

**GREENLAND PLANNING BOARD
PUBLIC HEARING MINUTES**

THURSDAY, November 5, 2009

Members Present: Chair John McDevitt, Vice Chair Bill Bilodeau, Deborah Beck (arrived at 7:05 P.M.), Stu Gerome, Rich Winsor, Selectmen's Rep. Paul Sanderson and Alternate Patrick Crimmins

Member Absent: Aidan Moore

Staff: Dylan Smith, Circuit Rider and Amy Leonard, Secretary

Agenda

Chair McDevitt opened the meeting at 7:00 P.M. and asked for a roll call of the attending Board members (see listed above). He announced that a quorum was present and the meeting was being recorded.

PUBLIC MEETING

1. Discuss 2010 zoning changes and zoning calendar

Chair McDevitt stated the order of the agenda would be changed so Conservation Commission members could present potential changes they would like to impose within the Wetlands Ordinance.

Conservation Commission members Ms. Eno, Jill Scahill, Chip Hussey and RPC Rep. Theresa Walker, approached the Board to discuss potential changes to Zoning Ordinance 18.9 'Buffer Zone Requirements' and proceeded to submit a copy of these proposals (attachment 1) for review. Ms. Eno stated the buffers for both tidal-influenced wetlands (e.g. Great Bay and any tidally associated tributaries, creeks or brooks) and non-tidal wetlands (e.g. inland surface water bodies and wetlands) should be increased by 25', to more closely follow updated zoning regulations being applied in towns and cities impacting the Piscataqua River watershed (Great Bay and its reaches). Ms. Eno suggested that section 18.9 'Buffer Zone Requirements' be divided into two sections to make it easier for all users to interpret; one for "Abutters of Tidal-influenced wetlands" and one for "Abutters of Non-tidal wetlands", as there are varying levels of protection between the two categories that are not made clear in the existing ordinance. She suggested that each wetland or water body be specifically listed under the relevant category, which the committee agreed with. Ms. Eno stated Section 18.6 'Additional Permitted Uses...' also needs to be revised as there are many new aspects of what the state permits and doesn't permit within areas abutting tidal-influenced wetlands that are not identified in the present ordinance (e.g. cutting of trees is now based on a grid & point system, not overall basal percentages). She also stated that for that matter, 18.9.2 A. should be more clear about what "natural state" means, that each of the layers of vegetation that make up a buffer be identified. Ms. Eno clarified CSPA (Comprehensive Shoreline Protection Act) regulations regarding fertilizer and pesticide applications and felt it would be prudent to include specific information on fertilizer and pesticide requirements within sections 18.9.2 A. and

18.9.2 B. Thus, the following changes were suggested within Ordinance 18.9: 18.9.1 Buffer Zone: No structure, septic system, or impermeable surface shall be permitted within 100' of tidal influenced lands or within 75' of inland wetlands; 18.9.2 Buffer Depth: A vegetated buffer shall have a depth of 100' for tidal influenced lands and 75' for inland wetlands and bodies of water. Depth shall be measured in accordance with 18.3 of this ordinance. A. The inner 75' of tidal-influenced lands, 50' non-tidal, closest to the body of water or wetlands is to be left, as much as possible, in its natural state. [Natural state identified here.] Within this inner zone only natural limestone may be used as fertilizer, and only licensed applicators may apply pesticides. B. The outer zone of the buffer (from 75' to 100' and 50' to 75', respectively) can be managed forest with some pruning and clearing of trees allowed. Low phosphate, slow release nitrogen fertilizer that is guaranteed, as indicated on the package label, to contain no more than 2% phosphorous and a nitrogen component that is at least 100% slow release nitrogen may be used in the outer zone; 18.9.3 Waivers: No change; 18.9.4 Exceptions: No change; 18.9.5 Making Buffer Zones Known: Developers, builders, residents and property owners shall be informed of the location and reason for the buffers. Markers for the buffer zones shall be placed before excavation and construction at the developer's expense, as well as, printed on all development and construction plans; 18.9.6 Buffer Crossings: No change.

Mr. Sanderson suggested repealing the existing ordinance and then change it to be more stringent than the State's requirements. He further suggested they allow for a conditional use permit, so a "taking" of personal property will not happen. Ms. Beck suggested they focus on a Stormwater Ordinance, as that would be more beneficial due to there being limited development left on waterfront properties.

After a lengthy discussion between the two Boards, Chair McDevitt stated the Planning Board does not have the amount of time needed to impose these changes this year. He suggested the Conservation Commission draft a proposal, notice all the affected property owners, hold a public hearing and then bring back the completed ordinance to the Planning Board's meeting of December 17, 2009. At that point, the Board would review and discuss the changes.

2. Update on Informational Community Workshop/develop survey questions for residents to answer

Ms. Beck updated the Board on the progress of the Community Informational Workshop to be held on December 5, 2009. She stated she and Mr. Smith attended a meeting at UNH with Michele Gagne and students that would be helping with the Informational Workshop.

The Board asked Stephen Gerrato, resident, what he thought of the proposed Village District. Mr. Gerrato felt that little shops within the District would not succeed. He felt they are a dying industry due to big box stores. The Board agreed the Informational Workshop would be a visionary to help determine if this is the direction the Town wants to go in.

The Board proceeded to organize the member's involvement for each event that would be taking place during the Workshop by following the proposed agenda (attachment 2). Coffee and refreshments were discussed

and it was agreed to have the secretary contact Deb Heikela at the school to see how much she would charge to coordinate and provide the following refreshments: Coffee, tea, water, muffins, bagels, doughnuts and fruit. Continuing with the Workshop agenda, Mr. McDevitt agreed he would do the Welcome speech and outline the purpose of the Workshop. Mr. Smith agreed he would do the Overview and show the future land use maps. Once the residents break out into the small group sessions (with the help of the UNH students), Mr. Winsor would facilitate the Streetscape, Mr. Sanderson would facilitate the Transportation Systems, Infrastructure and options, Mr. Gerome and Mr. Crimmins would facilitate the Generic Architectural and Site Design Guidelines, Mr. Bilodeau would facilitate the Mixed Uses and Ms. Beck would facilitate the Public Spaces and Amenities. During the Workshop, the Board wanted to also discuss and get input on their vision of the proposed Route 33 rezoning and proceeded to review the revision of the zoning map regarding the commercial/light industrial/industrial districts.

The Board reviewed Mr. Smith's draft of proposed survey questions (attachment 3) that will be sent out to all residents and attached to an invitation letter for the Workshop. After the review, they decided to only include survey questions 2 - 7 and 14. The Board also reviewed the Workshop flyer (attachment 4) that will be distributed at various stores and locations throughout Town.

The Board asked that Michele Gagne be invited to come to their November 19th meeting to finalize the specifics of the Workshop. It was agreed to have a "run-through" of the Workshop at the Board's December 3rd meeting.

Chair McDevitt asked the Board members to review the current Table of Uses section and come up with suggestions as to what should be allowed in the new Commercial/Light Industrial district. Mr. McDevitt also asked that Mr. Cushman come up with specific language for his suggested changes (as was discussed at the October 1st meeting). Mr. Sanderson stated he would be working with Mr. Cushman and have the language ready at their next meeting of November 19th.

3. Review and approve minutes from September 17th & October 15th

The Board reviewed the meeting minutes of September 17th and October 15th. There were no suggested changes made to either set of minutes. After the review, the following motions were made:

Motion 1: Deb Beck moved to accept the September 17, 2009 minutes as presented and Stu Gerome seconded the motion. There was a vote of 6 in favor and 1 abstained (B. Bilodeau). MOTION CARRIED.

Motion 2: John McDevitt moved to accept the October 15, 2009 minutes as presented and Deb Beck seconded the motion. There was a vote of 4 in favor and 3 abstained (R. Winsor, P. Sanderson, P. Crimmins). MOTION CARRIED.

4. Any other business that may legally come before the Board

Having no other business to discuss, the following motion was made:

Motion 3: Deb Beck moved to adjourn the meeting at 8:51 P.M. and Rich Winsor seconded the motion. All were in favor. MOTION CARRIED.

Recorded, transcribed and typed by:
Amy Leonard
Secretary, Planning Board

Attachments:

1. Proposed amendments to Article XVIII, submitted by CC
2. Community Informational Workshop draft agenda
3. Survey questions to be mailed out to residents
4. Flyer for Community Info. Workshop
5. Agenda, dated 11/5/09

Approved by the Greenland Planning Board on December 3, 2009.