



**PLANNING BOARD**  
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**MINUTES OF THE PLANNING BOARD WORK SESSION**

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Thursday, March 07, 2019 – 7:00 p.m. – Town Hall Conference Room

*Members Present:* Stu Gerome, John McDevitt, David Moore, Steve Gerrato (Alternate), Catie Medeiros (Alternate)

*Members Absent:* Frank Catapano, Jamie Connelly, Rich Winsor, Paul Sanderson (Selectmen's Rep)

*Staff:* Mark Fougere - Consultant

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Chair Gerome opened the Planning Board meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Master Plan and Survey

Review of the Master Plan and Survey was continued to the next meeting when more members are present. M. Fougere would like to look at the Town-wide survey from the last Master Plan first. The goal is to send out a new survey to residents in the spring. Surveys will be done online and through the mail to each residence (Survey Monkey and paper surveys). The response rate in 2005 was approximately 490.

2. Letter to Board of Selectmen: Weeks Library

Board members received a draft of the proposed letter to the Board of Selectmen regarding the Weeks Library. The Planning Board Engineer provided a list of his concerns; the Police Chief submitted a letter that outlined her concerns as did the Building Inspector. Minutes from the Board of Selectmen's meeting on Monday, March 04, 2019 were also included.

J. McDevitt stated that he would like to review the information and discuss it further at the meeting on Thursday, March 21, 2019. He felt there were safety issues that needed to be addressed. New Select Board members will need to be "brought up to speed".

Steve Smith, Newington Road, was a member of an earlier Planning Board. He stated that a committee came to the Planning Board with concerns about head-in parking at the Parish Hall and fire apparatus having access to the building. The Planning Board at the time recommended the front of the building be designated as a fire lane. It was marked and painted in the spring of the following year; it hasn't been maintained since the new sidewalk was built.

Chair Gerome asked that Board members be emailed the information to be reviewed for the meeting on Thursday, March 21, 2019. He requested that members reply immediately with responses. M. Fougere noted that there was push back regarding the Planning Board Engineer's comments at the meeting on Thursday, February 07, 2019, particularly dealing with drainage. Fire and emergency response access

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requirements were also discussed at that meeting by the Consulting Engineer and noted in the proposed letter. The Planning Board requested the following reports from the Building Inspector: report from the Consulting Engineering, the architect's response, and the Fire Marshall report.

Marcia McLaughlin, Nantucket Place and Library Trustee, told the Board the Library is continuing the review on the cy pres petition. She stated that the Church has an issue with ownership of the Parish House. The Methodist Church and Congregational Church were joined at one time; when they separated, there was a judgement in 1954 awarding the Methodist Church "something". There is also no clear title on the Library land. The Town Attorney is involved with the cy pres petition.

M. McLaughlin added that the Town Attorney reached out to the State Attorney General's Office. Mr. Donovan (Director of Charitable Trusts), through Terry Knowles, has strongly recommended that the Library needs to do a quiet title. Contrary to what was stated by Paul Sanderson, Selectman, at the meeting on Monday, March 04, 2019, their recommendation was that the Library didn't need to go through all the heirs; the land the Library is on as described, was not in the inventory of the estate or passed down to any of the four heirs named in the will.

Responding to a question from Chair Gerome, M. McLaughlin stated that according to P. Sanderson's research, Caroline Avery Weeks died shortly after the donation was made. It may have been in process and never happened. That's the reason for the quiet title. It will either be filed separately or done with the cy pres petition. In 1898 the land was gifted to the Town at a Town Meeting; however, there is no record of it anywhere. M. Fougere noted a quiet title wasn't uncommon. M. McLaughlin stated that the Library is not moving forward until they receive clear title to the land.

### 3. Approval of Minutes

Approval of minutes was continued to the next meeting.

### 4. Approval of Invoices

MOTION: C. Medeiros moved to approve payment of the invoice for Fougere Planning & Development from the Planning Board Town Budget in the amount of \$1,004.43. Second – J. McDevitt; all in favor.  
MOTION CARRIED

### 5. Other Business

RSA 676:4-b, II: J. McDevitt asked for M. Fougere's recommendations on the amendment to RSA 676:4-b, II which would require Planning Boards to review third party proposals from different firms and accept the lowest bidder. M. Fougere stated that the Municipal Association will be opposing the amendment. If passed, it should be amended to state "three or more qualified firms and select the lowest 'qualified' bidder" vs. the lowest bidder. J. McDevitt questioned if the Town could lose the services of the current Planning Board Engineer. M. Fougere explained that the way it's written, the Board would go out to bid; whoever submitted the lowest bid would have to be chosen. He felt the Board would have to go out to bid annually. J. McDevitt asked M. Fougere to define "qualified"; it would be a firm familiar with the community and codes, requirements, etc. Chair Gerome stated it needed to be clarified if it was annual or for each application. M. Fougere responded that if the development community was pushing this, it would delay things by going out to bid on each application. The time frame and definition of "qualified" need to be clarified. Chair Gerome stated that the Board was handling reviews correctly; there are towns and cities that do not. M. Fougere added that it's not uncommon for some larger development projects to be over six figures. The language needs to be fair.

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RPC 10 Year Plan: S. Gerrato distributed applications for the 10 year plan. He suggested one application for each project. The Winnicut should be the first important one. He continued that we're running out of time; the Town Administrator has to submit the applications. S. Gerrato stated there is no deadline; the earlier the better (note: the deadline is April 2019). The new Town Administrator will have to submit immediately or the Town waits another year. M. Fougere agreed we don't want to wait another year; the Town should at least try for the funding based on comments from Dave Walker at the Lonza meeting about regional impact. M. Fougere and D. Walker weren't optimistic it would be successful; however, the Town needed to submit the application so we weren't criticized for not trying.

The new Town Administrator will be given the application when he's hired. S. Gerrato suggested he come to meetings all the time; he'll be the new TAC representative.

Pease Development Authority: M. Fougere told the Board there was a setback with the PDA. The Planning Board's attorney can no longer represent the Town; the firm has a conflict. The Portland office did some work for Lonza; Lonza will not waive the issue. M. Fougere has contacted Attorney Byron Bernard; he is interested and will check with his company for any conflicts.

M. Fougere continued that he was under the impression that after the Portsmouth Planning Board approved the project it would go to the Board at Pease for review and approval. He contacted the PDA attorney and heard back last week. Their rules of operation state that unless a Board member raises an issue, the case is automatically approved without a hearing upon approval from the Portsmouth Planning Board. The 30-day appeal period has expired. The positive: only a shell was approved, with no occupancy allowed. When the building is occupied, they assured the Portsmouth Planning Board they would return. There is no impact on Greenland right now; the Town will be notified when they go back to the Portsmouth Planning Board.

J. McDevitt noted the new Select Board will have to be brought up to speed. Approval for Greenland to have a seat on the PDA has passed the House but still has to go to the Senate. The PDA will be going from seven seats to nine.

Next Meeting: The Board will be reorganized; the Master Plan and Survey will be discussed; the Weeks Library letter to the Selectmen will be discussed.

### 6. Adjournment

MOTION: J. McDevitt moved to adjourn at 7:36 p.m. Second – S. Gerrato; all in favor. MOTION CARRIED

### NEXT MEETING

Thursday, March 21, 2019 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: