

Moultonborough Planning Board
P.O. Box 139
Moultonborough, NH 03254

Work Session Minutes

November 30, 2011

Minutes

Present: Members: Joanne Coppinger, Natt King, Chris Maroun, Tom Howard, Peter Jensen
Alternate: Keith Nelson; Bruce Woodruff, Town Planner
Excused: Members: Judy Ryerson, Ed Charest (Selectmen's Representative)

Ms. Coppinger opened the meeting at 7:03, noting that this was a regularly scheduled work session, and appointed Keith Nelson to sit on the board with full voting privileges in place of Judy Ryerson. There were no members from the public present this evening.

Pledge of Allegiance

Discussion relating to Subdivision Road Design Standards from Subcommittee

Mr. Woodruff noted the members had been provided with documents that the Subcommittee had worked on. The two charges of the subcommittee were to review and amend Section 7.2 Road Design and Construction, of the Subdivision Regulations, to be used for the construction of new subdivision roads, and to prepare a document which would become the Policies and Procedures for use when the Town proposed the reconstruction of existing roads. He noted that the Planning Board, as a whole, should endorse the policies and forward them on for adoption by the Board of Selectmen.

Motion: Mr. Maroun moved that the board endorse the Policy Recommendations for Design Standards and Procedures for 3R (repair, rehabilitation or reconstruction) projects on existing Town-maintained Roads, seconded by Mr. Jensen.

Discussion on motion: Mr. Howard had a few comments and questions regarding the document. These included questions in Section 2.c, 2.d, 2.e. He questioned why there was a paragraph on page 5 under Turnarounds relating to Cul-de-sacs, if the Road Agent preferred T-type or hammerhead turn-a-rounds. He noted a reference to the diagram contained in the Town's Subdivision Regulations, which should be noted as Exhibit 2 in the document.

Mr. King and Mr. Howard felt that the term Cul-de-sac should be added to Section 4 of the Design and Construction, and the reference changed from Figure A, to Exhibit 2. One minor change on page 8, adding the word "roads" to end of the last paragraph. Mr. Howard commented on Table 2 shown on page 9, referencing the Operating Speed and questioned where the information came from. Mr. Woodruff noted the tables were taken from a Cornell University Study for road rehabilitation design for low volume roads.

There being no further comments or questions, Mr. Maroun amended his motion to include the minor changes as discussed, seconded by Mr. Jensen, Motion passed unanimously.

Subdivision Regulation – Section 7.2 Road Design and Construction

Board members had reviewed the proposed changes as presented and had a few minor questions, comments and suggested language changes. Section C, changing the word establish to promote, adding measurements to Section E. Table of geometric and other standards for new subdivision roads, adding a note to define ADT (Average Daily Trip) and Clear Zone, changing Roadway Width to be Travelled Way Width, which is consistent with current language in the regulations. Mr. Nelson questioned what a “street jog” was in Section E. 9. Mr. Woodruff explained to the board what it was and commented that this was a common term relating to road projects. He will add a sentence to define this and include a diagram for reference.

Mr. Nelson had a question relating to Section E. 15, relative to the maintenance of new private roads. Mr. King stated that the subcommittee had discussed this at length, noting that Mr. Kinmond felt it was important to include language to ensure the maintenance of new private roads. It was noted that this was a regulation and that an applicant and or developer could request a waiver of the requirement of the homeowners association and the board could approve the waiver and require language to be included in the deeds.

Mr. Woodruff noted one significant change to the table shown in Section E, which was proposed roads with an ADT of 50-250, can be a gravel surface.

Mr. Howard noted his concern with language in Section A, Acceptance of New Subdivision Roads, which will require someone, such as a property owner or developer, to incur the cost of having to prepare a recordable deed prior to a vote at Town Meeting. Board members discussed this at length, with the Chair polling the board for their opinion as to leave it as written or amend. A majority of members voted to make no changes to this section. Mr. Howard noted that the verbiage (Roadway Width as shown in Table E) was not consistent with what the verbiage in the proposed Policies just endorsed by the board. After review of both documents, it was the decision to amend Roadway Width, to Travelled Way Width in both documents.

Motion: Mr. Nelson moved to amend the Policy Recommendations for Design Standards and Procedures for 3R (repair, rehabilitation or reconstruction) projects on existing Town-maintained Roads, pg. 4, Section 2, to Travelled Way, seconded by Mr. Maroun, carried unanimously.

Mr. Howard questioned the distances required in Table E, regarding Sight Distance. Were the distances shown measured from the intersection required in each direction, or a total distance in total? It was noted that it is standard practice that the requirement is in each direction.

