

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

Work Session

April 29, 2015

Minutes

Present: Members: Rich Kumpf, Joanne Farnham, Kevin Quinlan, Ed Charest;
Russ Wakefield (Selectmen's Representative)
Alternates: Kathi Margeson, Allen Hoch
Excused: Member: Scott Bartlett
Staff Present: Town Planner, Bruce W. Woodruff; Administrative Assistant, Bonnie Whitney

I. Pledge of Allegiance

Vice Chairman Kumpf opened the regular meeting at 7:00 PM and led the Pledge of Allegiance. He then appointed Kathi Margeson and Al Hoch to sit on the board with full voting privileges. Mr. Kumpf welcomed Mr. Hoch as the newest alternate member of the board.

II. Approval of Minutes

Motion: Mr. Quinlan moved to approve the Planning Board Minutes of April 22, 2015 as corrected, seconded by Mr. Charest, carried unanimously.

III. Other Business/Correspondence

1. Mr. Kumpf reminded members that the 21st Annual OEP Spring Planning and Zoning Conference will be held this Saturday, May 2nd at the Grappone Conference Center in Concord, NH.

2. The Planner stated that he had prepared the Final Revised Planning Board Policies as amended and approved by the Board at their last meeting. One member noted an article that was written by Christine Fillmore, Esq. that was in an issue published by NH Town & cities relating to the seating of alternate members. A short discussion ensued regarding this. Should alternate members participate in board deliberations, ask questions or vote on an application if they are not seated in place of an absent member or should they sit with the public. It is the policy of the Board to allow alternate members to participate in the proceedings, but they may not vote on an application. The Planner stated that the position of the NH Municipal attorneys has always been one of strict formality so the public can understand. The Board should be clear when an alternate member is seated. The Planner went on to say that this was mostly aimed at zoning boards. There were no changes made to the policies as a result of this discussion. Members signed the original signature page for the Policies of the Moultonborough Planning Board.

3. Discussion on Draft Broadband Revision to Subdivision & Site Plan Regulations - The Planner stated that at the last meeting members felt that the language presented needed to be revised so that the public would better understand exactly what the Town is asking developers to provide access for. Mr. Woodruff met with Mr. Kumpf and talked over many different language changes. He stated that in the end the statutory responsibility of the Planning Board is to further the public interest with regard to developments that occur in the town. One thing they want to make sure is that the utilities are in the development. Power and telephone will be there as they are public utilities. One thing the board cannot do is to require something that is not a public utility. The board does not have the statutory authority to require a

developer to put the service in. However what they can do is require the developer to either construct the infrastructure that will provide the pathway to get it in, the access or the pathway, or you will actually provide easements on existing infrastructure to bring the service in. The question was what is the service? Mr. Kumpf and the Planner tried to simplify this while still trying to get to the crux of where we are today in the 21st century. There are only two ways to provide this service, one is wired and the other is wireless. Members were provided with revised language that the Planner and Mr. Kumpf crafted to be included in both the Subdivision & Site Plan Regulations. Members reviewed the proposed changes to the regulations.

Bill Gassman, 77 Cottage Road, commented that he thought the language was pretty close. Members had previously been given a letter from Mr. Gassman in which he noted his concern that the proposed language does not meet the intent of the change. He went on at great lengths expanding on his thoughts and comments contained in his letter of April 27, 2015. Mr. Kumpf then closed public input on this issue. After much discussion it was the decision of the board to accept the changes as presented by the Planner. It was noted that a Public Hearing is required to make changes to either the Subdivision and/or Site Plan Regulations. Mr. Woodruff asked the members if they wanted to set a date this evening for the public hearing. It was noted that this could be done on the same evening as a regular meeting. After a brief discussion it was noted that in order to meet the statutory requirements for the posting of a public hearing it could not be held until the second meeting in May.

Motion: Mrs. Farnham moved to approve proposed amendments to the Subdivision Regulations and Site Plan Regulations as amended and further to schedule the Public Hearings for Wednesday, May 27, 2015, seconded by Mr. Quinlan, carried unanimously.

The Planner commented the next item is part of the Boards 2015 Work Plan. These are additional changes to the Site Plan Regulations. Mr. Woodruff reviewed each of the proposed changes to the Site Plan Regulations.

Amendments to Section 5. Site Plan Application and Review Process. D. Board Action on Completed Application are proposed to be in accordance with RSA 674:4, amending the time the board must act on an application from ninety (90) days to sixty-five (65) days, adding that any extension must be approved by the Selectmen as provided in accordance with RSA 676:4,I. (f) and striking that final plans will be filed with the registry. The Planner stated that the registry no longer records site plans, and they are on file at the Town.

Amendments to Section 12. Documentation. A. Applications for Site Plan approval shall include the following documentation are proposed as a house keeping item. Number 7 was a change that was made a few years ago and it is in the wrong place. It has been amended and this will put the requirement in the beginning of the application process which will allow the plans to be available in an electronic file for the distribution ahead of time for review by things such as the Technical Review Committee and Board members in advance of scheduled hearings.

Amendments to Section 13. Administration. F (3). Final Approval; this was originally part of number 7 in Section 12. A. It has been added as 3, requiring the applicant to provide three (3) sets of final plans and documents to the Development Services Office in hard copy form and one (1) pdf format file of the application and other written documents, along with a pdf file of the final plans in a size not to exceed five (5) Mb. at time of plan submittal for signing and recording. Ms. Whitney stated that applicants are required to provide the Development Services Office with a full size copy of the recorded plat from the registry of deeds, and suggested this be added to this section. The Planner and members were in agreement with this and proposed language for F (4) stating "The applicant shall provide the Town with a full size copy of the recorded plat from the Carrol County Registry of Deeds."

Motion: Mr. Wakefield moved to approve proposed amendments to the Site Plan Regulations as presented and further to schedule a Public Hearing for Wednesday, May 27, 2015, seconded by Mr. Quinlan, carried unanimously.

4. Guidelines for being an Effective Land Use Board Member – Mr. Kumpf opened this discussion stating these guidelines outline how you can be a better board member. The board went through each of the bullet points and the suggested Do's and Don'ts for the Conduct of Public Hearings. After a lengthy review it was the feeling of the majority of the board that the handout was a good guideline and refresher of things they should be following and in fact does.

Mr. Woodruff commented that the board had several items remaining on their agenda and noted that there are no scheduled hearings for their meeting on May 13th. He suggested that the remaining items be tabled to the 13th. Members were reminded to bring their materials they were already provided with to the next meeting. Mr. Kumpf noted the handout "Housing Needs in New Hampshire" which talks about three basic things that are going on; an aging population, the young people have different housing preferences and there's a misalignment with what's currently available and what kind of housing we need in the future. He suggested reading this document as it has a lot of suggestions on how to solve New Hampshire's housing needs.

Mr. Wakefield noted the handout "Dialing-in your zoning to fit your community" and asked the Planner if he would briefly explain what a form-based code (FBC) is. Mr. Woodruff replied that FBC usually is a little bit more doable in places that have very permanent buildings and village or urban setup. You already have the street scape, the sidewalks, the street trees and the buildings and the facades. It seems a little odd that you would place a zoning table of permitted uses over the top of that because it really is the market that determines where people want to go, what types of uses and where those uses are appropriate for having successful businesses. So FBC really focuses more on new development and how it will fit into the form of your village and how the buildings look, what their form and mass is, how close they are to the street, how close they are to each other, how the site is laid out with regard to parking, what the place looks like and feels like, and less on dictating to the owner of the property what the uses will be. That's form-based code. It focuses on the function rather than the use.

Lastly Mr. Kumpf requested members take time to review the handout "Housing Needs in New Hampshire" and read the handout "Housing Solutions for New Hampshire", and for the next meeting jot down in what you believe, priority wise, would be the top three-five solutions that you think would be applicable to Moultonborough. What would be the most interesting for the board to pursue? He then asked members to read the publication "Putting Smart Growth to Work in Rural Communities" and to take five minutes on the internet to read about the "UN Agenda 21". Mr. Kumpf stated that these are interrelated. He asked members to learn a bit about Agenda 21, and is this something that we want to promote in the Town of Moultonborough. Several members were in disagreement with any thoughts or ideas relating to Agenda 21 and that the board should not be discussing it. The Planner commented that you should never throw some good ideas out because there might be a "buzz word" in a document and any of the documents that have been handed out have some good ideas in them. In the end it is up to the board and the citizens to determine which of those to employ.

IV. Adjournment: Mrs. Farnham made the motion to adjourn at 8:35 PM, seconded by Ms. Margeson, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant