

Planning Board
September 9, 2021
7:30pm

Members present: Barry Hantman, Chip Current, Chris Smith, Charles Underhill, Steve Woitkun

Others present: David LaPlume, Richard Atkins, Holly Bright, John Jalbert, Emily Jalbert, Tim Lavelle, Gail Turilli

The minutes from 8/26/21 were reviewed. Chip stated there were a few corrections: line 26 should state “convert to condos” instead of conduit. Line 244 has a typo “suppression”, and line 300 should state “inflexions of the lot lines” instead of influxions. No other changes. Chip **made** and Chris 2nd a **motion to accept** the minutes as amended. All in favor, **motion passes**. The site walk minutes from 8/30/21 were also reviewed. No corrections needed. Chip **made** and Chris 2nd a **motion to accept** the minutes as written. All in favor, **motion passes**.

Planning Board Correspondence:

Barry stated that some mail was received from Burke and Company regarding outdoor child playgrounds and the NH DES newsletter regarding drinking water. Nothing in particular related to Danville but, passed around for interested parties.

10 Cote Drive, Map and Lot 4-2-1 Continuance:

Tim Lavelle is representing Mr. LaPlume. Conditional approval was granted at the last Planning Board Meeting. Plans have been updated but, there are 4 items that are still outstanding:

1. Note 8 – indicate waiver – correct number
2. Signature block on sheet 3
3. Denote 2nd floor on sheet 3
4. State subdivision approval

Mr. Lavelle stated these items will get taken care of, mylars will be ready for signature in 2 weeks and will be hand delivered.

Stage Coach Estates, Map and Lot 1-19-B Continuance:

Charles Underhill recused himself as he is an abutter. Site Walk notes were reviewed. Concerns were water runoff at the corner of the property. May need to clear where the pond comes in, runs in the spring and when there is significant rainfall. It is close to the drainage under the road, shown on sheet 9, and comes out at station 385 to the culvert at station 370-390. Mr. Lavelle stated there was a change to the plan regarding street trees, one tree has been added that was previously missing. Jim Seaver stated that some street trees may not be needed. On note 14 for lots 16,17 and 18 it is an all wooded area. Lots 11 and 12 are partially wooded. Barry advised to clarify the note on the plan. Chip stated the road agent should have a discussion with the Planning Board in regards to this issue. Barry suggested putting a yellow intersection sign just before the rise heading East toward Main Street as it is difficult to see Emily Lane. The road agent believes this is not necessary but would take a look at it. Regarding the culvert under

Emily Lane, sheet 9 shows the swale starts there and will runoff Sandown Road at station 385. 6 ft of fill will be added making it fairly flat with rip/rap and will infiltrate before Sandown Road. Barry questioned the abutting property having a visual barrier where the roadway is. The consensus of the board is that there is no need, a fence would be ineffective. Adding some street trees would suffice. Mr. Lavelle stated per previous meeting, new notes (12-14) have been added to the plan. #12- No construction vehicle access between lots 19-3 and 19-4. #13 – Easement for driveway to lots 19-3 and 19-4. On the previous plan there was a 50ft strip that was written as a 50ft ROW. Note 14 will have an easement line added so that the property owners will have the right to access any portion of that ROW for lots 19-3 and 19-4 which will be shown on sheet 3. All homes will have sprinklers, easements will be added to lot 15 on sheet 3 and sheet 7 will show topography. The ROW for Emily Lane will be 60ft. Cut outs for mailbox will be shown on sheet 9. Chip stated that a detail is needed for the stop sign on sheet 9 and speed limit sign need to be shown on sheet 17. State subdivision approval is pending. Barry then opened the hearing to the public for questions or comments. Charles Underhill requests that his recusal be reflected in the minutes. The last names for his parcel need to be reversed as they are incorrect. He also asked if there is an easement or ROW shown on the plan, would there be a need for recognition from NH DOT for official curb cut or is it handled previous. If it is an established ROW, could a petition be done to request making it a town road. Barry stated a request could be made, but not necessarily approved. The ROW is owned by lot 13. Mr. Lavelle requests a continuance of 2 weeks. Chip stated that detail is needed on sheet 9 for the stop sign, 100 ft in by the first street tree on the east side for the proposed speed limit sign of 25MPH.

