

Planning Board
September 14, 2023
7:30pm

Members present: Chip Current, Barry Hantman, Leo Traverse, Charles Underhill, Joe Hester

Others present: Gail Turilli, Vince Edwards, Jim Seaver, Donald Stokes (Eversource), Carsten Springer

The Board reviewed the minutes of August 24, 2023. Leo had 2 minor corrections: Line 60 should state “has done” instead of “as done” and on Line 98 there is a typo, “thei” should state “the”. No other comments from the Board. Barry **made** and Leo 2nd a **motion to accept the minutes as amended**. All in favor, **motion carries**.

Eversource: Sandown Road Project:

Vince Edwards addresses the Board and states that Eversource has been doing work in the R.O.W. off of Sandown Road. The parcel adjacent to the roadway is owned by David Hirst. The initial idea for accessing the R.O.W. was across the end of Mr. Hirst’s driveway. There is a rock wall that runs parallel to the roadway. When the vegetation was cleared, there was a fence identified, several large rocks, and overgrowth. The road was shifted to bridge over the rock wall as to not disturb it. Work has been done and there was discussion for a potential breach in the stonewall and the installation of a gate to make that a permanent route for access in the future. Mr. Edwards stated that he has no schedule in mind but there are wooden poles that still exist in that R.O.W. that are about 60 years old. In light of that, the idea of a gate was thought about and discussed with the neighbors. Mr. Hirst has signed a stonewall agreement and this was presented to the Board. Across the road, Mark and Janet Sullivan have also been provided with an agreement for the installation of a gate that was also signed and returned but, no copy is available tonight. Mr. Edwards met with Mr. Sullivan, location was discussed and there were no concerns. Mr. Sullivan signed his portion of the stonewall agreement. Eversource is now asking for Planning Board approval. Chip asked if the boundary stonewall is against the road or inside of Mr. Hirst’s driveway. Mr. Edwards believes it is entirely on Mr. Hirst’s property although it may be a boundary wall. Mr. Edwards also believes that a signature from the town agreeing to the breach location and details is needed on the stonewall agreement. Carsten noted that Sandown Road was originally Chester Highway. All property owners owned to the middle of the road on both sides but, the stonewall is on Mr. Hirst’s property. Chip questioned if the entrance will be off of Sandown Road into the R.O.W or, off Mr. Hirst’s driveway into the R.O.W. If putting the entrance from Sandown Road into the R.O.W. would consider that a driveway, would want to make sure the connection is done correctly and would expect an issuance of a driveway permit from the Road Agent. This would not require any involvement with the Planning Board. Barry mentioned if the lot line is in the road, then the boundary wall can’t be a boundary, has to be an interior wall. Carsten questioned if this is similar to the other side of Sandown Road. Mr. Edwards stated that it will be heavier and tighter inside of the rock wall. There was a question regarding paving to which Mr. Edwards stated the road would be gravel. Jim Seaver asked about an apron to protect the infrastructure. Mr. Edwards stated this will be done if needed and will meet with the Road Agent to sketch a plan for a pavement apron.

Chip notes that no town signature is needed on the form as this is connecting to a town road. A driveway permit is required which the landowner will need to sign. Chip also mentions if Eversource wants a town signature, the Board of Selectmen would be responsible for that but, per state law it is not needed. Jim Seaver noted that the snow fence has not been pulled at Colby Field from the last Eversource project. Donald Stokes stated that he will speak with the project manager to follow up. Carsten mentioned that Mr. Stokes has tried to get the culvert issue from the previous project taken care of and he was told by management that the town will have to file an insurance claim to have the culverts replaced. Carsten also notes that Forestry will not be getting involved in that.

Resident Discussion RE; Right to Farm – Limits:

A resident who was advised by one of the Selectmen to come before the Planning Board, has a general question regarding a neighbor's use of property and affecting the enjoyment and use of his land. The two parties are trying to work this out amicably but, one of the residents is before the Board looking for some guidance. Chip explains that the Planning Board deals with changes of use to properties, for example: taking one lot and turning into smaller lots, or taking a lot and prove it for a business which would require a site plan. Civil disputes end up in civil court generally. Barry questioned if there is a use of their property that is conforming or not conforming to town regulations. If not conforming, it would be a code enforcement issue. The resident elaborated and stated that the issue is regarding the right to farm rules and limits. Chip stated that this issue is challenging. The state law recently changed this year in favor of more agricultural freedom no matter the lot size. Agriculture is very protected in the state, however, Barry noted that there are some regulations about how close to the lot line and structures things can be. Carsten mentioned water drainage as another important item. Chip noted that would be something to be addressed by the state, working with DES. Putting up a barn or shed, something that is a permanent structure that is within 15ft of the property line would be a violation. Barry also mentioned if turning the property into a commercial farming business would also be considered a violation. Chip noted that it would probably be allowed but would need permission. The resident asks if the Town of Danville has any jurisdiction over this type of issue. Chip explains that there is some vaguery as to the number of pigs and minx that are allowed as piggeries and minkeries are not allowed in town. There are some regulations in town regarding noise. The resident stated that the issue is due to noise and smell. Chip noted that this is difficult to enforce. The noise ordinance states "no excessive noise between 10pm and 7am. The resident stated the noise has been starting at 3:15am. Barry noted that the noise also has to be a certain decibel level past the property line. Chip stated, when appropriate, to contact the Police Department. A court would want to see that complaints have been filed if the situation were to reach that point. A recommendation was made to get in touch with the Police Chief for advice on this situation.

Olde Road:

Chip mentions to Jim Seaver, Road Agent, a topic that came up at the Planning Board's last meeting regarding improvement on Olde Road and that there is a schedule for fixing town roads. Jim mentions he did watch the meeting and received a call from Mr. Cronin who owns 29 Olde Road. Jim stated that improvement on Olde Road is down the line as it is still in pretty good

shape except at the end. A driveway will need to be filed with the state as well as an engineering plan for paving. There are roads in town that are in tougher shape than Olde Road. Barry questioned the smallest width of Olde Road to which Jim stated under 19ft. Charles mentions that he has heard that a school bus will not use Olde Road due to the culverts at the end. Chip stated the reason is that it is a dead-end road. Plows go down that road and turn around with no issue.

2024 Budget Discussion:

Chip notes that the current budget is as follows:

Legal Notices:	\$1000 (wash account)
Master Plan:	\$500
Printing:	\$100 (over by \$24)
Postage:	\$1000 (wash account) Over by \$124
Seminars:	\$300
Mileage:	\$200
Recording Fees:	\$100
Prof. Services:	\$500 (spent \$1600) Had the town re-mapped for Zoning
P.B. Projects:	Expended \$1687

Chip mentions that he was confused as to what the P.B. projects consist of. Gail explains that this was called the PREA account prior and contains all fees collected for Site Plans, Subdivision Plans, Lot Line Adjustments, Engineer Reviews and is a wash account. Barry recommends bringing the wash accounts up to the actual plus 30% and ask for the income and expense side of the budget. He also recommends the following budget request for 2024:

Legal Notices:	\$1000
Master Plan:	\$500
Printing:	\$160
Postage:	\$1500
Seminars:	\$300
Mileage:	\$200
Recording Fees:	\$100
Prof. Services:	\$1000

The only increase in the request compared to last year's budget request is \$60 without including the wash accounts. Chip mentions that the Board is in budget overall but, over on postage, printing and professional services. The Board needs to see the income and expenditure side of the budget. Charles mentioned that last year the Board discussed the cost and benefits of rejoining the RPC and the Board concurred that there was not enough potential use to justify this and the item was deferred. He would like to bring this back to the table, not to put it in the budget now, but, keep in mind when discussing moving the Master Plan forward as this may be an investment with long range benefits for the town in terms of improved value of impact assessments going forward. Barry stated that the Professional Services line can be used for that purpose. This line was added to the budget when the Board stopped funding the RPC. Barry also mentions to keep in mind that if the town approves the building of a new

police station, the impact fees should be re-assessed based on the cost of that. Barry **made** and Joe 2nd a **motion to put forth a total budget of \$4760.00 on the expenditure side and \$2500 on the income side to the Board of Selectmen and Budget Committee.** All in favor, **motion carries.**

Master Plan Discussion:

Charles put together an overview of a special project to incorporate into the Master Plan which had been sent out to the Board for review. Barry noted that he agrees with everything but questions what the next step is. Charles stated that there are 2 parts: 1. A background and reasoning for why the town ought to engage in the planning process and 2. An outline of data assessment that would identify issues to examine which is essentially doing a town risk assessment. For example: where are we seeing significant issues, what does the data collected reflect the magnitude and direction of those issues, and that would then serve as what is incorporated into a re-visit of the Master Plan. The Board will then determine if minor recommendations are still appropriate or if there is a need to re-visit where we are based on what's happening and whether that still meets the interest of the community. This is a 3 part planning step: 1. Identify critical issues, 2. Assessing the impact and propose opportunities, and 3. Put this into a plan and review the changes.

Barry mentions that there are some companies that assist with Master Plan development. He questions that by May, to have the Board develop an RFP for those companies to do that in Danville and use the summertime to get responses. The Board could ask for the appropriate funding at the next budget. Charles suggests to the Board, to take the outline presented, and go through it to see if this can be focused down to a manageable scope. One issue in particular is affordable housing. If the Board can identify where they are seeing some of these issues, get them out to the community to think about for feedback. Some of the big issues are: what's happened in the last 40 years and what was expected. Chip stated that there has been significant change since the 80's and 90's but, no significant change as of late. The current Master Plan was heavily re-vamped in the mid 2000's. Barry noted it was assessed that Danville was going to become like Plaistow back then but, that did not occur and the desires of the residents has not changed. Chip mentioned that the town had an add hawke Selectmen sponsored economic development committee in 2007/2008 and worked on the property tax issue for three years. Master Plan changes were recommended, and some things were adopted but, to Barry's point, the town doesn't want intrusive businesses. Chip also stated that he never viewed the Planning Board's priority purpose to be increasing land values, it is more about creating a cohesive plan and executing it for the town. If putting asterisks on certain items, commercial development would get an asterisk. Charles stated that from his perspective, the Planning Board's task is to allow the community to grow with a minimal amount of friction amongst neighbors and to that end, set lot sizes, noise restrictions, etc. People who want to use the town must comply with those objectives.

Charles notes the big ticket item is the Current Status section, which is the assessment of what the town has, how this serves the demands of the community and shows where resource growth is going to be. Not all resources listed are town managed but, still a concern to the residents. Barry mentioned 2 items that need to be added to the list: 1. Opportunities for youth and 2. Services for the elderly. Charles

stated that this gets to how the community is evolving. Chip noted to look into the town demographics over the last 20 years. When doing a status for the infrastructure of schools, need to know the maximum attendance capabilities and where the town stands in relation to that. Charles stated that this would be a question for the superintendent of schools, what are we seeing and what is to be expected. Joe mentioned that he noticed about 5 years ago, Great Schools.org rated Danville at a 9. Charles noted that Danville has the safest town in NH rating and people pay attention to that. The next item is: What is to be expected for trends. What are the drivers that are impacting the current resources assessed. Barry mentioned adding public transportation to this item and Danville has none. Chip suggested putting this in as a sub-bullet in the traffic flow section. Charles mentions, according to the Danville website, that there is a network of drivers who are willing to assist residents to appointments, etc., and that there is a very strong social support network in town. The last few sections are: Sources of Information – where the town gets information, should we get back into regional planning. Miscellaneous: what the town has and what the town needs. A budget and timeline will be needed for this project. Once this is completed, something can be put together. Chip notes to keep these discussions on evenings with light agendas. Charles suggests having work sessions, and having other commissions, committees also come in for discussion. He also asked if it is worth putting this process out to the community and maintaining that, possibly putting it on the town website. Chip suggested having questionnaires for the community.

The next step will be to have an update and discussion on where the focus areas should be. Barry mentioned one thing he has noticed is that the town of Fremont has grown faster than Danville. We may see a lot more traffic on Main Street which may have a large impact on the town and questioned how long before Route 111 looks like Route 101. Charles suggested having a volunteer or assignment process for this, research items, give responses and run this like a project.

Barry **made** and Charles 2nd a **motion to adjourn**. All in favor, **meeting adjourned at 9:10PM**

Agenda for next meeting:

1. 29 Olde Roade – Site Plan Continuance

Respectfully,

Gail Turilli