



**PLANNING BOARD**  
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**MINUTES OF THE PLANNING BOARD**

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Thursday, July 02, 2020 – 6:30 p.m. – Virtual via Zoom

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

*Staff:* Mark Fougere - Consultant

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Chair McDevitt opened the Planning Board work session at 6:32 p.m. A roll call was taken by the 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 Chair McDevitt.

Attendance of Planning Board members was taken by roll call: F. Catapano – aye; S. Gerome – aye; S. Gerrato – aye; J. McDevitt – aye; C. Medeiros – aye; D. Moore – aye; B. Dion – aye; S. Smith – aye.

1. Review – Master Plan: Community Facilities Chapter

M. Fougere reviewed the Community Facilities Chapter of the Master Plan with the Board. B. Dion was concerned about the schools and not knowing how they will re-open, if they re-open, after COVID-19. Will they need to make changes and how will that affect the Town. M. Fougere responded that would be an issue; however, the Master Plan typically deals with capital needs that may have to be dealt with over the next ten years.

Transportation will be the next chapter. M. Fougere has had a discussion with Dave Walker, Rockingham Planning Commission; his email was forwarded to the Board. The email was an outline about the next steps to improvements on Rt. 33. M. Fougere recommended engaging with RPC even though it would be the “longest and most tortuous route possible”. The Town would not have to stay on that track, but M. Fougere felt it would be wise. He was hoping that by strategizing it could be done sooner. The Town has a good purpose statement and there is a need based on the analysis done by the traffic engineer. There is community support based on the Master Plan survey. One of the biggest concerns was overwhelmingly Rt. 33. M. Fougere would like to get the Board of Selectmen involved.

Chair McDevitt suggested contacting PDA about matching funds. M. Fougere stated the City of Portsmouth could also be contacted. When the large industrial building at Pease was approved last year, it was the shell. They will have to go back to the City of Portsmouth Planning Board to have anyone occupy that building; that may be the time to apply pressure. F. Catapano offered to talk to a member of their Board to try and arrange a meeting. He was told that by federal law the PDA cannot spend any money outside of Pease. M. Fougere stated there are ways to get around that (example: if the large company were to provide financial assistance, the PDA could offer relief on their rent). Chair McDevitt stated that approaching the PDA would be the best option.

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S. Gerrato stated that DOT may be polite, but they do not listen to the RPC. He thought talking to DOT would be a good idea. M. Fougere stated a broad number of people would need to be consulted and involved, including senators, PDA, and the City of Portsmouth. Greenland will need to exert its rights as an abutter to a major development. M. Fougere agreed with F. Catapano: he would much rather have a reasonable discussion.

S. Gerrato reviewed his email with the Board and explained how the use of lanes to move traffic in the morning and at night would work. The object was to slow down the traffic. Chair McDevitt stated that the bigger issue would be realigning Winnicut Road and Bayside Road. S. Gerrato stated it would be “small” money if it worked. They would never spend \$500,000 to move traffic. S. Gerome noted it was not safe to move the traffic like that; the left turn lane was needed. There was a discussion on the number of lanes on the Winnicut River bridge. S. Gerrato would like DOT’s opinion if it can be done safely. Chair McDevitt agreed DOT needed to be involved.

M. Fougere stated that the Transportation section would be the biggest chapter. The remaining chapters will be smaller; existing land use and a future land use maps can be added.

### 2. 2021 Zoning Updates

M. Fougere stated the following were priorities: drafting a Mandatory Open Space Ordinance for discussion and a Work Force Housing Ordinance needed to be added to deal with non-multi families in Town. Chair McDevitt added the language needs to be tightened up in the Age Restricted Housing Ordinance regarding the Planning Board’s sole authority in allowing it and the criteria the sole authority is based on. Chair McDevitt also suggested reviewing the Open Space Conservation Subdivision Ordinance to tighten up some of that language and the Board’s ability to approve or deny those developments.

Mandatory Open Space Ordinance (Article XXVI): M. Fougere’s notes from previous meetings indicated “anyone applying for a major subdivision is to provide a cluster analysis. The Board could look at two analyses in the preliminary phase and make a decision which plan they preferred.” It would be either a standard subdivision or a cluster; there would be no third option if they wanted to develop the property. S. Gerome did not want to force anyone to spend more money to do different configurations. He also did not want to take traditional subdivisions off the table. D. Moore commented that things needed to be tightened up so people do not abuse leniency of the Board for conservation subdivisions. S. Gerome noted that has been done and there is no incentive; everything was removed. M. Fougere noted that to do any subdivision, a basic analysis would have to be done: location of the wetlands, topo, boundary survey, etc. Rather than doing one layout, two would have to be done. S. Gerrato stated that M. Fougere should have the authority to show the applicant what needs to be done before coming before the Board. M. Fougere responded those decisions should be made by the Board; Chair McDevitt agreed. S. Gerrato clarified that M. Fougere would not be making decisions but advising the applicant. It was noted by Chair McDevitt that is what M. Fougere does now.

Age Restricted Housing (Article XIX): Chair McDevitt read a portion of Section 19.3 – General Standards, Item C – Uses, into the record. S. Gerome felt the language allowed the Board a lot of latitude. M. Fougere felt there were a few “tweaks” that could be added for clarification purposes (example: how an existing home on the property integrates). Chair McDevitt’s concern was based on the number of current age restricted housing developments in Town, which is open for interpretation. S. Gerome clarified it was not the number of developments but the number of units. Chair McDevitt did not want to leave it too advantageous for too many age restricted housing units. S. Gerome asked M. Fougere to

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research the federal data for that type of information for a town of 3,000. How many units were reasonable? When the threshold is reached, the Board has the ability to not allow more units.

F. Catapano stated that the baby boomers were driving age restricted housing. He was concerned that at some point age restricted housing may not be in demand. The number of units could outweigh the need. Was it possible to re-permit a development to non-age restricted or change its use? The response was “no”. S. Gerome added that could open the discussion to limit the number. M. Fougere stated it was reasonable to have a limit. There is no requirement for age restricted housing and is not mandatory. If the Board removed the ordinance, the Town would not be in violation of any HUD standard. It is not included in the State’s diversity of housing stock.

Work Force Housing: There was a brief discussion about affordable housing. M. Fougere has not been able to reach Packard Development. He did speak to the engineer involved with large warehousing on Ocean Road regarding the RCIM Overlay District.

### 3. Approval of Minutes

MOTION: S. Gerrato moved to approve the minutes of Thursday, June 18, 2020. Second – F. Catapano; roll call vote: F. Catapano – yes, S. Gerome – yes, S. Gerrato – yes, J. McDevitt – yes, C. Medeiros – yes, D. Moore – abstain, B. Dion – yes, S. Smith – yes. 7 in favor, 1 abstain (D. Moore); MOTION CARRIED

### 4. Approval of Invoices

MOTION: F. Catapano moved to approve the invoice from Fougere Planning & Development in the amount of \$1,256.25 from the Planning Board Town Budget. Second – S. Gerome; roll call vote: F. Catapano – yes, S. Gerome – yes, S. Gerrato – yes, J. McDevitt – yes, C. Medeiros – yes, D. Moore – abstain, S. Smith – yes. All in favor; MOTION CARRIED

### 5. Items for the Next Meeting

M. Fougere will reach out to the engineer for 177 Winnicut Road. The Planning Board Engineer has written a letter regarding his review of 2A Osprey Cove. There was nothing major in the review; there were a few things they needed to look into. The meeting on Thursday, July 16, 2020 will be virtual via Zoom; M. Fougere will be away.

### 6. Other Business

There was a discussion about meeting at the Town Hall. The Town’s Emergency Management Director is allowing the conference room to be used for meetings at 50% capacity (15 people). Board members and any attendees must wear masks and social distance and the room must be disinfected after the meeting. Members felt Zoom meetings may be best for public hearings. Work sessions would probably work in the Town Hall. Chair McDevitt felt it was important for the Board to meet in person and he would make that call. He was inclined to leave the public hearings as Zoom meetings for now. The Board discussed the option of using a larger venue; Chair McDevitt stated the School was not available.

There was a discussion that a new Town Attorney would be needed in the not-so-distant future. Chair McDevitt felt it was important for the Planning Board, ZBA and Selectmen have equal input. On the Planning Board and ZBA side, the attorney would need to be well-versed in land use. There are different issues for the Selectmen.

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Zoning books are ready to be picked up.

### 7. Adjournment

MOTION: S. Gerrato moved to adjourn at 7:24 p.m. Second – S. Smith; roll call vote: F. Catapano – yes, S. Gerome – yes, S. Gerrato – yes, J. McDevitt – yes, C. Medeiros – yes, D. Moore – yes, S. Smith – yes. All in favor; MOTION CARRIED

NEXT MEETING
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Thursday, July 16, 2020 – Virtual via Zoom, Time to be Announced

Submitted By – Charlotte Hussey, Administrative Assistant