

Present: Vice Chair Jack Karcz, Jack Downing, Paul Powers, Roger Barham, Andy Kohlhofer, Tim Lavelle, alternate member Mike Wason, alternate member Leanne Miner, Senior Planner Jenn Rowden, and Land Use Administrative Assistant Casey Wolfe

Also Present: Paul Miller and Peter Eliopoulos

Mr. Karcz opened the meeting at 7:01 pm. He appointed Mr. Wason to vote on behalf of Mr. Hunter.

I. MINUTES

Ms. Miner went through some comments that she had for the minutes of March 6, 2019. The Board decided to table the approval of the March 6th minutes to the next meeting.

II. NEW BUSINESS

Paul Miller seeks to operate a business from his home at 74 Bean Road and needs a statement from the Town that his business falls under the Home Occupation Ordinance

Mr. Miller introduced himself. He would like to start a business as a firearms dealer. He intends to do most of his business online. He would do some repairs at his home and then send the guns back out through the mail. To get his license, he needs a letter stating that he is in compliance with local zoning. Ms. Rowden did not feel that something like this would need site plan review or any kind of Planning Board approval. She felt that a motion from the Planning Board would fulfill the verification requirement that Mr. Miller needs. Mr. Miller stated that it is possible that he will get some customers at his home but he estimated that there would be five or less a month. His intention is to do his sales via online. The shipping is mostly done by drop-shipping. **Mr. Barham made a motion for Ms. Wolfe to write a letter stating that the proposed business for firearms sales is in compliance with the Town's zoning requirements. Mr. Powers seconded the motion. The motion passed 7-0-0.**

III. OTHER BUSINESS

Bond reduction request from Altaeros (Map 2 Lot 151-2)

Mr. Lavelle recused himself as a representative of the owner and Mr. Powers recused himself as an abutter. Ms. Miner was appointed to vote on behalf of Mr. Lavelle. Ms. Rowden pointed out that the applicant is also looking to dispute some charges on a Stantec invoice along with requesting a bond reduction. Mr. Barham stated that he just got the emails about this earlier in the day and would like to table both of these topics. Ms. Wolfe pointed out that the letter from engineer Bill Gregsak with the bond reduction request is a short letter with only a couple of sentences. **Mr. Kohlhofer made a motion to table the discussion about the dispute over an invoice from Stantec. Ms. Miner seconded the motion. The motion passed 6-0-0.** Mr. Karcz stated that back in December of 2017, when the bond amount was originally decided upon, there was no decision made about a bond reduction. The Board did not agree to a specific number at that time. Mr. Karcz questioned if the Board should keep a certain amount in escrow for Phase 2

of the Altaeros construction. The Town currently has \$37,835 as agreed upon at the December 2017 meeting. Ms. Rowden clarified that the surety was primarily for the drainage, parking lot, and roadway. The surety was put in place for the site work, not for the buildings. Mr. Lavelle reminded the Board that the site work for Phase 1 is about 90 percent done. He explained that they do not want to do the final coat of pavement on the parking lot until after the building for Phase 2 is constructed. They'll need to disturb some of the parking lot to put in this building. Ms. Miner did not think that the Town would be liable to make sure the parking lot gets its final coat. Mr. Kohlhofer stated that he is fine with reducing the surety currently in place with the Town by 50 percent. **Mr. Kohlhofer made a motion to reduce the surety for Altaeros Energies from \$37,835 to \$18,917. Ms. Miner seconded the motion. The motion passed 6-0-0.**

Board Reorganization

Mr. Lavelle and Mr. Powers joined the Board as voting members. Ms. Miner was no longer a voting member. **Mr. Lavelle made a motion to appoint Mr. Powers as the new Chair of the Board. Ms. Miner seconded the motion. The motion passed 7-0-0. After some discussion, Mr. Lavelle made a motion to appoint Mr. Kohlhofer as the Vice Chair of the Board. Mr. Powers seconded the motion. The motion passed 7-0-0.** Mr. Powers asked who the Chair would be if neither the Chair nor Vice Chair are present at a meeting. Ms. Rowden stated that the Board members present would elect someone to act as Chair for that meeting. Some Planning Boards in other towns do appoint someone to be Secretary who would be third in line to be Chair.

