

## **Planning Board April 10, 2014**

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

Excused Members: George Manos

Others Present: Steve Woitkun-Fire Chief, Jim Daley-Building Inspector, Josh Horns

### Minutes

Minutes of March 27, 2014 were reviewed. Chris made and Michael seconded a **motion to approve the March 27, 2014 minutes as written**. Chip abstained. The motion **passed**.

Chip said he accepts the nomination as Secretary.

### Correspondence

- Spring Planning and Zoning Conference, May 3<sup>rd</sup> in Whitefield, NH

### Other Business

Carsten Springer will be asked again about continuing as the representative to RPC. George had expressed interest in continuing.

The Zoning Ordinance was updated per the recent town vote. Chip made and Chris seconded the **motion to accept the Zoning Ordinance as of March 11, 2014**. The motion **passed** unanimously. A copy will be sent to the website for posting.

### Sprinklers

Barry explained that he contacted Peter Loughlin regarding the recent votes regarding sprinklers and specifically how this pertains to subdivisions that have already received approval from the Planning Board. He said the correspondence was marked as privileged and confidential; therefore it was not made available for inspection nor read in its entirety. He said the Board can choose to make it public, however, if this leads to litigation, it may be best to leave the document undisclosed.

Barry paraphrased his questions and Mr. Loughlin's answers as outlined below. The first question dealt with single family lots; all other questions dealt with multi-lot developments.

Q: We have lots, not part of larger developments, with approved building permits that were issued prior to the voting, the permits were granted with the understanding the homes would have sprinkler systems. Are they now exempt or are they bound by the ordinances in effect at the time the permit was issued?

A: They are now exempt.

Q: We have multi-lot developments that were approved prior to the election and approved with the understanding that sprinklers would be installed. The developer proposed sprinklers instead of a common cistern; the ordinance gave the applicant options. There is a note on the approved

plans stating sprinklers would be installed. Are they still required to install sprinklers given the note on the approved plan?

A: Yes they are.

Q: If they are not required to install sprinklers, can we now require them to install a cistern or other alternative even though that was not part of the original approval?

A: No.

Q: If installing a cistern or other alternative required a change to the plan, would they need to file a new application as it's a change to an approved plan? (i.e., a cistern could require redesign of lots and possibly loss of lots)

A: Yes, if it's clear the Board wouldn't have approved them otherwise.

Q: Does the answer change if the note on the approved plat didn't specifically mention sprinklers but instead stated they would install a fire suppression system in accordance with the Town Zoning Ordinance? (but it was assumed to be sprinklers as a cistern isn't shown on the approved plans)

A: If the developer represented to the Planning Board, either in writing it on the plan or by some other manner, that they would follow the zoning requirements, they still are required to do so.

Q: Does the answer change if there is not a note on the plan regarding fire suppression but the meeting minutes indicate the developer stated sprinklers would be installed?

A: If the developer represented to the Planning Board that they would follow the zoning requirements, they still are required to do so.

Q: Would the answer change if the original applicant has already sold lots to individual developers so that there is no longer a single owner of all of the lots in the development?

A: No.

Q: Would the answer change if the original applicant sells off single lots in the future?

A: No.

Q: What criteria should be used for determining a demonstrated need for requiring a cistern or other means for fire suppression for developments of three or more lots?

A: testimony from the Fire Chief, spacing of homes, width of roadways, distance of homes from the fire station, and similar queries.

The Board agreed the correspondence will remain confidential.

Chief Woitkun and Jim Daley said their questions regarding sprinklers have been answered. Barry said he believed the Planning Board's activity with this subject is complete. He suggested cleaning up this portion of the Zoning Ordinance next year. It was made clear the Board can require cisterns for future developments and developers may offer to install sprinklers as an alternative. The Chief will provide more details and guidelines to this Board on what may show a need for installing fire suppression in a home, especially if there are certain areas of town that may have greater need.

Open Position

The Board received a letter of interest from Joshua Horns to fill the open position on the Board. He introduced himself to the Board and expressed an interest in how local government works. Chris added that Josh served as a Selectman and demonstrated that he is inquisitive and thoughtful. Chris added that Josh took time to research issues and proved to be an asset to the Board of Selectmen. Chris made and Haeyoon seconded a **motion to appoint Josh Horns as a member of the Planning Board**. The motion **passed** unanimously.

At 8:30pm Chip made and Chris seconded a **motion to adjourn**. The motion **passed** unanimously.

Respectfully submitted  
Janet S. Denison

Agendas:

- April 24, 2014

7:30pm           correspondence and minutes

7:40pm           minor lot line adjustment between properties owned by Kathleen Wilder of 19 Quimby Court and Jeffrey and Linda Stone of 17 Quimby Court, known as map and lots 1-66-73 and 1-66-74.