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**Sandown Planning Board  
Minutes  
April 15, 2014**

**Date:** April 15, 2014

**Place:** Sandown Town Hall

**Members Present:** Ernie Brown - Chairman, Matt Russell -Vice Chairman,  
Ed Mencis - Secretary, Mark Traeger, Steven Meisner, Steve Brown – Ex Officio,  
Lisa Butler - Alternate

**Also Present:** Recording Secretary - Andrea Cairns,

**Absent:** Doug Martin, Town Engineer - Steve Keach

**Opening:** Mr. E. Brown opened the meeting at 7:05 p.m.

Mr. E. Brown appointed Lisa Butler for Doug Martin.

**Review of the 4/1/14 Minutes**

**MOTION:** Mr. Traeger made a motion to accept the minutes as written. Mr. Mencis seconded the motion.

Mr. Russell had an amendment:

L85 remove “Mr. Martin” since he is listed twice.

Mr. Traeger amended his motion to accept the 4/1/14 minutes as amended. Mr. Mencis seconded the amended motion.

Members voted unanimously in favor. The motion passed.

**Correspondence**

Email correspondence regarding the Phillips Pond fire access between Chief Tapley and Steve Keach. Chief Tapley was hoping to put in a dry hydrant at the site. Mr. E. Brown noted he didn’t recall discussing a hydrant.

Mr. Traeger noted that the Conservation Commission met and discussed the order from the judge regarding fire access and wrote an email stating they felt that a permit does need to be pulled. Mr. Traeger noted he was meeting on 4/18/14 at 9:00a.m. with Eban Lewis from DES and Chief Tapley to determine if permits will need to be applied for.

Mr. Traeger noted that Chief Tapley also wanted to change the orientation of the pad slightly so it would run parallel with the pond. There was some discussion whether or not he could do that. Mr. E. Brown questioned if we could just talk to the property owner about it.

Mr. E. Brown noted that as long as the bank of the pond is not disturbed, no dredge and fill permit will be required. As long as just a pad is put in, the town would just need to

46 file a permit by notification. If they were to put in a hydrant, then a dredge and fill would  
47 be required.

48

49 No one on the board remembered any conversation about putting in a hydrant.

50

51 Mr. Traeger noted the court order stated that JH Chase needed to get the permit. DES felt  
52 it would be \$148 for the permit by notification, but also noted if the town was to file, then  
53 they wouldn't need to pay the fees.

54

55 Mr. Russell noted he always questioned what would happen in the winter when the pond  
56 was frozen if the chief would be able to access water. It seems as though if a hydrant  
57 wasn't mentioned it might have been assumed. You wouldn't want the fireman out there  
58 trying to cut a hole in the ice.

59

60 Mr. Mencis felt it would be great if they could get the chief what he wanted.

61

62 Mr. E. Brown noted that JH Chase is only required to put in a pad since that is all that  
63 was specified and questioned if there was enough money to put in the hydrant. He would  
64 like to think JH Chase would put in a hydrant if asked, but we would need to go over that  
65 with him.

66

67 Mr. Traeger questioned if the Planning Board should be involved since the court order  
68 states that JH Chase and the homeowner should work together.

69

70 Mr. Russell questioned if there was a water source in town that acts as fire prevention  
71 that didn't have a dry hydrant? Mr. Meisner noted they used to draw it off the beach at  
72 the pond. Ms. Butler noted that she has a fire department easement on her property and  
73 there is no hydrant.

74

75 Mr. E. Brown suggested that Peter Holmes be notified that they are meeting on the  
76 property. Ms. Cairns will call him to notify him of the meeting.

77

78 Members agreed they would meet and figure out what they needed for permits and go to  
79 JH Chase and let them know.

80

### 81 **Correspondence continued**

82 St. Matthew's Church sent an invitation to their dedication ceremony on April 28<sup>th</sup> at  
83 10:00am. They invited the Planning Board to attend.

84

85 A letter from Diane Gorrow, the town attorney, notifying Mr. Holmes they could not  
86 release the temporary stipulation until the graveled access is released.

