

# **Haverhill Planning Board Minutes August 25, 2015**

## **Draft Subject to Review, Correction, and Approval at Following Meeting**

### **1. Call to Order**

The meeting was called to order at 7:05 by Chairman Don Hammond

Planning Board members present:

Don Hammond

Mike Bonanno

Tom Friel

Mike Simpson

Tara Krause was excused.

Clerk Ed Ballam was present. There were no members of the public present.

### **2. Designation of Alternates**

No alternates to designate

### **3. Agenda Approval**

Mike B. made a motion to approve the agenda, seconded by Mike S. The vote was unanimous.

### **4. Approve Minutes of Previous Meeting**

Ed B., who did not attend the July meeting, said the recorder stopped at 17 minutes 38 seconds as the board was discussing the applications for building permits on Benedicts Way. The board said the review of the building permits was completed and there were no objections to both proposals. Don H. said the applications need to be completely filled out, all parts, before they are sent for planning board review. Tom F. said the board didn't see any problems with the building permit requests, but they wanted to make sure the board passed along its request to have the applications be filled out completely.

Ed B. asked the board why it needed information about who the contractor is and what kinds of material is used. Mike B. said it is for consistency, to have the forms completed correctly and fully. Mike S. said it's also so they board knows what is going on. He said on Jeff Elliot's application the part that says scope of work is completely blank so the board has no idea what it is approving.

Ed B. said the board is only supposed to comment on road issues and whether there should be anything built, not what will be built. Ed B. said it's mostly about access and maintenance. An applicant could haul a camper on to a parcel of land and it shouldn't make any difference.

Don H. said Robert Thomas' application has a page one, but no page two, and a third page and nothing else. He said every one has been presented the same way. The board said there's inconsistencies with completion of every building application. The board said it wants contractor information, sewerage permits.

Ed B. said he hears the board wants to have the applications filled out completely and consistently. The board agreed. He said he would pass along the information on to the town.

Moving on with the approval of the minutes, Ed B. asked if the board had any comments or additional information after the discussion with Howard Hatch and the discussion of Benedicts Way. The board said it had no further discussion and the meeting adjourned shortly after.

Mike B. made the motion to approve the minutes as amended with the additional information supplementing the recorded minutes. Mike S. seconded the motion. The motion carried.

#### **5. Scheduled Public Appearances previously scheduled.**

None

#### **6. Correspondence/Communications**

Ed B. said there was one correspondence from the NH DOT indicating they plan to pave portions of Route 10, 302 and it looks like part of 135. It didn't require any action by the board, it was just for its information.

#### **7. Reports of Committees**

None

#### **8. Pending Business**

Ed B. said the payment for the Gladstone, South Court Street, subdivision has finally come in and it's ready for signing by the chairman. The mylar was doubled checked with the paper copies for consistency and Don H. signed the mylar for recording. Ed B. said it would take care of getting it recorded. With the completion of the Gladstone subdivision, there are no outstanding plans to be recorded.

There was some discussion about the conversation the planning board had with Howard Hatch about road conditions and subdivision regulations. Tom F. said as the board reviews the regulations, it needs to remember to modify the road specifications.

Ed B. said he would recommend the board work through the entire regulations, start to finish, page by page and go over every part for a thorough review, making any changes necessary as the board went along. Ed B. said not only is it required to update it periodically, it's a great way to refresh everyone's knowledge of the regulations going through it page by page as a group.

Tom F. said he would look into the state DOTs road requirements for a future meeting so the board would have the information available as it reviews road specifications.

Ed B. asked if the board was willing to start the subdivision review process as there is nothing on the agenda and no public waiting to be heard. The board agreed and Ed B. distributed copies of the subdivision regulations to each of the members.

Mike B. said on page 5, 3.1.1 section 2. He said he didn't understand what the board was insuring when it comes to open and common space. Ed B. suggested that word could be changed to ensure and protect open and common space as the purpose for the subdivision regulations. Ed B. said it simply means the board should be paying attention to things like open and common

space when considering subdivisions, that's what ensure means. Mike B. also asked about section H and asked if the health officer should also start looking at plans to make sure they are not a danger to health and safety. Ed B. said the first few pages are more or less like an index and within the following pages, the board will outline how it plans to achieve the goals using the regulations. Ed B. said if the board wanted to have the health officer review plans, it could do so in the appropriate section within the regulations. Ed B. said having that specific detail in the opening may not make sense, but he would put it there if the board decided to do so. Mike S. said it should not be in section H. Ed B. said the pages and the goals are more like philosophical ideals and goals.

Mike B. said he had questions about section L which grants authority to the board to waive certain sections of the regulations. He said he didn't think the board should have that authority. Tom F. said an example of where it was done recently, was on the Brill subdivision in Woodsville was another example of the board's use of waiving regulations to improve the subdivision and the situation. There was discussion about the subdivision by the Pages off Route 10 where the board waived the road width requirements because the way was only serving one home.

Ed B. said in the purest sense, it is a good idea to waive requirements, probably not, but it is also not a good idea to be so hemmed in that when an issue like the Brill subdivision issue comes into play there's no way to resolve the issue.

Don H. suggested the board stay on until 8 p.m. and review the regulations page by page. The board agreed.

There was some discussion about major and minor subdivisions and the definition. Tom F. said it has been an issue in the past, but the language as is works. No changes required.

The board wants to change add the phrase, the applicant or a designee must appear before the board. Tom F. wants to add "upon receipt of Payment" to the section that refers to when a plan is recorded.

Ed B. mentioned the section that states a 30 day waiting period for appeal might need review. The board has waived that requirement in the past to accommodate applicants who are waiting on a closing date. Don H. said maybe a line could be added that the waiting period could be waived at the applicant's request. Ed B. suggested it say at the applicant's risk because if someone appeals the board's decision, the decision might have to be overturned and the recording undone. Tom F. said he would like to do some additional research before any decision is done. He said the North Country Council may have made the recommendation. He said he would check to see with them. Ed B. said the waiting period is good policy, but there may be times it could cause hardship for closing dates and sales.

Page 8 is OK with the board needing no changes. There was some talk about preliminary discussions with the board. Ed B. cautioned the board to remember that when they do that with an applicant, promises are not to be made and discussion should be general without a lot of detail.

On page 9, Mike S. asked about the requirement that applications need to be submitted 15 days before the meeting. Ed B. said state law dictates when a hearing needs to be held and that's 30 days after its receipt. If the timing isn't going to work, Ed B. said he was told by the state trainers that waivers from the applicants can be obtained to stretch the window.

Ed recapped and said no changes on page 6, 7 there were a few as noted, no changes on page 8, page 9 there some changes as noted in the master revision working draft. Don H. said the board should stop on page 10 and resume the review at the next meeting with the goal of having the revisions done by the end of the year.

**9. New Business (Applications)**

None

**10. Other New Business**

None

**11. Public Appearances (Not Previously Scheduled)**

None

**12. Comments of the Clerk**

Ed B. said the ZBA is scheduled to have a hearing on a request for an exemption from the aquifer protection ordinance, filed by Superior Spray Foam. Ed B. said the Planning Board doesn't need to do anything, but he thought the board ought to know.

**13. Comments of the Planning Board**

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**14. Other**

**15. Adjournment/Next Regular Meeting**

Mike B. made a motion to adjourn the meeting at 7:50 p.m. which was seconded by Mike S. The vote was unanimous.

The next meeting is on September 22, 2015.

Respectfully submitted,  
Ed Ballam, Planning Board Clerk