



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD WORK SESSION

Thursday, December 07, 2017 – 7:00 p.m. – Town Hall Conference Room

Members Present: Scott Baker, Stu Gerome, Courtney Homer, John McDevitt, David Moore, Paul Sanderson (Selectmen's Rep), Rich Winsor, James Connelly (Alternate), Steve Gerrato (Alternate),

Members Absent: Catie Medeiros (Alternate)

Staff: Mark Fougere – Consultant

Also Present: Theresa Walker – Rockingham Planning Commission, Laura Byergo – Conservation Commission Chairman

Chair Gerome opened the Planning Board meeting at 6:58 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Climate Adaptation Chapter – Master Plan: Theresa Walker, RPC

Theresa Walker, Rockingham Planning Commission, reviewed the draft of the Coastal Hazards and Adaptation Chapter for the Master Plan. The Planning Commission received grant funds from the New Hampshire Coastal Program. Using the Climate Change Vulnerability Assessment that was done for Greenland, a Master Plan chapter was developed. Towns along the Bay and in the coastal area are including a similar chapter in their Master Plan. The chapter is designed to highlight the findings and recommendations in the Vulnerability Assessment and work with other chapters in Greenland's Master Plan dealing with natural resources, transportation, infrastructure, etc. Greenland does have increased precipitation events as well as sea level rise in Great Bay. Vulnerabilities in that area were identified in neighborhoods along the Bay that were prone to flooding as well as the risk of salt water inundation over time to private drinking water wells and possible impacts on septic fields and management of septic systems.

T. Walker has worked with Laura Byergo, Conservation Commission Chairman, to enhance the section referring to fresh water wetland complexes. They aren't as vulnerable as salt marshes with rising sea levels and encroachment; however, they are vulnerable to exacerbated flooding events and stormwater runoff as well as the things that are impacting fresh water resources.

After discussion with the Board, several revisions were suggested. T. Walker will make the recommended changes. A revised copy of the draft will be emailed to members prior to the work session on Thursday, February 01, 2018.

2. Zoning Amendments

The first public hearing on the proposed Zoning Ordinance amendments is scheduled for Thursday, January 04, 2018. If an additional public hearing is needed, that will be Thursday, January 18, 2018. P. Sanderson added that zoning amendments cannot be changed at Deliberative Session.

3. Other Business

Rain Gardens: Frank Catapano, resident and developer, spoke to the Board regarding rain gardens. Rain gardens become a “maintenance nightmare” when they’re actually in the ground. Towns will eventually absorb the maintenance of the rain garden. Many towns adopt site-specific; however, rain gardens are in flux and have changed. Recent changes state plants are no longer required. Basically, a multi-tiered infiltration basin is created. Until recently, wetland plants were required at the top and may have water at least once a year. Wetlands plants always die; non-invasive grass is now allowed.

F. Catapano put wetlands plants in the rain garden on Hickory Lane and they survived. A landowner mowed all the plantings down. F. Catapano’s point was that subdivisions are not going to maintain a rain garden. And, towns aren’t spending the money to maintain them. F. Catapano suggested focusing on filtering water correctly; a very complicated method to do it may not necessarily be the best. A detention pond or gravel wetland may be better. He wasn’t sure rain gardens were perfected to the point where they were correct.

S. Gerrato commented that he was saying “saving the vergent wetlands”. F. Catapano responded that wetlands were important and should be protected. He also believes in filtering water correctly. Creating a wetland using mulch or a specific type of sand or pea stone and then planting wetlands species in something that’s never wet doesn’t make sense. He wasn’t sure bio-retention ponds were the solution. There needs to be a balance between protecting the environment and living correctly. Bio-retention ponds will be a massive nightmare in the next few years.

