

**Town of Northwood
Planning Board
June 12, 2014**

Chairman Robert Strobel calls the work session to order at 6:35 p.m.

PRESENT: Chairman Robert Strobel, Selectman Representative Timothy Jandebeur, Lucy Edwards, Richard Bojko, Rick Wolf, Joseph McCaffrey, Alternate Ken Rick, Board Administrator Linda Smith, and Board Secretary Lisa Fellows-Weaver.

VOTING DESIGNATION: Robert Strobel, Timothy Jandebeur, Lucy Edwards, Richard Bojko, Richard Bojko, Rick Wolf, Joseph McCaffrey, and alternate Ken Rick.

ABSENT: Vice-Chair Lee Baldwin, Alternate Adam Sprague, and Alternate Victoria Parmele

Mr. Strobel offers other members the opportunity to volunteer to chair a portion of the meeting. Mr. McCaffrey volunteers.

MINUTES:

May 22, 2014

Mr. Jandebeur makes a motion, second by Mr. Bojko, to approve the May 22, 2014 meeting minutes, as amended, as follows:

Page 1: Change: ...taking... to ...taken...

Page 2: Change: ...family... to ...*generation*...

Page 3: Delete: ...although the structure is actually sitting on the wrong lot.

Page 4: Change: typo; Change: ...will... to ...*may*...; Add: ...*determinations*...; Add: ft.

Page 5: Change: ...Being... to ...*Hearing*...

Page 7: Change: ...asks... to ...*notes that*...; Change: ...use... to ...*place*...;

Change: ...conflating... to ... *conflated*...; typo

Page 8: Change: ...relied... to ...*relief*...

Page 9: Change: punctuation

Motion passes unanimously; 7/0.

FILE REVIEW:

CASE: 14-06: Maureen Cahill and Sandra Hassett, 10 Welsh Rd. Map 242; Lot 23. Applicant seeks home business application for a pet rescue, boarding and temporary quarantine facility for dogs and cats. (Property currently owned by Christine Bucci).

Mr. Jandebeur recuses himself and removes himself from the table.

Mr. Bojko states that he has had some business dealings with the applicant; however, adds that it will not affect his judgment either way. Ms. Smith states that it is always suggested that if there is any possibility of conflict the member

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should recuse themselves from the case. Mr. Bojko explains that the business did not result in any financial connections and no financial benefit. Mr. Strobel explains that the decision is up to the member; however, the board may request that the member recuse himself if there could be a conflict of interest. Board members agree that there is no issue with Mr. Bojko continuing as a member on this case.

Ms. Smith states that she has provided a new format for the application checklist. She explains and reviews the new format provided. Case materials are reviewed by the board and discussions are held.

The board agrees to request the following information:

- Title block to contain business name, date, and lines;
- Plan to be drawn to scale;
- Abutters information to be added to the plan;
- Identify buildings/structures on plan;
- Identify overlay districts on plan and clarify/request waiver;
- Deed references and tax map numbers to be added to title block on the plan;
- Add or identify residential parking areas on the plan and note all proposed provisions for any off street parking and loading facility;
- Provide information regarding sight distance/safety; volume per day;
- Identify location of well and septic on plan and provide state approved septic design or letter of verification from designer;
- Note location of dumpster on the plan and provide information for waste disposal;
- Lighting to be added to the plan and a note added indicating that all lighting will be in compliance.

Additional discussion is held regarding the sight distance. Ms. Smith suggests that the board do a site walk of the property.

A discussion is held regarding noise and how the applicant will mitigate noise issues. Ms. Smith states that noise is measured by a decibel level. Discussion is held on noise (barking dogs) and Ms. Smith notes for the animal control officer to enforce it that noise must be persistent without interruption in order to measure; it is difficult to enforce. She notes that the applicant has indicated that the garage is to be insulated. She adds that this is a business and is held to a different standard.

Ms. Smith will provide the revised checklist to the applicant and inform them of the board's comments and concerns and the requests for additional information.

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Mr. Jandebaur returns to the board as a voting member.

Staff Items

Ms. Smith requests changing the day when the board's packets are available from Friday to the Monday before the planning board meeting. She states that the agenda will still be closed on the Thursday prior to the meeting. Staff will continue to email the agenda and minutes when they are available.

Master Plan Update

Strategy for Completion

Board members discuss the next approach for the completion of the Master Plan. The board refers to a memo previously provided by the planner. Ms. Edwards notes that the planner suggested presenting a report rather than a completed Master Plan. She notes that the planning board is allowed to amend the plan by sections rather than in its entirety.

Mr. Strobel reads the RSA pertaining to the land use section. He feels that the goals section has been completed. Mr. McCaffrey feels that there needs to be further editing by each member in their proposed section, as well as some attempt to begin a consolidation of the document. It is noted that a rough draft of the master plan including what everyone has drafted was previously provided by the planner. Discussion ensues.

Mr. McCaffrey feels that the master plan is described as a recognition of what the community has expressed and the board needs to know if the sections are currently being implemented, whether there are sufficient ordinances. He adds that there needs to be recommendations made for certain types of protections in certain sections of town. He adds that there needs to be additional edits made and perhaps additional elements although he feels that what is included in the current Master Plan is sufficient and is better written.

Ms. Smith states that the land use section is a strong part of the Master Plan. She suggests that the board really focus on and address the land use section. She suggests copying the RSA which has specifics of what should be included and providing examples from other communities and towns to get a feel of the formatting and amount of information that is included in their land use sections. She suggests that the board address sections separately rather than all at once. Lengthy discussion ensues.

The consensus of the board is that for the next work session members will draft their suggestions and propose changes to the already drafted sections, which were previously provided.

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Vacancy Planner

Ms. Smith states that the selectmen are looking into this matter and there is no update at this time. Mr. Jandebaur adds that this is correct.

Ms. Smith explains that the planning board has the authority to hire through third party billing. The board could send out applications and contract with a professional planning services. She explains it would be a process similar to hiring for an engineering review. She adds that the selectmen are the entity that determines whether there are contracted planning services for the town or if they chose to hire an employee.

Mr. Jandebaur states that the selectmen are currently looking into their options and all information that is provided. He states that the selectmen feel confident in the staff to get the town through the short time that it will take to address the matter.

OTHER

Town Hall Paving

A discussion is held regarding the paving of the driveway at town hall. Mr. Jandebaur states that a contract has been signed and the driveway should be completed by July 1.

Water Resources Committee

Ms. Smith asks if the water resources committee is still current. Mr. Strobel replies yes and states that he will provide the contact information.

Case 14:05: 598 First NH Tpke, 598 First NH Turnpike. Map 222/Lot 23.

Updated plans have been received for board members to review. Ms. Smith states that this case will be heard by the ZBA Monday, June 23, 7 p.m. for a variance.

Mr. Jandebaur mentions that the town has received documentation from the town's engineering firm that the sight distance should be more than 400 ft., which is the requirement from NHDOT. He asks if the town or state requirement take precedent. Ms. Smith replies that NHDOT's permitting authority is solely based on their criteria; towns may always be more restrictive.

Further discussion is held regarding the variables that can influence the safe sight distance criteria. Ms. Smith states that the state's perspective is to move traffic and the town's engineer is looking at applications for safety access and egress onto the highway, which is likely why there is a higher standard.

General discussion is held regarding the regulations. Mr. Strobel notes that when the requirement is higher there must be a reason why. Ms. Smith states

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that the planning board's role is to look at safety in general, not specific numbers otherwise there would be no discretion involved by the board.

Mr. Wolf states that the ball fields, which are across the street from this property, do not meet any of the town's regulations. He states that the selectmen chose to bypass all of the town's ordinances and other regulations as they have that option. He does not agree with that choice.

SRPC Annual Meeting

Mr. Bojko mentions a comment made by Atty. Malcolm McNeil, at the annual SRPC meeting. He states that Atty. McNeil stated that an abutter has no greater right than the applicant has. He states that he indicated that the abutters have only the equal amount of right as the applicant.

Mr. Jandebaur states that he liked the way that Atty. McNeil addressed the matter and he agrees; however, applicants and attorneys are viewing this statement one way as they are making the proposal. The board must listen to the abutters. He states that he feels obligated to use the state statutes and the ordinances, which are what the voters of the town have approved. He states that if there are regulations that the board does not like, the board needs to try to have these changed. He adds that he does not like to see the use of waivers being submitted in order to bypass the ordinances. He states that he would like to follow the ordinances, which is what the voters have told the town to follow not what the abutters have to say. He adds that as long as the rules and regulations are being followed, neither the abutter, applicant, or land owner should be higher than the other. He states that his main concern is whether there is a safety issue involved relative to the granting of a waiver.

Mr. Bojko states that there is an application submitted and there is a mechanical process to follow for that application, which is based on the rules and regulations of the town.

Ms. Edwards states that the board has a checklist in place and must follow that. Mr. Strobel adds that there must be justification as to why the waiver was granted.

ADJOURNMENT

Mr. Jandebaur makes a motion, second by Mr. Rick, to adjourn. Motion passes unanimously; 9:15 p.m.

Respectfully submitted,
Lisa Fellows-Weaver
Board Secretary

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