87

88 Letter from DES notifying that PSNH was given their wetlands permits for the thermal  
89 uprate project.

90

91

92 **Review of Planning Board Bylaws**

93 Mr. Traeger and Mr. Russell didn't have any comments.

94

95 Mr. E. Brown questioned if they wanted to keep the alternates at five or lower it down to  
96 two or three. Mr. Mencis felt they should keep them the same since they don't know how  
97 things will be in years to come.

98

99 Mr. S. Brown questioned the language of the second paragraph under Section 1. He  
100 cross-checked the language with the RSA it referred to, and found the language  
101 confusing—could only one member of the planning board be on another land use board  
102 or committee or could no two members of the planning board serve on the same land use  
103 board or committee.

104

105 Mr. Traeger noted the last sentence states two members couldn't serve on the same land  
106 use board or committee. He noted that he and Mr. Russell were both on the Conservation  
107 Commission and Mr. Russell left the Conservation Commission so that Mr. Traeger  
108 could serve. Mr. Russell always understood it, as they couldn't both serve on the same  
109 board.

110

111 Mr. S. Brown noted he assumed that it likely was that no two members could serve on the  
112 same board or someone would have brought it up sooner.

113

114 Mr. Russell questioned section 16.3. He noted they had a CIP committee for several  
115 years, but not longer pursued updating the CIP because there were no department heads  
116 approaching them with long-term projects. He questioned if they were compelled to have  
117 a subcommittee or whether they have the ability to develop a subcommittee only if  
118 deemed necessary. Mr. Mencis feels they could develop a subcommittee only if  
119 necessary.

120

121 Mr. Russell questioned if they should send a note out to department heads on an annual  
122 basis to see if they have any large capital improvements such as a piece of equipment that  
123 would require a CIP. Mr. Traeger noted it is probably a good idea that they send a letter  
124 and if nothing gets a response, then it's not needed.

125

126 Mr. Russell suggested they send a letter every year, after elections, and give them 60 days  
127 to respond with large projects. Mr. S. Brown noted the earlier in the season after the  
128 elections would be great so people can plan budgets for the following year. Mr. Traeger  
129 noted if they plan for larger projects, they could potentially adjust their impact fees  
130 accordingly. Ms. Cairns will put that on the calendar to address each year.

131

132 Mr. E. Brown noted he read in the NH Handbook for Planning Boards that members  
133 could sit on other boards, but no two members can serve on the same board. Mr. Russell  
134 felt it was important because there could be communication between boards. Members  
135 agreed to keep the language in the bylaws the same.

136

137

138 **PREA Account Balances – Subdivision Amendments**

139 Mr. Meisner clarified that the good faith estimate would be coming from Mr. Keach. Ms.  
140 Cairns confirmed that it would. He noted he is comfortable with the changes.

141

142 Mr. Russell questioned the second to last paragraph where it stated “Town of Sandown”  
143 and thought it should read “Town of Sandown Officials.” Members agreed to that  
144 change.

145

146 **MOTION:** Mr. Traeger made a motion to add the word “officials” to the second to last  
147 sentence of 14.2. Mr. Russell seconded the motion. All members voted in favor. The  
148 motion passed.

149

150 **MOTION:** Mr. Mencis made a motion to move forward with the new language regarding  
151 the PREA accounts and amend sections 13.3.2 - Additional Fees; and 14.2 Procedure for  
152 Inspections and Fees. Mr. Traeger seconded the motion.

153

154 *Discussion:* Mr. Mencis questioned the rules on posting and noted the hearing would  
155 likely be held on June 17<sup>th</sup>.

156

157 Members voted unanimously in favor. The motion passed.

158

159 **Bylaws continued**

160 Mr. S. Brown noted that in the bylaws, it stated the term for an alternate is three years.  
161 The board only appointed Ms. Butler for one year.

162

163 **MOTION:** Mr. Mencis made a motion to appoint Lisa Butler for a 3-year term as an  
164 alternate member of the Planning Board. Members voted in favor. Ms. Butler abstained.  
165 The motion passed.

166

167 Mr. S. Brown will make sure the appropriate paperwork is adjusted.

168

169 **In-Home Occupation**

170 Mr. Meisner noted he doesn't really have a problem with the regulations they have now.  
171 He had some suggestions on how the Board could allow for some items that currently  
172 aren't allowed in the regulations. He suggested they add a special exception section to the  
173 regulations. It would allow the board to have something that is a bit looser than what is  
174 currently allowed. He also suggested they keep the in-home occupation regulations the  
175 way they are and continue to have the building inspector issue the permits. He noted by  
176 adding the special exception section, the abutters would be notified of applications and  
177 have the chance to voice their opinions. He added that with special exceptions, if the  
178 criteria weren't completely met, it would not be granted.

179

180 Mr. Traeger liked the special exception option. He wants to encourage in-home  
181 occupations because that is where the economy is going.

182

183 Mr. Meisner noted they could even list out the streets where the special exception would  
184 apply if they wanted to keep the added traffic to through streets and out of neighborhoods  
185 with cul-de-sacs.

186

187 Mr. Traeger suggested they could add something to address “eyesores”. He may not  
188 notice extra traffic on his road, but he would notice if someone had 50 lawnmowers on  
189 their front lawn across the street.

190

191 Mr. Meisner noted they could put restrictions in and if the homeowner violates them, then  
192 the permit can be revoked.

193

194 Mr. E. Brown noted that he spoke with the building inspector and he is pretty happy with  
195 the way things are structured now. The building inspector renews permits every year and  
196 has the right to do an inspection to determine compliance.

197

198 Mr. S. Brown noted the list of occupations (in the proposed version) is really subjective  
199 and suggested they should remove the specific references. Members agreed.

200

201 Mr. S. Brown questioned if someone paints their car with signage about their business,  
202 are they in violation of the in-home occupation if it is larger than three square feet. Mr.  
203 Meisner noted that he looked into the state law on that and found if the vehicle is  
204 registered and inspected and can be driven, there is nothing you can do about it.

205

206 Mr. Traeger noted his biggest issue with the current zoning is the limit on vehicular  
207 traffic. He also has issues with the no sign policy.

208

209 Mr. Meisner noted if the town outgrew the special exception regulations, then they would  
210 probably need to consider business zoning.

211

212 Mr. Traeger noted he wouldn't mind taking a stab at writing a version of the special  
213 exception. Mr. Meisner suggested that everyone write out the criteria and they can  
214 compare. He noted each of them would likely have different opinions. Members agreed  
215 that was a good idea.

216

217 Ms. Butler questioned if the special exception would need to be renewed each year and  
218 would abutters be notified again. Mr. Meisner noted they would need to renew the  
219 permit, but not the special exception.

220

221 Mr. E. Brown noted he wanted to work on it now so they would have plenty of time for  
222 public comment. He also wants to get the building inspector involved.

223

224 Members agreed they would work on writing criteria and bring it back to the next work  
225 session.

226

227

228

229 Mr. Meisner questioned why they were looking at changing the business district.

230

231 Mr. Traeger noted he would still like to create more of a downtown feel and he thought  
232 they could drive some revenue in that's not tied to houses.

233

234 Mr. Meisner noted the town is a bedroom community and felt it would be hard to get tax  
235 dollars out of business. He thinks the industrial park is where the greatest opportunity is.  
236 He purchased property in the center of town, but the traffic counts aren't worth it for a  
237 business looking to make an investment in town. He noted he did a traffic study and it  
238 was less than half close to being feasible to put in a gas station.

239

240 Mr. Traeger noted they couldn't make someone come in and do anything, but they could  
241 make it more attractive. Mr. Mencis noted he would like to extend the business zone.

242

243 Mr. E. Brown noted their commercial zone is mostly town properties (town hall, school,  
244 cemetery). Sandown is also unique and somewhat divided in terms of where people shop  
245 depending on what end of town they live in. He noted unless they get buried with  
246 applications, he would like to keep the topic open for discussion and each take a look at it  
247 and make notes and suggestions and at the next work session see where it goes. Mr.  
248 Traeger agreed it would be good to leave the discussion open. Members agreed.

249

250 **Other Business**

251 Mr. S. Brown noted the Selectmen wanted to see if other boards would be willing to start  
252 their meetings with the pledge of allegiance. All members were in favor. Ms. Cairns will  
253 put it on the agenda moving forward.

254

255 **MOTION:** Mr. Mencis made a motion to adjourn. Mr. Traeger seconded the motion. All  
256 members voted unanimously in favor. The motion passed. MEETING ADJOURNED at  
257 9:01 p.m.

258

259 Respectfully Submitted,

260



261

Andrea Cairns