

**GREENLAND PLANNING BOARD
PUBLIC MEETING MINUTES**

Thursday, November 03, 2011

Members Present: Chair Stu Gerome, Selectmen's Rep. Mo Sodini, John McDevitt, Dave Moore, Rich Winsor, Alternate Stephen Gerrato

Late: Deborah Beck

Absent: Alternate Randy Bunnell

Staff: Dylan Smith – RPC Circuit Rider

Also Present: Chip Hussey – Chairman, Conservation Commission

Chair Gerome opened the meeting of the Greenland Planning Board at 7:03 p.m., and a roll call was taken. He stated that a quorum was present and the meeting was being recorded.

1. Review and Approval of Minutes of October 6th, 2011 and October 20th, 2011 Meetings

Minutes of the October 06, 2011 and October 20, 2011 meetings were approved as presented.

Motion 1: Mr. Sodini moved to accept the minutes of the October 20, 2011 meeting as presented; seconded by Mr. Winsor. All were in favor. MOTION CARRIED.

Motion 2: Mr. Sodini moved to accept the minutes of the October 06, 2011 meeting as presented; seconded by Mr. Winsor. 5 in favor, 2 abstain (Mr. McDevitt, Mr. Moore). MOTION CARRIED.

2. Review and Approval of RPC Contract

Mr. Smith mentioned to the Board that the contract had been previously approved but not returned to the RPC. Chair Gerome stated that the contract was signed earlier and payment had been made. The term of the contract is July 1, 2011 through June 30, 2012.

Motion 3: Mr. Sodini moved to approve the RPC contract which runs from July 1, 2011 through June 30, 2012; seconded by Mr. Gerrato. All were in favor. MOTION CARRIED.

3. Review of Wetlands Ordinance (DRAFT #2)

Mr. Smith distributed Draft #2 of the proposed Wetlands Ordinance. The current ordinance can be found in the Zoning Ordinance notebook, Chapter 18, page 137.

Mr. Smith reviewed additional changes in the ordinance, beginning with 18.1, which remained the same.

18.2: Original – Definition of District; proposed: Jurisdictional Wetland Areas.

18.2.1: Mr. Smith attempted to clarify and simplify the definition of tidal influenced lands. Discussion regarding the definition of tidal wetlands took place. The proposed ordinance is not granting additional restrictions or taking any away. The current definition of the jurisdictional wetland area is taken from the State. Add those that are influenced by periodic inundation of tidal waters. You'll have the same definition as Portsmouth. Mr. Winsor suggested that "Tidal Influenced Lands" is more restrictive than the proposed "Tidal Wetland". Is the Town's goal to be more restrictive or less restrictive? Mr. Sodini stated there are no more, or less, restrictions; it's just a clearer definition of tidal wetlands vs inland jurisdictional wetlands. Mr. Moore felt the proposed definition was vague: at extreme high tide, does this cover tidal wetlands? Mr. Smith explained that the original ordinance doesn't cover tidal action at high tide. He further stated that a soil scientist would make the final decision. Mr. McDevitt requested a definition of a specific soil type that is defined as a tidal wetland. Although he felt the proposed definition accomplishes that, the current one can be abused. Chair Gerome felt this issue was important enough to have an expert explain tidal wetlands. Section 18.2.1 was tabled for further research.

18.2.2: Changed as noted on Draft #2.

18.2.3: Changed to vernal pools as noted on Draft #2.

18.2.4: Buffer Zones (current ordinance) replaced with the revision as noted on Draft #2.

18.3: *Wetland Map* has been replaced with *Identification and Delineation Requirements of Wetlands* as noted on Draft #2.

18.4: The wording has been changed, but is basically the same as the original ordinance.

18.5: Removal of Item F (see Draft #1).

18.6: Minor changes as noted on Draft #2.

Please note: **18.7** on Draft #1 has been deleted and replaced with the following.

18.7: The current ordinance is in conflict with structural setbacks. There was a lengthy discussion regarding Item G. Chair Gerome suggested this be labeled as commercial. Mr. Smith will check the State definition of bulk storage as well as federal guidelines of quantity that can be stored.

18.7.2: Changed as noted on Draft #2.

18.8: (numbered as 18.9 on Draft #2) Defines the buffers and setbacks as noted on Draft #2.

18.9 through **18.13:** Same as proposed on Draft #1.

New Definitions: Draft #2 further defines **Driveway**.

A lengthy discussion was held on the setbacks to vernal pools being too stringent. The Board requested to see more science related to buffer depths. However, Mr. Smith stated much of that is discussed and referenced in the Town's NRI.

Proposed changes to the Wetlands Ordinance will continue at the next work session, scheduled for Thursday, December 01, 2011.

4. Conditional Approvals

Preliminary design reviews and vesting was discussed at length [RSA 676:4, II(b), see attached]. The Board must determine when the review is terminated and a Notice of Decision should be sent to applicant within the specified time.

Mr. Winsor suggested a “playbook” be established when reviewing the Planning Board rules and procedures (scheduled for the work session on December 01). The general feeling was that applicants should not approach the board with incomplete applications. The definition of a complete application needs to be determined.

5. Other Business

Mr. Smith explained the disconnected references and definitions of Cottage Industry and Home Occupation in the Ordinances is very confusing.

Motion 4: Mr. Sodini motioned to adjourn at 8:36 p.m.; Mr. Winsor seconded the motion. All were in favor. MOTION CARRIED.

Attachments:

Agenda
Wetlands Ordinance Draft #2
RSA 676:4, II(b)—Design Review Phase

Submitted By: Charlotte Hussey – Secretary

NEXT MEETING
Thursday, November 17, 2011
7:00 p.m.
Town Hall Conference Room

Approved by the Greenland Planning Board on _____