



PLANNING BOARD

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MINUTES OF THE PLANNING BOARD WORK SESSION

Thursday, November 05, 2015 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Stu Gerome, Chip Hussey, John McDevitt (Selectmen's Rep), Rich Winsor, Steve Gerrato (Alternate), James Connelly (Alternate)

Members Absent: Scott Baker, Courtney Homer, David Moore

Staff Present: Mark Fougere - 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. Zoning Ordinance Updates

- Amend Article IV – Dimensional Requirements, Section 4.1 – General Requirements, Subsection 4.1.2: delete items 'B' and 'C'. *This amendment is required to adhere to RSA 674:39aa which prohibits forced merger of non-conforming lots.*

DISCUSSION: Deleting items 'B' and 'C' will bring the Town into compliance with the State statute.

MOTION: *R. Winsor moved to forward the proposed Zoning Ordinance update to public hearing on Thursday, December 03, 2015. Second – J. McDevitt; all in favor. MOTION CARRIED*

- Amend Article IV – Dimensional Requirements, Section 4.1 – General Requirements, Subsection 4.2 – Table of Dimensional Requirements: allow for an exemption to the Front (30'), Rear (20') and Side (20') yard setbacks as required in Sections 'd', 'e' and 'f' for the Residential Zoning District (R) for the construction of handicapped access ramps. In addition, amend Section 4.3 - Explanatory Notes by adding the following: (7) Handicapped access ramps may be exempt from Yard (structural) setbacks when shown to the satisfaction of the Building Inspector that said ramp is medically necessary for the occupant. In addition, the ramp shall be removed from the premises when it is no longer needed. *This amendment will provide greater flexibility to those who need to add a handicapped ramp to their homes; in many cases these are temporary structures which can be easily removed. This will greatly aid the Town's elderly citizens.*

DISCUSSION: This amendment would apply to the Residential Zone only. J. McDevitt asked how "no longer necessary" would be defined. The thought was that it would be when the resident passed away or the house was sold. M. Fougere will research the definition of "handicap" for the next meeting. He will also discuss with the Building Inspector including a note with the addition of Item 7: "as defined by.....".

J. Connelly arrived at 7:08 p.m.

MOTION: R. Winsor moved to forward the proposed Zoning Ordinance update to public hearing on Thursday, December 03, 2015. Second – J. McDevitt; all in favor. MOTION CARRIED

- Amend Article III – Establishment of Districts and Uses, Section 3.7 – Supplemental Use Provisions, Subsection 3.7.3 – Auto Trailer, Tourist Camp, Park Sites and Mobile Homes: delete Subsections 3.7.3.2 and 3.7.3.4. *These provisions are dated and not consistent with the State law.*

The prohibition of mobile homes is in violation of the State statute. The Town can prohibit mobile home parks, but not a mobile home on a legal lot. Chair Gerome stated that further clarification was needed and definitions added. M. Fougere suggested removing “mobile home” from both subsections; “RV” will be added. This item was continued for further discussion to the next work session.

- Amend Article III – Establishment of Districts and Uses, Section 3.7 – Supplemental Use Provisions, Subsection 3.7.11 – Accessory Dwelling Unit: amend the definition to read “A self-contained residential unit complete with its own kitchen and bathroom facilities, incorporated within an existing or expanded single family residential dwelling unit (not permitted for duplexes)”. In addition, the second paragraph of the ‘Purpose’ section will read “An accessory dwelling unit will be allowed on any building lot provided that.....”. *This amendment will clarify that an accessory dwelling unit shall be incorporated into an existing home or provided for by an addition to the home.*

The Building Inspector had asked for clarification on this section. He was concerned that a 2x4 could be added between two buildings and they would be considered attached. There was some discussion regarding “not permitted for duplexes”; it will be removed.

MOTION: R. Winsor moved to forward the proposed Zoning Ordinance update to public hearing on Thursday, December 03, 2015. Second – J. McDevitt; all in favor. MOTION CARRIED

- Amend Article III – Establishment of Districts and Uses, Section 3.7 – Supplemental Use Provisions, Subsection 3.7.5 – Storage within Truck Bodies, Trailer Vans or Cargo Vehicles: delete “A permit fee of five dollars (\$5) is payable upon application and at each renewal”. *Fees are no longer included in the Zoning Ordinance; a separate fee schedule exists that addresses this matter.*

MOTION: R. Winsor moved to forward the proposed Zoning Ordinance update to public hearing on Thursday, December 03, 2015. Second – J. McDevitt; all in favor. MOTION CARRIED

- Amend Article XII – Growth Management Ordinance: delete in its entirety. *This Article is dated with key findings no longer applicable, such as capacity issues at the Greenland School. The Ordinance has been reviewed by the Town Attorney who suggested that it is not supportable and should be removed. The Planning Board will continue to monitor growth in the community and, if necessary, propose an alternative growth ordinance in the future. Language presently exists within the Subdivision Regulations that provides the Planning Board with the authority to phase housing developments.*

In the Subdivision Regulations there is an option for phasing, which is a way to control growth. R. Winsor suggested tightening up the phasing portion of the Subdivision Regs. Chair Gerome felt the triggers for growth management may happen too late. M. Fougere stated that schools drive 90% of growth management. Water, sewer and roads also have an impact. Chair Gerome added that residents are concerned about growth. He suggested that the Board work on an ordinance that would best suit the needs of the residents.

