



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD

Thursday, December 02, 2021 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bob Dion, Steve Gerrato, Catie Medeiros, Steve Smith (Selectmen's Rep)

Members Absent: Stu Gerome, John McDevitt, Dave Moore, Frank Catapano (Alternate)

Staff: Mark Fougere – Consultant

Co-Chair Gerrato opened the Planning Board public hearing at 6:30 p.m. A roll call was taken by S. Gerrato; he announced a quorum was present and the meeting was being recorded by audio.

1. Updates: Zoning Ordinance, Subdivision Regulations and Site Plan Review Regulations

M. Fougere prepared three drafts for proposed Ordinance changes based on previous Planning Board discussions (copy on file). He reviewed those changes with the Board.

- Amend the Table of Uses to allow multi-family use in the Commercial A District by Conditional Use Permit through the Planning Board rather than a Special Exception through the ZBA.
- Amend Article XIX – Age Restricted Housing, Section 19.1 – Purpose: Encourage ARH cluster developments which includes affordable units. Amend Article XIX – Age Restricted Housing, Section 19.3 – General Standards, adding new Item 'U': 20% of the dwelling unit density shall be set aside as affordable. See draft for complete verbiage for Article XIX proposed amendments.
- Add new Article XXX – Impact Fees: See draft complete verbiage.

M. Fougere noted that Impact Fees could be applied to the Library now. The school debt is finished next year. It could be a risk applying Impact Fees to the Fire Department: if the money is not spent within six years, it has to be returned. The proposed Ordinance covers any major municipal or school capital project: roads, town hall, fire, library, etc. Sewer and water are not included in the proposed Ordinance but can be added.

Responding to S. Gerrato, M. Fougere stated additional staff would not need to be hired. M. Fougere spoke with TA Scruton earlier in the day. At the Planning Board or building permit stage, an impact fee would be assessed. When an occupancy permit is ready to be issued for a home or business, the impact fee would be due. The occupancy permit is not issued until the fee is paid. The fee will be deposited into an established impact fee account, separate from the general fund. If collecting multiple fees, each will be kept in a subaccount. Money will be used to pay down the debt; how often would be determined by the Treasurer. A financial report for the impact fees must be included in the annual Town Report.

B. Dion suggested that decisions be tabled until better representation of the Board is present.

DRAFT: SUBJECT TO CHANGE

MOTION: B. Dion moved continue further discussion of the proposed Ordinance changes until the meeting on Thursday, December 16, 2021. Second – S. Smith; all in favor. MOTION CARRIED

2. Village Zone Update

The Village Zone will not be moving forward this year.

3. Approval of Minutes

MOTION: S. Smith moved to continue approval of the minutes from Thursday, November 18, 2021, to the next meeting on Thursday, December 16, 2021. Second – B. Dion; all in favor. MOTION CARRIED

4. Approval of Invoices

MOTION: B. Dion moved to approve payment of the invoice from Fougere Planning and Development in the amount of \$1,752.89 from the Planning Board Town budget. Second – C. Medeiros; all in favor. MOTION CARRIED

MOTION: S. Smith moved to approve payment of the invoice from Altus Engineering in the amount of \$1,994.10 from the Planning Board Escrow Account. Second – C. Medeiros; all in favor. MOTION CARRIED

5. Topics for the Public Hearing

- 529 Portsmouth Avenue – Converting a duplex into a condex: M. Fougere updated the Board that the applicant has requested a continuance to the January 2022 public hearing.
- 309 Portsmouth Avenue – Car dealership parking display area: M. Fougere thought the car dealership would not be ready for the December meeting.
- 597 & 603 Portsmouth Avenue – Two story commercial building: M. Fougere thought this project would not be ready for the December meeting. The list from Altus Engineering was extensive.
- Tower Place – Age-restricted development: Abutters were noticed; this is a formal application.
- 150 Bayside Road: Proposing a Cottage Industry that involves the production and retail sales of packaged alcoholic hard apple cider.

6. Other Business

Tower Place: There was a discussion about the location of the public hearing on Thursday, December 16th due to the Tower Place application. The Planning Board did not decide to change the location; the meeting was noticed for the Town Hall. B. Dion noted that with the chatter on Facebook about Tower Place, there could be 40 to 50 people and they would not fit in the room. M. Fougere commented that people like to chatter on the computer but may not attend the meeting. After a brief discussion, the Board agreed to move 150 Bayside Road up on the agenda.