Other Business:

At this time, Charles Underhill has rejoined the meeting. The RPC schedule for the Zoning Amendment Calendar was reviewed. Barry stated at the November Planning Board meeting, he would like to look at drafts of possible Zoning updates and vote to put forward to public hearing. The first hearing will be in December and the second hearing in January. By November he would like to have a real draft to put forward to Zoning. Chip questioned changes. Barry stated he is tracking 3 that he has heard about and are as follows:

1. Include Kingston Road in the Village District
2. Look at parking of large trucks on Kingston Road
3. Potentially re-zoning Olde Road out of the Commercial Zone.

Chip stated he had worked with the residents on Olde Road last year who wanted to petition for an official Zoning change. The residents chose not to move forward. Barry stated that there have been petitions in the past and prefers them to be written correctly so that if it passes, it leaves the ordinance in a manageable state. Charles asked if the Planning Board handles this or is there a sub-group he would be willing to volunteer for to discuss zoning changes. Chip explained that the Planning Board comes up with the proposed language and nothing goes forward to an official hearing without the board's agreement. Hearings will then be held with the public. In NH, Zoning warrant articles are only heard and changed in Planning Board noticed meetings, they are not discussed at town deliberative and then forwarded to town vote. Charles stated he would like to volunteer to help shape documents and work on conformity issues. Chip noted he would gladly include him in discussions. Barry stated that any questions

or concerns need to be discussed. Things have come before the ZBA where they are not understanding what the Planning Board is trying to do and may have to clarify some parts of the ordinance to make it clear. Charles explained that he takes a longer view on things. He is concerned how Covid is going to impact what happens in town, believes that people will be in a more remote living environment which, could change resource demands in the community and infrastructure impacts. Chip asked if there were any other Zoning concerns. He mentioned that when the rest of Main Street was put in the DVD last year, it went well and the town accepted it. He feels that doing the major East/West arteries may make sense. Barry stated that some of the East/West Roads are more residential and others, like Kingston Road and Beach Plain Road, have a mix of businesses and residential. These lend themselves more to the Village District. All of the State owned part of Colby Road has already been done per Chip.

Charles mentioned an issue underneath Zoning: Enforcement, which has 2 pieces to it:

1. The Translation of Planning Board approvals into permits which may not have encompassed all of the specific articles or addressed them so they align with the intent of the Planning Board.
2. Establishing protocols for enforcement, having a process to follow when issues arise in respect to the permit that has been granted.

Barry stated that this doesn't fall under Zoning but, is in agreement. Chip stated there is some enforcement in Zoning. Permits to enforcement is all outside of this board but, the board can help shape the process with changes and improvements.

Barry stated he does have a couple more items he would like to discuss. Chip stated if anyone has something that they would like to look at and needs help to reach out. Barry mentioned one other thing to consider. Looking at the DVD, it has restrictions on the types of businesses allowed which has worked over the years. Is there something else to consider adding as a permissible business in our Village District. Look at what's allowed today and see if there may be something else that is appropriate.

Barry stated that the 2020 Census data is in. Previously, in 2010, Danville was one of the fastest growing towns in the state. The 2020 data shows Danville as one of the slowest growing (.5% in 10 years). We grew by only 21 people from 2010 to 2020 according to the data received and we are far below our neighboring towns. Barry stated unsure of the reasoning but could be due to Zoning or Economic conditions. Charles questioned if there is corroborating evidence to support this data. Barry stated that Danville has had some very light years with this Planning Board. Chip doesn't believe the town only grew by 21 people. Charles noted that just in this last year he has seen 5 houses built on Main Street. Barry explained that some homes may have had 5-6 people living in them before and now may only have 2-3. Chris mentioned that kids growing up here don't want to stay and most people that are moving here either have families or are looking at that stage of their lives. Charles mentioned looking at new construction and school registrations for corroborating evidence. Chip stated that he moved here in 2002. His daughter's class was the largest class to ever move through Danville Elementary. It has decreased ever since, and now back to normal. There was a year 2000 bubble that moved through but didn't really move through Timberlane. Four towns had evened out. Looking at the numbers, Danville grew 219 people since 2010 according to the Census that was pulled online. Barry mentioned that maybe doing or not doing things to zoning may be impacting that number. In this year's

summer election, amendments to the Zoning Ordinance were passed and Barry questioned if these have been updated. Gail confirmed that they have and are up on the town website with a hard copy available in the office.

Barry mentioned that he was made aware that the Planning Board Budget needs to be presented to the Selectmen on 9/20/21 and would like to discuss per line item based on last years numbers:

Legal Notices: \$1000. Nothing has been spent so far this year. Board is in agreement to keep this number as is.

Master Plan: \$500. Nothing has been spent so far this year. Board is in agreement to keep this number as is.

Printing: \$100. Nothing has been spent so far this year. Board is in agreement to keep this number as is. Chip is requesting to have new maps printed this year.

Postage: \$1000. \$393.50 has been spent so far this year. Board is in agreement to keep this number as is showing on both income and expenditure side.

Seminars: \$300. \$70.00 has been spent so far this year. Board is in agreement to keep this number as is.

Mileage Reimbursement: \$200. Nothing has been spent so far this year. Board is in agreement to keep this number as is showing on both income and expenditure side.

Recording Fee's: \$100. Nothing has been spent so far this year. Board is in agreement to keep this number as is.

Matching Grant Funds: \$500. Nothing has been spent so far this year. Board is in agreement to keep this number as is.

Barry stated the Planning Board budget request will be a total of \$3700 to be submitted with line items to the Selectmen. Charles **made** and Steve 2nd a **motion to submit** the 2022 Planning Board budget request to the selectmen. All in favor, **motion carries**. Steve Woitkun will present to the Selectmen on behalf of the Planning Board. Charles asked about putting in a line item for safer chairs for audience members due to the incident that happened two weeks ago. Steve has addressed this issue with the Selectmen. A grant was received and some of those funds may be able to use towards that. Charles asked if there is a meeting that we anticipate exceeding the 24 seating capacity, do we have to pay a fee to rent the auditorium at the school. Barry stated in those cases, the Community Center is used at no charge. Chip mentioned that there have been some hearings that were standing room only but, never for warrant article changes, normally just neighbors that have issues with what's going on in the town.

Steve asked about Impact Fee's for public safety and how long the town has been collecting this fee and what it can be used for. Barry stated this fee has been in place since 2017. Chip noted that impact fees are assessed every time a subdivision is approved and are paid pre-occupancy permit. There is a fee of \$1706 per single family home, other rates apply to other dwelling types. If the town doesn't expend the funds within 7 years, they are to be returned. These funds can be used for things like a new police station, new fire trucks, etc. Steve asked if the funds could be put into the Capital fund. Barry stated that the funds need to be expended. A copy of the Impact Fee form was given to Steve for review.

Barry mentioned that over the past year the Planning Board has held remote meetings via Zoom permitted by executive orders. We are now back to in person meetings since those orders have ended. Some members have asked if on occasion, they can participate via Zoom. Barry is not aware of a law that would allow them to be voting members or count towards a quorum via zoom. The Board could choose to include a zoom session to allow a member who is away on business to participate in a meeting but, not as a voting member or part of a quorum. Chip stated that he operates his business via zoom. The kind of work done by Planning Board doesn't lend itself well to collaborative efforts with developers, etc. Zoom meetings are not as efficient or collaborative as were expected. It is great for disseminating information and for a one way medium for presenting to an audience, but it is a terrible collaborative platform. It is fine to allow members to participate. Steve agrees with Chip. Barry questioned establishing Zoom or to keep meetings in person. Chris stated that since there have been no quorum issues, to keep meetings in person. Charles stated that since there is no voting allowed via zoom it would not resolve a quorum issue. There are still a lot of things coming out of Covid that have to sort themselves through to become part of the general policy and social dynamics. He also agrees with keeping meeting in person. Chip explained that there are Zoom Rooms which have a much bigger presence, better cameras, etc. If the town wanted to move in that direction, it could be a benefit. The way it works today is not conducive. Barry expressed the consensus of the board is to keep meetings in person at this time. There are 2 members of the board who will not be able to attend the next meeting in 2 weeks and emphasized the need for all other members to make an effort to attend the meeting.

Charles mentioned Zoning issues and how to interface with adjoining towns/abutting zoning districts to coordinate what is going on in those towns as well as ours. Chip stated if something is built near another town, it is considered a regional impact. A notice will be sent to other Planning Boards in other towns inviting them to meetings. Barry explained that if something particularly large, for example when Hannaford went in, was deemed to have regional impact, it gets elevated to Rockingham Planning Commission. There is a process to go through for something that is deemed a regional impact, such as traffic, trucking, etc. This has not happened here in Danville but, if it did, the board would vote of regional impact and would get a much bigger type of review than just this Planning Board. Chip stated there has been a water issue in Sandown and Hampstead that Barry has been involved in as a concerned citizen. Bringing Danville's point of view and bringing information back to Danville is the kind of collaboration that goes on. In regards to extending the Village District to the edges, talked with Kingston, but not with Fremont. When proposed it going north, Chip doesn't feel that it will affect anything in Fremont. Going to Kingston, may have some businesses over the border that may want to do something similar. Charles noted, given that there isn't a Commercial Zone or significant commercial activity in Danville, we don't rise to the level of a regional interest or impact. Most of our interest is going to be boundary condition interest and questioned informal collaboration with adjoining towns. If something was done that would impact neighboring towns, a meeting for discussion would be held. Charles stated that shopping clusters in other towns, for example Fremont, will tend to have an impact on transportation in Danville. Barry stated that collaboration with other towns is poor to non-existent. This may be something that can be changed. Chip mentioned that we left RPC as a dues paying town about 10 years ago as we were paying dues to Portsmouth, Salem, etc. to better their infrastructure. This did not benefit Danville at all. Barry stated that the Selectmen from various towns meet periodically. Charles

noted to possibly reach out to Planning Boards in other towns regarding zoning. Barry stated this would be useful, not sure of the format and asked for a suggestion. Steve mentioned he saw something Sandown was doing off of David Lane. Barry stated we do receive notice's if we are abutters. Chip mentioned that there is a big development going on there near Odell Road. Barry stated that the board knew about that way back. The developer came in originally to develop the rest of Caleb Drive and he owned all that other land as well and showed a drawing of the development that would be taking place over the next 15 years. When the Caleb extension was designed, we had those plans in mind. Charles has noticed in Fremont on 111A and Red Brook Road there is a large industrial park, blimps. Across from Fremont Pizza, behind the school there is a commercial office park. These kinds of things will impact the infrastructure of Danville. Barry mentioned this could be a forecast of what may be seen in 10 years.

Chip **made** and Steve 2nd a **motion to adjourn**. All in favor, **motion passes**. **Meeting adjourned at 9:05pm.**

Agenda for next meeting:

1. Continuance for Stage Coach Estates Subdivision, Map and Lot 1-19-B
2. Possible mylars for signature for 10 Cote Drive Condo Plan, Map and Lot 4-2-1

Respectfully,

Gail Turilli