P. Sanderson asked F. Catapano for any materials he may have about better infiltration design. F. Catapano responded that gravel wetlands and filter strips work; the simplest solution may be the best. P. Sanderson stated the answer is to find an alternative for a simpler infiltration design. He also suggested working on the Planning Board’s landscape regulation. F. Catapano responded Altus requires that AOT guidelines be followed; P. Sanderson suggested the Board work with Altus for simpler alternatives. M. Fougere will contact Altus Engineering.

Well Water Testing: There was a brief discussion about well water testing and that it will be required Town-wide.

Great Bay Drive West: P. Sanderson spoke to the Board about the issue with Great Bay Drive West, which is in failure and in need of repair. The amount of right-of-way is 18’ wide based on a Quitclaim Deed from the Brackett’s; necessary repairs can’t be done in an 18’ strip. Machines need to go wider than that to install the culvert that has failed. The Selectmen asked the Brackett’s for a temporary construction easement and additional right-of-way. The Brackett’s want the road constructed to Town standards so they can develop their property at no cost. They would like a signed Memorandum of Understanding in return for a temporary construction easement; they will be able to develop their property using a 16’ right-of-way. P. Sanderson stated that he can’t bind a future Planning Board that would review a subdivision. As a Selectman, he can’t promise that the road would be adequate for what might be proposed in the future. He continued that there is a lot of pressure to sign a MOU and bring

the road up to full Town standards in order to serve the six houses in that area and that it would be adequate for whatever might be proposed in the future.

P. Sanderson stated that there is a legitimate dispute if it's a Town road. There was a warrant article in 2010 stating that it should be maintained by the Town and accepted as a public way. However, RSA 674:40 states that when a road is proposed for acceptance by a Town, and has not gone through the Planning Board, it has to be referred to the Planning Board. The Planning Board has to make a recommendation before the Town votes. If the Planning Board recommends "yes", then it has to be by majority vote; if the Planning Board recommends "no", it must be by 2/3 vote. Great Bay Drive West was not referred to the Planning Board. It's a strip of land 18' wide.

M. Fougere added that the vote at Town Meeting in 2010 was an amendment that stated "as a Town road in its current condition upon receipt of deeds releasing all rights, titles and interests from all current owners of record at no cost to the Town and acceptance by the Planning Board" (copy on file). The Planning Board was in agreement that the road was never accepted by them.

P. Sanderson stated that he wanted to advise the Planning Board of the situation. His decision at the Board of Selectmen meeting would be that he couldn't approve a contract to fix something that can't be built. He understands that there will be six irate homeowners. However, there were significant questions as to whether or not it was a public way. He couldn't enter into a Memorandum of Understanding that promises the Zoning Ordinance won't apply. The Planning Board was in agreement with P. Sanderson that the Town Meeting requirement hadn't been met; until it was accepted by the Planning Board, it wasn't a Town road.

P. Sanderson added that in fairness to the six individuals who didn't cause the problem, he hoped to call it an emergency lane. The Town would keep it open for emergency services and access to cars; however, that doesn't mean it's accepted as a public way.

Expired Terms: In March 2018, the following terms will expire: Rich Winsor, Scott Baker, Courtney Homer, John McDevitt, Jamie Connelly and Steve Gerrato.

4. Topics for Public Hearing: Thursday, December 21, 2017

Topics for the public hearing were reviewed.

5. Approval of Minutes

MOTION: S. Baker moved to approve the minutes from the meeting on Thursday, November 16, 2017. Second – R. Winsor; seven in favor, two abstain (D. Moor, J. Connelly).

6. Payment of Invoices

MOTION: C. Homer moved to approve the following payment of invoices from the Planning Board Town budget: Fougere Planning & Development in the amount of \$980.85, and Adobe Renewal in the amount of \$179.88; from the Planning Board Escrow Account: Underwood Engineers in the amount of \$853.42. Second – J. McDevitt; all in favor. MOTION CARRIED

7. Adjournment

MOTION: D. Moore moved to adjourn at 8:20 p.m. Second – J. McDevitt; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, December 21, 2017 – Public Hearing, 7:00 p.m., Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to the Boards

Approved: Thursday, December 21, 2017