

**GREENLAND PLANNING BOARD  
PUBLIC HEARING MINUTES**

**THURSDAY, April 15, 2010**

**Members Present:** Chair Rich Winsor, Stu Gerome, Deborah Beck, Patrick Crimmins, David Moore, Selectmen's Rep. Paul Sanderson and Stephen Gerrato, Alternate

**Member Absent:** John McDevitt

**Staff:** Dylan Smith, Circuit Rider, Robert Cushman, Building Inspector and Amy Leonard, Secretary

**Agenda**

Chair Winsor 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 HEARING**

**1. Continuation of Public Hearing for Site Plan Review, for a change of business use, with a second floor residential apartment in the commercial zone; 445 Portsmouth Avenue, (Map U4, Lot 27) [Owner/Applicant: 445 Portsmouth Ave., LLC - Gary Bourassa].**

Chair Winsor reviewed the application to date. He stated this site plan review would be continued until the May 20<sup>th</sup> public hearing, pending the outcome of a Motion for Rehearing that had been filed with the Zoning Board of Adjustment to be discussed at the April 20<sup>th</sup> ZBA meeting. With that said, the following motion was made:

**Motion 1: Stu Gerome moved to continue the site plan review for 445 Portsmouth Ave., LLC until the May 20, 2010 meeting. Paul Sanderson seconded the motion. All were in favor. MOTION CARRIED.**

**2. Acceptance of Application/Public Hearing for a minor subdivision; 1039 Portsmouth Avenue, (Map R10, Lot 31) [Owner: Deborah Beck & Brian Beck/Applicant: Deborah Beck].**

Deborah Beck stepped down from the Board to discuss her application for a minor subdivision. She reminded the Board what the project consisted of, which was to subdivide one 60,000 square foot lot out of the original parcel and create a backlot subdivision. This lot will be accessed by a 20-foot fee simple driveway under a conditional use permit, per Subdivision Regulation 4.4.1 b. She stated she does not want her application accepted tonight, but wanted to get the feeling of the Board regarding a few items. She indicated she is negotiating with her neighbor and the site plan might be changed pending that outcome. Ms. Beck asked the Board their opinion about her requesting a waiver from delineating the wetlands on the entire lot and a waiver from having to submit an existing conditions plan. Mr. Sanderson asked if she wanted to treat tonight's meeting as a conceptual review. Ms. Beck stated she wants the Board's input on those minor changes and repeated that she did not want the application accepted tonight. Mr. Sanderson

asked if she has contacted NH DOT regarding the access yet and if not, she may want to speak to them about the site distance parameters. Mr. Smith suggested Ms. Beck delineate the wetlands within the proposed new lot and show the driveway and fill of that area on the plan. Ms. Beck spoke of the drainage issues on the property and noted the culverts at the end of the driveway are crushed and not working. Mr. Sanderson stated the Town would be happy to work on the drainage issues with her.

Ms. Beck agreed to re-notice the abutters, considering the application process started in September 2009 and has been continued ever since.

### **3. Robert Cushman, Building Inspector; revision of zoning ordinances**

Mr. Cushman, Building Inspector, approached the Board and submitted a proposed 2011 change to the Home Occupation Ordinance 3.7.1 (attachment 1). He proceeded to review and explain the revisions, which included new definitions for Home Occupation, Type I Home Occupation and Type II Home Occupation and minor revisions to sections within the ordinance. During the review, the Board suggested leaving in the requirement that Type II Home Occupations need site plan review, or they could require the applicant to go before the Zoning Board of Adjustment for a Special Exception. Other suggestions included: rewording Section 3.7.1.7, adding Special Exception criteria for square footage and adding square footage to Section 3.7.1.4. Mr. Cushman stated he and Mr. Smith would make those suggested changes and bring it back for review at an upcoming meeting.

Mr. Cushman asked if the Board wanted to define "truck terminal". The Board suggested he check the warehouse definition.

Mr. Cushman updated the Board on the Brownfield site at 560 Breakfast Hill Road. He stated the reports of the assessment/monitoring would be forwarded to the Town when completed.

### **4. Review of Stearn's Way road plans**

The Board reviewed Altus Engineering's comments (attachment 2) regarding the proposed driveway design for Stearn's Way road. Mr. Cushman stated he spoke to Paul Connolly, P.E. (the engineer who drew the plans) and he indicated that he has revised the plans to comply with all of Altus Engineering's comments. Mr. Cushman also stated that he met with James Driver, NH DOT, who recommended the driveway application be submitted from the Town, not Michael Gill, as this is a town road. It was noted that Paul Connolly would prepare the application and bring it to the Selectmen for review.

The Board noted receipt of a packet from Stephen Gerrato, 512 Post Road, which included his personal comments and various plans regarding Stearn's Way road.

The Board continued this discussion until their next public hearing in May.

**5. Continue discussing Route 33/Village District/Form-based code**

Mr. Smith stated the cost outline and timeframe for the form-based code contract would be submitted at the May 6<sup>th</sup> workshop meeting. The Board asked that Mr. Smith email a copy to the Board for review, once the contract is ready prior to the meeting. Mr. Smith noted Julie LaBranche would also be present at that meeting to continue discussing form-based code.

**6. Any other business that may legally come before the Board**

1. Mr. Gerrato reported to the Board on the RPC Commissioner's meeting he attended on April 14<sup>th</sup>. The first item of interest was in regard to the implementation of impact fees on developers. He noted there is a good amount of revenue that the Town could receive for these fees and suggested the Board consider implementing this in the zoning ordinances. Mr. Sanderson stated in order to do that, the Town would need to have a very strong Capital Improvement Program.

The second item of interest was regarding adopting a Fluvial Erosion Hazard program. A program such as this would help stop the wearing away of riverbeds and banks by action of water, prevalent at very high flows and in flood events. It would also target resources to minimize future erosion impacts caused by erosion, protect lives, property, infrastructure; thus enhancing public safety. The Board thanked Mr. Gerrato for his report.

2. Dana Van Patten, 47 Nantucket Place, approached the Board to discuss a deeded right-of-way at the end of Nantucket Place between her property and 46 Nantucket Place that the Selectmen are considering releasing/removing at the property owner's request. She stated the Selectmen have agreed to start the process, but need to wait until the courts decide officially on the land swap between the Town and Mr. Thibodeau. She noted she has already been before the Conservation Commission for their comments and is now here for the Planning Board's comments. The Board stated this was the first they had heard about it and were not in a position to comment on the matter at this time.

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

**Motion 2: Stu Gerome moved to adjourn the meeting at 8:40 P.M. and Patrick Crimmins seconded the motion. All were in favor. MOTION CARRIED.**

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

Attachments:

1. 2011 Proposed change to Ordinance 3.7.1
2. Altus Eng. Comments, re: Stearn's Way road
3. Agenda, dated 4/15/10

Approved by the Greenland Planning Board on May 6, 2010.