



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD MEETING

Thursday, November 19, 2020 – 6:30 p.m., Virtual via Zoom

Members Present: Frank Catapano, Stu Gerome, Steve Gerrato, John McDevitt, David Moore, Catie Medeiros, Steve Smith (Selectmen's Rep)

Members Absent: Bob Dion (Alternate)

Staff Present: Mark Fougere - Consultant

Co-Chair Gerrato opened the Planning Board meeting at 6:32 p.m. A roll call was taken by the Co-Chair; he announced a quorum was present and the meeting was being held virtually through Zoom and recorded by audio. A checklist to ensure meetings are compliant with the Right-to-Know Law during the State of Emergency was read into the record by Co-Chair Gerrato.

Attendance of Planning Board members was taken by roll call: F. Catapano - present, J. McDevitt - present, C. Medeiros - present, D. Moore - present, S. Smith – present, S. Gerome - present, S. Gerrato - present.

1. Residential Open-Space Conservation Subdivision Development Ordinance (Article XXVI)

M. Fougere noted that the Board voted to forward this item to public hearing at their meeting on Thursday, November 05, 2020.

2. Age Restricted Housing (Article XIX)

Attorney Somers, Planning Board Attorney, recommended revisions to the Age Restricted Housing Ordinance (Article XIX); copy on file. Recommendations included a definition of 'Senior': a person who is age 55 or older. One person in the household must be 55 years of age or older. No one under the age of 18 will be allowed to reside within the home. M. Fougere noted that the statute allows up to 20% of the units to be non-age restricted. The Town's ordinance requires 100% be age restricted and is consistent with the statutory provisions. The amended definition will allow a caregiver to live in the home if the resident needs assistance. It will also allow a spouse or companion under the age of 55 to live there. M. Fougere felt it addressed and clarified the Board's concerns. In addition, the gross tracked area was clarified.

S. Gerome stated that Attorney Somers disagreed with the Board's position on adult children attending college living with their parents in an age-restricted housing unit during breaks. He felt it was something the Board needed to accomplish due to it being a common occurrence. S. Gerome also stated the rule should not apply during a pandemic. He agreed with Attorney Somers and her concern that the Town could be drawn into enforcement disputes with the condominium or homeowner's association. F.

DRAFT – SUBJECT TO CHANGE

Catapano stated that if it was working now, it should be left as is. M. Fougere added that if it became a problem, the association could make their by-laws more restrictive.

MOTION: S. Gerome moved to approve the Age Restricted Housing Ordinance (Article XIX) as amended and move to public hearing. Second – D. Moore; roll call vote: F. Catapano – yes, J. McDevitt - yes, C. Medeiros - yes, D. Moore - yes, S. Smith – yes, S. Gerome - yes, S. Gerrato - yes. All in favor. MOTION CARRIED

3. Other Business (Residential Open-Space Conservation Subdivision Development Ordinance (Article XXVI))

There was a lengthy discussion with Laura Byergo, Conservation Commission Chairman, about her concerns with the Residential Open-Space Conservation Subdivision Development Ordinance (Article XXVI). She will send M. Fougere a list of those concerns for the meeting on Thursday, December 03, 2020.

4. Master Plan

Public Utilities: M. Fougere was able to locate a map from the City of Portsmouth showing where City-water is located (northern part of the community). The map will be included as part of the Master Plan. He was also able to locate the sewer line information as well as the agreement between Greenland and the City of Portsmouth. There are questions about when the agreement expires; the Town Administrator has contacted the City of Portsmouth. Four phases were planned: down Portsmouth Avenue; behind Packard; through the village; and to the north. With the new zoning, the Planning Board was hoping to have something started in that area. A copy of this chapter is on file.

Future Land Use: This chapter envisions (copy on file) what should be looked at in the future and what the Planning Board should be thinking about over the next ten years. Great Bay was a concern. There was a sea rise presentation several years ago and concerns about the direction it was headed. Near the Bay, homes are on septic and wells: will there be intrusion into their water supply and septic system? Does the Board want to consider further regulations for that area in the future? M. Fougere kept the Village District in the downtown area near Town Hall as a possible recommendation for consideration; this area was in the previous Master Plan. To have a robust Village District sewer is needed, otherwise it will be limited.

The Breakfast Hill Road corridor is included in this chapter. Several different zoning initiatives in this area have been discussed by the Board. Coakley Landfill is in this corridor. Non-residential uses have been discussed in the past along Rt. 33 west of Tide Mill Road.

M. Fougere noted these are the last chapters. Once approved by the Board, the Master Plan can be assembled and a public hearing held to adopt. M. Fougere stated the Master Plan is a 10-year plan. J. McDevitt stated he would like to focus on a Village District this year. Rt. 33 is the 'tiger in the room'.

MOTION: S. Gerome moved to approve the Public Utilities chapter of the Master Plan as submitted. Second – J. McDevitt; roll call vote: F. Catapano – yes, J. McDevitt - yes, C. Medeiros - yes, D. Moore - yes, S. Smith – yes, S. Gerome - yes, S. Gerrato - yes. All in favor. MOTION CARRIED

Further discussion the Future Land Use chapter was continued to the next meeting on Thursday, December 03, 2020.

5. Other Business

Rt. 33: J. McDevitt asked D. Moore about the status of Rt. 33 discussions. D. Moore responded there has been no communication regarding the next meeting. J. McDevitt suggested he stay in contact the Chief Laurent and S. Smith. For planning purposes, much of what happens with the Village District will depend on Rt. 33.

S. Gerrato briefly discussed the roundabout at the Winnicut River Bridge. He suggested, as a test run, the police block both ends of the bridge and open two lanes in the morning to move traffic over the bridge.

Multi-Family Units: The Board discussed multi-family units in the CA Zone, which are allowed. The RCIM District does not extend past Dunkin' Donuts on Rt. 33. Multi-family is defined in the Zoning Ordinance as 'up to five units per building'. The maximum size building allowed in the CA Zone footprint is 10,000 sq. ft., with five units in the building. F. Catapano noted there was no sewer and would depend on septic loading. There would be no restrictions: a 15-unit building or three – five-unit buildings; city water would be needed with that density as well as meeting the open space and parking requirements. M. Fougere added that the septic loading would dictate the number of units. There could not be a 30-unit building; the most would be five according to the Zoning Ordinance. S. Gerome noted that a Special Exception was needed from the Zoning Board of Adjustment. M. Fougere commented that if the project were in the RCIM District, the developer would not be at the ZBA; they would meet with the Planning Board for a Conditional Use Permit. S. Gerome stated that the 10,000 sq. ft. requirement came from the fact that the Planning Board was limiting the size in the CA Zone because they did not want large commercial in this area. The intent of the 'spirit of the Ordinance' was to prevent two large commercial entities side-by-side in that zone.

S. Gerrato stated that Article 4.1.3 read "No residential building lot shall contain more than one residential structure". M. Fougere responded it was 'lot', not 'use' and there was a difference. He continued that this section could be made clearer. If multi-family units were allowed, it should be specified how many units per acre not leaving it to interpretation. S. Gerome recommended soil based.

Aquifer Protection Zone Map: S. Gerrato complained the map was terrible. It was noted that the maps are being redone.

6. Approval of Minutes

MOTION: J. McDevitt moved to approve the minutes of Thursday, November 05, 2020. Second - F. Catapano; roll call vote: F. Catapano – yes, J. McDevitt - yes, C. Medeiros - yes, D. Moore - yes, S. Smith – abstain, S. Gerome - yes, S. Gerrato - yes. Six in favor, one abstain (S. Smith). MOTION CARRIED

7. Approval of Invoices

MOTION: F. Catapano moved to approve the payment to Altus Engineering in the amount of \$1,852.77 from the Planning Board Escrow Account. Second – J. McDevitt; roll call vote: F. Catapano – yes, J. McDevitt - yes, C. Medeiros - yes, D. Moore - yes, S. Smith – yes, S. Gerome - yes, S. Gerrato - yes. All in favor. MOTION CARRIED

MOTION: F. Catapano moved to approve the payment to Donahue, Tucker & Ciandella in the amount of \$947.95 from the Planning Board Legal Line in the Town Budget. Second – J. McDevitt; roll call vote: F.

DRAFT – SUBJECT TO CHANGE

Catapano – yes, J. McDevitt - yes, C. Medeiros - yes, D. Moore - yes, S. Smith – yes, S. Gerome - yes, S. Gerrato - yes. All in favor. MOTION CARRIED

8. Topics for Work Session: Thursday, December 03, 2020

Zoning will be reviewed at the work session on Thursday, December 03, 2020. A public hearing for zoning amendments will be held on Thursday, December 17, 2020. If changes are made at the public hearing, there will be time for a second public hearing.

9. Adjournment

MOTION: S. Gerome moved to adjourn at 7:50 p.m. Second – F. Catapano; roll call vote: F. Catapano – yes, J. McDevitt - yes, C. Medeiros - yes, D. Moore - yes, S. Smith – yes, S. Gerome - yes, S. Gerrato - yes. All in favor. MOTION CARRIED

NEXT MEETING

Thursday, December 03, 2020 – 6:30 p.m., Zoom

Submitted by: Charlotte Hussey, Administrative Assistant