

MINUTES
PLANNING BOARD
January 17, 2024 7:00pm
In-person/Zoom

Present: Chair Deirdre Daley- in person, Josh Muhonen (Co-Chair)-in person, Shawn Talbot (Ex-Officio)-in person, Liz Freeman- in person, Bruce Ruotsala- via zoom, Nichole Talbot-via zoom, Craig Smeeth- in person, Tim Somero-in person Jennifer Minckler- in person.

Citizens in attendance – Chuck Ritchie, Engineer Fieldstone Land Consulting, PLLC- in person, Bert Hamill, Planning Board Engineer-in person, Mike Maki- in person, Gail Maki-in person, Jason Reimers ,Attorney for Mike Maki- in person, Christine Robidoux, Planning Board Chair for the Town of Temple, NH - in person, Dan Barowski of Fieldstone Land Consulting, PLLC-via zoom

Open meeting with the pledge of allegiance.

Roll Call taken by Chair Deirdre who appointed Nichole Talbot to sit in for Bruce as a voting member.

7:05 Public Hearing - Brook Haven Farm LLC,33 lot cluster subdivision Map 6/20 & 6/20-9, Appleton & Maki Road continued from 12/20/2024.

Chair Deirdre advised that we left off at the last meeting on regional impact and that letters were sent out to the Town of Temple and SWRPC regarding Regional Impact. Responses were received by the Select Chair Bill Ezell of the Town of Temple NH, the Planning Board Chair Christine Robidoux, of the Town of Temple and J.B. Mack of SWRPC. The two letters from Christine Robidoux and SWRPC are provided below.

Bill Ezell sent an email dated 1/12/2024 which stated:

It seems that Temple has no objection, you can use this email as an official statement. We consider the road from the Temple side as non-passable. We don't see any impact on Temple.

*In response to that email from Bill, Chair Deidre, on 1/13/2024 emailed Bill Ezell the following: Hi Bill,
Appreciate the email, but hoping for a bit of clarification regarding the comment the road being considered impassable and the implications.*

Is Fish Road (the road that connects to Boynton Hill) a class V town road maintained by Temple? If so, can you help explain the impassability?

The question regarding possible use of the road is a key consideration for us, as inability to consider the road passable means there is only one way in/out and that could impact emergency vehicle access and we may need to consider scattered and premature criteria.

Is the town of Temple contemplating a status change, etc.?

On 1/14/2024 12:37 PM, Bill Ezell wrote:

Ok, I have definite information from our highway department.

We maintain (relatively minimally) Fish up to the town border where it becomes Boynton. However, it's not clear that the road is suitable for any significant level of new traffic, it is Class V and maintenance past the last house in Temple is not a priority. We have no plans to do any additional maintenance, so additional traffic coming from Boynton could result in road conditions becoming poor. Temple would not be pleased to have to add maintenance to maintain the stretch of Fish that has houses on it, we don't want to pay for something that we don't benefit from. Residents will object to increased traffic, it's not a great road now.

Fire Dept concurs.

Chair Deidre advised she did contact the Fire and Police. The Fire Chief said they have been able to get there and the Police Chief advised that he will pass through the area and provide an update.

Chair Deidre asked Christine to speak. Christine advised that the Planning Board of Temple met last night and she did submit a letter today. She advised that she also met with Kent Perry, the Temple Road Agent. Christine read the letter she submitted (provided below). Christine advised that she has heard from people who are concerned about two things:

- Delivery Vehicles are often routed that way because GPS thinks it is a shorter distance.
- Construction Vehicle – of which Kent Perry noted in his letter to her. Christine requested to minimize construction traffic on that road especially during mud season. Otherwise, Kent doesn't see an issue.

Liz spoke of the Traffic study mentioned by SWRPC (see letter below). The Chair asked that the traffic study be a parking lot to get back to during compliance. Bert explained what a traffic study is and advised current condition of the road, which is good as it was checked by SWRPC a couple of years ago, current traffic volume of the road, added impact, direction and time of flows. Recommendations would be made for improvements.

7:27pm- Chair Deirdre closed the regional impact discussion and opened the hearing for completeness. The Board discussed the concern of not having the Engineer review until the day of the meeting. The Applicant's Engineer had submitted the plans within the 7 days but the Planning Board Engineer had not reviewed it prior to submission and was unable to provide his review until the day of the meeting as he did not receive until 1/11/2024, the day after the PDF file was submitted by the Applicant's Engineer. The Chair reminded the board that while we are developing new guidelines for receipt of information and wanted 7 days to review, we are in a gray area and the Planning Board Engineer felt there was enough information in his most recent report to allow us to continue to help the applicant move forward.

Chair Deidre asked Chuck and Bert to provide an overview update on the plan prior to reviewing completeness. Chuck explained that Fieldstone originally submitted plans on 11/29/2024 and the initial hearing was 12/20/2023 where it was discovered that there was regional impact. It was requested by the board that Fieldstone meet with Bert Hamill, which they did and the yield plan was revised along with some small note changes to the plan set. Last Wednesday, the yield plan and changes were submitted with the note changes. He hoped to go through the checklist and anticipated discussion of the yield plan per discussion with Bert. The revised pages are dated January 9, 2023.

Chair Deidre asked if there were any additional changes other than the yield plan. Chuck advised that

- the cover page locust , the town line of Temple was added at the recommendation of Bert
- Sheet 2 Note 7- added second sentence that states lot construction shall be subject to New Ipswich Driveway Regulations which is verbatim from the checklist, to be more accurate
- Page 3 Note 2- lot 20-9 is buildable so merging the lots creates a lot big enough to support 33 lot cluster.
- An additional sheet was added named overall topographical plan requested by Bert Hamill which shows contour without any subdivision lines. This sheet is intended for discussion purposes.
- On the yield plan some steep slopes were adjusted along with some areas and frontages

Liz read the subdivision regulations section 8, paragraph one (1) which states: *When a hearing is continued, revised paper plans, additional supporting documentation, and a readable PDF copy of the submission if required must be submitted in writing or electronically to the Land Use Secretary at least 7 days prior to the next scheduled hearing.* Liz also quoted Section 8:1, paragraph 8, which states: *A review for completeness by the Board's designee.* Liz feels we should not continue this meeting as it is in violation of the subdivision regulations.

Chair Deidre advised that she should ask the board if we move forward or accept the objection on the floor or not. Liz made a motion to not continue this meeting because we would be in violation of our subdivision regulations. Tim seconded the motion. Discussion continued. Roll Call vote. 3 Yea 4 Nay. Motion does not carry. The board is to proceed with the hearing.

Chair Deidre asked Bert to proceed with his update. Bert advised he received the plans Thursday and looked at conservation and water issues. There is a driveway spur that is over 2000 feet long but per regulations, spur is only allowed to 1000 feet. The spur does go into neighboring property controlled by the applicant but is under a different name, therefore the Planning Board should receive permission from the corporate owner to utilize that piece for purposes of this plan. If not, the access way will be invalid. Chair Deidre requested confirmation from Bert that when he states it continues to another property, that it is not on the plan. Bert confirms that we have no proof or letter that the paper can be used for an access road

Bert advised most of slopes on the lots are fine but from a total overview of the project, he suggests this property support 27-30 lots not 33. Bert advised particularly due to wetlands, watershed and hydric soils found onsite. There was also a question if the State had an impound easement on the parcel which allows them to flood the site at their discretion. There is a sign on Appleton Road that does state the road floods. He would ask the applicant to look at the 100 year storm event and see if the culvert needs replacement or if it is designed to impound the water on the site and if so some of the lots may not be viable.

Chair Deirdre questioned the slopes. Bert states you have to look at the average length over a 100 feet per the steep slopes in the zoning ordinance Bert advised that the applicant has avoided going to the ZBA for the slopes and they do have the right to request a waiver (sic variance) for the 15% slopes. Bert feels that if they run a 6 to 9% grade they can manipulate the site adequately. If they use the lower area that is not quite as steep that will mitigate a lot of the problems. Discussion on the slopes continued and Liz stated the applicant needs to show that there are not any slopes over 25% and she asked for plans to be in color as previously requested.

