
Planning Board Minutes 4/19/16

Planning Board

April 19, 2016

Approved May 17, 2016

Members Present: Bruce Healey, Chair; Ron Williams, Bill Weiler, Deane Geddes, Mike Beaton, Members; Russell Smith, Ex-officio Member; Ken McWilliams, Advisor.

Mr. Healey called the meeting to order at 7:00 p.m.

ADMINISTRATIVE BUSINESS

Election of Officers

Mr. Healey turned the meeting over to the Recording Secretary for the Election of Officers. The Recording Secretary called for a motion to elect the Chair for the Planning Board for the upcoming year.

Mr. Weiler made a motion to elect Bruce Healey as the Chair for the Newbury Planning Board for the upcoming year. Mr. Williams seconded the motion.

The Recording Secretary called for a Roll Call vote.

In Favor: Mr. Geddes, Mr. Smith, Mr. Beaton, Mr. Weiler, Mr. Williams

Opposed: None

The Recording Secretary turned the meeting over to Bruce Healey, Chair.

Mr. Healey suggested postponing the election of the Vice-Chair of the Planning board until the May meeting when Bob Caia will be in attendance. The Board agreed.

Minutes

The Board reviewed the minutes of February 16, 2016 and made corrections. Mr. Williams made a motion to approve the minutes as corrected. Mr. Weiler seconded the motion. All in favor.

The Board reviewed the minutes of March 15, 2016 and made corrections. Mr. Weiler made a motion to approve the minutes as corrected. Mr. Williams seconded the motion. All in favor.

Intelligent Video Display

Mr. Healey reviewed with the Board the status of the video display unit planned for installation in the Town Office large meeting room. He noted that town residents voted to fund the purchase of said unit in a warrant article at Town Meeting this past March. The display unit will include a wall-mounted 65-inch screen on an articulation arm to allow for adjustment thus enabling all attendees at all town board and committee meetings to view all materials under consideration and discussion.

Mr. Healey added that the Town Administrator has suggested a second screen for installation to ensure all members of the public have equal access to the information under consideration and discussion per the NH Right-to-Know law.

Mr. Healey said the system is easy to set up and run but that the technology does not include the ability to stream video.

CASE: Case: 2016-003: Final - Lot Line Adjustment- James Schilke & Raymond Schilke II-Clayton Platt(Agent) Mountain Road-Map/Lot 022-273-043 & 022-273-100.

Mr. Healey read into the record the following Public Notice: *You are hereby notified that the Planning Board will receive submission of an application for a Final Hearing for a Lot Line Adjustment from **James Schilke & Raymond Schilke II**, for property located on Mountain Road, Newbury, NH, Tax Map 022-273-043 & 022-273-100 on **Tuesday, April 19, 2016, at 7:15 p.m. in the Town Office Building at 937 Route 103 in Newbury, NH. If the application is accepted as complete, a public hearing on the application will commence at the same meeting. Copies of the plan are available for public review at the Town Office Building during regular business hours. Business hours are as follows: Monday, Tuesday, Thursday, and Friday from 8am to noon.***

The application was reviewed for completeness.

Mr. Weiler made a motion to accept the application as complete. Mr. Williams seconded the motion. Mr. Healey called for a Roll Call vote.

In Favor: Mr. Geddes, Mr. Smith, Mr. Beaton, Mr. Weiler, Mr. Williams, Mr. Healey

Opposed: None

Mr. Healey opened the hearing.

Clayton Platt, agent, presented to the Board. He noted that the proposed lot line adjustment is a modification of the subdivision application approved by the Board in 2010. He said the original lot line on the approved subdivision application was in accord with the wishes of Mr. Schilke, Sr.

Mr. Schilke, Jr. now wants to sell his father's lot and the buyer wants a certain amount of acreage, hence the addition of land to the lot and the current application for a Lot Line Adjustment. Mr. Platt reviewed the properties lines – current and proposed – on the site plan with the Board.

There being no questions from the Board, Mr. Healey opened the hearing to the Public.

Mr. Healey noted that Richard Alexander, an abutter, sent an email expressing his support of the proposed Lot Line Adjustment.

There was discussion regarding Board procedure in accepting email communications from abutters concerning an application. The Recording Secretary noted that, in the past, the Board only accepted hard copy letters and not emails since the latter could not be authenticated. Mr. McWilliams suggested adding a line to the Public Notice regarding the acceptable way for submission of letters in support/non-support of applications. Mr. Weiler noted that the Land Use Administrator should be responsible for enforcing the Board requirement for letters versus emails.

There being no Public present, Mr. Healey closed the public portion of the meeting and the Board went into deliberations.

There being no further discussion from the Board, Mr. Healey closed the hearing and called for a Motion to Vote.

Mr. Weiler made a motion to approve the application for a Lot Line Adjustment for James Shilke & Raymond Schilke II. Mr. Williams seconded the motion.

Mr. Healey called for a Roll Call vote.

In Favor: Mr. Geddes, Mr. Smith, Mr. Beaton, Mr. Weiler, Mr. Williams, Mr. Healey

Opposed: None

Mr. Healey advised Mr. Platt on behalf of his client that he or any party directly affected by this decision may appeal to the proper Board or Superior Court within thirty (30) days of this decision.

Mr. Platt submitted the mylar for signature by the Board. The Board sign the submitted mylar.

CASE: Case: 2016-004: Conceptual – Site Plan – The Fells – Joe Thompson Landscape Director, - 456 Route 103A - 018-232-347.

Joe Thompson, Landscape Director, met with the Board regarding the proposed Gate House Parking Area project at The Fells.

Mr. Healey reviewed the scope of a Conceptual with Mr. Thompson, noting that it is a non-binding, informal consultation with an applicant and added that it is non-binding to both the Planning Board and to the applicant. He added that a Conceptual is a general discussion about a proposed project and that neither the abutters nor the public have been notified of said project. With that in mind, Mr. Healey added that the Board may not enter into a detailed discussion of the proposed project. Mr. Thompson indicated that he understood the parameters of the Conceptual.

Mr. McWilliams suggested that Mr. Thompson utilize the Design Review process prior to make a final application. The proposed project is complex and a Design Review would allow the board to examine – and suggest – any areas that may need clarification prior to going into a final application review.

Mr. Thompson said he has been the Landscape Director for The Fells for five years and, prior to that, a residential landscape architect for 25 years. He noted that past proposed parking plans called for 10 fewer spaces than the current proposed plan. He said the current parking area is too small and, in the spring, becomes too soft for parking safely. He noted that several locations have been examined.

Mr. Thompson said there are several issues connected with this project, particularly the amount of land clearing and the amount of wetlands that will be filled. Also, drainage will be a challenging item since everything ends up draining into Bartlett Brook and then into Lake Sunapee. He said he is working with the NH DES regarding these issues.

Mr. Healey noted that the proposed project sits in two different districts – the Residential District and the Shoreland Overlay District. With that in mind, Mr. Healey indicated that the following Zoning Ordinances must be addressed in the application:

- Article 5 Residential District
- Article 7 Shoreland Overlay District
 - Paragraph 7.10 Erosion Control
 - Paragraph 7.12 Impervious Surfaces
 - Paragraph 7.13 Certificate of Zoning Compliance
- Setback Requirements (50-foot, 150-foot, and 250-foot) per the Shoreland Protection Act.
- Article 14 Signs
- Article 21 Stormwater Management

Mr. Weiler noted that the following should be addressed in the Planning Board Site Plan Review Regulations:

- Article VII. Application Requirements

Article VIII. Waiver Requirements

Article IX. Standards for Proposed Developments

- Paragraph 9.4 Landscaped Open Areas
 - Paragraph 9.14 Exterior Lighting
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- Appendix A – On-Site Parking

There was general discussion about what was on previous plans versus the current proposed plan, particularly exterior lighting and the number and location of the proposed parking spaces.

Mr. Thompson noted that the total number of parking spaces in the current proposed plan is 86. He added that he will be joined by Doug Sweet, Bristol Sweet Engineers, for the Design Review presentation.

Mr. McWilliams questioned whether shuttle parking was considered during The Fells events that draw large crowds. Also, he suggested considering shifting some of the items indicated on the proposed plan so less of the wetland is affected. Mr. Thompson said an existing artifact must be accommodated along with a landscaped buffer next to the road.

Mr. Thompson was informed of the number and size of plans to submit for the Design Review application, along with submission due dates.

There was further general discussion about what to include in the submitted plans, how winter plowing might be handled with the proposed parking area plan, and whether to have a series of plans or just one plan.

ADDITIONAL BUSINESS

NH OEP Annual Planning & Zoning Conference

Mr. Healey reminded the Board of the NH OEP Annual Planning & Zoning Conference on June 4, 2016 and encourage all to attend. The registration deadline is May 27. He added that the conference will include workshop topics that include Legal Update, Right to Know Law Issues for Land Use Boards, Roles and Responsibilities of the Zoning Board of Adjustment, Basics for Planning Board Members, Agritourism and the Role of Municipal Regulation, among others.

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Zoning Ordinance Document Corrections

Mr. Healey noted that the following should be added to the latest Zoning Ordinance: on page 106, add “Revised March 8, 2016”. The Board agreed.

Zoning Ordinance Articles Review

Mr. Healey requested Mr. McWilliams to review the following articles/items in the Zoning Ordinance for future discussion:

- Article 8. Wetlands Conservation Overlay District
- Article 17. Personal Wireless Service Facilities
- Storage Containers

- Article 4. Business District Paragraph 4.10 Accessory Apartments
- Article 5. Residential District Paragraph 5.7 Accessory Apartments

Mr. McWilliams suggested scheduling a work session to discuss the aforementioned. The Board agreed.

Procedure Concerning PB-Approved Applications/Deed Submission/Mylar Signing & Recording

There was discussion regarding the Board's role regarding requiring approved applications include the submission of a deed before the Board signs and records the mylar.

Discussion followed. There was Board consensus that town counsel should be contacted for further advice. Mr. Smith said he would contact town counsel.

Mr. Smith made a motion to adjourn. Mr. Geddes seconded the motion. All in favor.

Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Meg Whittemore
Recording Secretary