



PLANNING BOARD

Town of Greenland • Greenland, NH 03840
575 Portsmouth Avenue • PO Box 100
Phone: 603.431.7111 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE PLANNING BOARD WORK SESSION

Thursday, November 06, 2014 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Steve Gerrato, Chip Hussey, David Moore, Paul Sanderson, Selectmen's Rep Mo Sodini, Rich Winsor

Staff Present: Glenn Coppelman – RPC Consultant

Chair Gerome opened the Planning Board meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Age Restricted Housing Revisions

Revisions to the Age Restricted Housing ordinance were reviewed. Section 19.3 – General Standards, Item N has been revised to read: *Each ARH building shall have a minimum of two (2) dwelling units and shall have a maximum of two (2) bedrooms per dwelling unit.*

There was a very lengthy discussion regarding Section 19.4 – Design and Architectural Specifications, Item I – Road Construction, Number (1). P. Sanderson reminded the Board that once it's built, anyone can petition for a private road to become a public way. The ordinance cannot supersede State law about how roads are created. P. Sanderson added that because the ordinance states it "shall" be private doesn't guarantee it will stay private. Residents can petition the Town for a road to become a Town road and it would go to Town Meeting. A land use board cannot override the action at Town Meeting. To be a public road, it does not have to be deeded. It can be done by the layout process, by the vote of the Selectmen and also publicly accepted road through Town Meeting. He recommended "may" rather than "shall"; the Board can't mandate that it's going to be private. G. Coppelman added that you can state that, however, it doesn't preclude it could be petitioned before Town Meeting to become a public road. He added that if it's required to be built to Town Standards, the Town would be protected if it were to become a public road.

Board members were in agreement the road, whether public or private, should be built to Town specifications. Making a shorter road public may encourage developers to do the project. C. Hussey felt "should" doesn't promote it and doesn't mean they can't have it. Responding to a comment from M. Sodini, R. Winsor stated that "should", "shall" and "may" don't supersede the law; it can be taken to Town Meeting by residents. P. Sanderson stated the reason to have the innovative statement in the ordinance is to encourage it; if one particular model is mandated, it has not been encouraged and the goal for innovation has not been met.

This article will be moved to public hearing, leaving "shall" in the wording.

MOTION: C. Hussey moved to forward Article XIX, Age Restricted Housing, to public hearing on Thursday, December 04, 2014, with the proposed changes. Second – D. Moore; all in favor. **MOTION CARRIED**

2. FEMA Flood Plain Amendment to Zoning Ordinance

It was the general consensus of the Board to continue the FEMA ordinance changes. P. Sanderson stated his only concern with the comments was that they assumed Greenland was not a coastal community. FEMA may not have realized that Greenland is coastal with Great Bay. P. Sanderson will email FEMA, reminding them there is shoreline with Great Bay. He informed the Board that there are technical changes in order to remain in the program and must be done. If you are not part of the program, all mortgages stop. P. Sanderson will report back to the Board on Thursday, November 20, 2014. Further discussion has been continued to the work session on Thursday, December 04, 2014. The FEMA changes will affect the ordinance and must be completed in January.

3. Subdivision Regulations – Drainage & Roads: Town Engineer's Comments

The Board agreed the Town Engineer's comments regarding drainage and roads had been reviewed and revisions made.

MOTION: *C. Hussey moved to forward the Subdivision Regulations revisions for drainage and roads, based on the Town Engineer's comments, to public hearing.*

DISCUSSION: P. Sanderson pointed out that Article 4.4.7, Performance and Maintenance Security, stated "a road construction security and inspection agreement must be approved by the Town Engineer and Board of Selectmen before the mylar is signed". He continued that it is a Board of Selectmen decision and the Town Engineer is a consultant. The intention was to ensure it was reviewed by the Town Engineer. It will be revised to read: *a road construction security and inspection agreement must be reviewed by the Town Engineer and approved by the Board of Selectmen before the mylar is signed.*

C. Hussey withdrew his motion pending further discussion.

MOTION: *C. Hussey moved to forward the Subdivision Regulations revisions for drainage and roads, based on the Town Engineer's comments, to public hearing on Thursday, December 04, 2014. Second – R. Winsor; all in favor. MOTION CARRIED*

P. Sanderson told members that changes can be made after the public hearing; Subdivision Regulation changes don't go to Town Meeting for approval. G. Coppelman added that the change will take effect upon approval at public hearing. Regulations can be voted on and approved at any public meeting.

4. CIP Update: Chip Hussey

C. Hussey updated the Board on the Capital Improvement Plan, recommending a subcommittee be established. He has volunteered to chair the committee. If a department submits a CIP request, they will also become part of the committee. There was a discussion between several members regarding the CIP and growth management. M. Sodini stated the purpose of the CIP was not to stop growth in Town; it's an important planning tool for the Town.

It was suggested that someone needed to explain to the various boards, committees and departments how the CIP works. After a brief discussion, P. Sanderson stated he would be willing to hold a work session. Consulting fees are available through the Planning Board.

