
Planning Board Minutes 10/24/2016

Planning Board
Town of Greenfield
Approved Meeting Minutes
Recorded by Janice Pack
October 24, 2016

Members Attending: Paul Renaud, Ken Paulsen, Robert Marshall, Andre Wood

Meeting Opened: 7:11 PM

Minutes: Minutes were read by PRenaud. A few corrections were made. RMarshall motioned to accept, AWood seconded, and all were in favor.

Mail

3 chapters for the Master Plan: Community Facilities, Traffic and Transportation Analysis, and Construction Materials

September 2016 flyer from SWRPC

A/P Folder containing 2 invoices:

- 1 from Upton & Hatfield, LLP for \$314.00 for legal services. Only \$98.50 of this invoice applied to the Planning Board for legal consultation.
- 1 from Hillsborough County Registry of Deeds for \$26.00 (Kokal case)

3 Magnet Clips (from Catherine)

PRenaud referred to an RSA regarding a chair making minor changes in the Preliminary Minutes to clarify the intent of information in the minutes.

PRenaud mentioned that the ZBA did not grant the variance to John Paradise.

Old Business

On October 16, 2016 PRenaud received an email from Michell Perron stating that she had had a private wedding, and wanted to know if we had heard anything about it. She asked, moving forward, what the process would be hearing about any problems or complaints from any residents. She wants to be aware of feedback from the town.

The Event Facility Record and Tracking Form that was designed for MPerron's business and all future businesses of this type was reviewed by the Select Board, who had some problems with the way the form was done and the way it was intended to be used. The concerns of the Select Board were summarized and read by PRenaud. They felt that the Planning Board was too proactive in initiating the form, and did not have the authority to delegate its enforcement. It looked like the form was to be submitted to the Office Manager and then submitted to the Police Department.

However, the Police Department is not going to respond to a form; they will instead respond to a complaint, or a call for assistance. PRenaud thought that the form should still be submitted. The Police Department can mark down any problems with the event, since anything that the Police Department had to respond to would need to be recorded. Code Enforcement can use the form, too; however, it's unfortunate we cannot do this electronically. The Board discussed the concerns regarding the form and its implementation, and discussed how to amend the procedure.

The way that the form is written out could introduce liability to the Town because it looks like the Town is overseeing the event. PRenaud thought that it may be overstepping our bounds in the overseeing of the business itself. Whatever happens needs to be on the business; the Town cannot be held responsible. The facility owner must be on top of things, and if they need to hire police detail, they need to do so. We don't have to know about these items in advance, we just need to know if any problems arise. AWood asked what our options are. RMarshall said that he likes the form, but we are asking the wrong person to monitor it. We should ask the business owner to keep track of things and document the specifics of each event. The business owner can give a copy to the code enforcement officer so he can see how things are going, too. PRenaud said "We need to be more proactive than reactive." The Board had said they wanted to do an informal nonbinding review every year. It would be nice to get the form done so that we could go to Aaron Patt and Catherine Shaw with it. We don't want the Town to be responsible but we do want to be sure that it's safe.

AWood said "true, we don't have the authority to tax the rest of the town with procedures and tasks, but we could wrap it into part of an approval," regarding that we don't have the authority to burden Town Personnel with additional workload. He's worried about a reinterpretation of reporting requirements that we are requiring as part of conditions subsequent, but feels it is a good idea to have the applicant fill out the form, and file a copy with Code Enforcement.

PRenaud recalled a conversation with the applicant and Brian Giammarino regarding signs, and reiterated that it was MPerron's responsibility to request them if she wanted them. He feels the tracking event form just needs to be submitted to code enforcement and then kept on file. RMarshall said "we need to tell the property owner that it's their responsibility to complete the form." PRenaud said "we'll need to amend the tracking form instructions."

“The form is a suggestion by us to code enforcement as to what he should be tracking,” AWood said. “We’re only trying to get some sort of form to help us track the events being held.” RMarshall asked if we could email a copy of the form to Margaret Buckley or legal counsel to see what their thoughts were after the changes to the form were made, and to ask if we were introducing liability to the town.

KPaulsen asked “5 or more years down the road, when none of us are still sitting here, who enforces this?” PRenaud mentioned the database he was hoping to establish. AWood suggested that we could add it to any renewal. RMarshall said to bring Mike Borden in on this, and ask him how he knows when his permits are about to expire.

Final Review of amendments to regulations.

On the Instructions for Subdivision Applicants, PRenaud said there is only one change on page App-1 (change “filed with” to *submitted to*). On page App-4 the changes were mostly “housekeeping” – changes in numbering/lettering. RMarshall moved that we adopt the checklist to send to Public Hearing as we have it tonight. AWood seconded it, and all were in favor.

In the Subdivision Regulations, the Board went over the changes that had been suggested in previous meetings. Several had to do with time limits imposed. Another was on page 4, under Site Inspections, where the sentence read “inclusion of the public at the site inspection is at the discretion of the applicant.” This is NOT at the discretion of the applicant; sitewalks are public, so this sentence will be omitted.

Revocation of Planning Board Approval - Again KPaulsen asked 5 years down the road, who will remember to enforce this? It was felt that this would be the responsibility of code enforcement. RMarshall said the reality of it is that it is usually a complaint that triggers enforcement. The time limit was discussed, as well as whether or not it was conditions precedent. AWood was concerned that the time limit was problematic because there is a recursive requirement in there. PRenaud said perhaps it was 2 separate things; and ways to change this to clarify were discussed. In the end, it was decided to amend it the way it was originally suggested. RMarshall moved that we accept the proposed changes for Public Hearing, PRenaud seconded it, and all were in favor.

Site Plan Review Regulations - The Board reviewed the suggested changes. RMarshall motioned that we approve the proposed changes for Public Hearing, KPaulsen seconded it, and all were in favor.

Discussion of Zoning Amendment Proposals

Accessory Dwelling Units - In the general residence district, we need to change the definition to comply with the new laws. We also need to tweak the definition in the rural ag district to comply.

Detached Accessory Dwelling Units – (page 18, 4c)

Change *apartment* to *dwelling unit*. The reason for doing this in the first place was to allow a homeowner to build a smaller unit where the homeowner could move into it, and leave the bigger, main home for his children. What is the difference between apartment and dwelling unit? It was decided to put both *accessory dwelling unit* and *apartment*. The Board proposed several changes in the wording and size requirements.

PRenaud gave a quick overview of what had been discussed at the last EDAC meeting. In the Business District (pages 3-4) it had been decided to not regulate the specific types of businesses allowed. The list of impact criteria would be what the Planning Board would base their decision on. Also, it was suggested to omit the word *customary* (page 17) and to allow non-residents of the home to be involved with sale of produce and products. These changes should increase the value of the property and allow new businesses to locate here.

Open Space – There are too many concepts to consider when defining Open Space Subdivisions to bring that on to the table right now. There are some complicated issues that may be time consuming, so best to leave this discussion for another time. PRenaud would like to repeal Section 9 at this time. He asked the Board to consider this.

RMarshall thinks we should think about spending money from our legal professional services line and invite someone to come in here and recommend some kind of alternative development plan that we can work with. PRenaud agreed with that idea.

While looking at the customary home occupations, there is a sign (page 17F) requirement that states that the sign cannot be more than 3 square feet in area. This is discriminatory so needs to be changed. While it’s not a mandate, it was made to protect towns from discretionary sign ordinances. We may want to use some of the legal budget to review this.

AWood moved to adjourn PRenaud seconded, all were in favor.

Meeting adjourned at 10:09 PM

These minutes were APPROVED at the regular Planning Board meeting held 11/14/16.

