

MINUTES
PLANNING BOARD
November 20, 2019

Present: John Schaumlöffel, Chair, Liz Freeman, Vice-Chair, Bert Hamill, Lou Alvarez, Nate Sikkila, Deirdre Daley and Debbie Deaton

The meeting was called to order at 7:00 p.m.

John asked Debbie to sit in for Paul.

The Board reviewed the minutes of November 6, 2019. Liz said the last paragraph under Enforcement on page 2 should read "...never issue an occupancy permit". Deirdre stated the sentence under Gravel Pits should read "...another location may have a change in status before the next inspection". Bert made a motion to approve the minutes as amended. Deirdre seconded the motion and it passed unanimously.

Lou has concerns regarding his suggestion of a dark sky shroud on the cell tower if lighting was needed in the future. A Dark sky shroud would prevent the light from going up, which is what the Board was trying to achieve so lighting wouldn't be a problem for residents in the area.

Selectmen's Report:

Bert told the Board he made a plea for additional monies for the Building Department for enforcement and inspections of Subdivisions, etc. but that did not pass. Bert said Trustees of the Trust has an opening. The Town is also looking to hire an Emergency Management Director. This position pays a \$5,000 stipend.

Chairman/Land Use Clerk Report:

John told the Board he and Bert have inspected the culvert on Douglas Drive and agree they are in compliance. Debbie emailed the Board a copy of the By-Laws of the Planning Board. Debbie will retype it to make a clean copy. Lou stated the By Laws say the Board is required to meet twice per month and the RSA states the Planning Board only needs to meet once per month.

John informed the Board about his Budget meeting with the Selectmen and Budget Advisory Committee. The Selectmen approved the budget as follows:

| | |
|----------------------|---------|
| Education Training | \$ 600 |
| Technical Assistance | \$1,900 |
| Notices | \$ 300 |
| General Supplies | \$ 400 |
| Postage | \$ 150 |
| Postage/Hearings | \$ 500 |
| SWRPC | \$ 520 |
| Total | \$4,370 |

Bert reminded the Board the budget can be amended at the Budget Hearing and also at the Deliberative Session. John stated the number of submissions we are receiving seems to be increasing, not to mention all of the tasks that face the Board in the upcoming year, i.e. Driveway Regulations, Commercial District, Off-Site Improvements, updating the Master Plan, updating the Zoning Ordinance, etc. Deirdre said there are many experienced members that will be leaving or have already left, leaving the Board with a lot of "green" members that don't have the experience writing ordinances, warrant articles, etc. Due to these facts, John feels the Technical Assistance line item should not have been cut.

Driveways:

Debbie started by saying RSA 236:13 states the Planning Board "shall" have Driveway Regulations. Liz stated, in Article V says if we want to carry out the regulations of this section, we need to adopt Driveway Regulations. Bert said our Zoning Ordinance (page 38) states the Board of Selectmen have the authority to grant Driveway Permits. Liz mentioned there is a difference between a "regulation" and an "ordinance". John asked Debbie to forward the

Driveway section of the Zoning Ordinance to Southwest Regional Planning Commission for compliance with RSA's. Liz continued by saying the Planning Board can submit a warrant article deleting that section in our Zoning Ordinance and adopting a separate document as Driveway Regulations.

Lori gave an example of complaints regarding a driveway on Thayer Road which has been built on wetlands and is eroding the Town owned road which is a violation of the Zoning Ordinance. Lori told the Board, Rick had gone out and told the owner he needed to get a wetlands permit. The owner can be fined and can also be held liable to restore the Town road.

John told the Board Debbie has drawn up a Driveway Regulation draft which the Board will review. Liz said she reviewed the document and it is a great beginning but needs to be tweaked when everyone has had a chance to review it.

Debbie told the Board it is an ongoing battle regarding driveways. Lori said the problem is a lack of procedure for enforcement. She suggested other towns request a bond whenever a driveway permit is issued. Deirdre asked why driveways are not on subdivision plans. John replied there are many reasons a driveway may not be able to be installed where it is shown, i.e. ledge, wetlands, etc. Lori went on to say driveways are not inspected. The Highway Department issues the driveway permit (curb cut only) but from there on out, they are usually not inspected unless there is a complaint.

