

Town of Greenville, New Hampshire

Planning Board

Minutes

Thursday, January 11, 2024

The Greenville Planning Board met on **Thursday, January 11, 2024** at the Mascenic SAU 87 (Former Greenville Elementary) Cafeteria, Greenville, NH 03048

In attendance were: Chairman Michael Sadowski, Vice-Chair Scott Tenney, Members Kelle O'Keefe and Tim Kearney, Town Administrator Tara Sousa, and Administrative Assistant Jeanny FitzGerald.

Chairman Sadowski called the meeting to order 7:00 p.m. He reviewed the agenda and announced the first agenda item.

Public Hearing for Site Plan Review Regulations.

Chairman Sadowski began by stating the Board is proposing the following changes to the current Site Plan Review Regulations:

1. Amend the Site Plan Review Regulations to require applicants to have a mandated pre-application review. The purpose of the pre-application review (conceptual discussion) is to provide an opportunity for the Board and the applicant to discuss a proposal without any binding decisions being made by either the Board or the applicant. Statements made by Planning Board Members at pre-application discussions cannot be used to disqualify them during review of the completed application or as the basis for invalidating any future action of the Board. Municipalities have the authority to require pre-application discussions where the applicant may not decline to participate in the pre-application phases. If the municipality has not included such requirements in its subdivision and site plan review regulations, the applicant may decline to participate in the pre-application phases and begin the review process by filing a completed application.
2. Adjust the site plan review regulation to mirror the 30 days submission timeline listed in the zoning regulations as the current site plan review regulations only required 21 days. The language in the site plan review regulations will be amended to read, "The applicant shall submit a completed site plan application to the Planning Board Secretary or Chairman at least 30 days prior to a regularly scheduled meeting of the Planning Board."
3. Amend the Site Plan Review Regulation to state, "Amendments to any site plan need to be submitted no later than 7 days prior to a subsequent meeting. This requirement is to provide the Board with ample time to review any changes prior to the next scheduled meeting."

Motion by Member Tim Kearney, 2nd by Member Kelle O'Keefe, to accept administrative changes to the Site Plan Review Regulations.

Motion carried with 4 in favor, none opposed.

Public Hearing for Site Plan Application for a Self-Storage Development by Michael D. LaMarre (Applicant & Owner).

Chairman Sadowski explained that applicant Michael D. LaMarre requested a continuance for his Site Plan Application to late March. As the Board's regularly scheduled meeting in March, 2024 occurs at the beginning of the month, Mr. Sadowski suggested Mr. LaMarre's Public Hearing be held on the Board's April 11, 2024 meeting.

Motion by Vice-Chair Scott Tenney, 2nd by Member Tim Kearney to continue the Public Hearing for Site Plan Application for a Self-Storage to April 11, 2024, 7:00 p.m. at the Mascenic SAU 87.

Motion carried with 4 in favor, none opposed.

Conceptual discussion for San-Ken, for 4 Happy Hollow Road.

Kenny Lehtonen of San-Ken proposed a multifamily unit building. Chairman Sadowski raised a potential zoning regulation issue due to the lot size and suggested the applicants receive approval from the Zoning Board prior to meeting with the Planning Board. The current zoning regulations state that multifamily units must be built on at least 2 acres of land and the lot in question is only .96 acre.

Mr. Lehtonen asked when the change occurred as the previous zoning regulations did not specify the lot size restriction. Chairman Sadowski stated the change took place during the Town Meeting in March 2023. Mr. Lehtonen asked the Board to site specifically where the new regulations state this. Mr. Sadowski responded that it can be found under the lot size requirements section.

Mr. Sadowski asked if San-Ken created a lot line adjustment with (abutter) Brunelle, as he viewed the plan on the Hillsborough County Registry of Deeds and no one came to the Board for a lot line adjustment. Mr. Lehtonen stated that it was not a lot line adjustment, rather, the Town discontinued the town road, so the abutting lots now go to the center line.

Sandy Lehtonen of San-Ken stated that section 2.7.2 of the zoning regulations declares multifamily dwellings aligns with their plans. Chairman Sadowski replied the updated version that was revised in 2023 does not, and any changes can be found in the last page of the document. Mr. Lehtonen asked if the change had to undergo a town vote. Mr. Sadowski responded that any changes to the zoning regulations must undergo a town vote at the Town Meeting.

Mr. Sadowski asked if San-Ken still wished to continue with the conceptual. Mr. Lehtonen said yes based on the EPA approval they have received. Mr. Lehtonen began explaining details of the building plan, to which San-Ken proposed constructing two four-unit buildings on the 0.96 acre lot. San-Ken proposed a first-floor bedroom with a walk-out basement. The units will include a finished living space and secondary bedroom in the basement. The plan incorporates one entrance for each building and 21 parking spaces, which allows 2 parking spaces for each unit with two guest spaces.

Another gentleman representing San Ken (identity unknown) stated that there are 5 extra parking spaces. He continued to say that the slope of the line goes back to a detention pond. Mr. Lehtonen added that it is flat off the road, then the contour goes to an entire lockout basin in the back. Administrative Assistant FitzGerald asked Mr. Lehtonen to please repeat how many units the project will include. Mr. Lehtonen replied 8 units.

Mrs. Lehtonen asked if their property would be grandfathered with it being a lot of record. Chairman Sadowski stated that their property would be grandfathered as the previous property was a single-family unit. Therefore, despite zoning regulations stating single family lots must be built on at least one acre, they may build a single-family unit building on their 0.96 acre lot. Mr. Sadowski also clarified that the building would only be a lot of record if they began working on it within one year after demolition. Mrs. Lehtonen stated that the building has been down for less than one year as it was torn down in June. Mr. Sadowski replied that the property would then be a lot of record for a single-family home.

Mr. Lehtonen asked what specific chapter that regulation is in as he expressed concern over the accuracy of the information given. Mr. Sadowski stated that it is shown in the RSA. Town Administrator Tara Sousa stated that there are many houses in the downtown district that are existing non-conforming. Town Administrator Sousa went on to state that during the substantive discussion from residents at last year's public hearing, the residents who owned properties on Main Street expressed concern over the potential of not being able to rebuild on their existing lot if anything were to occur to their current property. The residents were then assured that they would be able to rebuild the same type of property on that lot as long as they begin the process within one year. Town Administrator Sousa continued to say that due to this rule, San-Ken may still place a single-family unit on the lot as long as they pulled a building permit by April. Mr. Lehtonen asked for clarification as he thought it was one year from when the building came down in June. Chairman Sadowski asked if there was record of a demolition permit. Mr. Lehtonen stated they received the demolition permit far before June, as San-Ken had to undergo inspections on the building after it burned down. Chairman Sadowski asked Mr. Lehtonen what date he had the building demolished. Mr. Lehtonen repeated it was around June, however, he can provide the Board with an exact date.

Town Administrator Sousa stated that she referenced April because her office incorrectly issued a water and sewer bill on that lot and their assessor documented that it was taken down as of April 1st. Mr. Lehtonen stated that the building was demolished in the summer months and not in April. Mr. Lehtonen continued stating that if the lot had no previous building on it then it would be an existing lot of record that they would be able to obtain a building permit for. Mr. Sadowski disagreed as the rules depend on the town and Greenville removed the exemption. Vice-Chair Tenney added that most towns do not have it exempted out, however, each town has different requirements and Greenville did remove the exemption.

Sandy Lehtonen expressed concern over the strict zoning when there is a severely low inventory of real estate. Chairman Sadowski replied that the Board and the town have meetings to which the residents of the town have communicated their desires to maintain the small-town quality of Greenville, New Hampshire. Mr. Sadowski stated that these regulations, voted upon by Greenville residents, directly reflect and protect the wishes of those who inhabit Greenville.

Mrs. Lehtonen asked if placing a duplex on an individual lot would be permitted in Greenville, as they are permitted in most towns. Town Administrator Sousa stated that ADU's are allowed, however, the primary or ADU must be owner occupied. Therefore, zoning permits building a single-family structure with an ADU as long as whoever purchases the property uses it as their primary residence.

Town Administrator Sousa continued stating that the answer to San-Ken's question about non-conforming buildings can be found in section 3.4 which states that a lawfully existing non-conforming use of land or building which has been discontinued for a period of one year or more shall not thereafter be resumed. Town Administrator Sousa expressed that this is not a recent zoning rule.

Vice-Chair Tenney then answered Mr. Lehtonen's original question of where the new lot size regulation was located. Mr. Tenney said it could be found under Appendix A section 8.3. Mr. Lehtonen asked what the minimum acreage was previously. Town Administrator Sousa answered that the acreage was never changed and only the exemption was altered as the exemption for residential uses was removed in the newest version of zoning rules and regulations.

Mr. Tenney went on to state sewage regulations which can be found in Appendix A.3 paragraph A. The regulations state that areas served by municipal waste treatment system the lot size shall be a minimum of two acres for each building, plus an additional two acres for each apartment or family living unit beyond the first unit, with up to six apartments or family living units maximum in a building. Mr. Tenney continued stating the lot shall have a minimum of 200-foot frontage on a town approved class 5 or better road.

Chairman Sadowski added that he believed San-Ken has 250-foot frontage on Happy Hollow from what he viewed on the Hillsborough County Registry of Deeds. Mr. Lehtonen stated that the frontage on the plan states 266-foot frontage. Mr. Tenney continued reading the zoning rules and regulations. Paragraph D states all such lots shall set aside a minimum of 35% of the total lot size as greenspace and a 10-foot-wide Greenbelt shall be established around the perimeter of the lot.

The unidentified representative of SanKen asked if their building would be permitted if they went to the ZBA, connected the two buildings, and received an acreage variance. Chairman Sadowski stated no due to the plan lacking the required amount of greenspace. Vice-Chair Tenney expressed that they may have a 6 unit building on a two-acre lot and anything above must have an additional two acres according to the zoning rules and regulations. Mrs. Lehtonen mentioned that they attempted to build a two-story design, however, the design was denied during the first conceptual meeting. Mrs. Lehtonen asked if building a two-story colonial would be permitted. Chairman Sadowski answered that it would only be permitted if it was a single-family building. Town Administrator Sousa added that family and multifamily dwellings, including condominiums, are permitted in downtown districts provided that, in buildings having more than one floor, the dwelling shall be above the ground floor. Town Administrator Sousa added that the downtown district was adopted in 2007 to which the Planning Board at the time created this rule to ensure existing commercial buildings would not be converted into all residential buildings. Chairman Sadowski stated that it would be up to zoning to determine what the ground floor is based on their design. Mr. Lehtonen stated that he would need to obtain a variance from zoning regardless of the design, due to the acreage being less than one acre.

Vice-Chair Tenney mentioned that San-Ken would also need two separate addresses if they intended on creating two separate buildings. Mr. Lehtonen answered that he is leaning towards only obtaining one variance rather than two. Mr. Lehtonen expressed that San-Ken will likely revise the plan into one building with 6 units, then went on to discuss the slope of the lot stating that the contours are 2 feet with the back of the lot being 770 and the front being 790, creating approximately a 20-foot slope from the front to the back of the lot. Mr. Lehtonen added that the front of the building was fairly flat, then drops off in the back, creating just enough slope for the 8-foot basement. Mr. Tenney asked if San-Ken has talked to anyone in the highway department about their curb cuts. Mr. Lehtonen answered that they have not done it yet.

Chairman Sadowski stated that those things should be done before San-Ken meets with the Zoning Board. Mr. Sadowski informed Mr. Lehtonen that the Zoning Board does not have regularly scheduled meetings like the Planning Board, so they must contact Town Administrator Tara Sousa to find the best possible meeting date. Town Administrator Sousa described the processes and stated that around 28-30 days before they are entitled to the hearing, she will reach out to obtain a variety of dates that the Zoning Board will be available. Town Administrator Sousa will then provide those dates to San-Ken in order for them to choose the best one for them.

Vice-Chair Tenney asked Mr. Lehtonen if they are doing a (fire) rated wall between each unit. Mr. Lehtonen answered yes. Chairman Sadowski asked how many square feet each unit is. Mr. Lehtonen answered just under 1500 including the finished basement. Mr. Sadowski stated that with the porch, the total living area says 1564 square feet. Mr. Lehtonen stated that those numbers are for four units, and the exact number for each unit is 1466 square feet. Vice-Chair Tenney asked if their intent is to construct them as a true townhouse style with a rated wall in between. Mr. Lehtonen answered yes. Mr. Tenney added that the fire department will need that information. Chairman Sadowski then asked if there will be an attic. Mr. Lehtonen answered that there will only be a flat ceiling over the bedroom and a cathedral over the living space and kitchen. Mr. Lehtonen added that there is a 22 by 30 scuttle hole for things such as electrical and insulator. Chairman Sadowski asked how tall the building will be from the basement to the peak. Mr. Lehtonen answered 32'2". Vice-Chair Tenney asked if their intention was to rent, to which Mr. Lehtonen answered yes. Mr. Lehtonen clarified that they may want to turn them into condos in the future, however, the immediate goal is to rent due to the number of renters in town. Mr. Lehtonen stressed

the rental shortage in town. Mr. Sadowski stated that there is also a shortage of homes and new houses are being built in Greenville.

Mr. Lehtonen then asked what happened to the property on Hemlock Hills. The Board stated that they do not have an answer. Town Administrator Sousa stated that Fieldstone did come in 3 years ago and must have represented that property owner, however, the project did not progress further than conceptual. Mr. Lehtonen then asked where the new houses are being built in Greenville. Chairman Sadowski answered Bartons Ridge.

Approval of Minutes for November 16, 2023 and December 14, 2023.

Vice-Chair Tenney made a motion to approve the Minutes of December 14, 2023 then withdrew the motion.

Motion by Vice-Chair Scott Tenney, 2nd by Member Tim Kearney, to approve the minutes of November 16, 2023.

Motion carried with 4 in favor, none opposed.

Motion by Member Kelle O'Keefe, 2nd by Member Tim Kearney, to approve both sets of Minutes for December 14, 2023.

Motion carried with 4 in favor, none opposed.

Any other business that may legally come before the Board.

Mr. Sadowski asked if anyone had any other business to bring before the Board. There was no other business that needed to be addressed.

Adjournment.

Motion by Vice-Chair Scott Tenney, 2nd by Member Kelle O'Keefe, to adjourn at 7:49 p.m.

Motion carried with 4 in favor, none opposed.

Respectfully Submitted,

Jeanny FitzGerald
Planning Board Administrative Assistant

APPROVED BY:


Greenville Planning Board



Michael Sadowski, Chairman



Scott Tenney, Vice Chairman



Kelle O'Keefe

Tim Kearney