The first CIP meeting will be held on Monday, November 10, 2014. Department heads will turn in their CIP's at that time. P. Sanderson's work session will be scheduled after that meeting. R. Winsor stated

he would like an update at each Planning Board meeting. P. Sanderson added that C. Hussey's committee is advisory to the Planning Board; it does report back to the Planning Board and the CIP is created by that Board with assistance from the advisors. C. Hussey stated that meetings will be notice and recorded. G. Coppelman added it was planning tool that was designed specifically for the Select Board and Budget Committee, and suggested a member from each of those bodies be included in the committee: Kevin Forrest, Board of Selectmen, and Mary McDonough, Budget Committee Chairperson, have volunteered.

After further discussion, the Board was in agreement that the CIP needed to be a working document. There will be a CIP update at the next meeting.

5. Review of Planning Consultant Applications

G. Coppelman left the meeting during this portion of the meeting. After reviewing three Requests for Qualifications, the Board agreed that TEC proposed services similar to the Town Engineer. Also received were RFQ's from Rockingham Planning Commission and Fougere Planning & Development, Inc.

P. Sanderson was concerned with RPC; they had breached the agreement with the Town. He explained that the Town had signed a contract with RPC and services were provided by the previous Circuit Rider in accordance with the contract. When the Circuit Rider left, services were no longer provided on an on-going basis. The Planning Board had gone through months of trouble because services were not provided as contracted. Fougere clearly has the advantage based on his reputation.

R. Winsor's concern with Fougere Planning & Development was the statement in his cover letter "I believe I will have the ability to meet the meeting requirements outlined in the RFQ". Missing an occasional meeting would be one issue, but on a continual basis would be similar to what happened with RPC. R. Winsor stated that RPC should have been able to cover the interim from a contractual agreement, and didn't.

The Selectmen hired M. Fougere several years ago for an ordinance review. The Board was very satisfied with his work. The Board stated they would like to meet with Fougere to clarify some concerns. S. Gerrato disagreed that RPC dropped the ball so terribly and stated that they had someone at all of the Planning Board meetings. Other members of the Board disagreed with him, stating that the Planning Board went for almost four months without an RPC rep. S. Gerrato felt the Board should meet with Cliff Sinnott to address their concerns. Several members disagreed, stating he's had those chances for months.

R. Winsor stated that it needs to be in the contractual agreement that if there is a sustained absenteeism, there's a penalty assessed. There should be a penalty clause that they will reimburse the Town to have someone at the meetings. If the situation can't be remedied within a specific amount of time, the Board would reserve the right to hire its own consultant and bill RPC.

M. Sodini's concern was continuity: there can't be a revolving door of consultants doing the job. He didn't want the Board to go through another two or three months looking for a consultant. M. Sodini was comfortable with Fougere and felt he was qualified. C. Hussey agreed there should be a penalty if the consultant was not producing. The Town should be reimbursed if someone else needs to be brought in.

Chair Jerome suggested that Fougere and RPC meet with the Board to answer questions and address concerns. P. Sanderson further clarified that TEC was eliminated because they didn't offer the services

the Board was looking for, and the remaining potential candidates would be interviewed. The difference in hourly rates was discussed. It would be less expensive to have a part-time Town employee without benefits, whose hours could be controlled. C. Hussey was still vehemently opposed to hiring another Town employee.

G. Coppelman returned to the meeting.

6. Topics for Public Hearing: Thursday, November 20, 2014

Topics for the public hearing were reviewed and the agenda set for the meeting on Thursday, November 20, 2014.

7. Approval of Minutes: Thursday, October 16, 2014

MOTION: *M. Sodini moved to approve the minutes of Thursday, October 16, 2014. Second – D. Moore; six in favor, one abstain (R. Winsor). MOTION CARRIED*

8. Other Business

- 239 Bayside Road Site Walk: P. Sanderson stated that the most important thing he learned was that the developer was going to be working with the neighbor to have him enter off the new road and not Bayside Road. G. Coppelman stated that in his comments he noted that the driveway for the farmhouse should be off the new road; there would not be two driveways and a roadway on Bayside, eliminating three curb cuts. P. Sanderson added that driveways and reducing the number of curb cuts were the primary things they came away with from the site walk. G. Coppelman stated the proposal was for three curb cuts. S. Gerrato stated he felt there were less wetlands than originally noted on the plans. There are no hydric soils on the property. After talking with the State and doing the site walk, he felt comfortable with the project.
- 4.4.1 – Backlots: According to the Subdivision Regulations, a Conditional Use Permit is needed to create a backlot. In Section 4.4.1.1 (a) it states that new subdivisions shall not include backlots. G. Coppelman requested clarification. R. Winsor stated that a backlot could be created as long as it was not a subdivision. P. Sanderson added that the Board could not approve anything contrary to the ordinance. The applicant could either go to the ZBA or be denied.

9. Adjournment

MOTION: *R. Winsor moved to adjourn at 8:30 p.m. Second – D. Moore; all in favor. MOTION CARRIED*

NEXT MEETING

Thursday, November 20, 2014 – 7:00 p.m., Town Hall Conference Room, Public Hearing

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Thursday, December 04, 2014