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**MINUTES OF THE NEW CASTLE PLANNING BOARD
Wednesday, July 26, 2023 – 7:00 p.m. (Town Hall)**

Public Hearing for a Conditional Use Permit for applicants Bradford and Catherine Greeley, 147 Cranfield Street, Tax Map 12, Lot 14, for an addition to an existing structure partially located within the 50 foot wetland buffer.

Members Present: Darcy Horgan, Chair; Anne Crotty; Iain Moodie; Kate Murray.

Members Absent: Lorne Jones; Rich Landry; Bill Stewart.

Others Present: Corey Colwell, TF Moran, Inc.; Jason Cook, TF Moran, Inc.; Bradford and Catherine Greeley; Daniela Moebius, Moebius Architecture.

Chair Horgan called the meeting to order at 7:00 p.m. Noting a quorum, Chair Horgan indicated that the voting members are herself, Ms. Murray, Ms. Crotty, and Mr. Moodie.

1. Public Hearing for a Conditional Use Permit for applicants Bradford and Catherine Greeley, 147 Cranfield Street, Tax Map 12, Lot 14, for an addition to an existing structure partially located within the 50 foot wetland buffer.

Corey Colwell and Jason Cook of TF Moran were present along with project architect Daniela Moebius and Applicants Bradford and Catherine Greeley. The Applicants have agreed to proceed with four of five voting members hearing the case. Mr. Cook outlined the proposal, which is to construct a 581 square foot single-story addition with a basement. The addition is proposed outside of the wetlands but within the 50 foot wetland buffer located to the southeast of the addition. The project would have 1,254 square feet of buffer impact, but a 43% reduction in impervious surface area within the 50 foot wetland buffer due to the removal of an existing patio and retaining wall. Additional improvements include grading, landscaping, and stormwater management systems. A rain garden will capture and infiltrate water runoff and prevent pollutants from entering the wetland. There will be a minimum of seven proposed plantings along the property line, which will further absorb some water coming off the slope of the property and the surrounding roads.

Mr. Cook explained that the project poses no hazard to individual or public health, as the applicants will be improving the overall conditions on the site. The wetland will not be negatively impacted through this construction. The Applicants applied for and received two variances from the Zoning Board of Adjustment in June. They received a variance from Article 4, Section 4.2.1.3 to permit 2,522 square feet of lot coverage where 2,000 square feet is the maximum allowed. The second variance granted is from Article 7, Section 7.5.1 in order to permit the expansion of a nonconforming structure. The Applicants also went before the Conservation Commission in July and received a recommendation of approval with three conditions as follows: 1) the current deer fence around the wetlands be pulled back to the lot line,

2) the area of disturbance between the lot line and the wetland be planted with native plantings such as those in the application, and 3) the compost pile be removed.

Ms. Moebius explained that the Applicants would like to have first floor, single level living space and have room for their daughter and son-in-law to move in to provide support for them as they age. Due to the constraints of the site, including the slightly smaller lot size, the wetlands on the property, the tight setbacks and unique orientation of the house on the lot, an accessory dwelling unit was ruled out. The addition will allow for a master bathroom and closet on the first floor, as well as shared space for the Greeleys and their daughter. Ms. Moebius explained that the existing kitchen and family room are very tight. The proposal will maintain the existing ceiling heights and will not add any staircases. There are no changes proposed to the upstairs. The Greeleys hope to add PV panels in the future to make their home more energy efficient. Ms. Moebius noted that the proposed layout meets the building area maximums allowed by the Zoning Ordinance. She emphasized how the design balances privacy and practicality.

Mr. Colwell stated that virtually all of the addition that will be in the buffer, with the exception of a small triangle, will be going over existing impervious ground coverage, as there is a large existing patio and retaining wall. The addition will not go as far out as the patio. He concluded that the project will have an overall positive impact on the wetlands because of the various site improvements.

Chair Horgan asked whether the rain garden will redirect runoff that currently goes into the wetland. Mr. Colwell responded that because of the roof peak and driveway slope, some of the roof runoff will go into the proposed rain garden. They will also be using gutters and downspouts to direct water runoff. There are currently pipes underground that direct water toward the proposed location of the rain garden. The rain garden will reduce the overall volume of water going into the wetland by about 20 cubic feet. Most of this water is roof runoff, though there is some road runoff as well. Chair Horgan asked how the rain garden will be maintained so that it will continue to function. Mr. Colwell explained that mowing and keeping leaves and weeds out of the garden is the best maintenance. Mr. Cook added that the rain garden will be grass-lined to keep the symmetry with the rest of the lawn. There will be four to five inches of engineered soil in a depression area that will allow water to infiltrate quicker. As long as the rain garden is kept clean and properly mowed and maintained, it will continue to function. Ms. Murray asked about the difference between regular grass and a rain garden. Mr. Colwell responded that it is the engineered soil and mixture of contents of that soil that filter and treat stormwater.

