



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD MEETING

Thursday, July 06, 2023 – 6:30 p.m. – Town Hall Conference Room

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

Members Absent: Steve Gerrato, Catie Medeiros, David Moore, Richard Winsor (Alternate), Stu Gerome (Alternate)

Late Arrival: Phil Dion (Alternate)

Staff Present: Mark Fougere

Also Present: Paul Sanderson – Town Administrator; Chief Ralph Cresta and Captain Paul St. Cyr – Fire Department

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

PUBLIC HEARING

1. Impact Fees

The Weeks Library Impact Fee Analysis prepared by Mark Fougere, Planning Board Consultant, was reviewed (copy on file). If passed by the Planning Board, it will be forwarded to the Board of Selectmen for approval at their meeting on Monday, July 17th.

M. Fougere stated that the Impact Fee Ordinance was adopted in 2022 by Town Meeting vote, giving the Planning Board the authority to research impact fee calculations. The Selectmen must approve the impact fees before they can be implemented. Fees will be charged with the occupancy permit.

Fees are structured based on the estimated population and the number of people living in each unit. Fees were reviewed (copy on file). The Library cost is \$4,065,088, including bonding and interest rate. The goal of the impact fees is to recover \$796,954 to offset the expenses associated with accommodating new growth at the Library.

J. McDevitt questioned the criteria used for the figure of 446 population growth served (Table Three – Recoverable Expenses). M. Fougere explained that the figure was from the State's population projections, which are estimates. There is a detailed analysis on the State's website, which is done annually for every community in the State. B. Dion noted that must also be tied into the housing needs forecast. M. Fougere explained they look at census data, the local market, unemployment, etc.

J. McDevitt also questioned how '....the amount of the fee must be a proportional share of the municipal capital improvement costs which are reasonable related to the capital need created by a development' was assessed. M. Fougere explained that the Library serves the population. The impact fee, in this case,

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is tied to the increase in population in the community that will take advantage of the service. Impact fees for the Fire Department may be based on the number of calls, which would be a higher fee. The proposed fees will affect only the Library and not commercial because the use is residential. The Fire Department impact fees would be based on all uses.

B. Dion opened the hearing to public comments. There being no comments, B. Dion closed the public portion of the meeting and returned to the Board.

MOTION: J. McDevitt moved to forward the Weeks Library Impact Fee Analysis to the Board of Selectmen for their approval. If approved by the Board of Selectmen, the Weeks Library impact fees will become effective immediately. Second – S. Toth; all in favor. MOTION CARRIED

WORK SESSION

1. Zoning Ordinance

Electric Vehicles: Chief Cresta introduced Paul St. Cyr, Building Inspector/Fire Inspector/Fire Department Captain, to the Board. He will be doing building and fire inspections.

Chief Cresta has started work on an ordinance for electric vehicles. He has been appointed to an Electric Vehicle Committee through the State, headed by State Senator Birdsell. There have been discussions about electric vehicles being charged in garages. Chief Cresta would like an ordinance prohibiting vehicles from being charged in garages. They burn at twice the temperature of a normal fire and requires much more water to extinguish.

Chief Cresta explained that the ordinance would be written and submitted to the State Fire Marshal's office. If approved, it would be submitted to the Planning Board. The State has not currently adopted any ordinance dealing with electric vehicles. Responding to J. McDevitt, Chief Cresta stated that Greenland would probably be one of the first municipalities in New Hampshire to institute this type of ordinance. Chief Cresta requested Planning Board support before going to the Selectmen. Chief Cresta was against charging vehicles in garages.

Chief Cresta, responding to B. Dion, stated there are electric vehicles in Town and permits have been issued for chargers. P. Dion questioned if there were any fires in New Hampshire caused by vehicle chargers; Chief Cresta responded 'not yet'. The main problem has been in California, but it will happen here.

S. Toth, referring to the proposed ordinance, questioned if Chief Cresta felt electric chargers should be banned completely or only allow external. Chief Cresta stated it may have to be expanded. He explained that a dealership in Portsmouth is installing an external charging station with a brick or steel wall so a fire cannot get inside the building.

Responding to S. Toth, Chief Cresta and S. Smith stated because electric vehicles are relatively new, there is no significant data available if that type of vehicle catches on fire more frequently than regular vehicles. S. Toth did not understand how banning a charging station inside a house would mean less fires. Basic standards would have to be met and the vehicles are thoroughly tested for safety standards.

J. McDevitt requested that Chief Cresta present the Board with examples. Chief Cresta stated it was a brand-new committee for the State. Documentation would bring weight to the cause. P. St. Cyr added

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that e-bikes are also starting to present a problem. J. McDevitt stated that, for him, it was premature to say 'yes' or 'no'; he wanted more data before making a decision. Chief Cresta stated the Fire Marshal would review first.

M. Fougere questioned if it should be included in the Building Regulations, which may need to be adopted by the Selectmen. TA Sanderson stated if they were trying to control the use of buildings, it would be a zoning question. Not allowing chargers inside any structure may be a police issue. He was not sure if it would be pre-empted by State law. S. Toth added he was unsure if the Town could deny residents the ability to have charging stations inside their home. S. Smith and J. McDevitt agreed it could be done because it was a life safety issue.

S. Toth has been working on an electric vehicle requirement for the Site Plan Review Regulations. He read a statement into the record (copy on file). B. Dion noted that Chief Cresta's main point was that type of fire was more difficult to extinguish. Chief Cresta explained that as the batteries get older, they started wearing and needed to be replaced. S. Toth acknowledged that replacing the batteries was more dangerous and more likely to catch fire. Chief Cresta stated that to charge vehicles quicker, a charging station and batteries were used together.

Chief Cresta stated that there will be another meeting on the State level in August. He was at the Planning Board to see how the Board wanted to proceed. J. McDevitt clarified that Chief Cresta was not trying to ban electric vehicles and wanted that on the record. J. McDevitt stated he would make a decision when additional information was given to the Board. He appreciated Chief Cresta being proactive. B. Dion agreed that more information was needed. He also requested information about hybrid cars; some models use gasoline and charging. Chief Cresta stated that there will be EV classes held in southern New Hampshire; the next class is scheduled to be held in Dover in August.

S. Toth stated he appreciated the clarification that it was not a ban on electric vehicles. S. Toth added that a ban on electric vehicle chargers is an effective ban on electric vehicles: you cannot have the vehicles without the charger.

Chief Cresta will provide more information to the Board. He wanted to start the process rather than waiting until it was too late. B. Dion noted that information from insurance companies, as questioned by P. Dion, would be useful. B. Dion suggested following up at the next work session on Thursday, August 03rd. Chief Cresta stated that one month would not be enough time. B. Dion stated the Board would review it in the fall.

Proposed Ordinances: P. St. Cyr proposed four additional ordinances for Board consideration (copy on file). He was trying to stay current with the State laws. The proposed ordinances include agritourism, bouncy castles, roadside farm stands, and tent inspections. P. St. Cyr currently does tent inspections. M. Fougere noted that the proposed ordinances could be adopted through the Building Regulations and require a building permit. Currently, there is not a charge for a tent permit; P. St. Cyr would like to add a charge. Referring to agritourism, J. McDevitt suggested defining a large crowd. B. Dion clarified that some of the proposed ordinances should be forwarded to the Board of Selectmen.

2. Fire Station Tour

S. Smith had copies of the 2017 Fire Department Risk Assessment available; it is also available on the Town website. TA Sanderson referred to the 1975 Wright-Pierce analysis of the Town Office/Fire

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Department structure. In 1975, the complex was designed to last 25 years and to serve a town with a population of 2,000. TA Sanderson noted that the facilities were out of date.

The recording was paused from 7:10 pm to 7:37 pm for a tour of the Fire Station and adjacent buildings.

J. McDevitt left the meeting at 7:10 pm.

The meeting resumed at 7:37 pm. TA Sanderson provided members with an update on the facilities. He had received the engineering report on the Maintenance Building. The report indicated that the building could be saved. TA Sanderson discussed the status of the Town Office/Fire Station. The air conditioning in the Town Clerk's office was replaced recently. Insulation and wiring in the Town Office was discussed as well as other issues. TA Sanderson has contacted a structural engineer to review the Town Office. Expansion or replacement will cost several million dollars. Building expansion/replacement will need to be included in the CIP and impact fees.

3. Approval of Minutes

Approval of minutes for the meeting on Thursday, June 15, 2023, was continued to the next meeting.

4. Consent Agenda

- Escrow – Altus Engineering: **\$1,418.75**
 - 177 Winnicut Road (Stillwater): \$250
 - 410 Portsmouth Avenue (Farmhouse Drive): \$528.75
 - Tower Place (Summer Wind): \$640
- Escrow – Donahue, Tucker & Ciandella: **\$37**
 - Tower Place (Summer Wind): \$37
- Escrow – Fougere Planning & Development: **\$98**
 - Dearborn Road: \$98
- Town Budget - Fougere Planning & Development: **\$1,475.15**

MOTION: S. Smith moved to approve the Consent Agenda as presented. Second – S. Toth; all in favor.
MOTION CARRIED

5. Topics for the Public Hearing

Conditional Use Permit

24 Winnicut Road (Map R10, 24: Residential Zone)

Applicant: Christopher Rice, TF Moran

Owner: Brad Peterson, REP Enterprises

The owner and applicant are proposing to construct a paved driveway with an apron on Winnicut Road to provide access to the existing storage trailer area. The proposed driveway is 24 feet wide and approximately 260 feet in length. Improvements include grading, drainage, and landscaping. There are no wetland impacts; however, work is proposed in the wetland buffer. Retaining walls are proposed to limit buffer impacts.

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M. Fougere explained the owner would be putting in a driveway on Winnicut Road. Delivery trucks need a new entrance other than on Rt. 33. There is an existing entrance off Winnicut Road. It was noted they have been to the Conservation Commission; members did not have a problem with the proposal. M. Fougere explained that a portion of the proposed driveway would be disturbing the buffer.

6. Other Business

B. Dion discussed a fee for taking mylars to the registry. A mylar may have to be taken to the Registry several times because it was not prepared correctly. A fee for repeat trips to the Registry has been suggested. M. Fougere explained that if the surveyor does not follow the correct procedures, it will not be accepted when inspected by the Registry.

M. Fougere stated that a new set of fees can be adopted. If a repeat trip is needed, a fee will be charged. TA Sanderson noted that once a mylar has been signed by the Planning Board Chairman, it cannot be given to the applicant to take to the Registry for many reasons. The signed mylar will be taken to the Registry by a Town employee.

The fee schedule included with the Planning Board application will be updated to include a fee for repeat trips to the Registry with the same mylar; there will not be a charge for the first trip to record the mylar.

10. Adjournment

MOTION: S. Smith moved to adjourn at 7:50 p.m. Second – S. Toth; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, July 20, 2023 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant