**Planning Board**

**September 18, 2018**

Approved on November 2018

**Members Present:** Bruce Healey, Chair; Regina Cockerill, Howard Maurer, Bill Weiler, Richard Wright, Members; Deane Geddes, Alternate; Russell Smith, Ex-officio Member, Ken McWilliams, Advisor.

Mr. Healey called the meeting to order at 7:01 p.m.

**ADMINISTRATIVE BUSINESS:**

Mr. Healey opened the meeting and reminded everyone that there are two documents for them to sign in the back of the room. These two items are:

1. The Fells plan for the lower parking lot area.
2. The Cunningham Plat, if it receives approval at tonight’s meeting.

Mr. McWilliams gave a quick overview of the CIP. He noted that Ms. Cockerill and Mr. Maurer sat on this committee. Mr. McWilliams explained the financial background of looking at the prior 2011-2017 time frame. The committee then discussed departmental needs and projects. Mr. McWilliams explained that he put together a draft that was approved by Ivor Freeman. The CIP proposal was then presented to committee members and now is being presented to the Planning Board. Mr. McWilliams said that the Planning Board can make changes and then adopt the CIP when ready.

Mr. Healey asked the Board members if they had any questions. Mr. Healey asked a few questions.

1. Mr. Healey asked if the fire department, police department, library and town administration are all on the same computer hardware. Mr. Pavlicek said that the fire department, police department and town administration are all on one server. The library is currently on their own server. Ms. Cockerill gave an update on what the library uses for a provider currently.
2. Mr. Healey asked about the ambulance replacement. He asked if it has been decided that there will never need to be an ambulance in town. Mr. Pavlicek said that there hasn’t been so far and that would be a Board decision. Mr. Healey asked why we wouldn’t leave the fund balance and Mr. Pavlicek said we could. Mr. Healey said it seems strange to move a balance that is effectively ten years’ worth and was wondering if there is a big bill pending for personal fire protection. Mr. Pavlicek said that the town just bought all new air packs and it will take about 15 years to replenish it to get it back to that level and that is why they are doing incrementally.
3. Mr. Healey asked about the $150,000 amount estimated for the renovation of the old police station. He asked if this amount for the entire building. Mr. Pavlicek said it is just an estimate. Mr. Healey if the renovation is for the entire building. Mr. Smith said that it is just a rough estimate.
4. Mr. Healey asked about the date for the one-ton pickup on page 9. Mr. Healey said there was no year listed for replacement. Mr. McWilliams said that date should read 2016. That change will be added.
5. Mr. Healey asked about page 11 and the recreational facilities in the future. He said the wording should change because it currently says ‘additional ball fields’ when there is currently no ball fields. He suggested that it say ‘multi-purpose field’.
6. Mr. Healey asked about the $40,000 amount requested for the 1992 bailer. Mr. Pavlicek said that has been in the CIP for over 20 years. There is currently no intent to purchase this item anytime soon.

Ms. Cockerill asked what happens if the town has something in the CIP but decides not to purchase an item. Mr. Pavlicek explained the process. Mr. Pavlicek gave an example of the fire station. If it doesn’t pass, it has no effect accounting wise. Mr. Wright stated that the CIP is only a recommendation. Mr. McWilliams said the Board of Selectmen then go on to decide what things should be acted on as needed in the annual budget.

Mr. McWilliams will make these few minor change and will present to the Planning Board at the next meeting to approve.

**Minutes**

The Board reviewed the minutes from August 21, 2018. Corrections were made.

Mr. Weiler made a motion to accept the minutes of August 21, 2018 as corrected. Mr. Wright seconded the motion. All in favor.

The Board reviewed the minutes from September 11, 2018. Corrections were made.

Ms. Cockerill made a motion to accept the minutes of September 11, 2018 as corrected. Mr. Smith seconded the motion. All in favor.

**PUBLIC HEARINGS:**

**7:15 p.m.** – **Case 2018-009 – Final-Revised Plan of Blye Hill Landing Cluster Subdivision Unit C-5 – Tax/Map #030-717-046 –** Clayton Platt (agent), Kevin & Cheryl Cunningham (owners) – for property located at 45 Blye Hill Road South, Newbury, NH Tax Map # 030-717-046- proposed change to Unit C5 on approved cluster subdivision plan of Blye Hill Landing.

Mr. Healey found that the application was complete. Mr. Healey made a motion to accept the application as complete. Mr. Wright seconded the motion. All were in favor.

Mr. Healey opened the hearing.

Mr. Healey reviewed with the Board a summary of when they previously met with the owner and the agent, Mr. Clayton Platt. He reminded the Board that the land owner requested approval to move unit C5 into the common land. Mr. Healey invited Mr. Platt and Mr. Cunningham to the table.

Mr. Platt said they are requesting that they move the proposed house about 21 feet into the Common Land to allow for a turning radius at the end of his lot. Mr. Cunningham said the lot is very steep and very tight. He explained that he received consent from everyone from the home owners association. Mr. Healey opened the meeting to public input. There being none, Mr. Healey closed the public input. Mr. Healey asked if there were any questions of the Board. Mr. Weiler asked if Mr. Cunningham was one of the owners of the common land. Mr. Platt said that Mr. Cunningham is one of the 12 owners of this common land.

Mr. Geddes made a motion to accept the plat. Mr. Smith seconded the motion. All were in favor.

**7:30 p.m. – Case 2018-008 –Final Minor Site Plan Review –** SP Construction Co. Inc. (owner) – for property located at 1387 Route 103, Newbury, NH Tax Map 3 007-319-105 – Proposing a change of use from retail to office.

Mr. Healey confirmed that the application was complete. Mr. Healey made a motion to accept the application as complete. Ms. Cockerill seconded the motion. All were in favor.

Mr. Healey opened the hearing at 7:42 p.m. and invited the applicant to the table to make a presentation.

Mr. Healey explained that there was a waiver request. He said that there is no site plan review in Mr. Landrigan’s file. Mr. Landrigan has provided drawings for his application. Mr. Healey finds that what Mr. Landrigan has submitted is acceptable. Mr. Landrigan went over his application.

Mr. McWilliams asked what size groups might be occasionally meeting there and Mr. Landrigan said it would be 3-4 people.

Ms. Cockerill asked if the septic is up-to-date and Mr. Landrigan said yes.

Mr. Wright made a motion to accept a waiver for the site plan. Mr. Smith seconded the motion. Mr. Healey opened up public input. There being none, he closed the public input.

Mr. Wright made a motion to approve the application. Mr. Maurer seconded the motion. All were in favor.

**Other Business**

**Proposed Zoning Amendments**

Mr. Healey distributed a schedule to be followed to get zoning amendments presented before the town election. Mr. McWilliams went over the schedule for the Planning Board through March 13. Mr. Smith mentioned that the Conservation Commission wants to be present at one of these meetings.

There are currently only three proposed amendments. Two of them are administrative.

The first change is to a one word change to Accessory Use in Definition 2.3.

The second change is a two word addition to Setback Requirements in 4.6

Mr. Weiler doesn’t like the change to verbiage to Accessory Use. He doesn’t like changing the word from ‘or’ to ‘and’. Mr. Healey explained that the town counsel suggested this change. Mr. Weiler said if we use the word ‘and’ he said the Accessory Use definition can be challenged. Mr. Healey said he will go back to the town counsel to get the reasoning behind the change.

The change to 4.6 is to put in the term ‘wells’ to the term ‘well coverings’ to read ‘wells and well coverings’. It should be consistent with the wording of 5.9

Mr. Healey said that he was tasked to draw up a zoning section for private water wells. He worked with Mr. McWilliams to draft and propose an amendment for private water wells. Mr. Maurer does not remember making a motion to task this. Mr. Maurer thinks this should have been further discussed, not tasked. Mr. Weiler said the issue was with in the shoreland protection area and this amendment is for the whole town. Mr. Wright said it is a problem town-wide. Mr. Healey said that there are local regulations and his plan is if the board did adopt a regulation that it would be easy to identify the well companies that are most likely to work in this community. Mr. Wright said the problem is that the well has to be 75 feet away from you septic, but it doesn’t mean that the well is going to be 75 feet away from their abutting neighbor’s septic. Mr. Wright said that issue needs to be addressed. Ms. Cockerill said that Blodgett Landing would need to have its own guidelines. Mr. Wright said that there is a wastewater plant, so it does not have the same issues as everywhere else in town. Mr. Healey said that if the Board doesn’t think if we should propose it, then the Board does not need to do it. Mr. Maurer thinks it puts some undo hazards on the homeowner. Mr. Weiler said the will only get compliance if they require a permit for wells.

Mr. Maurer said it puts some undo hazards on a homeowner. If the well goes down, and the CEO is part-time.

Mr. Healey will resend the written ordinance and the Board will discuss again.

Mr. Weiler said he has quite a few concerns and that there a quite a few inconsistencies. Mr. Geddes said he thinks the Board should re-discuss after Mr. Healey sends out the email again.

**Hilton Property After-the Fact AoT Permit Application**

Mr. Healey said that there has been an application submitted by the Hilton Property that will be placed on South Road. The Hiltons received a letter of deficiency from DES notifying the Board that there is a very large plan that involves more than 100,000 sq. feet of altering terrain. They have now developed an engineering plan. Mr. Healey said this project is happening on Gillingham Pond in the shoreland and it is also an aquifer protection area. Mr. Healey is suggests having an oversight on this project for the Hiltons. According to 20.6, all subdivision proposals shall be reviewed by the Planning Board and site plan review regulations. The Conservation Commission has asked the Planning Board to look into this.

Mr. Healey will send out this material to the Board members. Ms. Cockerill would like to look at the information before we meet with the landowners. Mr. Healey will send around the material to the members of the Board.

Mr. Smith suggested a work session. Mr. Weiler agreed with Mr. Smith. It was decided that there would be a work session on October 2.

Mr. Healey will invite the Hiltons to the October 16 meeting.

**Signatures for The Fells – Lower Parking Area, pavilion and nursery relocation plans and the Earth Excavation Regs.**

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

The meeting adjourned at 9:06 p.m.

Respectfully submitted,

Donna S. Long

Recording Secretary