



PLANNING BOARD

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MINUTES OF THE PLANNING BOARD WORK SESSION

Thursday, May 01, 2014 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Chip Hussey, Selectmen's Rep Mo Sodini, Steve Gerrato - Alternate

Members Absent: David Moore, Paul Sanderson, Rich Winsor

Staff Present: Dylan Smith – RPC Circuit Rider

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. Commercial Projects Approved: 2009 to Present

Chair Gerome noted that Tim Phoenix, Attorney, was present. T. Phoenix stated he was present due to his client being on the agenda. They were unaware the Planning Board was going to discuss their project that was approved in 2012; projects approved since 2009 were being discussed. T. Phoenix asked the Board why their project was being discussed and why they had not been notified. Chair Gerome responded that he was unsure they were going to get into details; however, the Board was going to discuss reviewing commercial site plans that had not been followed up on for a number of years. The Planning Board was going to create a system to follow up on those projects. The thought was to have the Town Engineer and Building Inspector review sites approved within the last four to five years. Chair Gerome continued that there were incomplete projects that needed to be reviewed.

C. Hussey asked if the list of commercial site plans provided to the Board was complete and no one was omitted. Chair Gerome explained that the list was done by using previous Notices of Decision. D. Smith added that certain site plans have been approved and there has been a concern by the Planning Board that projects aren't being completed. Their concern was what happens after the project is approved by the Board, and how to deal with incomplete projects.

T. Phoenix agreed that was reasonable; however, there was a difference between a follow up procedure and choosing the projects it's based on. In most towns, the plans are approved and signed; an as built plan is done when the project is complete. T. Phoenix stated that the Building Inspector is normally charged with ensuring projects are completed as approved. Chair Gerome explained that since the previous Building Inspector passed away, there hasn't been any follow through. The feedback coming to the Planning Board questions why some projects aren't completed. No one was purposefully left off the list. C. Hussey stated it was the first time he'd heard of it being done on the Planning Board level; his biggest concern was the Truck Stop. In his opinion, they have not abided by any site plan approval, yet other projects had been chosen. Chair Gerome assured those present all projects would be reviewed.

T. Phoenix stated that having a project approved within the time frame and being on a list without their knowledge is a concern for property owners. Respecting the Planning Board's position, property owners should be informed if there's a problem. He questioned who made the decision that projects weren't

complete as approved. C. Hussey stated it was the Building Inspector's job; D. Smith stated it was the Board of Selectmen's responsibility. Chair Gerome added that R. Winsor has brought this up as a concern on numerous occasions. He continued that in the future property owners may be contacted to have their site reviewed by the Town Engineer and Building Inspector to make sure it's complete per site plan approval.

M. Sodini stated this was only a process; the Board of Selectmen are extremely weak in this area because they are not a land use board and look to the Planning Board for assistance. D. Smith added that they are starting with the most recent approved plans and go back. T. Phoenix requested they be contacted directly if there was a problem with their site plan.

2. Age Restricted Housing Revisions: Roads, Number of Bedrooms

The road revision discussion centered around roads in ARH developments becoming public rather than private. M. Sodini preferred a Town road, making it easier for emergency services. D. Smith added there is also the possibility of petitioning for it to become a Town road. Roads must be built to Town specifications.

C. Hussey suggested stormwater management be a road bond requirement for all developments (commercial and residential). Chair Gerome stated that it is done in subdivisions. Right now, there are no occupancy permits issued or bonds released without everything being complete per the Town Engineer.

Returning to ARH, D. Smith suggested one of the reasons this ordinance has not been used may be due to the private road requirement. If it was revised to "roads need to be built to Town specifications", the developer could decide it was a private road vs. public.

Sidewalks in an ARH setting were also discussed. D. Smith suggested it was context sensitive to where sidewalks were added; there is a rural setting as well as a downtown urban setting. The number of units and location would determine if sidewalks were appropriate in an ARH setting. Sidewalks to nowhere make no sense. M. Sodini suggested that if a development included a "center", there should be a way for residents to walk or bike there. It would create a community feel and possibly tie in with the current sidewalk system.

Chair Gerome asked to put forward the revision "roads need to be built to Town specifications" as a choice of either private or public.

The number of bedrooms as a requirement was suggested as two for ARH. C. Hussey felt it could be a problem with an extended family moving in with someone living in an ARH development. Chair Gerome stated that many 55 and older communities are allowing an extended stay of 120 days. The HOA would have to enforce the timeline.

Also brought up was Cottage Industry within an ARH development. Chair Gerome felt that anything in the ordinance would be allowed within the covenants. However, it would be the purview of the HOA.

3. Follow-Up Process for Approved Planning Board Projects

D. Smith felt the follow-up process was covered on the conditional approval worksheet. He continued that there is a disconnect with the role of the Building Inspector after site plan approval by the Planning Board. Residential developments are followed by the Town Engineer. As the arm of the Board of

Selectmen, the Building Inspector/Enforcement has the authority for follow through. Working with the Building Inspector on establishing a format to follow after site plan approval would help; D. Smith suggested a post construction meeting. Chair Jerome was concerned with the possibility of an expensive meeting with the attorneys, developers, etc., and the Building Inspector about something minor. D. Smith stated it would be dependent on the comfort level of the Building Inspector, keeping in mind that he can ask for assistance.

Asked who is responsible for any additional work that may be required as a result, D. Smith responded that it normally goes back to the owner. He continued that it was up to the applicant to ensure the project was being built to spec. A note could be added to the application indicating that the Town reserves the right to hire an outside consultant to ensure the project is completed as approved. It came back to the comfort level of the Building Inspector. Also discussed was adding a fee to the application or building permit. It was recommended that the Town Engineer be contacted for an approximate cost of a site inspection. After his review, his recommendations could go to the Board of Selectmen, or to the Planning Board for revocation as a last step.

D. Smith stated it was not a witch hunt but a way to ensure that projects are being built the way they were approved.

4. Dimensional Requirements: 4.3.1 – Explanatory Notes

D. Smith distributed a copy of the original proposed language compared to the existing language. The intent of the setback was not 30' to the Stratham town line. There has been concern about it being 30' from the Portsmouth line to the edge of Commercial A, specifically on Rt. 33 bringing buildings up to the edge of right-of-way. The idea was to change the dimensions of Rt. 33 to make it different and not like a two lane commercial strip. He requested members review both, and consider an amendment for next Town Meeting.

The existing language was discussed. Originally, there was a distinction between the 100' setback and the 30' setback. D. Smith's intent was to do 30' from the Portsmouth town line to the end of the Commercial A District (just beyond REP); from there to the Stratham town line, it would be 100'. The intent was to change the complexion of the commercial corridor.

Chair Jerome requested D. Smith rewrite and clarify Article 4.3.1, creating three sections. He further asked him to verbally describe the three districts with frontage.

5. Town Engineer Comments: Road Bond

"Line of Credit" will be changed to "Letter of Credit".

6. Planning Board Vacancy

There was no discussion regarding the vacancy.

7. Approval of Minutes: Thursday, April 17, 2014

MOTION: *M. Sodini moved to approve the minutes of Thursday, April 17, 2014. Second – S. Gerrato; all in favor. MOTION CARRIED*

8. Topics for the Public Hearing: Thursday, May 15, 2014

Topics for the May 15th meeting were reviewed.

9. Other Business

C. Hussey told the Board that he's recently had discussions with several engineers regarding mylars that had to be redone because they were incorrect. He suggested that a paper proof be required prior to approval of the mylar. The Board agreed that it was the engineer's decision.

S. Gerrato told the Board that a new position has been created at RPC to reduce traffic and pollution. The manager will try to get more people to car pool. The new position is funded 80% by the federal government and 20% by the State. If you would like to car pool, you would contact the manager and be matched with another car pooler. S. Gerrato asked M. Sodini to discuss a park and ride in Greenland with the Selectmen and suggested using the Town Hall parking lot.

C. Hussey recently attended a DES meeting. The Wetlands Bureau will be rewriting the wetlands permit application.

10. Adjournment

MOTION: *M. Sodini moved to adjourn at 8:32 p.m. Second – S. Gerrato; all in favor. Motion carried.*

NEXT MEETING

Thursday, May 15, 2014 – 7:00 p.m., Town Hall Conference Room, Public Hearing

Respectfully Submitted: Charlotte Hussey, Recording Secretary

Approved: Thursday, June 19, 2014