



Minutes

NORTH HAMPTON PLANNING BOARD Work Session Meeting on February 22, 2005

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These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription. An audio recording of the meeting is available in the Town Office. In the event that a question arises about verbatim comments, it can be answered by listening to the recording.

Present: (1) Phil Wilson, Chair; (2) Shep Kroner, Vice Chair; (3) Ron Todd; (4) Joseph Arena; (5) Craig Salomon, (6) Judy Day, (7) Jon Rineman, Selectmen's Representative.

Alternates Present: Laurel Pohl

Members Absent: (1) Beth Church, Alternate. (2) Krystina Deren Arrain, Planning and Zoning Administrator.

Vice Chair Kroner convened the meeting at 7:03 PM.

Mr. Wilson asked to speak to a question of privilege.

Mr. Kroner assented.

Mr. Wilson explained the reasons for his request: 1) The Hampton Union had incorrectly reported that he had said the Board had voted on the question of submitting the PLAN NH application, 2) a member of the Board had questioned whether the Board had authorized Ms. Robinson and Mr. Wilson to prepare and submit the application prior to the deadline, and 3) because the recording secretary was absent, Mr. Wilson would have to take minutes this evening and preferred to resolve the issue of whether the Board wanted the PLAN NH application submitted early in the agenda so that he could concentrate on the minutes for the remainder of the meeting.

Mr. Wilson read the following statement:

Mr. Chairman:

I want to address a question of privilege.

Over the past few days the application that I submitted on behalf of the Board to the PLAN NH Charrette Program has been a topic of discussion among members of the Planning Board, the Board of Selectmen, and other members of the community.

I will, after a brief statement, make a motion that will resolve the issue.

First, I ask a question: If the Planning Board did not expect Jill Robinson and I to submit the application in time to meet the deadline, why did the Board ask us to put the application material together?

Second: What is the substantive issue here? Is the PLAN NH Charrette Program good for the Town? The substance of the PLAN NH application is what this volunteer Board should be most concerned about.

The issue boils down to a simple difference in points of view about the best next step in the process of planning for the municipal complex over the next 15-20 years. What we do may cost -- in capital and additional operating expenses -- \$5 million, \$10 million or probably much more. Taxpayers will have to pay the bills for what we decide to do.

The work of the MFAC and the Mires architectural firm has given the townspeople myriad information, data and ideas about how the municipal complex should be renovated, redesigned or redeveloped.

The townspeople thus face with three questions:

1. What do we need?
2. What do we want?
3. What can we afford?

How do we best pursue answers to these important questions?

- Do we want to tell engineers and architects to create plans for what the townspeople have decided? Or
- Do we want them to tell us what they have determined we need, want, and can afford?

Do we engage the townspeople in the process? Do we inform them and draw upon their imagination, intelligence, and wisdom to give design to architects, engineers, and other professionals to develop plans that meet our expectations?

OR

Do we commission a study by professionals to take information we have, develop their own parameters, and then come back to the townspeople with answers to the three questions of needs, wants, and affordability?

The Board's application to the PLAN NH Charrette Program seeks an efficient, inexpensive opportunity to engage the townspeople in determining design parameters for work on the municipal complex.

If the Town is fortunate enough to win the competition for the Charrette, we will benefit in many ways:

- Townspeople will understand and support a plan that meets parameters they helped create.
- The Town's contribution to the Charrette Program will be leveraged by as much as tenfold in the *pro bono* work of the professional team that conducts the charrette and that has experience in the process of engaging a community

in this type of planning work. Franklin, NH provides a good example of what a charrette can do for a town plan for their municipal complex.

- Subsequent spending of up to \$75,000 on plans will begin from a more specific starting point and will therefore take us much closer to the point at which the Town can actually begin implementing a plan that has the backing of townspeople. They will understand, support, and be willing to pay for their plan.

The “Scope of Work” for the \$75,000 Warrant Article offered for the Board’s consideration tonight puts the role of developing design parameters in the hands of paid professionals, working on a contract whose principal purpose is designing a municipal complex for the town. In its present form the “Scope of Work” provides for precious little involvement of townspeople in the design process.

Yes, the “Scope of Work” can be modified to include a focus group or similar provision to invite townspeople to participate, but the “Scope of Work” we see indicates the primary thrust of this: Let contract professionals tell us what to do.

Adding a channel for involving townspeople is necessary, regardless of the PLAN NH application, but in the proposed “study” such a provision would be a distraction from the main thrust of the architects’ and engineers’ work.

In a PLAN NH Charrette, engaging townspeople in the process is the most important part of the work, not a distraction.

I am a firm believer in the wisdom of the people of North Hampton. When difficult issues face us, when we are informed and engaged, we come up with good ideas, good solutions to problems, and we get behind them.

I move that the Board accept the application to the PLAN NH Charrette Program for 2005 as submitted.

Mr. Arena seconded the motion. He said that too much had been made of the issue. Mr. Wilson and Ms. Robinson had been authorized to prepare and submit the application by acclamation.

Ms. Day said that she was “confused” and could not follow the statement of Mr. Wilson.

Mr. Salomon said that the motion should read “ratify” rather than “accept.”

Mr. Arena said the wording was irrelevant because the Board acted by acclamation.

Mr. Kroner said that he thought the Board was authorizing submission.

Ms. Day said, “I didn’t think so, but if that’s what you think and that’s what’s in the minutes, that’s it.”

Ms. Pohl asked about the design of the Charrette, and Mr. Wilson briefly described the agenda, participation, PLAN NH team, and the output (passing around a copy of the Jackson, NH charrette output).

Ms. Pohl asked how many people are on the professional team that conducts the charrette, and Mr. Wilson answered 10-15 professionals.

Ms. Pohl said that, if the charrette costs \$2,500, that amounts to \$16.00 per hour for professional assistance. "That is cheap for this kind of work."

Mr. Rineman said that Selectman Gould had called PLAN NH for information and was told that North Hampton would not get conceptual drawings as a result of the charrette. He added that \$2,500 was not available to make the required contribution to participate and that the required contribution could be greater than \$2,500.

Mr. Wilson pointed out that in the case of Jackson, NH there were several conceptual drawings as part of the report that was produced from the charrette.

Mr. Salomon suggested that the Board should focus on the ultimate issue. Assuming funding is available and if the required contribution is greater than \$2,500, we can reevaluate the benefit of going forward, this is the situation: If the warrant article for the study passes, the charrette will help us move forward. If the article for the study does not pass, the charrette will be a step forward. To get ahead of the curve and know our options is good.

Mr. Todd raised a question: If the warrant article passes, can the \$2,500 for the charrette come out of the \$75,000? He said that it seems that the Town could get a lot from the charrette for the dollars spent on it.

Mr. Rineman said that if you have all your ideas for development already determined before going to the engineers and architects, you may not get anything other than a reshuffling of those ideas. Emily Creighton went to a local architect who worked for a couple of hours with the Board of Selectmen to develop a scope of work for the study that has been presented to the Planning Board for review tonight. If you go to the architect and say, "this is what we want," they'll give you what you want, and you may lose new ideas that they would have contributed.

Mr. Todd asked whether that anticipated that the charrette would produce only one option?

Mr. Wilson said that the charrette may produce more than one option and conceptual drawings of the options, as exemplified by the output of the Jackson, NH charrette. Mr. Wilson said that he did not know what the woman to whom don Gould talked had told him or what don Gould had asked her. But the Jackson, NH report clearly contained options and conceptual drawings.

Mr. Arena said that the people running the charrette are New-Hampshirites. They are independent and are not going to be told what to do. The funds are here in our budget for this, and we don't have "knock on the door of the Board of Selectmen" for funds.

Ms. Day expanded on the budget issue and diverted the discussion away from the PLAN NH issue to general matters about the Board's annual budget and the procedures for developing that budget. The discussion was continued by members of the Board and members of the audience for several minutes.

Mr. Salomon raised a point of order to return the Board to the question on the table. He reminded the Board that some time prior to the diversion, he had suggested that Mr. Wilson's motion be amended to change the word "accept" to "ratify."

Mr. Salomon moved to amend the motion, substituting the word "ratify" for "accept" in Mr. Wilson's motion. Mr. Wilson seconded the motion. The motion passed unanimously (7-0).

The question was called on the amended motion:

That the Board ratify the application to the PLAN NH Charrette Program for 2005 as submitted.

The motion passed five in favor, two opposed (Ms. Day and Mr. Rineman).

Ms. Day asked, "Does that mean we just voted to give more money?" The question diverted the Board into a discussion of the reconciliation of fees the Board receives with expenditures the Board makes.

Mr. Arena emphasized that funds received should not be commingled with general funds, and the point was made that that is simply how it is done in New Hampshire municipalities.

Heritage Commission nominations and renewals

Mr. Kroner recognized, Ms. Jenifer Landman, Chair, Heritage Commission. Ms. Landman raised the question of whether the Planning Board appoints members of the Commission, or nominates members to be appointed by the Board of Selectmen. After some discussion, Mr. Robert Landman read from RSA 673:4-A, and the sense of the Board was that, until the current procedure is changed by warrant article, the Planning Board nominates individuals for appointment by the Board of Selectmen.

Ms. Day moved to nominate Jane Currivan to fill out the term of Robert Southworth, who resigned from the Heritage Commission. Mr. Arena seconded the motion. The motion carried unanimously (7-0).

Ms. Day moved, and Mr. Arena seconded the motion to make the following nominations to the Heritage Commission:

Carolyn Brooks	Full Commissioner	Term expiring 4/2008
Jenifer Landman	Full Commissioner	Term expiring 4/2008
Ruth Donais	Alternate Commissioner	Term expiring 4/2006

The motion carried unanimously (7-0).

Surety for Case 04-30: Abenaki Carriers/Marston

Mr. Kroner raised the question of determining an amount of surety for Case 04-30. He read the memorandum and recommendation from the Town engineer. The Board discussed reasons that the condition of approval about this matter indicated that surety was required only in the amount of 25% of the total cost of installing and maintaining the landscaping in the plan for three years.

Mr. Wilson said that he must have made a mistake in drafting the condition, because he recalled that the Board had voted to require surety in the amount of 100% of the cost of installation and

maintenance and that 25% of that amount should be retained for three years following completion of the project to ensure survival of the plantings.

Mr. Salomon indicated that this was his recollection, as well.

The Board discussed whether to try to remedy this problem, and the sense of the Board was that other notes in the approved plan required that the landscaping be properly maintained and therefore that other means were available to ensure that the landscaping plan was properly installed and maintained.

Ms. Day moved to approve a surety bond in the amount of \$3,340.75 for Case 04-30. Mr. Salomon seconded the motion.

The motion carried unanimously (7-0).

Planning Board “Alternates” Discussion

Mr. Kroner noted that the Board had received an email from Rich Goeselt in December of 2004 expressing interest in being appointed as an alternate to the Board. Mr. Goeselt was present in the audience.

Discussion ensued about the lengths of various terms of appoints for alternates and how they would apply to an appointment this close to Town Meeting.

Mr. Arena moved to table the question till after Town Meeting. Mr. Rineman seconded the motion.

Options for appointing Mr. Goeselt were discussed.

Mr. Todd called the question.

The vote was six in favor, none opposed, one abstention (Mr. Wilson).

Mr. Kroner indicated that the Board would take up this question as the first item on the agenda of the first work session after Town Meeting, if Mr. Goeselt were not elected in the coming election.

Long Range Planning Committee summary/review wrap-up statement

Ms. Day presented a written statement/report to the Board for consideration (attached and incorporated herein by reference).

Members commented on Ms. Day’s observations and suggestions. They took issue with some items and statements made in her document. Discussion focused on updating the Master Plan. The sense of the Board was that the Master Plan needs to be an “evergreen” document and that the Board needs to find time and resources to ensure that it becomes such.

Mr. Wilson said that he and Ms. Robinson did not, as Ms. Day stated in her document, agree to meet to format and append updates to the Master Plan that the Long Range Planning committee had submitted in December of 2003.

Ms. Day said that a review of the “tapes and minutes” would resolve the issue.

Mr. Wilson said that Ms. Day’s statement about “Smart Growth” in the document was incorrect. He had not “determined that a Smart Growth Audit . . . would be performed by Jill Robinson, Circuit Rider.” Rather, he said, the Board had voted to authorize the audit and, in fact, Ms. Day had made the motion to do so. Ms. Day disagreed, saying the minutes would resolve the matter.

Mr. Wilson noted that under “Suggestion” in her document Ms. Day implies that the Board had not voted on the Board’s budget submission for 2005-2006. He reviewed the process that had occurred, noting in particular that the initial submission by the Board had been the result of the Board’s action in a work session. He also indicated that the Board’s initial submission had been altered in various ways after the Town’s tax crisis became apparent and that he was not satisfied with the way the Board of Selectmen and Budget Committee had followed up with the Planning Board Chair on alterations to that budget submission. Specifically, he had never been given any documentation of changes that had been made to the budget.

Mr. Todd raised a question about the development of the “MFAC’s \$75,000 warrant article,” and Ms. Day took issue with characterizing the article as the “MFAC’s \$75,000 warrant article.” Rather, she said, it was the Board of Selectmen’s article. Mr. Wilson said that we do not need to “dance around this issue any longer” because the December 7, 2004 minutes of the MFAC make clear that the MFAC developed the warrant article in a regular meeting, as indicated in those minutes, submitted by Ms. Day as Chair of the MFAC. He read the minutes for the record (copy attached).

Board members discussed the issue of finding more time for work session issues, especially long-range planning issues. Mr. Rineman suggested beginning meetings at 6:00PM, and Mr. Salomon noted that Farmington sets aside 6:30-7:30PM for work session matters before regular meetings of their Planning Board.

Review of minutes

Mr. Wilson moved, and Mr. Salomon seconded the motion, to accept the 18 January 2005 minutes as amended.

The motion carried unanimously (7-0).

Mr. Arena moved, and Mr. Rineman seconded the motion to accept the 25 January minutes as amended.

The motion carried unanimously (7-0).

Mr. Arena moved, and Mr. Kroner seconded the motion, to table the 1 February 2005 minutes until a special work session to be scheduled at 6:30 PM 1 March 2005 (prior to the regular meeting on that date).

The motion carried unanimously (7-0).

Mr. Arena moved to adjourn. Mr. Rineman seconded the motion.

The motion carried unanimously (7-0).

The meeting adjourned at 9:40 PM.

Respectfully submitted,

Phil Wilson, Chair