



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD

Thursday, April 07, 2022 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bob Dion, Stu Gerome, Steve Gerrato, John McDevitt, Dave Moore, Richard Winsor (Selectmen's Rep), Frank Catapano (Alternate)

Members Absent: Catie Medeiros

Staff: Mark Fougere – Consultant

Also Present: Attorney Bob Ducharme, Greenland Meadows Homeowners Association; Alberta Cunha – President, Greenland Meadows Homeowners Association

Chair Moore opened the Planning Board work session at 6:30 p.m. A roll call was taken and it was announced a quorum was present and the meeting was being recorded.

1. Van Etten Drive Homeowners Association

Attorney Ducharme addressed the Board regarding the Notice of Violation/Cease and Desist Order that was issued to the Greenland Meadows Homeowners Association. Also present was Alberta Cunha, President of the Greenland Meadows Homeowners Association. Attorney Ducharme stated the owners have done some research over the last month and have some suggestions for the recreational area, which includes volleyball nets and soccer nets. Owners were not interested in a community pool.

The area not been a draw for people. The barbecue pits have not been used. A. Cunha stated that residents felt a walking path would be nice. She added that the swing set was not used because it was too far away from homes. It was not new and was infested with bees and rotted. The swing set became a liability issue with others using it. The HOA did not realize they needed permission to remove the swing set.

Attorney Ducharme noted that he could not find a definition of 'recreation' and felt it was open-ended. They were also unaware of discussions with the developer. Another swing set would not be used. They would rather do something that would be used (example: portable soccer nets).

M. Fougere noted that the swing set was brand new. He saw it being installed, as did the Building Inspector. The Planning Board spent a lot of time negotiating with the builder: the approved plan had a specific swing set that was spec'd out. The developer could not find that particular swing set so another was approved by the Board. J. McDevitt commented that the recreation area was a requirement for the density bonus the developer received. He added that there were two homes that would not be there without the recreational area. R. Winsor noted that the developer suggested the swing set. Attorney Ducharme stated that they did not want to put anything permanent in the recreation area; the use could change in the future.

D. Moore stated that several years ago someone from that neighborhood petitioned the Planning Board to remove the swing set. People have tried to do this in the past. People still living in that neighborhood know the history. R. Winsor suggested soccer and volleyball nets, a bocci court, etc. Attorney Ducharme suggested items could be available to residents of that neighborhood and stored in a shed that was available to all. R. Winsor responded that it has to be a substantial and accessible recreational area. The intent was for it to be a place where people would go.

R. Winsor continued that he wanted to see a path forward and executed. This has been ongoing for several years. They needed to give the Board a plan by the next work session. D. Moore added the Board wanted something more permanent than a walking path. F. Catapano noted that right now it was an empty field. The gazebo and picnic tables are still in place.

Attorney Ducharme noted there is a good management company in place. The HOA has a budget with a capital reserve line item for maintenance. They are trying to balance what the Town wants with what the owners want to see. The parcel is not flat, which causes a problem when trying to determine what would be best there. The HOA will need to meet with the owners to determine what would be the best use of the area.

There was a brief discussion about the cistern. The Board asked Attorney Ducharme and A. Cunha to return to the Board with a plan at their work session on Thursday, May 05, 2022.

2. 2022 Goals

Goals for 2022 were reviewed. At a recent meeting, the Selectmen had suggested that the Planning Board review the current Noise Ordinance that was approved in 2013 by the Board of Selectmen. M. Fougere stated that the Planning Board should not get involved in noise ordinances. There is an existing Town ordinance. Any amendments or dealing with different types of noise should be made by the Selectmen. R. Winsor stated that this was specifically dealing with Pease and if the Town had any authority for noise abatement with the high possibility of increased air traffic. M. Fougere stated he has heard of mitigation of homes by airports. He had never heard of a noise ordinance in a town impacting a federally controlled airport.

The list of goals has been ongoing for several years. Discussion included:

- Age Restricted Housing developments must access onto an arterial road rather than a secondary road.
- Private roads to public roads.
- Mandatory Open Space: a conventional yield plan and financial viability test should be required, including an ARH development. It is not an allowed use by right, it is an allowed use by Conditional Use Permit. Criteria should be included giving the Board flexibility; even if it fronts on a great road, not every site is appropriate.
- Define 'display area'.
- Backlot road width – Subdivision Regs
- Landscaping & Screening – Site Plan Regs
- Grades to match DOT
- Bonding for Erosion Control & Site Stabilization – Subdivision & Site Plan Regs: Currently no bonding is required to start a road.
- Number of times the Board grants a continuance before advising the applicant that the application has been withdrawn without prejudice and to reapply when 100% ready for review by the Planning Board and its engineer. The consensus of the Board was three continuances.

DRAFT: SUBJECT TO CHANGE

The following were removed from the list:

- Overlay for sea rise.
- Hazardous waste in the ground.
- Building Code enforcement: R. Winsor recommended the Board of Selectmen continue to address enforcement issues.
- Transfer Development Rights (TDR).

F. Catapano suggested the Board discuss water and sewer. M. Fougere reminded the Board that one-third of the Town had been rezoned. There was interest in developing a corner of Rt. 1 and Breakfast Hill Road. New England is interested in filling the pad next to Target; Lowe's and Target need to sign off.

3. Approval of Minutes

MOTION: R. Winsor moved to approve the minutes of Thursday, March 17, 2022. Second – S. Gerome; all in favor. MOTION CARRIED

4. Approval of Invoices

MOTION: R. Winsor moved to approve payment of the invoice from Fougere Planning and Development in the amount of \$1,227.07 from the Planning Board Town budget. Second – F. Catapano; all in favor. MOTION CARRIED

MOTION: J. McDevitt moved to approve payment of the invoice from Fougere Planning and Development in the amount of \$385 from the Planning Board Escrow account. Second – R. Winsor; all in favor. MOTION CARRIED

MOTION: J. McDevitt moved to approve payment of the invoice from Donahue, Tucker & Ciandella in the amount of \$1,808.96 from the Planning Board Town Budget. Second – R. Winsor; all in favor. MOTION CARRIED

5. Topics for the Public Hearing

4 Tower Place is the only item on the agenda. There was a discussion about the location of the meeting. The meeting has been moved to the multi-purpose room at the School.

S. Gerrato asked that the questionnaire from DOT about construction on Rt. 33 be forwarded to Altus Engineering.

6. Other Business

It was noted that the telephone building is under contract.

7. Adjournment

MOTION: R. Winsor moved to adjourn at 7:43 p.m. Second – F. Catapano; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, April 21, 2022 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant