



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD

Thursday, September 03, 2020 – 6:30 p.m. – Virtual via Zoom

Members Present: Frank Catapano, Stu Gerome, Steve Gerrato, John McDevitt, Bob Dion (Alternate)

Members Absent: David Moore, Catie Medeiros, Steve Smith (Selectmen's Rep)

Staff: Mark Fougere - Consultant

Chair McDevitt opened the Planning Board public hearing 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 – muted; J. McDevitt – aye; B. Dion – aye. Note: S. Gerrato was present via phone, but muted.

1. Master Plan Transportation Chapter

The Board reviewed the revised Transportation Chapter for the Master Plan based on comments from the meeting on Thursday, August 20, 2020. M. Fougere has submitted applications for the Rt. 33 corridor and Winnicut Road intersection to RPC for the 10-year plan.

Chair McDevitt, referring to the pavement assessment done in 2016, would like to see fairly strong language included stating that the Town needs to follow through; it was critical. The Selectmen and Budget Committee need to allocate the funds to keep the Town roads upgraded. M. Fougere responded it is included in the report under the recommendation section but will make the language stronger.

B. Dion noted that the document was well-written but felt the formatting could be improved. B. Dion also stated that the corner of Portsmouth Avenue and Tuttle Lane is mentioned once and that the intersection was terrible; there should be stronger mention of that intersection. S. Gerome stated that intersection would not meet the light requirements. B. Dion suggested RPC include that area in their study and make recommendations. The recommended corridor study was from Winnicut Road (Greenland) to Sandy Point Road (Stratham); B. Dion suggested it be expanded to Portsmouth Avenue (Greenland) by the Post Office. S. Gerome stated there were too many entrances on a high-speed road and it was a dangerous section.

M. Fougere stated that he will add B. Dion's concerns about the Portsmouth Avenue/Tuttle Lane intersection to the RPC report as well as request that the corridor study be expanded to include that intersection. RPC will be doing some intersection analysis for the Town.

Chair McDevitt designated B. Dion, alternate, as a voting member of the Board.

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MOTION: S. Gerome moved to approve the Transportation Chapter of the Master Plan as amended. Second – B. Dion; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – muted; J. McDevitt – yes; B. Dion – yes. Four in favor, one muted (S. Gerrato). MOTION CARRIED

2. Mandatory Open-Space Ordinance (Article XXVI)

M. Fougere reviewed the changes to the ordinance with the Board. The consensus from a previous meeting was that the Board wanted to have flexibility to require an Open-Space Conservation Subdivision development on a case-by-case basis, rather than a mandatory open space requirement. M. Fougere explained the purpose of the revision was to prevent an applicant from subdividing land one lot at a time, eventually resulting in a development with a number of houses.

S. Gerrato joined the meeting via Zoom

F. Catapano was concerned about the language for the minor subdivision; the major subdivision language was not an issue. S. Gerome suggested tabling further discussion. M. Fougere reviewed the process and timeline for zoning amendment public hearings.

Laura Byergo, Caswell Drive: L. Byergo, referring to the language in Section 26.1.A, stated if there was a Planning Board that does not care about the conservation areas, there was not much that made them adhere to that section. She suggested a reference be made to the identified wildlife corridors in Town, especially to protect the major ones.

L. Byergo also questioned Section 26.3.2: She discussed her concerns with the Board regarding areas functioning as a habitat. M. Fougere explained this was the existing ordinance, verbatim; the language has been on the books for 10 years. Section 26.3.3: M. Fougere noted that the Zoning Ordinance could not dictate current use (as mentioned in the existing ordinance). The proposed revision removes any reference to current use taxation.

L. Byergo suggested that Greenland be more specific as it is being strategic, identifying and specifically naming the areas in Town that are being highlighted to have protection as mentioned in Section 26.1.A. Maps should be used to identify the wildlife corridors. L. Byergo will email the maps to M. Fougere as well as note information he may find useful in the database.

S. Gerrato stated the moving forward in Greenland, protecting the wetlands is extremely important. F. Catapano noted this ordinance has been developed over time; the Board has done a good job protecting the open space. M. Fougere recommended the Board review the proposed amendments to Article XXVI, noting the revisions that have been suggested throughout.

MOTION: S. Gerrato moved to table further discussion of Article XXVI – Mandatory Open-Space Ordinance - to the work session on Thursday, October 01, 2020. Second – F. Catapano; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; B. Dion – yes. All in favor. MOTION CARRIED

3. Age Restricted Housing (Article XIX)

M. Fougere stated recommendations are based on issues that have occurred over the past year. (1) Does the Board want to 'loosen up' who can live in an adult community? The definitions would change: one person would be required to be 55 or older. (2) If a resident has children over the age of 20, should

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they be allowed to live with their parents as long as they are not attending public school? (3) Should caregivers be allowed to reside within an adult community?

M. Fougere also suggested clarifying the density section to include: existing homes deemed out of character and unrelated to the proposed development be subdivided and separated from the proposed project.

F. Catapano noted that normally in an adult community, it is percentage based on how many individuals under the age of 55 can live there. S. Gerome suggested limiting the number of under age 55 individuals living in a residence. He also noted there is a federal mandate for age restricted housing that should be researched. M. Fougere stated that according to the statute, an 85/15 split could be done; Greenland is currently 100%.

Chair McDevitt was concerned the Planning Board was writing the Homeowners Association's ordinance. The Planning Board needed to have restrictions, but there were issues that should be considered; Chair McDevitt described several different scenarios. F. Catapano stated that people moved into an over 55 development because they wanted to be in an active adult community; it would not be an active adult community if kids were allowed to live there. He wanted the Board to be careful that the adult community remained an adult community.

MOTION: F. Catapano moved to table further discussion of Article XIX – Age-Restricted Housing Ordinance - to the work session on Thursday, October 01, 2020. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; B. Dion – yes. All in favor. MOTION CARRIED

4. Work Force Housing

MOTION: S. Gerrato moved to table further discussion of Work Force Housing to the work session on Thursday, October 01, 2020. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; B. Dion – yes. All in favor. MOTION CARRIED

5. Approval of Minutes

MOTION: F. Catapano moved to approve the minutes of Thursday, August 20, 2020. Second – S. Gerome; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – abstain; B. Dion – abstain. Three in favor, two abstain (J. McDevitt, B. Dion). MOTION CARRIED

6. Approval of Invoices

MOTION: MOTION: F. Catapano moved approve payment of the invoice to Fougere Planning & Development in the amount of \$993.75 from the Town Budget. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; B. Dion – yes. All in favor. MOTION CARRIED

7. Other Business

2021 Budget: The budget for 2021 was reviewed. As of August 30, 2020, the Planning Board had spent \$8,787.05, or 25.62%, of its 2020 budget. F. Catapano noted there was a gap in meetings due to COVID-19. M. Fougere requested an increase in his hourly rate from \$75 to \$85; the increase will not affect that line.

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MOTION: S. Gerrato moved to approve the increase in the Planning Board Consultant's hourly rate from \$75 to \$85. Second – F. Catapano; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; B. Dion – yes. All in favor. MOTION CARRIED

MOTION: F. Catapano moved to keep the 2021 Planning Board budget the same at \$34,300. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; B. Dion – yes. All in favor. MOTION CARRIED

Wetlands: S. Gerrato discussed wetlands and building a house with a driveway in the wetlands. M. Fougere stated that if it is lot of record, there are provisions in the Ordinance. S. Gerome stated there are sections in the Ordinance the Board needs to review and redefine (example: there are wetlands in Greenland that need to be redefined as hydric soils—they are not wetlands). M. Fougere explained that Greenland's definition is the State's definition: in order to be a wetland, it must have soils and plants as one of the criteria. Hydric soil by itself should not be classified as wetlands.

Planning Board Chairman: Chair McDevitt discussed the need to step down as Planning Board Chairman; he plans to remain a member of the Board. B. Dion stated that in his time on the Board, Chair McDevitt has done a superb job. S. Gerrato stated he would like to remain as Vice Chair. After a brief discussion, S. Gerome was nominated as Chair.

MOTION: F. Catapano moved to nominate S. Gerome as Chairman.

Discussion: S. Gerome preferred to act as Co-Chairman with S. Gerrato, giving him a chance to chair meetings. S. Gerome would handle any of the administrative tasks. M. Fougere did not think it would be an issue; however, the Planning Board Rules and Procedures may need to be amended and a public hearing held. There was no statutory prohibition. Chair McDevitt was concerned with any conflict of interest that may occur with S. Gerrato and a ZBA applicant coming to the Planning Board (S. Gerrato is also a member of the ZBA). S. Gerrato assured him that he would recuse himself in that situation. B. Dion suggested that each Co-Chair position be defined with specific responsibilities.

F. Catapano withdrew his motion. M. Fougere will research further and draft appropriate language for review at the meeting on Thursday, September 17, 2020; a public hearing can be held during the work session on Thursday, October 01, 2020.

8. Topics for Public Hearing: Thursday, September 17, 2020

Topics for the public hearing on Thursday, September 17, 2020 were reviewed.

9. Adjournment

MOTION: S. Gerome moved to adjourn at 7:48 p.m. Second – S. Gerrato; roll call vote: F. Catapano – yes; S. Gerome – yes; S. Gerrato – yes; J. McDevitt – yes; B. Dion – yes. All in favor. MOTION CARRIED

NEXT MEETING

Thursday, September 17, 2020 – Public Hearing, 6:30 p.m., Virtual via Zoom

Submitted By: Charlotte Hussey, Administrative Assistant