

Planning Board Sept. 26, 2013

Members Present: Barry Hantman-Chairman, Chip Current, Haeyoon Jacobus, George Manos, John Russo, Chris Giordano-Selectmen's Representative, Janet Denison-clerk

Others present: Charlie Zilch, Betsy Sanders

Correspondence

- From RPC: meeting notice for new commissioner orientation
- HB regarding sprinkler ordinance, fire marshal stated the Town's ordinance is still in force. This has been forwarded to Peter Loughlin for his opinion.

Minutes

Minutes of August 8th, 2013 reviewed. Chip made and John seconded a **motion to approve as written**. The motion **passed** unanimously.

Minutes of September 12th, 2013 were reviewed. The members present and excused were revised. Chris made and George seconded a **motion to approve the September 12, 2013 minutes as amended**. Chip abstained. The motion **passed**.

New Business

Barry suggested spending time at the next meeting revising the town regulations for possible amendments.

Haeyoon Jacobus had applied to be a member of the Board and was interviewed. She explained she has been a real estate agent and has been involved with international organizations, and she is interested in serving the town. Barry said most members of the Board start with little to no experience serving municipalities. Haeyoon was asked if her work as a real estate agent would serve as a conflict of interest. She said the planning of a subdivision must serve the town and if she or the Board thinks there may be a conflict, she would voluntarily excuse herself from the discussion. Chris asked if she would be able to maintain a non-biased opinion when working with a competitor. She said she does not see other agencies as competitors and she does not compromise ethics. She said she does not work with developers.

Chris made and George seconded a **motion to appoint Haeyoon Jacobus as a member of the Planning Board until the March 2014 election**. The motion **passed** unanimously.

David LaPlume discussed an issue with the Board in order to get clarification between the Site Plan Regulations and Zoning Ordinance. He has a 5+ acre property on which he'd like to build a duplex. He said the Site Plan Regs state a multi-unit dwelling is three or more units and the ZO defines this as two or more. There was a short discussion of the definitions of multi-unit dwellings. Chris explained that if there is a conflict, the more strict regulation applies. Mr. LaPlume was advised to fill out a Site Plan application.

Discussion with Betsy Sanders regarding impact fees

Mrs. Sanders explained this discussion was prompted by new legislature. She explained a better tracking system needs to be in place for impact fees, leaving the accounting piece to the treasurer. She explained our ordinance may be inconsistent with law. Barry suggested taking her comments and those received from Bruce Mayberry and editing the impact fee ordinance. Barry suggested Mrs. Sanders should offer an edited version of the town ordinance, indicating what could be edited.

Points were brought out that the impact fee is assessed by the Planning Board at the time of application approval and collected when the occupancy permit is issued. Any funds not expended will need to be returned to the person who originally paid it, regardless of whether or not they still own that parcel. Mrs. Sanders also pointed out a portion of the ordinance that sites an RSA that has recently been repealed. Chip suggested adding the date when the ordinance was passed.

Betsy handed out documents regarding what we passed in legislature last year. She said a report needs to be made for the Annual Report which illustrates the balance. She handed out a spreadsheet and Chris suggested adding the map and lot number. Barry suggested updating this ordinance to make it clear when the fee is collected and adding a section regarding the annual report. How to handle refunds can also be added. Betsy asked for a legal opinion about how to handle refunds.

Chris pointed out an inconsistency in the Zoning Ordinance regarding the age restrictions for senior housing: the town specifies this as 62 years of age but it should be 55 per the federal definition.

Hoyt-Clydesdale Drive subdivision & excavation/restoration: property owned by Al Hoyt and Sons, Inc., Tax Map 4, Lot 28: final approval and excavation permitting

Two draft letters of credit from Haverhill Bank, both dated September 26th, were reviewed by the Board. A few edits were requested. Mr. Zilch will forward these to the bank for review, then to the Board of Selectmen.

The conditions for conditional approval were reviewed. The Board agreed that all conditions have been met. Chip made and Chris seconded a **motion that condition #6 from the June 13th minutes had been met**. The motion **passed** unanimously.

Chip made and George seconded a **motion to grant final approval for the Hoyt Clydesdale Drive excavation plan**. The motion **passed** unanimously. The plans were signed by the Board members. The plans will not be recorded and Mr. Zilch explained he can have these plans saved on a disc and kept in a different location.

Other Business

George updated a chapter to the Master Plan; Chip will bring in updates to the CIP. These and the 2014 budget will be reviewed at the next meeting.

At 9:15pm Chris made and John seconded a **motion to adjourn**. The motion **passed** unanimously.

Respectfully submitted

Janet S. Denison

Agendas:

- Oct. 10, 2013

7:30pm Correspondence and minutes

7:40pm Hoyt gravel excavation permit application
property owned by Al Hoyt and Sons, Inc., Tax Map 4, Lot 28: final approval and excavation permitting

8:00pm review of town regulations and ordinances; review of 2014 budget

- Oct. 24, 2013

7:30pm Correspondence and minutes

7:40pm Hoyt-Clydesdale Drive subdivision
property owned by Al Hoyt and Sons, Inc., Tax Map 4, Lot 28: final approval and excavation permitting