Mr. Moodie asked about the building area calculation. Ms. Moebius explained her calculations, with the existing building area being 2,506 square feet, and 3,373 square feet as the maximum allowed per the Zoning Ordinance. With the proposed addition, the Greeleys will be one square foot below the maximum allowed building area. Mr. Moodie shared that although the Conservation Commission is reluctant to allow any construction in the 50 foot buffer, after reviewing the plans thoroughly, they concluded that this was the only feasible option and would be the best option for the wetlands. Chair Horgan added that the purpose of the addition to allow the Applicants to age in place conforms with the goals of the Master Plan.

Chair Horgan opened the public hearing at 7:35 p.m. Hearing no comments from the public, Chair Horgan closed the public hearing at 7:35 p.m. and opened discussion back up to the Board.

Ms. Murray motioned to approve the application of applicants Bradford and Catherine Greeley, 147 Cranfield Street, Tax Map 12, Lot 14, per the TF Moran set of plans dated May 30, 2023 with the landscape plan revised June 1, 2023. Approval is contingent upon the applicants following the recommendations of the New Castle Conservation Commission per the Commission's letter dated July 12, 2023. Approval is based on the applicant having met all of the conditions of Section 9.2.5 of the New Castle Zoning Ordinance for a Conditional Use Permit. Mr. Moodie seconded. Motion carried unanimously by a vote of four to zero.

2. Approve minutes to the June 28, 2023 meeting of the Planning Board.

Ms. Murray moved to approve the minutes as written for the Planning Board meeting on June 28, 2023. Mr. Moodie seconded. Motion carried unanimously.

3. Preliminary discussion on sections of the Zoning Ordinance that may need revision involving sections:

2.3.39 Lot Coverage Definition

2.3.35 Impervious Surface Definition

6.8.1 Fences and Walls

Short Term Rentals

Chair Horgan stated that the Town Zoning Ordinance creates a lot of confusion with architects and builders, particularly with the lot coverage and building area calculations. Section 2.3.39 Definition of Lot Coverage uses the term “impervious surfaces”, which is defined as unable to effectively absorb or infiltrate water. However, the problem the Town is seeing is that people are turning to engineered permeable surfaces, such as permeable driveways and patios, which do not get counted in the building area or lot coverage calculations. Mr. Moodie suggested including driveways and parking spaces as lot coverage. Ms. Murray would like to hear feedback from the Rockingham Planning Commission (RPC). Chair Horgan responded that the Planning Board will present the proposed wording to the RPC once a revision to the definitions has been drafted.

Mr. Moodie discussed his desire to get back to the original intent of the ordinance as it was written, which is to limit the extent of building out on the Island. Ms. Crotty talked about floor area ratios and impervious coverage, and how people can expand their house size by counting driveways as pervious. Chair Horgan proposed removing “driveways” from the definition in Section 2.3.39 and adding it to the definition in Section 2.3.35 Impervious Surface. She felt that it should be made explicitly clear that roofs, driveways, and parking areas are always considered impervious surfaces regardless of any infiltration systems used. Members discussed adding the definition of a driveway to the Ordinance.

Ms. Crotty asked about the Gross Floor Area in Section 2.3.29. Mr. Moodie explained that this is used in the definition of building area. He proposed changing Section 2.3.13a from “Building Area” to “Net Floor Area”.

Mr. Moodie wanted to address buffer plantings in the Ordinance as well. He cited instances in which residents used grass instead of native plantings.

Chair Horgan discussed Section 6.8.1 Fences and Walls. Town Building Inspector Russ Bookholz proposed changing the maximum allowed fence height to seven feet because of a change in the building code. He also proposed adding a provision in this section so that if a fence will be erected within 18 inches of the property line, the property owner must enter into a maintenance agreement with the abutter, which will go on the deed. Ms. Murray felt that the Historic District Commission may take issue with fences seven feet in height. Board members concluded that it would be best to keep the height at the current six feet, while still allowing the Special Exception to build a fence or wall over six feet tall.

Members also discussed short term rentals. Chair Horgan noted that Town Counsel Keriann Roman had previously cited Section 4.1.2.2 in the Town Zoning Ordinance to prohibit short term rentals. Chair Horgan believed that there should be an advertised public hearing to discuss whether residents want to allow Airbnbs and VRBOs in New Castle. Ms. Crotty felt that the definition should be left as is in Section 4.1.2.2 given Attorney Roman's previous opinion on the subject.

Ms. Crotty proposed having a guest speaker come in to discuss construction ideas that are more sustainable, such as thicker walls. She noted that architect Daniela Moebius offered to speak about this topic.

4. Distribute corrected pages of the Zoning Ordinance book.

Chair Horgan distributed revised pages for the Zoning Ordinance book.

5. Old Business.

None.

6. New Business.

Chair Horgan announced that the next Planning Board meeting will be held on Wednesday, August 23, 2023 at 7:00 p.m. at the Town Hall.

7. Adjourn.

There being no further business, Ms. Murray moved to adjourn the meeting. Mr. Moodie seconded. The motion carried, unanimously, and the meeting adjourned at 8:45 p.m.

Respectfully Submitted,

Meghan Rumph
Recording Secretary