Planning Board Rules of Procedure - discussion

The Board spent some time reviewing the Rules of Procedure which were last amended in March of 2013. Ms. Rowden pointed out that the “order of business” section is not accurate for how they usually write their agendas. There was some discussion about Notices of Decision and meeting minutes. Mr. Powers pointed out for the Board to approve an application, there needs to be a majority of the members present at the meeting voting in the affirmative (as long as there is a quorum present). On the other hand, for the Board to amend regulations, there needs to be a majority of the members that actually sit on the Board to vote in the affirmative. There was also a discussion about the role of the alternate members. Ms. Rowden stated that the same alternate member should be appointed to continued cases, if a regular member is not present. There was some discussion about changing the name cards so that it is clear who the alternate members are. Ms. Miner brought up the idea of having a time limit for comments from the public. There was also some discussion about having an end time for Planning Board meetings. Mr. Barham suggested that the Board does not begin any new business after 9:00 pm. Ms. Wolfe will mark up some amendments to the Rules of Procedure for the next meeting.

Member Terms

Ms. Wolfe passed out a spreadsheet of the three-year terms for each position on the Planning Board. She explained that a mistake was made last time Paul Powers and Jack Downing swore in to be Planning Board members. They will each swear in later this month to correct the term dates. After that, it will work out that every year two regular Board members' terms will expire.

Third Party Review Firms – discussion

Mr. Karcz suggested that a Planning Board member should attend pre-construction meetings to act almost like a moderator. Mr. Barham asked if the Site Plan and Subdivision regulations need to be reviewed and perhaps amended to change the scope of what the Town Engineer reviews. Ms. Rowden did not feel that one Planning Board member should be making determinations at a pre-construction meeting. She felt it would be fine for a member to bounce around ideas and to take notes, but they should not make decisions on behalf of the whole Board. Mr. Barham felt that the regulations should be more clear and detailed. Ms. Rowden suggested that the Board review their whole process. Ms. Miner would like to create a sub-committee to do this work. Mr. Powers and Mr. Wason both would like to participate in this sub-committee. Mr. Lavelle stated that many towns use more than one third party engineering firm. Ms. Rowden felt that this is a good time of year to amend site plan and subdivision regulations. Any meetings for this sub-committee would need to be publicly noticed. There was a brief discussion about the earth removal permit applications and the excavation regulations. There was some general discussion about amending the site plan and subdivision regulations. Ms. Wolfe would like to amend the application forms and the submittal requirements. For now, the sub-committee will only be looking into changing engineering review requirements and exploring the idea of hiring a second firm.

IV. CIRCUIT RIDER BUSINESS

Ms. Rowden stated that the GIS Coordinator at her office is currently working on tweaking the new zoning map that was approved the previous week. Once it is ready, the Board will need to vote to approve it. Ms. Wolfe is working on getting the new Zoning Ordinance booklets printed.

Mr. Karcz asked Ms. Rowden what happened to the Capital Improvements Program. Ms. Rowden stated that it has been three years since the Board has approved a capital improvement plan. There was also a brief discussion about impact fees.

Ms. Miner announced that the Conservation Commission recently sent a letter to Mr. Galloway recommending that he pays into the Aquatic Resource Management fund for the widening of Shirkin Road. Ms. Wolfe stated that Mr. Galloway still needs to go before the Board of Selectmen to widen the road, however, he should not have a reason to come back to a Planning Board meeting except to get his plans signed.

Ms. Miner also mentioned that the Conservation Commission would like to do an update to the Natural Resource Inventory and would like to know if that should be done simultaneously with a Master Plan update. Ms. Rowden stated that it is more cost-effective to do a Natural Resource Inventory update at the same time as an update to the Natural Resources chapter of the Master Plan. Ms. Miner was hoping to get help from UNH Cooperative Extension on the language and help from the Rockingham Planning Commission on the maps. Ms. Rowden stated that ultimately the Planning Board would have to hold the public hearing and approve the update to the Master Plan chapter.

Ms. Wolfe announced that the final plans for the Kasher Corporation subdivision are here for the Board to sign after the meeting. She also announced that the final subdivision plans for the project on South Road are coming in the next day. She'll reach out to a few members to come in to sign them.

Mr. Lavelle made a motion to adjourn at 8:17 pm. Mr. Powers seconded the motion. The motion passed 7-0-0.

Respectfully Submitted,

Casey Wolfe
Land Use Administrative Assistant