John asked Debbie what the genesis of the Driveway Regulations is. Debbie replied she compared Driveway Regulations from several different towns and our Subdivision Regulations and put the common thread in there. She suggested the Board have a work session to dissect it. Once the Board has a working document, submit it to the various boards and department heads for their input before the regulations are adopted.

Liz told the Board when they sign up for the Planning Board, it is not just showing up to meetings twice a month. Research is also part of it. The Board decided to have a work session on Monday, January 6th at 7:00pm to discuss this draft.

Debbie also mentioned when a subdivision is created that will have three lots or more on a shared driveway, the driveway needs to be named at the time the subdivision is created. Liz said this should be added to the Subdivision Regulations and part of the approval process. Deirdre suggested we need to audit the Town for this situation. Deirdre suggested everyone review the Driveway Regulations draft and send any comments or concerns to Debbie prior to the work session. The Board decided to review the document individually and Deirdre will track changes in Word at the work session.

Off-Site Improvements:

After some discussion, the Board agreed the change to the Subdivision Regulations and Site Plan Regulations will read as follows:

- V. The Board may determine during the hearing process that the proposed development creates the need for off-site improvements, all or part of which are rationally related to or occasioned by the proposed development. In accordance with RSA 674:21 the Planning Board may impose the requirement that the applicant install or pay for all or part of such off-site improvements.
 1. The overall construction and site development components that could be considered for off-site improvements shall be limited to any necessary Street, drainage, sewer and water upgrades pertinent to that development.
 2. When imposing such requirement, the Board shall consider the degree to which the proposed development is benefited by such off-site improvements. Such deliberations shall include whether other properties would also benefit from the upgrading of such off-site improvements. In such cases the Board shall determine the amount to be paid by applicant, taking into consideration the following:
 - a. the standard to which the town presently maintains the road;
 - b. the frontage of the proposed site plan;
 - c. the potential traffic increase necessitated by the proposed site plan;

- d. the character and potential for development of the neighborhood;
 - e. the number of residences presently fronting on and putting traffic on the road;
 - f. any other factor that the Board deems appropriate to establish a rational connection to the needs created by the development to the amount to be paid by the applicant.
3. There are certain areas of New Ipswich that have Streets that do not have the ability to accommodate much more, or in some cases any, additional traffic. Generally speaking, the costs associated with the necessary improvements to these roads will need to be borne by the applicant

After final draft and approval on December 4th, a notice for a Public Hearing on December 18, 2019 at 8:00 pm, will be posted and advertised in the Monadnock Ledger. The notice will read: A Public Hearing will be held on December 18, 2019 at 8:15 pm to amend the New Ipswich Site Plan Regulations and Subdivision Regulations regarding the process for evaluating the need for off-site improvements in accordance with RSA 674:21.

Commercial District:

Bert mentioned the Selectmen may do a warrant article for a commercial district. Liz said she didn't think the Selectmen *can* write a warrant article that changes the Zoning Ordinance. They can as private citizens but not as an elected body. Bert disagreed. Liz will call NHMA to verify.

John mentioned the Selectmen want to look at the one specific lot where the Transfer Station is located. Deirdre commented the request to the Board was to look at designating a commercial district and we need to decide what type of businesses/industry will be allowed in the zone.

Liz said the Board does not have the time to be able to fully investigate, plan and have hearings prior to the Warrant Article deadline of January 14th. Nor have they had time to even discuss whether or not they think it's a good idea.

Gravel Pit Inspections:

Deirdre asked what the procedure is for closing a gravel pit. Bert said the procedure is as follows:

An inspection needs to be done with a report

The report must say the pit has been fully reclaimed and no longer active

A recommendation be made to the Board in the report

The Board will take a vote provided all of the criteria is met

Deirdre asked if the owner must request the pit be closed. Bert replied they do.

Liz made a motion to adjourn at 9:15 pm. Bert seconded the motion and it passed unanimously.

Respectfully submitted,

Debbie Deaton
Land Use Clerk