Mr. Howard pointed out another inconsistency between the proposed Policies and the Subdivision Regulations, relating to Guide Rail (policies) and Guardrail (regs.) Mr. Jensen asked Mr. Woodruff what the difference was between the two. Mr. Woodruff stated he did not have a definition for both, but would gladly get that information back to the board. After a lengthy discussion and the help from “Google”, Mr. Maroun read the following: “It was determined that Guide rail is often mistaken for guardrail, but the official name was changed to guide rail because of a lawsuit. The parents of a child were suing a state because their child had gone through the "guardrail" and was killed. They claimed that the "guardrail" should have guarded their child from such an accident and were suing because the "guardrail" did not perform as its name suggested. When the expert witness took the stand it was clarified that the rails were intended to steer and "guide" vehicles back onto the road, they were never designed to guard vehicles from going off. One could argue that the most technically correct name when referring to road side rails is guide rail”. Board members felt that either term could be used in the documents and were in agreement to amend the policies to Guide Rail.

Motion: Mr. Jensen moved to amend the Policy Recommendations for Design Standards and Procedures for 3R (repair, rehabilitation or reconstruction) projects on existing Town-maintained Roads, Section C, 14, to Guide Rail, seconded by Mr. King.

Discussion on motion: Mr. Howard noted his concern with changing the verbiage and asking why the board would change it making two different standards. Mr. Jensen withdrew his motion on the floor at this time, and Mr. King withdrew his second.

Mr. Howard noted his question was still the same, and that they were not consistent, noting the difference in the policies requiring a lesser standard than in the regulations. He questioned why there was a difference in requiring new roads to meet NHDOT Standard Specifications for Road and Bridge Construction, and not requiring the same for 3R (repair, rehabilitation or reconstruction) projects on existing Town-maintained Roads? After a lengthy discussion, it was the decision of the board to ask the Road Agent, Mr. Kinmond, what the NHDOT standards are, and if they specify different types of guardrails and specifications for speed, and is there a variety in the type of guardrails.

Mr. Howard referred to Exhibit 2, noting the need for additional dimensions on the drawing for clarification to be consistent with the verbiage shown in the text.

There were no further questions or comments relating to Subdivision Road Design Standards from Subcommittee at this time.

Ms. Coppinger noted that the board was going forward with sending the Policies onto the Board of Selectmen as amended this evening, and to Table the Subdivision Regulations to allow time to for Mr. Woodruff to contact Mr. Kinmond for his input regarding the NHDOT standards and specifications for guardrails.

Discussion of the Draft Zoning Ordinance Definition Section

The Board next took up the discussion relating to the Draft Zoning Ordinance Definition Section. Mr. Woodruff had provided the board with two handouts, one in which he had made the changes as discussed and approved by the board at their work session on the 21st. The changes made removed all sign related and “not contained in” text terms as discussed, and also added a new Sec. 1501, B. that addressed how new definitions in amended sections would get there, and revised old Sec. 1501 C, now D, with the language that was crafted at the work session. The second document showed what is and what is not contained in the text of the zoning ordinance and notes whether there are similar terms or not. This was what board members were to review as “homework” for this evening’s discussion.

Board members briefly reviewed again each of the definitions as proposed. It was noted there were terms that are currently defined in Article III, of the existing ordinance which were over looked and had not been included in proposed Section 1501D. Mr. Woodruff will include these terms in Section 1501 as they are already defined in our current ordinance.

There was no further discussion of the draft Zoning Ordinance Definition Section.

Motion: Mr. King moved to approve proposed Section 1503 General Definitions as amended, and vote to hold the required Public Hearing on the changes as presented, to be included on the Ballot, seconded by Mr. Jensen, carried unanimously.

The board then discussed the possible dates for the scheduling of the Public Hearings. It was suggested that two dates be chosen, one for the first hearing and a second for a final public hearing if necessary. It was noted that inclement weather affected one of the public hearing dates last January and a question was raised in regards to choosing snow dates as well. It was the decision of the board to schedule the Public Hearings for proposed Zoning Amendments for Monday, December 19, 2011, with a snow date of Tuesday, December 20, 2011 and the dates for a final Public Hearing, if necessary, to be

Wednesday, January 11, 2012, with a snow date of Monday, January 16, 2012. All Public Hearings will begin at 7:00 PM.

Motion: Mr. Howard moved to schedule the Public Hearings for proposed Zoning Amendments one through six, for Monday, December 19, 2011, with a snow date of Tuesday, December 20, 2011 and the dates for a final Public Hearing, if necessary, to be Wednesday, January 11, 2012, with a snow date of Monday, January 16, 2012. All Public Hearings will begin at 7:00 PM. Seconded by Mr. Jensen, carried unanimously.

There were no further questions or discussion from the board at this time.

Adjournment: Mr. Nelson made the motion to adjourn at 9:50 PM, seconded by Mr. King carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant