



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD MEETING

Thursday, October 05, 2023 – 6:30 p.m. – Town Hall Conference Room

Members Present: Phil Dion, John McDevitt, David Moore, Stephan Toth, Bob Dion, Steve Smith (Board of Selectmen's Rep)

Members Absent: Steve Gerrato, Frank Catapano (Alternate), Catie Medeiros (Alternate), Richard Winsor (Alternate), Stu Gerome (Alternate)

Staff Present: Mark Fougere

B. Dion opened the Planning Board meeting at 6:30 p.m. He announced a quorum was present and the meeting was being recorded.

1. Vice Chairman Position

MOTION: J. McDevitt nominated D. Moore as Vice Chairman, term to expire March 2024. Second – S. Smith; five in favor, one abstain (D. Moore). MOTION CARRIED

2. GACIT Meeting

B. Dion reminded members that there will be a Governor's Advisory Commission on Intermodal Transportation (GACIT) meeting held at Greenland School on Thursday October 19, 2023, at 7:00 pm. B. Dion would like the Board to attend, noting that the meeting scheduled for October 19th will be postponed until Thursday, October 26th. GACIT meetings were important; they would be discussing the priorities on the 10-year plan for transportation improvements. Greenland was just barely on the list and needed to be seen and heard.

3. Zoning Ordinance

Conservation Commission: Chip Hussey, Conservation Chairman, addressed the Board regarding minor changes to the Subdivision Regulations and Zoning Ordinance.

Subdivision Regulations: For the past several years the Conservation Commission has been monitoring conservation and open space properties for the Town. This year, they have noticed that granite monumentation (4x4 blocks) has been missing from most subdivisions. Referring to Subdivision Regulations Section IV – General Principles and Design and Construction Standards for Subdivisions, Subsection 4.4 – Design Standards, 4.4.14 – Monuments, the Conservation Commission recommended using frost pins rather than granite as boundary markers (copy on file). Granite markers are being removed by homeowners because the markers are in the way of mowing—a trimmer must be used. There are none on Cushman Way and they are sparse on Van Etten Drive and in Falls Way. C. Hussey

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recommended an 18" frost pin that would be flush with the ground and can be located with a metal detector.

Zoning Ordinance: Article XVIII: Wetlands Protection Ordinance, Section 18.8 – Wetland Buffers, Subsection 18.8.2 – Required Wetland Buffers, “Limited Cut” buffers found under the chart, C. Hussey requested an explanation of that statement. M. Fougere explained that area could not be clear cut. The Conservation Commission would like to amend that statement. Included in the packet given to the Board was a Guide to New Hampshire Timber Harvesting Laws. There is a Basal Area Law Map (RSA 227-J:9) that could be used. C. Hussey clarified that the first 25 feet into the buffer is grass not lawn; the limited cut buffer is further in. D. Moore thought the statement was confusing and may have been backwards. M. Fougere stated it was dependent on where the measurement started. The first 25 feet could not be touched.

Article XVIII: Wetlands Protection Ordinance, Section 18.8 – Wetland Buffers, Subsection 18.8.3 – Making of Buffer Zones Known, C. Hussey stated there is nothing in the Ordinance that states how to delineate the zone. The Conservation Commission suggested a survey stake in the ground. Most lots start with 200 feet of frontage and do not usually get larger; three stakes would be needed. C. Hussey showed the Board the marker that is currently being used. The stakes would delineate the zone.

Article XVIII: Wetlands Protection Ordinance, Section 18.10 – Special Exceptions Granted by the Zoning Board of Adjustment for Residential Uses, the Conservation Commission would like to delete ‘Residential Uses’ and replace with ‘All Wetlands’. Disturbances equal to or greater than 3,000 square feet would require a Special Exception from the ZBA.

Conservation Signage: There was a discussion about the conservation signage; C. Hussey showed the Board what is currently used. Rockingham Conservation Commission uses a plain white embossed sign; no ink is used. P. Dion had signs made at Timberland Signs at the end of Breakfast Hill Road. He was told it would be 10 years before the color would fade and they were made from PVC. C. Hussey added that the Conservation Commission had signs 100 feet apart rather than 50 feet.

Development Issues: C. Hussey noted that in the development next to his property, erosion control was not installed until construction had started and foundations were in. He complained and it was several weeks later before anything was done. Buffers next to the river that should have been in before work started were put in after the work was done; there was no signage. Work hours were also an issue; subcontractors were not notified of the work hours. C. Hussey stated he notified the Building Inspector, and nothing was done; he was not happy with the Building Inspector. M. Fougere noted there are pre-construction meetings with the Town Engineer and contractor. C. Hussey recommended signage noting no deliveries and no construction before 7:00 am or after 7:00 pm. D. Moore commented that the site plan is not being followed. B. Dion added it was clearly noted on the site plan but not being followed by the people running the job; the developer may not be informing the builder. There are cases where the developer is flipping the lots and not informing the builder. M. Fougere noted it was the developer's responsibility to manage everybody on those sites.

4. 2024 Budget

The Board discussed the budget to be submitted for 2024. The following will be submitted:

- Supplies: \$500 (decreased from \$800)
- Postage: -0-
- Planner – Contracted: \$25,000 (increased hourly rate to \$95)

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- Advertising: -0-
- Consultants: \$2,500 (increased from \$1,000)

MOTION: D. Moore moved to submit the 2024 budget as discussed. Second – S. Toth; all in favor.
MOTION CARRIED

5. CIP

The Board discussed the Capital Improvement Plan and updated the chart prepared by M. Fougere. The dates have been extended to 2029.

Town:

- Debt - Road Bond for Caswell/Dearborn: will be paid in 2024
- General Road Maintenance Capital Reserve: \$200,000 added for 2024 through 2029
- Town Equipment Capital Reserve: \$7,500 added for 2024 through 2029
- Fire Station Capital Reserve: \$200,000 added in 2024; \$250,000 in 2025; \$300,000 in 2026 through 2029; it was noted that the Town Hall was not on the list
- Fire Department New Fire Truck: \$250,000 in 2024; \$250,000 in 2026
- Police Station Maintenance – Roof: Nothing added
- Police Equipment CRF – Body Cameras: Deleted money but left line
- Transfer Station CRF – Nothing added
- Conservation Land CRF (Smith Farm: \$200,000): Nothing added

School:

- Sealcoating: \$20,000 in 2025; \$24,000 in 2027
- Windows: Copy of estimate and more information has been requested; \$45,000 in 2025 as placeholder
- Doors: Copy of estimate and more information has been requested; \$39,000 added as placeholder
- HVAC: Were ventilation system funds received during COVID? Explanation requested; \$200,000 added as placeholder

B. Dion noted the Planning Board had the option not to recommend any funds and have them do a better job with planning and explanations to be reviewed next year.

6. Zoning Ordinance (continued)

School Enrollment: High School enrollment is down five students from last year; Greenland School enrollment remains at 371.

Subdivision Regulations: M. Fougere amended the Subdivision Regulations Section IV, Subsection 4.4.7 – Performance and Maintenance Security, so a bond is not required when construction is started. The Town will be in compliance but does not protect the Town. The Building Inspector may have to be more visible on site. M. Fougere has sent it to the Town Attorney for review. Once approved, a public hearing will be held. A copy is on file.

Town Center Zone: M. Fougere explained that public hearings would be needed. B. Dion reviewed his suggested changes.

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- Town Center Zone: Start at the intersection of Rt. 33 and Portsmouth Avenue, continuing to the Winnicut River Bridge. From the intersection of Rt. 33 and Portsmouth Avenue to end of Remembrance Park on Post Road. From the intersection of Post Road and Portsmouth Avenue to Rt. 33. Lots on either side would be included in the Town Center Zone.
- Signage: Add to 'Routine maintenance of a sign is required to make sure signs are in good condition' *and remain visible*. B. Dion did not want signs to be overgrown by foliage. S. Smith added they should not be in the State right-of-way.

