

1 Sandown Planning Board
2 Minutes
3 January 4, 2011
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6 **Date:** January 4, 2011

7 **Place:** Sandown Town Hall

8 **Members Present:** Donna Green, Chairman, Marilyn Cormier, Matt Russell and Alternate Fred Daley

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

10 **Absent:** Vice Chairman Mark Traeger, Tom Tombarello, Ex- Officio, Town Engineer Steve Keach, Ed
11 Mencis, Steven Meisner and Alternate Ernie Brown.

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13 **Opening:** Chairman Green opened the meeting at 7:02 p.m. Chairman Green announced that Mr.
14 Daley would be serving on the board in Mr. Mencis' absence.

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16 **Approval of Minutes**

17 The board agreed to defer approval of the 12/14/10 minutes until the next meeting.

18
19 **Piscataqua Regional Estuary Project Presentation – Derek Sowers**

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21 Derek Sowers from the Piscataqua Region Estuaries Partnership (PREP) presented a detailed power point
22 report, tailored to the Town of Sandown, on the Piscataqua Region Environmental Planning Assessment.

23
24 Mr. Sowers stated the Piscataqua Region Environmental Planning Assessment report was distributed in
25 March 2010 to planning boards, conservation commissions, town administrators, and municipal planning
26 staff in all 52 municipalities in the Piscataqua Region Estuaries Partnership's focus area. Reports were
27 also provided to the four regional planning commissions.

28
29 PREP, formerly known as the New Hampshire Estuaries Project, was formed in 1995 with the mission to
30 protect, restore and monitor the health of the Hampton-Seabrook estuary and Great Bay Estuary. PREP
31 addresses a variety of water quality, land use, living resources, habitat protection and habitat restoration
32 issues in 52 communities located in coastal watersheds in Maine and New Hampshire.

33
34 The detailed municipal planning information for Sandown was collected by Theresa Walker and the
35 circuit rider planning staff from the Rockingham Planning Commission.

36
37 The PREP report documents the current status of environmental planning efforts and land use regulations
38 for each of the 52 communities in the Piscataqua Region watershed. The PREP report contains a
39 summary of 80 questions associated with municipal regulatory and non-regulatory approaches to resource
40 management as well as recommended actions to improve natural resource protection across the
41 watershed.

42
43 Mr. Sowers stated that this project was made possible with generous grant support from the Barbara K. &
44 Cyrus B. Sweet III Fund of the New Hampshire Charitable Foundation – Piscataqua Region. PREP is
45 administered through an agreement with the University of New Hampshire and implements a
46 Comprehensive Conservation and Management Plan for the region's estuaries. More information can be
47 obtained at www.prep.unh.edu.

48 **Public Hearing pursuant to RSA 675:4 for consideration of the following citizen petition amendment to**
49 **the Zoning Ordinance:**

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51 *Shall the Town vote to require the Sandown Planning board to notify in writing through the U.S. Mail all*
52 *property owners impacted by a proposed Zoning Ordinance that would affect 45% or less of the property*
53 *parcels in the town. The notice would be required to include a detailed summary of the proposed Zoning*
54 *Ordinance, the date, time and location of any public hearing on the proposed Zoning Ordinance and,*
55 *references to any written materials regarding the proposed Zoning Ordinance. The notice must be sent*
56 *at least fourteen days before any public hearing on the proposed Zoning Ordinance.*

57

58 *Note: Public Hearing Notice was published in the Tri Town Times on December 23, 2010*

59

60 Chairman Green stated the purpose of this public hearing to solicit feedback from the public and for the
61 board to decide whether to support this petitioned article.

62

63 *Note: There were no members of the public present.*

64

65 Matt Russell stated that he would assume the cost of mailing notifications would have to come out of the
66 planning board budget. There is no line item for this currently. He asked what would the town do if
67 funds are required to do a notification as recommended in this article?

68

69 Fred Daley stated, according to the petition, notifications would only be sent to 45% or less of the
70 property parcels that are affected by a proposed Zoning Ordinance. The maximum number of
71 notifications that would be sent out is 1,214. Materials, such as post cards and postage, would total
72 \$425.00 Labor costs would total approximately \$497.00. This amount would have to be incorporated
73 into future budgets. The reason for this petitioned article is to increase the notification process. Currently
74 the Town is only required to publish a notice in the newspaper and post at the Town Office and Post
75 Office. The only other time a resident is notified is when a permit is required through the process of the
76 Town and abutters are required to be sent a notice.

77

78 Matt Russell stated he thought this could be a problem. The petition requires that a detailed summary of
79 the proposed zoning ordinance needs to be included in the notification. This may be too much
80 information to place on a post card.

81

82 Fred Daley stated that last year he spoke to over 100 people that were directly affected by the proposed
83 wetland ordinance and none of them knew about it. This year people did not know about the proposed
84 dark sky amendment. Mr. Daley stated the notification by post card would give the town residents the
85 opportunity to know that the board did all they could do to provide information to residents. If the
86 planning board is going to put forth regulations then it should know what impact it has on people.

87

88 Marilyn Cormier stated in determining the 45% we will have to have someone's help and that would be
89 another cost.

90

91 Fred Daley replied that the basic question is who is being impacted? It is just a matter of having an
92 understanding of who is impacted for the planning board to make a determination of who will be notified.

93

94

95 Matt Russell stated that he agrees the town needs to do a better job o getting information out. The costs
96 and time to send out a post card to people impacted by a proposed zoning ordinance is a concern.

97
98 Chairman Green stated we all agree we need to better communicate changes to the voters. The concern
99 is that if we only send out post cards then we may not be able to put enough information into the notice.
100 It may be more advantageous to send out a flyer that would include a general overview of the proposed
101 amendment.

102
103 Marilyn Cormier stated the public should be noticed when we start talking about a proposed change. She
104 suggested that notice should be sent to everyone in one bulk mailing.

105
106 Fred Daley stated his main goal is to ensure residents are made aware of any changes that may impact
107 their property. He suggested that an e-mail tree may be another avenue of communication to look into.

108
109 Chairman Green stated her concern is the legality of this article. Both Town Counsel and LGC Counsel
110 have advised the town that this is an advisory only petitioned article. A concern of the board is that if one
111 property owner is not notified because the town failed to identify them as an impacted party, the town
112 may then be liable. The reference in the petition that requires any written materials to be included in the
113 notice is far too broad.

114
115 Fred Daley disagreed stating the planning board needs to know what parcels are being impacted by a
116 zoning change.

117
118 MOTION: Matt Russell made a motion that the Planning Board place a NOT RECOMMENDED on the
119 ballot for the petitioned warrant article. Marilyn Cormier seconded. Chairman Green polled the board as
120 follows: Fred Daley – Recommend Marilyn Cormier – NOT Recommend Matt Russell – NOT
121 Recommend Donna Green – NOT Recommend
122 MOTION PASSED. The following will be placed on the ballot with the petitioned warrant article “Not
123 Recommended by the Planning Board Vote 3-1”

124
125 Chairman Green closed the public hearing at 9:31 p.m.

126
127 **New Business**

128
129 **Master Plan Update** – Fred Daley stated the next meeting is scheduled for January 12, 2011. There has
130 been one response from the Board of Selectmen to the questionnaire sent out by the Master Plan
131 Committee. The Master Plan Committee plans to send a follow up letter. The Master Plan Committee
132 will begin discussion regarding public outreach. Marilyn Cormier suggested the committee may want to
133 attend the next department head meeting to encourage feedback from the departments.

134
135 Chairman Green stated the Planning Board will be reviewing the questionnaire at the January 18th
136 meeting in order to give feedback to the Master Plan Committee.

137
138 **Action Items** – Surety Spreadsheet with Vantage Point added. Agendas to be sent to Cable Committee
139 in advance.

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142

143 **Adjournment**

144

145 MOTION: Matt Russell made a motion to adjourn. Marilyn Cormier seconded. Voted unanimously in
146 the affirmative. MEETING ADJOURNED AT 9:45 p.m.

147

148 Respectfully submitted,

149

150

151 Bette Patterson, Administrative Assistant