

Planning Board Dec. 11, 2014

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

Excused Members: Josh Horns

Others Present: Paul DiStefano

Minutes

The November 13th minutes were discussed. Two corrections were made. Chip made and George seconded a **motion to approve the November 13th minutes as amended**. Chris abstained. The motion **passed**.

Correspondence

- An application from Roger Whitehouse to be an alternate. He will be invited to the next PB meeting in January.
- A notice from NHDES dated Nov. 21, 2014 regarding a forestry notification for the Sweet Street subdivision

New Business

Copies of the new Master Plan were distributed.

It was agreed to send out the request for updating the CIP after then next election. This will incorporate anything new from the town ballot.

The following dates were mentioned as reminders:

- Jan. 26, 2015 – last day to hold the 2nd public hearing
- Feb. 7, 2015 – deliberative session or town meeting, 10 am
- Mar. 10, 2015 – voting day

2015 proposed Warrant Articles Public Hearing

The Board discussed possible warrant articles. It was explained that three outcomes are possible with the public hearing: 1) the proposed article can be moved forward to the town ballot as written or after minor clerical errors are corrected; 2) the proposed article can move forward to a second public hearing if there are substantive corrections to be made; 3) the proposed article can be scrapped. Barry read the proposed articles in their entirety.

1. To see if the Town of Danville will vote to amend the Town of Danville Zoning Ordinance to provide the Danville Board of Selectmen greater latitude in the placement of telecommunications towers on public land controlled by the Town of Danville which provide antenna space for Town Public Safety Equipment. Currently, the ordinance restricts the placement of telecommunications towers to areas of land which may not provide optimum telecommunications coverage for the Town leaving portions of the town with no or limited cellular coverage. Specifically, this would modify paragraph XII.E.1 of the Town of Danville Zoning Ordinance to read:

XII.E.1. Public Property.

Antennas or towers located on property owned, leased, or otherwise controlled by the Town may be exempt from some or all of the requirements of this ordinance provided that such antennas or towers will enhance public safety by permitting use and, if necessary, allocating space for Town Public Safety Equipment. This exemption shall be available if a license or lease authorizing such antenna or tower has been approved by the governing body of the Town of Danville and the governing body elects, subject to state law and local ordinance, to seek the full or partial exemption from this Ordinance.

Comments from Peter Loughlin dated December 9, 2014 were reviewed. Barry opened the public hearing. There were no comments from the public. Chip made and Chris seconded a **motion to close the public hearing**. The motion **passed** unanimously.

There was no further discussion among the Planning Board members. Chris made and Chip seconded a **motion to move the proposed amendment to the town warrant**. The motion **passed** unanimously.

Chris made and George seconded a **motion to add the words, “Recommended by the Planning Board” with a 5-0 tally**. The motion **passed** unanimously.

2. To see if the Town will vote to add a new article IV.B.3.i and a new article IV.C.2.f of the Town of Danville Zoning Ordinance to permit the construction of commercial parking lots within the normal setback when abutting and connected to adjoining commercial property. Specifically, this would add the following two paragraphs:

IV.B.3.i Within this zone, commercial parking areas shall be permitted in the area adjacent to the abutting property line provided that said commercial parking area abuts commercial property, whether or not developed, and access to the abutting commercial property is provided from the parking area. For this purpose, abutting residential properties, even if within an area zoned for commercial development, shall be considered residential properties, not commercial properties.

IV.C.2.f Within this zone, commercial parking areas shall be permitted in the area adjacent to the abutting property line provided that said commercial parking area abuts commercial property, whether or not developed, and access to the abutting commercial property is provided from the parking area. For this purpose, abutting residential properties, even if within an area zoned for commercial development, shall be considered residential properties, not commercial properties.

Questions from Peter Loughlin dated December 9, 2014 were reviewed. The answers to the questions were: yes, the intent is to have two adjoining commercial parking lots merge into one and there would not be a required landscaped island to separate them. It was agreed that two adjoining parking lots shouldn't cause difficulty for the businesses; this seems to be a common practice. Barry opened the public hearing. There were no comments from the public. Chip

made and George seconded a **motion to close the public hearing**. The motion **passed** unanimously.

There was no further discussion among the Planning Board members. Chris made and George seconded a **motion to move the proposed amendment to the town warrant**. The motion **passed** unanimously.

George made and Chris seconded a **motion to add the words, “Recommended by the Planning Board” with a 5-0 tally**. The motion **passed** unanimously.

3. To see if the Town of Danville will vote to correct clerical errors, commission names, and inaccurate RSA references within the Danville Zoning Ordinance without changing the intent of the ordinance. This would modify Articles III.E, V.B.3, VII.B, VIII.A.2, XIII.B.4, XIII.B.16.b and XIII.B.16.e. Specifically, this would make the following changes to the Ordinance:

III.E Change “*Lot 1-49*” to “*Lot 1-49A and 1-49B*” to reflect the correct Lot numbers

V.B.3 Replace with “*Plans and specifications are submitted to and approved by the Board of Selectmen and the New Hampshire Department of Environmental Services in accordance with the provisions of Revised Statutes Annotated (RSA) 485-A:38.*” To reflect the change in the name of the State commission and the revised RSA number.

VII.B To add a comma between the words “*noise*” and “*vibration*” thereby changing the first sentence to read “*Any use that may be obnoxious or injurious by reason of production, emission or odor, dust, smoke, refuse matter, fumes, noise, vibration or similar conditions, or that is dangerous to the comfort, peace, enjoyment, health, or safety of the community or lending to its disturbance or annoyance is prohibited.*”

VIII.A.2 Change “*RSA 483-A:1-b*” to “*RSA 483*” to reflect recent changes to the State RSA.

XIII.B.4 Change “*RSA 95-A and other applicable statutory requirements.*” to “*RSA 91-A, 675:7 and other applicable statutory requirements.*” to reflect the correct RSAs.

XIII.B.16.b Change “*RSA 679:9*” to “*RSA 676:9*” to reflect the correct RSA

XIII.B.16.e Change “*RSA 95-A:2,II*” to “*RSA 91-A:2,II*” to reflect the correct RSA

Peter Loughlin had written that these proposed corrections seem to be fine. Barry opened the public hearing. There were no comments from the public. Chip made and George seconded a **motion to close the public hearing**. The motion **passed** unanimously.

There was no further discussion among the Planning Board members. Chris made and George seconded a **motion to move the proposed amendment to the town warrant**. The motion **passed** unanimously.

Chris made and George seconded a **motion to add the words, “Recommended by the Planning Board” with a 5-0 tally.** The motion **passed** unanimously.

Fee Update

The Board reviewed the town fees compared to other towns’ fees. After a short discussion, George made and Chris seconded a **motion to set the newspaper notification fee at \$75.00.** The motion **passed** unanimously.

George made a motion to set the abutter’s certified letter notification fee at \$10.00 per abutter. Chip asked that the motion be amended to include both Site Plan and Subdivision applications. George amended, and Chris seconded, the **motion to set the abutter’s certified letter notification fee at \$10.00 per abutter for both Site Plan and Subdivision applications.** The motion **passed** unanimously.

Discussion regarding 11 Main Street, M&L 3-169

The traffic circle at 11 Main Street has already been removed and additional parking spaces are in place. It was agreed a waiver has already been granted for the front setback. An application for a minor site plan and a filing fee will need to be submitted, and the abutters need to be notified. This review will be on the agenda January 8, 2015.

Site Plan for 15 Main Street, M&L 3-168-Final Approval

The two outstanding conditions were reviewed.

1. The final plan still says “subdivision” where it should say “site plan.”
2. The soil scientist and engineer have stamped the plans. George made and Chris seconded a **motion that this outstanding item from the conditional approval has been fulfilled.** The motion **passed** unanimously.

The Board agreed the one outstanding item left will not require any outside engineering review before final approval can be granted. Chip made and George seconded a **motion to release the remaining escrow funds for 15 Main Street based on the approved plan minus the minor clerical errors.** The motion **passed** unanimously.

They will be placed on the agenda for January 8, 2015 for final approval. The mylar and paper copies of the final plan will be signed; neither the engineer or applicant need to be present. Checks will need to be procured for the Registry.

Rules of Procedure update

Barry opened the public hearing to update the Rules of Procedure. There were no comments from the public. Chip made and George seconded a **motion to close the public hearing.** The motion **passed** unanimously. It was agreed the term “secretary” should be replaced with “vice-chairman.” George made and Chip seconded a **motion to amend the Rules of Procedure, replacing the word “secretary” with “vice-chairman.”** The motion **passed** unanimously.

A new copy will be printed for signatures at the next meeting.

Sweet Street subdivision-final approval

The outstanding items from the October 23 meeting were reviewed.

1. The wetland scientist and engineer have stamped the plans
2. New drainage calculation and back-up documentation were submitted. There is a slight increase in the drainage, but the existing vegetation will be able to handle it, making no increase in outflow.
3. State subdivision approval has been granted.
4. The drainage easement deed has been reviewed by town council and is acceptable to the Board. It will be notarized next Monday and then taken to the Registry for recording.
5. Bounds have been set.
6. Lines have been cleaned up on the plans.
7. Wetland flags are shown on the plans.

Chip made and George seconded a **motion to grant final approval of the subdivision of Map and Lot 3-59-13**. The motion **passed** unanimously.

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

Respectfully submitted
Janet S. Denison

Agendas:

- January 8, 2015

7:30 pm correspondence and minutes

7:40 pm Discussion with Jim Daley and Chief Woitkun regarding building height

8:00 pm Amended site plan review for 11 Main Street, Tax Map and Lot 3-169

8:15 pm Final site plan review for 15 Main Street, Tax Map and Lot 3-168