11 Sunnyside Drive: The Building Inspector provided a letter to the Board updating them on 11 Sunnyside Drive.

DRAFT: SUBJECT TO CHANGE

Wetlands: S. Gerrato has been on the Planning Board for 14 years. The State has said they own the water under the land and the Selectmen are responsible for clean water for residents. The Board of Selectmen appoint members of the Conservation Commission. The Conservation Commission does a very good job protecting the wells. S. Gerrato suggested doing a warrant article to take the ability to approve wetlands from the Planning Board and give that responsibility to the Conservation Commission to protect the wetlands. The Conservation Commission should have it; they work for the Selectmen. That is the only way the Town is going to get clean water through the wetlands.

S. Gerrato asked Paul Sanderson, 24 Osprey Cove, for his opinion. P. Sanderson responded that the only power towns had was given to them by State statute. Unless there was a statute that gave the power S. Gerrato wanted to move over, then it could not be done. P. Sanderson suggested that S. Gerrato look at the statute regulating the Conservation Commission for their power to handle regulatory issues for wetlands. If a developer has to apply for a State wetland permit through NHDES, a notice will go to the Conservation Commission. The Conservation Commission may comment to DES on every pending wetland application. State law already accomplishes what S. Gerrato is trying to do.

NH Fish & Game Letter: S. Smith stated that NH Fish & Game has identified a need to provide a public access boat ramp to Great Bay in Greenland. The ramp would be located at the end of Emery Lane on Great Bay; engineering studies are being done. S. Smith and M. Fougere received a letter regarding public access to Great Bay that included a long list of questions; they will respond and answer. S. Smith continued this is part of the entire Fish & Game project that is being done on the Emery property. Corey Riley, NH Fish and Game, discussed the project with the Board of Selectmen several months ago and will be coming to a Planning Board meeting after the first of the year. P. Sanderson noted that with the tides, it will probably be non-motorized boat access.

Rt. 33: It was B. Dion's understanding that NHDOT is planning to redo the stretch from Winnicut Road to the former Great Bay Community College in Stratham in either 2022 or 2023. From the Winnicut River Bridge to Post Road needs additional discussion. When S. Gerrato and S. Smith attended the GACIT meeting, there was a request it be included in the 2023 10-year plan. M. Fougere responded that an answer was not given at the meeting; it was an informational gathering. S. Smith stated it was in the scope of the DOT projects. He did not guarantee it was in the plans but it was in their neighborhood. B. Dion noted it was not included in the plans. He questioned how to get the road between Bayside Road/Winnicut Road and Post Road on the list. M. Fougere clarified he was talking about the lights, the intersection, and the bridge. M. Fougere continued that based on the Town's submittal in the 10-year plan, it is in queue as a project that is desperately needed. The submittal was based on the traffic study that was done and the design done by the Rockingham Planning Commission. M. Fougere suggested keeping the pressure on by contacting Greenland's NH State Senator and NH State Representative. M. Fougere can call RPC to 'push it up the hill'. Responding to B. Dion, M. Fougere stated the documents have been filed; Greenland is competing with every other town and city in the area for money. Fixing the light and the bridge are relatively new; the bridge is the lynchpin and was discovered by the corridor study done by the Planning Board due to Lonza. B. Dion felt there was new urgency to the situation because the State has received money through the Infrastructure Plan. The DOT Commissioner stated there were opportunities to take things that were separated before and combine them and get more done due to the extra funding. M. Fougere commented that Greenland has been a doormat for Portsmouth and Pease keeps getting bigger and bigger. M. Fougere will report back to the Board in two weeks. B. Dion stated it was important that there is not a choke point between Post Road and Winnicut Road. S. Gerrato requested they be asked about the possibility of an engineering study be done for two lanes across the bridge in the morning and switch to two lanes going the other way. S. Smith stated they are looking at four lanes plus a bike lane. He added that more importantly they are looking to extend water across the bridge for fire protection.

DRAFT: SUBJECT TO CHANGE

M. Fougere noted that a letter was received from Fish & Games that they are reinterested in the fish ladder which is part of the whole project. They support correcting that and having the fish ladder be part of the project. B. Dion explained the fish ladder allows fish to swim upstream.

7. Adjournment

MOTION: B. Dion moved to adjourn at 7:16 p.m. Second – S. Smith; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, December 16, 2021 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant