed number of subdistricts, as is reflected in the new draft: <https://newmarketnh.portal.civicclerk.com/event/1564/files/attachment/6471>. It was explained that the focus was put on transportation and connectivity for differentiating between the proposed subdistricts. The goal of the T-4 district as a whole is to be less dense than VC, and to then treat each subdistrict area separately and uniquely rather than homogenizing. It was clarified that it would be one main district, with further subdistricts within, the same as VC district including VCN, VCC, and VCS subdistricts. Those subdistricts would then have different densities, for example, and further differentiating factors. The variation would be in the dimensional table, building type table, and possibly usage.

Discussion ensued regarding how the language still needs to be developed, but that the approach was to first work on the delineation of the district and subdistricts. The Chair spoke to how VC is more focused on redevelopment, but the proposed T-4 is going to likely see more

248 new development and includes more open spaces and some larger parcels. Therefore, the
249 focus on the district should be more on what they want to see for the areas open for new
250 development.

251 **Bart** explained that the goal is also to be incremental for homeowners to have opportunity for
252 renovation as well, and not to change altogether, but to evolve, as well as imagining what new
253 development would look like in the areas that are not already developed.

254 The Chair commented that the subdistricts could still further consolidate as well.

255 Discussion ensued further regarding the subdistrict boundaries.

256 There was board consensus to move forward with exploring the subdistricts further and agree
257 that they are fluid still, and to focus on the T-4 districts before further moving on to the T-3 and
258 T-2 districts.

259
260 **5. New/Old Business**

261 a. Committee Reports

262 Conservation Commission: **Jeff** and **Bart** reported that the Rosa property is being considered to
263 go to warrant for funding of the purchase.

264 Energy & Environment Advisory Committee: **Zach** reported that there will be a CleanNH
265 presentation next month.

266
267 b. Planners Report

268 **Bart** reported that Newmarket was designated as a Housing Champion, which is achieved
269 through zoning and infrastructure. They will have a ceremony, and hopefully it will enable further
270 future grant funding opportunities.

271 It was also noted that LCHIP recently went out to the Rosa property for a site visit before final
272 determination on the grant funding, and they expect to receive the decision in November.

273
274 **Jeff** asked regarding enforcement for violation of a wetland buffer; **Bart** confirmed that the Code
275 Enforcement Officer takes action on violations, such as cease and desist and notifying other
276 parties involved, like NHDES. The CEO also has the authority to issue a stop work order, and to
277 prepare and discuss further for mitigation plan for reestablishment of buffer.

278
279 **Bill** asked regarding the TRC meeting for New Road; **Bart** confirmed it will be within the next
280 few weeks. **Bill** and **Jeff** expressed interest in serving on the TRC, with **Bill** appointed as a
281 member and **Jeff** appointed as an alternate, with it noted that there would be follow up with all
282 Planning Board members to establish who the other members are.

283
284 **6. Adjourn**

285 Action

286 Motion: **Jane Ford** moved to adjourn the meeting at 10:01 PM.

287 Second: **Zach Shollar**

288 Discussion: None

289 Vote: **Approved 5-0-0**

290 *****

291
292
293 Respectfully submitted,
294 Bridgette Grotheer
295 Land Use Administrator

296 **DCAT:**
297 https://videoplayer.telvue.com/player/XSekdEeRsk0JHQVHAvKJVka7_5VjxKP/videos

298