

Nottingham Planning Board
August 13, 2014

Accepted: 8/27/2014

Members Present: Arthur Stockus, Chair; Eduard Viel, Secretary; Mary Bonser, BOS Rep; Charlene Andersen; Teresa Bascom, Alternate; Susan Mooney, Alternate; Robert “Buzz” Davies, Alternate; Gary Anderson, Alternate

Members Absent: Troy Osgood, Vice Chair; Dirk Grotenhuis, SRPC Rep; John Morin, CIP Rep;

Others Present: JoAnna Arendarczyk, Land Use Clerk; Paul Colby, Code Administrator

Call to Order at 7pm

Mr. Davies was seated and voting for Mr. Grotenhuis

Accept the resignation of Vice-Chairman- Troy Osgood

Mr. Chairman announced that Mr. Osgood has moved to Northwood and has therefore resigned

Motion made by: Mrs. Bonser to accept the letter of resignation from Mr. Osgood

Seconded by: Ms. Andersen

Vote: 5-0-0 motion passed

Mr. Colby requested permission to draw up a letter of appreciation for Mr. Chairman to sign to be sent to Mr. Osgood. There were no objections.

It was then noted by Mr. Viel that there were only 5 seated members. Mr. Anderson was then seated and voting for Mr. Morin.

Appoint alternate to replace Mr. Osgood

Mrs. Bonser nominated Mr. Anderson

Mr. Davies nominated Mrs. Mooney

- Ms. Andersen spoke on to the motion for Mrs. Mooney, citing her qualifications for the position as a Board member

The Board decided to hold a secret ballot vote

The results were:

- Mrs. Mooney- 4
- Mr. Anderson-2

Mrs. Mooney was elected to replace Mr. Osgood.

Role of the Alternate

7:08pm Mrs. Mooney went to the Town Clerk’s office to be sworn in as a Board member.

Mr. Viel started the discussion regarding the Role of Alternates. He read his findings regarding the need to amend the current By-Laws and Rules of Procedure.

**Email from Ed Viel attached*

Mrs. Bonser read an e-mail she sent the Chair quoting an article By C. Christine Fillmore, Esq. from the *New Hampshire Town and City, July/August 2007* issue. **E-mail from Mary Bonser attached.*

7:13pm Mrs. Mooney returned from the Town Clerks office

Mr. Chairman then read **item 5 under Members and Alternates**, from the *OEP’s Appendix C:Suggested Rules of Procedure for Planning Boards 2010*

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**Appendix C attached*

Mrs. Bonser noted that the Appendix document is directly opposed to the document she found from NHMA.

The Board members discussed that NHMA has not been updated since 2010.

Mr. Chairman noted that the By-Laws and Rules of Procedure definitely need to be updated due to RSA changes. He also raised the question he read in the *New Hampshire Town and City, July/August 2007* issue: **What if an application or appeal is continued during several meetings? Does the same mix of regular and alternate members have to participate in each of those meetings?**

Mr. Davies suggested a separate labeled table for the non-seated alternates. He went on to say that having been an alternate for quite some time he feels much more involved sitting with the Board than with the public.

The Board welcomed Mr. Davies suggestion.

Mr. Colby reminded the Board that there would be no other microphones but the seating arrangement could be accommodated with a little shifting.

Mr. Chairman said we can address changing the By-Laws after further counsel.

Motion made by: Mr. Viel to table the revision of the By-Laws and Rules of Procedure until the Board receives an update from counsel.

Seconded by: Mrs. Mooney

Vote: 7-0-0 motion passed

Election of Vice Chairman

Motion made by: Mrs. Mooney to elect Mr. Viel as Vice-Chairman.

Seconded by: Mrs. Andersen

Vote: 7-0-0 motion passed

Accept the Resignation of the Secretary- Ed Viel

Motion made by: Mrs. Mooney to accept Mr. Viel's resignation as Secretary

Seconded by: Mr. Davies

Vote: 7-0-0 motion passed

Election of Secretary

Motion made by: Ms. Andersen to appoint Mrs. Mooney as Secretary

Seconded by: Mr. Anderson

Vote: 7-0-0 motion passed

Review Draft 2 of the Steep Slope Protection District

Mr. Colby informed the Board of the reply from the Fire Department regarding the driveway slopes to allow the Fire Department access to a home in an emergency should be no greater than 12%.

Mr. Colby also informed the Board that the Wireless Communications Ordinance did indeed pass. The Board agreed to re-enter that line in the Steep Slope Ordinance. There were several other Articles that passed at a prior election that had not been added to the updated Zoning Ordinance, those Articles will be added to the Zoning Ordinance as time allows in the office.

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Board members discussed their differing views of why this ordinance is important for the town. Some member's referenced areas in Nottingham with steep slopes and the issues being seen in those areas being seen in those areas such as erosion

Mr. Anderson asked if the Ordinance would supersede action by Shoreline Protection.

-Shoreline Protection would trump the Town's Ordinance.

Mrs. Bonser spoke regarding the Board of Selectman's concerns:

- What does this actually cover?
- Inside the State Park is not our business
- Shore Land Protection is covering most with the State regulations
- The Board of Selectman feel this Ordinance is a poor use of the Tax payer's funds due to the impact being questionable.

Mrs. Bonser stated that when you have to get an engineer involved you are pricing people out of what they want to do on their land.

Mrs. Mooney presented a Rise and Run print out that she created to aid Board members in visualizing the slopes when given percentages.

The Board reviewed Draft 2 in further detail. *Amended Draft 2 attached*

Schedule Date with Jack Mettee

Choice of September 24th or September 17th - ***Date chosen is September 24th***

Board of Selectman Update

Selectman Mrs. Bonser stated that the plan to schedule the Candidate's night for the Primary Election is not looking possible- there will be Slides on Channel 22 for information on each candidate.

Staff/ Board Members Update

Nottingham Family Day is September 20th

- Mrs. Mooney and Mr. Stockus volunteered to cover the booth for Planning Board
- Others are welcome to help
- Mr. Colby requested that only framed Maps be displayed

Mr. Colby gave an update on upcoming cases.

Minutes

July 23, 2014

Motion made by: Mrs. Andersen to accept the minutes as amended

Seconded by: Mrs. Mooney

Vote: 5-0-2 motion passed

Adjournment

Motion made by: Mr. Viel

Seconded by: Mrs. Mooney

Vote: 7-0-0 motion passed

Adjourned 8:25pm

Respectfully submitted,

JoAnna Arendarczyk

Land Use Clerk