



PLANNING BOARD
Town of Greenland • Greenland, NH 03840
575 Portsmouth Avenue • PO Box 100
Phone: 603.431.7111 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE PLANNING BOARD WORK SESSION

Thursday, October 02, 2014 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Chip Hussey, David Moore, Paul Sanderson, Selectmen's Rep Mo Sodini, Rich Winsor

Members Absent: Steve Gerrato

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. Age Restricted Housing Revisions

There was a lengthy discussion regarding Age Restricted Housing. The Board reviewed the proposed revisions submitted by Chair Gerome. At previous meetings, the maximum number of bedrooms and public road vs. private road were discussed. Based on discussions with engineers, the ordinance, as written, is fine. Board members were concerned with the number of bedrooms and the number of units per building.

R. Winsor stated that the Planning Board was not equipped to manage ARH. P. Sanderson added that the limiting factor would be water and sewer; a community septic system may be the option. R. Winsor continued that the necessary tools are not available within the Town's regulations and zoning to be able to state emphatically what would be aesthetically pleasing. More architectural criteria may need to be added to the ordinance. R. Winsor added that once you get into high density development, things change. Chair Gerome stated the proposal was for a maximum of two or three units; a case would have to be made for anything above that. C. Hussey and R. Winsor were in agreement that a case should be made for more than two units. Specific language would need to be added to the ordinance and has to be actionable. R. Winsor stated he didn't feel comfortable that the existing architectural guidelines were actionable. P. Sanderson told Board members that FHA has stringent regulations to approve these types of projects, and suggested they may want to review those. He further suggested adapting from the FHA regulations.

Board members were in agreement with the proposed "each ARH building shall a maximum of two dwelling units". Cost was a concern for some members; Chair Gerome stated that while not a deciding factor, the Planning Board should be able to decide how a product is created for the different groups that need to survive in Town. C. Hussey added that there's not any affordable housing in Town for the over 55 age group if they want to downsize. He continued that the Board can't "tell" them to do affordable housing, but they can make it advantageous for the developer to increase the number of units to make that happen. P. Sanderson added that the statute dictates a plan must be done allowing for a broad range of housing within the community to meet the needs of all citizens.

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M. Sodini stated that an infrastructure is needed along the Rt. 33 corridor to stimulate commercial growth. It may be time to present a warrant article at Town Meeting for contingent financing for sewer. The voters in Town should have the opportunity to voice their opinions.

There was further discussion regarding the maximum number of dwelling units per ARH building. Because this would be a Conditional Use Permit under RSA 674.21, it's not an ordinance requirement and could be waived by the Planning Board; the ZBA would not have jurisdiction (example: if the developer felt strongly about four units rather than two, the Planning Board could issue a waiver; RSA 674.21 allows innovative techniques).

The Board moved two of the three proposed revisions to ARH to public hearing. P. Sanderson reminded members items could be moved forward to public hearing 90 to 120 days prior to Town Meeting, which would be December.

Road construction in an ARH was discussed. C. Hussey stated he would like to see those roads meet Town standards; they could have a private road but it must meet Town specs. Residents could petition to have private roads become Town roads. Condo developments, which an ARH is, normally have private roads; the bigger the development, the more likely the road is to be private. The consensus was that all roads and drives in a site shall be built to Town specifications as set forth in the Subdivision Regulations. Chair Jerome felt the choice of private or public road should be a Planning Board decision. P. Sanderson added that if it's a private road, there should be a homeowners association, keeping in mind that would not prevent those residents petitioning for the road to become public.

All fire protection regulations would apply. There was a question if the Town would own an easement for a cistern on that road, regardless if it was private or public. Could the HOA own the cistern? Requiring sprinklers was suggested; legislation was passed that sprinklers could not be required on residential structures. Adequate fire protection must be provided that meets code requirements. Hydrants through the City of Portsmouth will need an easement. R. Winsor stated that if it was a private road, it would be up to the developer and engineer which type of system would be appropriate. The system would have to be maintained as well as meet State building and fire codes. FHA regulations would have to be met to be a bankable project.

The road could be constructed to Town standards but still remain private. Bonding the road was briefly discussed. The Board leaned toward the road type, private or public, being the developer's choice. P. Sanderson stated that the larger the development, the more control the developer would want: they would want it a little narrower, no sidewalks, etc.

The end result of the road construction discussion: all roads should be built to Town specifications, and be privately owned or public, to be established at the discretion of the developer. Private roads are allowable in ARH developments. A change should be made in the Subdivision Regulations stating that public and private roads must be built to the same standards.

Road construction was continued. "Built to Town specifications as set forth in the Subdivision Regulations" will be added.

2. Conservation Commission: Density Bonuses for Conservation Subdivisions

C. Hussey explained that J. Fredericks, Conservation Commission, prepared the revisions. The Conservation Commission will review them at their meeting on Wednesday, October 08. It was their

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intention to make conservation subdivisions more attractive to developers. C. Hussey will ask J. Fredericks to attend the Planning Board work session when the proposed revisions are discussed.

3. Altus Engineering: Proposal for Civil Engineering Services

The Board reviewed the proposal from Altus Engineering for reviewing approved commercial sites for compliance; the Town would pay for the review. P. Sanderson reminded members that they are not the enforcement board. Those matters should be referred to the Board of Selectmen for enforcement only after all efforts by the Building Inspector for voluntary compliance have been exhausted. The proposal should be directed to the Selectmen as an enhancement of their enforcement capabilities. If the commercial site is found to be out of compliance, all expenses including attorney fees, are reimbursable to the Town by the company.

After further discussion, it was decided a dollar amount would be given to the Board of Selectmen as a budget figure. P. Sanderson stated, and the Board agreed, that the funding was part of the consultant budget for the Town and a warrant article was not needed. Any legal fees would come from the legal budget.

4. Van Etten Drive: Septic System Design Review

Chair Gerome told the Board this item was done.

5. Conservation Commission: Purchase of Land - RSA 41:14(a)

C. Hussey reviewed the purchase of land with the Board. The property, consisting of approximately 4.5 acres, would become part of the Greenway Project by the Conservation Commission. The first public hearing will be held on Monday, October 20, 2014.

MOTION: *M. Sodini moved to recommend to the Board of Selectmen the purchase of conservation land, Map R21 Lot 7, approximately 4.5 acres. Second – R. Winsor; all in favor. MOTION CARRIED*

6. Topics for Public Hearing: Thursday, October 16, 2014

Topics for the public hearing on Thursday, October 16, 2014 were reviewed.

7. Approval of Minutes: Thursday, September 18, 2014

MOTION: *M. Sodini moved to approve the minutes of Thursday, September 18, 2014. Second – D. Moore; five in favor, one abstain (R. Winsor). MOTION CARRIED*

8. Other Business

There was no other business to discuss.

9. Adjournment

MOTION: *R. Winsor moved to adjourn at 8:35 p.m. Second – M. Sodini; all in favor. MOTION CARRIED*

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NEXT MEETING

Thursday, October 16, 2014 – 7:00 p.m., Town Hall Conference Room, Public Hearing

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: 