The Board agreed that the GMO needed to be removed. R. Winsor pointed out that residents were not going to be happy that the GMO was being removed, even though it was not supportable. C. Hussey suggested a reference to phasing in the Subdivision Regs.

S. Gerrato stated that if the Board was trying to satisfy the needs of residents, one way would be to require developers to build better roads. He also referred to Article 3.7.12.1, which deals with duplexes. He felt there should be more accountability with the number of duplexes allowed. M. Fougere stated the biggest impact to the community would be a four bedroom single family home. Chair Gerome suggested more architectural guidelines for duplexes.

The GMO was continued to the next meeting. When making the revision to delete the GMO, M. Fougere will include a statement referencing phasing.

- Amend Article III – Establishment of Districts and Uses, Section 3.7 – Supplemental Use Provisions, Subsection 3.7.9 – Open Storage and Sale of Vehicles and Other Means of Transportation: revisions to ‘A’ and ‘B’. *The amendments will assist in controlling unsightly vehicles from being displayed for long periods of time within residential areas of the community.*
 - A. “Two or more axles” was deleted. The Board felt there needed to be more clarity for the definition of the “type of motor vehicle or other means of transportation”. R. Winsor requested data on the number of complaints received. Chair Gerome noted that the Ordinance exists, it was just being “tweaked”. R. Winsor stated it was more restrictive by going from two axles to any type of vehicle. S. Gerrato felt it was unfavorable to farmers. Changes to this item were tabled; M. Fougere will discuss this with the Building Inspector.
 - B. R. Winsor suggested adding “may be visibly offered for sale”. The last sentence is to read: “No more than two (2) vehicles or other means of transportation may be visibly offered for sale, at any one residence, in any 365 day rolling period”. The Board was in agreement with the revisions to this item.

2. Any Other Items

- Work Force Housing: Affordable housing in the Greenland area is \$289,000. Home sales figures from January 2015 to October 2015 were used; of the 73 sales, 24% were \$289,000 or less. The six month average is \$461,000; the median is \$420,500. Of the 1,199 single families that are assessed in Greenland, 380 homes are \$289,000 or less (31.6%). M. Fougere suggested looking at the figures again in another year. The rental portion is where there is a problem. The maximum is \$1,160 including heat; Greenland’s median rent is currently \$1,352 plus utilities. M. Fougere stated the saving grace is that the Town doesn’t have sewer. He added that the only way to come close was to allow buildings with five units. Responding to a question from J. McDevitt about how to come into compliance with the State requirements of \$1,200 per month including heat, M. Fougere stated the Town would have to provide opportunities. He used the example of the ordinance created in Londonderry allowing 12 units per acre provided that a specific number of units are rented at the required level (an Affordable Housing Rental ordinance). M. Fougere added that the statute states there must be an opportunity to create the housing, there is no obligation to build them. Chair Gerome subsidized housing could be allowed.

3. Approval of Invoices

MOTION: R. Winsor moved to approve payment of invoices in the amount of \$1,772.10 to Fougere Planning and Development. Second – J. McDevitt; all in favor. **MOTION CARRIED**

4. Other Business

- Recordings on Website: J. McDevitt explained to the Board that there was a warrant article presented by residents at the March 2015 Town Meeting for live streaming of meetings. It was defeated; however, the Board of Selectmen has been debating how to handle streaming. At their last meeting, posting the recordings on the website the day after the meeting was discussed; they agreed to explore that option, tracking how many people actually listen to the recordings. J. McDevitt stated he would prefer residents attend meetings and engage with the Boards rather than listening to recordings. He didn't agree with the premise that residents are informed when watching meetings on TV at home; they may be more informed, but they weren't engaged in the process. R. Winsor asked the J. McDevitt keep the Planning Board informed on the number of people listening to recordings through the website before they make a decision. C. Hussey added that he wasn't looking for live streaming; however, residents should have the option to watch/listen to meetings. The Board was agreed that they would wait to hear from the Board of Selectmen before making a decision.
- Thompson Brook Fish Passage: J. McDevitt told the Board repairing the culvert on Winnicut Road was a great project, but it was a State road. In addition, there were other culverts in Town that needed to be repaired.
- TIF District: C. Hussey told members that he didn't think there would be enough support for a TIF District. He suggested something similar to what Dover is doing; M. Fougere explained it was RSA 79-E, Community Revitalization Tax Relief Incentive. M. Fougere further explained that it would have to go to Town Meeting; it would provide the ability for the Selectmen to suspend taxes for a period of one year based on the investment being made. The maximum would be five years and a two year extension could be added to that. Example: a developer agreed to bring sewer down Portsmouth Avenue and renovate a \$400,000 facility into a \$2 million property, the Selectmen could suspend taxes. Stipulations could include no tax the first year, 20% taxes the second year, etc. J. McDevitt stated he would take it the Selectmen if M. Fougere would provide him with the information.
- CIP: Will be on the agenda for the next meeting.

5. Items for Public Hearing: Thursday, November 19, 2015

Items for the public hearing were reviewed. A work session will follow the public hearing.

6. Approval of Minutes

MOTION: J. McDevitt moved to approve the minutes of Thursday, October 15, 2015. Second – C. Hussey; four in favor, two abstain (R. Winsor, S. Gerrato). **MOTION CARRIED**

7. Adjournment

MOTION: C. Hussey moved to adjourn at 8:14 p.m. Second – R. Winsor; all in favor. **MOTION CARRIED**

NEXT MEETING

Thursday, November 19, 2015 – 7:00 p.m., Public Hearing/Work Session, Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Thursday, November 19, 2015