Chair Deirdre advised Chuck that there is a flowage right easement on the plan. She stated that in the eastern most corner there is a flowage right easement that appears to be either state or federal. This was brought up at the last subdivision application that Brook Haven completed but the flowage stopped before that area. Now it will be impacted. Chair Deirdre asked Chuck if we need to bring in a consultant to help identify where it is because it is not a flexible restriction. She mentioned that it should be in the deed. It is also on the GIS map listed as permanent conservation land. We need to know where, what are the boundaries and whose easement is it. This needs to be resolved. If there is a flood control area this will impact the yield plan if it uses this area for the road. It is less concerning if that area is not used for the yield plan and the entry proposed on the cluster plan near the old farm house is used (although notice may need to be given to the State/Federal Agencies). There was discussion of the yield plan, wetland crossings, number of lots. Chair Deirdre advised DES has requested a lot of information on this, as the property regarding prior stream crossing permits is prime conservation land which will be a consideration and the Planning Board needs to look at the number of wetland crossings.

Overall, the yield plan is not in a place where it can easily be decided how many lots are viable. 27 may be low and 33 is not likely viable. It was requested by the Chair Deirdre that the Applicant and the Planning Board Engineer work together with a revision to the plans and the Engineer report be submitted to the Planning Board, a week prior to the meeting on February 7, 2024. Bert would need to review by January 24, 2024 and the Planning Board would need to receive the Engineer review by January 31, 2024.

Chuck discussed the waivers on the checklist. Chair Deirdre asked about reviewing the waivers now or at the next meeting. Liz stated that if this board is to grant waivers that the board requires when the materials are eventually submitted during the compliance phase, they should be reviewed by the Planning Board Engineer prior to granting.

Chair Deirdre confirmed with Chuck that the Planning Board will need an approved yield plan prior to approving the application for completeness.

The checklist for the application was reviewed. Tim confirmed that the first waiver on the checklist is item 26 which is the test pits. Chair Deirdre mentioned that the water table in this area is less than one foot and a half (1.5) deep. Bert stated he has never witnessed the applicant doing a deep hole and asked he be included when done.

Mr. Maki asked a clarifying question on the waiver. Does the waiver for the test pits have to do with the yield plan lots in the proposed subdivision? Chuck responded that it is for the actual proposed cluster.

Item 34 states are you proposing new streets and no was checked off. Per Chuck that will be amended as a new road is being proposed. Item d of Item 34 requires cross sections at every 100 foot station along the profile is checked off as a waiver pending.

To ensure interested parties knew when the hearing would be continued, Chair Deirdre motioned for this meeting is to continue to a date certain Thursday, February 8, 2024 at 7:15pm. Josh seconded the motion. Roll call vote. Motion carries.

Chuck noted the waiver for the 100 foot cross sections was initially for completeness, but he would like it to be for compliance. The chair advised that a separate waiver would be needed for both completeness and compliance and the additional compliance waiver would be reviewed by the Planning Board engineer. The Engineer agreed that the 100 foot cross sections would not be appropriate for the completeness determination since the yield plan isn't final, the road placement/layout is not yet known, however it may be relevant once the road position was known.

Tim motioned to accept the waiver for completeness on the test pits and the cross-section every 100 feet. Josh seconded the motion. Roll call vote. Motion carries.

Chuck confirmed that he did receive the email from the Fire Chief advising that a 20,000 gallon cistern is required. Per Bert, this is to be under compliance. Chuck asked if the board will be going over the checklist completely at the next hearing. Chair Deirdre advised now that the two (2) waivers have been addressed, the only things outstanding are the yield plan, the letter from the Fire Chief, and the easement is to be resolved.

Minutes of January 11, 2024- to be reviewed at the next meeting 2/7/2024.

Selectmen's Report & Chairman/Land Use Report: No reports provided due to lack of time.

Motion to adjourn at 9:15pm by Josh. Motion seconded by Nichole

Respectfully submitted,
Jennifer Minckler
Land Use Administrator



Southwest Region Planning Commission
37 Ashuelot Street, Keene, NH 03431 603-357-0557 Voice 603-357-7440 Fax

January 16, 2024

Deirdre Daley, Planning Board Chair
Town of New Ipswich
661 Turnpike Road
New Ipswich, NH 03071

Re: Brook Haven Farm Subdivision

Dear Ms. Daley:

Thank you for the opportunity to review the cluster subdivision proposed by Brook Haven Farm LLC, pursuant to RSA 36:56. Based on the information that was submitted to the New Ipswich Planning Board, this review will provide a perspective on the potential impact of this proposal on the surrounding towns and the region in general.

The comments provided in this transmittal are primarily from a regional perspective as opposed to site-scale impacts. Regional impacts are those which may affect an adjacent community or a regional facility or both, whether positive, negative or neutral.

Background

Based on application materials provided to SWRPC, it is understood that the proposed project entails a cluster subdivision on tax map lot 6-20. The proposal also includes the creation of Brook Haven Farm Road, which will require taking a portion of tax map lot 6-20-9, denoted as "Parcel A" on the Boundary and Lot Line Revision Plan. The project site fronts on Maki Road and Appleton Road, near the intersection with Boynton Hill Road. The combined area of lots 6-20 and 6-20-9 totals approximately 111 acres. The proposed subdivision includes 33 single family house lots and 2 new lots preserved as open space. The remainder of lot 6-20 will also be dedicated to open space.

Impact on Regional Transportation System

SWRPC examined the 11th edition of the Institute of Transportation Engineers Trip Generation Manual (Manual) to determine a traffic generation estimate for the proposed 33 unit cluster subdivision. The Manual derives weighted average trip generation estimates based on samples of numerous studies across the United States. The land use category that most closely aligns with the submitted plans is Single-Family Detached Housing (210). Attached to this transmittal are relevant excerpts from the Manual associated with this land use category.

Using the dwelling unit traffic generation factors specified in the Manual, traffic generation is estimated to be +/-311 trips per day on a typical weekday with an average a.m. peak hour generating +/-25 trips and an average p.m. peak hour generating +/-33 trips. Unfortunately, SWRPC is not aware of any existing traffic volume data associated with Appleton Road, Boynton Hill Road or Maki Road and therefore cannot provide estimated cumulative changes to traffic volumes in the area. However, SWRPC conducted a scan of aerial photography and street view images to assess existing traffic generating land uses in the area, and our analysis found a rural area comprised of mostly residential dwelling units. Given the existing built environment, current traffic volumes on Appleton Road, Boynton Hill Road and Maki Road are estimated to be low with each existing dwelling unit contributing an average of ~9 trips per weekday and 1 trip during the a.m. and p.m. peak hours.

In looking at the larger area including Boynton Hill Road's connection to Temple, it seems unlikely that a substantial amount of the proposed subdivision's traffic will enter Temple and therefore cause a hardship on that Town's road network. On the other end of Boynton Hill Road, which turns into Fish Road and eventually connects with West Road in Temple, the built environment continues to be a very rural residential area with a smattering of small businesses. This area is unlikely to attract a substantial amount of traffic from the proposed subdivision. Additionally, the material, condition and geometric qualities of Boynton Hill Road, which is a mostly 12-14 foot wide dirt road, make it unlikely that commuters will use the road as a thru way for regional travel. Traffic coming from NH 123/124 heading towards Temple or destinations beyond Temple are much more likely to use State highways such as NH 123, NH 124, NH 45, and NH 31 rather than Boynton Road. Top work commuting destinations for New Ipswich residents, including Jaffrey, Nashua, Peterborough, Milford, and Manchester are also unlikely to use Boynton Hill Road even for traffic coming from the proposed subdivision.¹

Impact on Regional Housing Supply

The proposed subdivision is likely to have a positive impact on the regional housing market. SWRPC's 2023 *Southwest NH Regional Housing Needs Assessment* (Report) found that there is a regional need for additional housing at various price points due to a general lack of housing supply that has raised housing prices to historic highs.² The Report, cites a recent housing needs analysis performed by the housing consultant Root Policy Research, which provides estimates of the number of housing units each town may want to target to meet the intent of New Hampshire's workforce housing law (NH RSA 674:58-59). NH's workforce housing law uses gross Area Median Income (AMI) as a measure to determine affordability and has different affordability thresholds for dwelling unit owners (100% AMI for a family of 4) and renters (60% AMI for a family of 3). Housing is considered affordable if it is 30% or less of a household's gross income. Hillsborough County's AMI is \$116,200, meaning that housing should not be more than \$34,860 per year for dwelling unit owners and no more than \$18,792 per year for dwelling unit renters.³

Based on State law, population projection data and other sources, Root Policy Research examined the current regional housing stock, and created a model that projects the number of housing units that would need to be built to meet each town's regional "fair share" of housing to accommodate population growth and workforce needs by 2025, 2030, 2035, and 2040. The results for the near-term milestone years 2025 and 2030 with targets for New Ipswich are shown in the table below. Please note that 2030 targets are cumulative. That is, the 2030 targets incorporate the targets from 2025.

Year	Total Units	Owner Occupied Units Below 100% AMI	Owner Occupied Units Above 100% AMI	Rental Units Below 60% AMI	Rental Units Above 60% AMI
2025	108	30	43	7	28
2030	196	54	78	13	51

Source: Root Policy Research

Although it is not clear from the submitted materials if the housing units will meet the State's definition of affordable, the proposed subdivision would help New Ipswich address the targets proposed by Root Policy Research, and therefore provide relief to the greater Region as it tries to address a shortage of housing. If the annual ownership costs associated with the cluster subdivision housing units are higher than \$34,860 (30% of the current AMI), and if area households are assumed to seek the highest end housing that they can afford, the impact should trickle down resulting in less competition for less costly housing stock which may

¹ <https://onthemap.ces.census.gov/>

² The Report and its appendices are available online at <https://www.swrpc.org/housing/>

³ <https://www.nhhfa.org/wp-content/uploads/2023/05/HUID-Income-Limits-2023.pdf>

become available in the area. Less competition should translate to increased availability, less market pressure, and lower housing costs.

The information and comments contained in this correspondence have been generated by the staff at SWRPC. They are advisory in nature and are intended to assist the Town's land use boards and others involved in the review of this development proposal. In making decisions regarding this proposal, the Town should balance regional impacts with local considerations.

Please feel free to contact me if you have questions or to discuss further.

Sincerely,

J. B. Mack
Assistant Director

attachment

**TOWN OF TEMPLE, NEW HAMPSHIRE
PLANNING BOARD**

Temple NH 03084

P.O.Box 191

Phone: 603-878-2536

January 17, 2024

Planning Board Town of New Ipswich 661 Turnpike Road New Ipswich, NH 03071

To the Planning Board of the Town of New Ipswich,

The Town of Temple Planning Board received your letter dated December 21, 2023 regarding the Brook Haven Farm LLC application and hearing for a 33 Lot Cluster Subdivision located on Appleton and Maki Roads, Map 6 Lots 20 & 20-9.

The Temple Planning Board reviewed the minutes and maps related to the subdivision application at our meeting on January 16, 2024. Our discussion focused on the impact to the transportation network, specifically Boynton Hill Road heading north, which turns into Fish Road once crossing the town line into Temple.

As noted in your meeting minutes dated December 20, 2023, this is “not a desirable road to travel”. The Temple Planning Board members were all in agreement on that point. Nevertheless, without traffic study information, it would be difficult for us to determine if there would in fact be an impact to Fish Road in Temple, with the potential increase of traffic heading north. In a 5-1 vote, we approved a motion to respectfully request traffic study information to help us better determine what impact, if any, this would have on the affected Temple road(s).

We appreciate the opportunity to comment on this application.

Sincerely,

Christine Robidoux

Planning Board, Chair

Town of Temple, NH

(603) 878-2536

TemplePlanning@TempleNH.org