Responding to B. Dion's question, S. Toth suggested waiting until next year so the proposal could be reviewed further. It seemed like a 'pretty big lift' to have done in time for December. Having the extra time will give the Board the flexibility to make sure all the information is correct. D. Moore noted it has been in process for years. J. McDevitt added that the Board has reviewed it many times. B. Dion asked the Board to review the proposed Town Center Zone for the November 2nd meeting.

Accessory Dwelling Units: At the August 3rd work session, the Board discussed a change to the ADU requirements: *1,200 square feet but no more than 40% of the principal, whichever is greater. This will allow detached ADU's, which are currently not allowed.* M. Fougere clarified that a detached ADU would be allowed on the standard lot size. This was continued to the November 2nd work session.

Electric Vehicle Ordinance: S. Toth and B. Dion have discussed the proposed ordinance. S. Toth will be presenting a revised version of the ordinance at the next work session. It will be heavily amended and reduced in scope. M. Fougere noted this would become part of the Regulations and would not be on the same timeframe as an Ordinance.

7. Approval of Minutes

MOTION: D. Moore moved to approve the minutes of Thursday, September 21, 2023. Second – P. Dion; five in favor, one abstain (J. McDevitt). MOTION CARRIED

8. Consent Agenda

- Escrow - Altus Engineering: **\$692**
 - 410 Portsmouth Avenue
- Escrow – Fougere Planning & Development: **\$420**
 - Tower Place (Summerwind) - \$140
 - Dearborn Woods - \$280
- Town Budget - Fougere Planning & Development: **\$824.70**

MOTION: D. Moore moved to approve the Consent Agenda as presented. Second – J. McDevitt; all in favor. MOTION CARRIED

9. Topics for the Public Hearing

- **Continued Public Hearing** (This application was continued due to notification error)
Design Review
125 Dearborn Road (Map R12, 12: Residential Zone)
Applicant: Jay Lajeunesse - Dearborn Woods, LLC

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Owner of Record: Donna Martel, Trustee – Martel Realty Trust

The owner and applicant propose to subdivide approximately 22.12 acres into a 13-lot subdivision. This will be a conventional subdivision with 11 single family homes and two duplex lots. The proposed road will be off Dearborn Road.

- **New**

Site Plan Review

150 Bayside Road (Map R17, 21: Residential Zone)

Owners/Applicants: Peter Endres & Claudia Bartolini – Bird Dog Cider Co. & Bird Dog Farm

The owners and applicants are proposing a small tasting room which would be open to small parties and events as well as infrequent larger events. Agritourism events are also proposed.

10. Other Business

REP: M. Fougere updated the Board that he met with representatives of REP. The driveway location needs to be altered according to DOT specs. They will need to go to the Conservation Commission due to wetlands and then back before the Planning Board. M. Fougere noted it has been rezoned Commercial; it is not residentially zoned.

Cell Tower: There will be an application for a new cell tower across from Target and Lowe's. They will be going to the ZBA first for a Special Exception.

Granite Posts: S. Toth questioned if there would be anything about the Town not being responsible for granite posts that were knocked down. M. Fougere will contact the Attorney Somers; he did not think it was zoning but rather a Town Ordinance.

Rye Development: J. McDevitt stated that Green and Company had been to the Rye Planning Board about the development off Breakfast Hill Road across from the Bethany Church. M. Fougere recently met with someone from Green and Company; there were sewer and water issues. The individual J. McDevitt spoke to told him that because of Greenland's ordinance, high density housing will be done in Greenland.

529 Portsmouth Avenue: M. Fougere updated the Board that the owner was going to reapply to the State to subdivide the property into two condos. The owner thinks he may be able to reduce the footprint and the number of bedrooms. The State would not approve the condominium; they will approve a duplex/apartment but not a condo; it is the exact same thing. B. Dion noted that different people would own the condos and that would bring the septic system into play. M. Fougere added that if reducing the footprint is approved, the owner will be back to the Planning Board with a condominium.

11. Adjournment

MOTION: J. McDevitt moved to adjourn at 8:30 p.m. Second – D. Moore; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, October 26, 2023 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant