

Sandown Planning Board  
Minutes  
December 7th, 2010

**Date:** December 7, 2010

**Place:** Sandown Town Hall

**Members Present:** Mark Traeger, Vice Chairman, Matt Russell, Marilyn Cormier, Ed Mencis, Tom Tombarello, Ex- Officio, Alternate Fred Daley and Alternate Ernie Brown.

**Also present:** Bette Patterson, Administrative Assistant

**Absent:** Donna Green, Chairman,, Steven Meisner and Town Engineer Steve Keach

**Opening: Acting** Chairman Traeger opened the meeting at 7:04 p.m. Acting Chairman Traeger announced that Alternate Ernie Brown would be serving on the board in Mrs. Green's absence and Alternate Fred Daley would be serving on the board in Mr. Meisner's absence.

**Approval of Minutes**

MOTION: Fred Daley made a motion to approve the minutes of November 16<sup>th</sup>, 2010 as amended. Ed Mencis seconded. Tom Tombarello abstained. Mark Traeger, Matt Russell, Marilyn Cormier, Ed Mencis, Fred Daley and Ernie Brown voted in favor of the motion. MOTION PASSED.

**Correspondence**

**Letter from Montana Realty Trust** - Request for release of \$30,000.00 bond for the completion of Pheasant Run. The road has been accepted by the Town based on the final KNA report.

MOTION: Ed Mencis made a motion to recommend that the Board of Selectmen release the \$30,000.00 bond as requested by Montana Realty Trust and to attach the Keach-Nordstrom final report to the Planning Board recommendation. Fred Daley seconded. Voted unanimously in the affirmative. MOTION PASSED.

**Keach-Nordstrom Associates, Inc. Report - Mill Woods** - Site Inspection completed on November 17, 2010. Improvements have been satisfactorily completed. The report recommended bond release #1 in the amount of \$61,138.80, leaving a balance of \$40,727.32 to complete remaining improvements. It is anticipated that the board will receive a formal request for bond release from the developer of Mill Woods in the near future.

**Public Hearing pursuant to RSA 675:3 for consideration of the following amendment to the Zoning Ordinance:**

Amendment 1 – To add to Article II – Part A - Section 20 entitled Lighting Requirements – The intent of this amendment is to maintain the rural character of the Town of Sandown by preserving the visibility of night time skies and to minimize the impact of artificial lighting on nocturnal wildlife.

Acting Chairman Traeger opened the public hearing at 7:22 p.m. He stated that the purpose of this

45 amendment is to promote good energy efficiency and to provide rules so that everyone is using lighting  
46 that is appropriate.

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48 Fred Daley stated that based on Section C-Outdoor Lighting Design, 1, any lights less than 100 watts is  
49 not affected by this zoning amendment. He asked if he was correct that people having low voltage lights  
50 for landscaping or using flood lights for Christmas would not be impacted.

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52 Ed Mencis replied that Mr. Daley was correct because landscape lighting is usually under the 100 watt  
53 limit and Christmas lights are only temporary. He stated existing lighting is grandfathered and would not  
54 be impacted by the proposed amendment.

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56 Matt Russell stated that what the board is trying to achieve is to point out that there are products that  
57 provide the same illumination as high wattage fixtures without affecting surrounding areas.

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59 **Public Comment:**

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61 Bruce Robinson thanked the board for being proactive with this ordinance. He stated he is the only one is  
62 the town of Sandown that has been blessed with a streetlight that shines in his bedroom window. The  
63 streetlight was installed by a utility company and is paid for by a private citizen. He stated he wished that  
64 we had gotten together in 2006 when all of this began because he is a victim of a situation where there  
65 was no ordinance in place to prevent the streetlight from going in. The utility company checked for this  
66 type of ordinance in 2006 and there was none. The proposed ordinance addresses a lot of the commercial  
67 and industrial lighting issues. Mr. Robinson talked about light pollution particularly around airports.

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69 Acting Chairman Traeger stated that the language in the proposed amendment came from the State of  
70 New Hampshire from the Department of Environmental Services Innovative Zoning Ordinance. The  
71 Planning Board tried to use language that is vetted by the State of New Hampshire.

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73 Mr. Robinson stated that local communities apply their own standards. Plymouth, Concord, Salem and  
74 Portsmouth have very definitive Town ordinances for dark skies which supplement the state regulations.  
75 This zeros in on what is good for their community. Dark Skies is only one category and there are other  
76 issues to address which are hazardous lighting, pollution and light intrusion. It's important that the  
77 ordinance includes no light intrusion beyond the property line. As a legislative body, the planning board  
78 has the power to define and enforce. In lighting design one of the regular terms used is "Public Right of  
79 Way" which defines ownership of a streetlight or a pole. This defines that the Town is the proprietor of  
80 those types of items. By using the term "Public Right of Way" the board can determine what happens  
81 because the board is the governing body. The other important issue is the private property part of this  
82 ordinance.

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84 Ed Mencis stated that a lot of this is common sense. He stated he believes the document we are talking  
85 about addresses the issues Mr. Robinson is discussing.

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87 Acting Chairman Traeger stated that what we have in this ordinance is an initial step in addressing  
88 lighting issues in the Town of Sandown. If this amendment goes on the ballot and the voters support it,  
89 the board will have an opportunity to work with the ordinance. In the future, the board can look and see

90 what improvements can be made to the ordinance. This ordinance provides a way for people to know  
91 the rules up front. When people install lighting, the rules will be in place.

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93 Matt Russell suggested that Mr. Robinson read through the proposed ordinance and help by supporting it  
94 and the board members need to do the same so people will understand it.

95 Mr. Robinson complimented the board on moving forward with the Dark Sky ordinance.

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97 Acting Chairman Traeger thanked Mr. Robinson for his input and closed the public hearing at 7:48 p.m.

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99 MOTION: Ed Mencis made a motion to move the following Amendment to the 2011 Ballot as written:

100 *Amendment 1 – To add to Article II – Part A - Section 20 entitled Lighting Requirements – The intent*  
101 *of this amendment is to maintain the rural character of the Town of Sandown by preserving the*  
102 *visibility of night time skies and to minimize the impact of artificial lighting on nocturnal wildlife.*

103 Tom Tombarello seconded. Voted unanimously in the affirmative. MOTION PASSED.

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106 **Public Hearing pursuant to RSA 675:6 for adoption of the following amendments to the Land**  
107 **Subdivision Control Regulations:**

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109 **Delete Section 9.18 as written and replace with a new section 9.18 entitled Design and Construction**  
110 **Standards for Drainage and Stormwater Management Facilities; and Delete Section 9.25 as written**  
111 **and replace with a new section 9.25 entitled Special Flood Hazard Areas.**

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113 Acting Chairman Traeger stated that the planning board has reviewed in detail the Design and  
114 Construction Standards for Drainage and Stormwater Management Facilities.

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116 Acting Chairman Traeger opened the public hearing at 7:50 p.m. There was no public comment.

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118 Acting Chairman Traeger closed the public hearing at 7:52 p.m.

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120 MOTION: Ed Mencis Made a motion to adopt the following amendments to the Land Subdivision  
121 control Regulations: **Delete Section 9.18 as written and replace with a new section 9.18 entitled**  
122 **Design and Construction Standards for Drainage and Stormwater Management Facilities; and**  
123 **Delete Section 9.25 as written and replace with a new section 9.25 entitled Special Flood Hazard**  
124 **Areas.** Marilyn Cormier seconded. Voted unanimously in the affirmative. MOTION PASSED.

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126 **Review of Sandown's Capital Improvement Plan**

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128 Matt Russell, Chairman of the CIP Committee reviewed the 2011 plan with the board. He explained that  
129 Chairman Green initially put together the CIP for the Town of Sandown. The CIP Committee decided to  
130 use the same format for 2011 and keep a running tally, so as the years go by, we can see what has been  
131 successful, what has been voted out and use this information for planning. The whole idea of the CIP is  
132 for the town to plan for large capital expenditures. This year will be a very quiet year on the warrant.

133 The only item for the warrant is the new police department building with an expenditure for \$176,000.00.

134 This was on the warrant last year and passed. The projected time frame from Chief Gordon for the police

135 department building is 2014.

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137 The library trustees requested that the \$60,000.00 that they had originally put in the CIP for 2011 be  
138 removed at this time. The library trustees have decided to wait to place this money into the CIP at a later  
139 date.

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141 The public works department has no requests at this time. There was a line item on the 2010 CIP for a  
142 mini excavator, however, that was voted down. Mr. Russell pointed out that figure is shown in red on the  
143 CIP print out. We are trying to keep the total town capital costs at \$300,00.00. The total for this year is  
144 \$225,794.00 which is a little less than the target number.

145

146 There are three potential capital equipment expenditures that the selectmen may or may not put forward.  
147 The first one is the office expansion into the basement for \$15,000.00. The second item is the voice over  
148 IP equipment that has been proposed for \$15,294.00 and the third item is a handicapped restroom for the  
149 upper part of the Town Office building for \$19,500.00.

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151 Tom Tombarello explained that the selectmen met with an engineer to see where the handicapped  
152 bathroom would be. The selectmen have not received the estimates for this work as yet.

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154 Marilyn Cormier stated that in terms of renovating downstairs as office space, it was her understanding  
155 that the selectmen have been unable to get contractors to come in and give estimates and  
156 recommendations for the work.

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158 Matt Russell stated that the bottom line is that the Selectmen will be making the decision on what they  
159 want to put on the warrant. The CIP Committee considers the CIP plan complete for this year. Mr.  
160 Russell stated that we need to get the word out to department heads earlier in the year and we need the  
161 support of the selectmen to continually bring this subject up because this can be a tremendous benefit to  
162 the town and the taxpayers in town to plan for these large capital expenditures and not put too much onto  
163 the warrant in one year. He stated the CIP Committee needs to have a selectmen's liaison to help move  
164 the CIP along and not wait until October or November to finalize things. The CIP should be an ongoing  
165 project.

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167 Mark Traeger stated that maybe the selectmen could tie department budgets into the CIP by saying that  
168 the budgets aren't going to be approved unless the CIP has been considered.

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170 Matt Russell suggested that the selectmen should use department head meetings, from the beginning of  
171 the year, to work on planning for future capital expenditures that departments may have.

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173 Marilyn Cormier stated that if an expenditure meets the CIP criteria, it should have to be in the CIP.

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175 Acting Chairman Traeger thanked Mr. Russell and the CIP Committee for their efforts.

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177 MOTION: Ed Mencis made a motion to submit the 2011 Capital Improvements Plan to the Board of  
178 Selectmen. Fred Daley seconded. Voted unanimously in the affirmative.

179 **Public discussion of changes and/or additions to Sandown Planning Board bylaws with respect to**

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**1) Master Plan Committee status change from permanent sub-committee to Advisory Committee**

MOTION: Ed Mencis made a motion to change the Master Plan Committee status from permanent sub-committee to Advisory Committee. Fred Daley seconded. Voted unanimously in the affirmative.

Fred Daley, Marilyn Cormier, Ernie Brown, Don Stockton and Jim Woodson, members of the Master Plan Advisory Committee, met with the planning Board. The Advisory Committee is seeking input from department heads and committees. At this point it is not clear of the funding needs because they are waiting for the input that was requested from various entities. The committee is working on the fact that there is already a good basis in place for the Master Plan and when the additional information becomes available they will be more likely to know what kind of funding the committee will need.

Mark Traeger stated the selectmen have agreed to encumber the funds. Mr. Traeger gave an overview of the grants they have received and the one being applied for.

Fred Daley stated two of the chapters or sub chapters are wildlife and energy issues. He also discussed the public out reach program the committee will be working on. They estimate that the cost will be approximately \$2,200.00. This will be considered over the next few months. The committee has also been discussing completing some of the work on the chapters on their own. Mr. Daley stated he would keep the planning board informed of the committee's progress.

**2) Addition of surety receipt and release process and 3) Clarification of alternates' participation during meetings.**

MOTION: Ed Mencis made a motion to add the surety receipt and release process and the language as amended at this meeting and for alternates' participation during meetings to the Sandown Planning Board bylaws. Fred Daley seconded. Voted unanimously in the affirmative.

**Adjournment**

MOTION: Ed Mencis made a motion to adjourn. Matt Russell seconded. Voted unanimously in the affirmative. MEETING ADJOURNED AT 8:40 p.m.

Respectfully submitted,

Bette Patterson, Administrative Assistant