

Planning Board Minutes 03/23/2015

Planning Board
Preliminary Meeting Minutes –
Recorded by Sharon Rossi
March 23, 2015

Members present: JFletcher; sitting as Chair, PRenaud, KO'Connell, SFox, KPaulsen, SAtherton, AWood (after appointment)

RMarshall and JGryval audience members.

7:00 p.m. Meeting Minutes

PRenaud began reading the March 9, 2015 minutes. Several spelling, punctuation and replacement of words were done. No substantive changes were made.

7:14 p.m. No Mail Received

JFletcher thanked RMarshall for everything he's done for the Planning Board. He welcomed KPaulsen and SAtherton as new members to the Board. SAtherton is the Select Board's ex-officio member.

7:15 Old Business

KO'Connell asked what type of administrative support is available and what the workload will be for the board? He felt that this needed to be clarified and that the election of officers should be postponed until our next meeting. He said he'd like to meet with the Select Board to inquire as to what the town will be providing for support to all the town boards. KO'Connell asked the past chairman how much work he did behind the scenes as Chair. RMarshall advised that he came in after GMorris and that there is a substantial amount of behind-the-scenes work, but that he took on some extra projects that he was trying to get done. He said to expect, immediately, a site plan review for Allrose Farm as he believes their intent is to have their permit in place so that they can conduct weddings this year. This Board will have a 30 day time frame in which it has to be reviewed by our consultant and the consultant has a 20 day review period within that 30 day time frame. Also there has been an inquiry about converting a 4-apartment Greenfield building into condos.

Addressing the workload, RMarshall said a secretary was on the Planning Board in the past that did all the paperwork, notices, etc. Between now and December, the current minute taker will be retiring and you will need time to have her train a replacement. RMarshall said that in the past he has talked with APatt about there being a public face for the

board, in the office, to help with anyone who comes in. This needs to be talked about, but he doesn't feel we should hold up the election of the officers at this time.

KO'Connell asked if we have the authority to hire a part-time secretary for both the Planning and Zoning boards.

RMarshall said, "No, it's an executive decision of the Select Board." JFletcher asked whether RMarshall was suggesting that we send a letter or speak directly to the SB about a part time hire for the boards. KPaulsen said we need to sit down and figure out what we want this person to do, what is to be done at each job, how many hours per month. KO'Connell responded that the amount of hours needed will vary. SFox agreed that we need to decide what and how long. PRenaud said we need to sit down and write down what the new secretarial position will be doing. SAtherton questioned about his place on the Board and offered to help if he could. KO'Connell said you are the ex-officio member and a voting member of the Planning Board. Just being here for the meetings would be helpful. SAtherton agreed having someone as a public face in the office on a daily thing, good idea and to come up with a general idea with what this person should be. RMarshall said the previous idea mentioned is perhaps to share a planner amongst other towns.

JGryval said I think we are a little premature on this. When we look at Boards we want to serve on, we kind of have an idea that it will take "X" amount of hours, then we decide if we want to be on that board. Some enjoy the different boards, and it is easy to say "no" to a position. If this board decides to go in the direction, I am happy to sit down and go over the duties of this position.

JFletcher asked whether the PB wants to put this on the agenda for the next meeting. KPaulsen said, "What I know and what I think I know are pretty much the same." JFletcher commented that the line in the previous meeting minutes discussing goals that struck him was "sharing the work amongst the board members." JFletcher stated "I know that he (RMarshall) did a ton of work and so did (former chair) Marilyn when she was on the Board. Bob did a ton of work and it is a cost to everyone. Sadly, we don't have a lot of people signing up for this Board. KO'Connell's particular question at the start of the election is valid and I know that you, the Board, are looking to know up front what a person will be required to do."

7:40 Elections

KO'Connell nominated the JFletcher. JFletcher said no, maybe at a later date. Right now, I can't devote the time needed.

JFletcher nominated PRenaud. KO'Connell seconded. PRenaud said he would prefer someone else doing it. There's no way I can chair both the Planning Board and the EDAC. Time wise, I don't have any. And is it appropriate my being chair of the EDAC Board. JFletcher said if you decided to take this, we would have to decide how to share the workload with other Planning Board members. PRenaud said chairing the EDAC is very busy and time consuming. JFletcher asked if there was someone else on EDAC who could take over. PRenaud said no. At this time I fear the EDAC would dissolve. With the broadband issue for the town, that is taking all my time. If I wasn't so involved with other stuff, I might have been able to Chair the Planning Board. Realistically there are four of us who could do it, KO'Connell, JFletcher, SFox and I could fill the chairs seat. SFox said she doesn't mind doing some of the things that Sharon does. JFletcher nominated KO'Connell, but he refused as he might be working somewhere in the Merrimack Valley in the near future.

RMarshall offered a compromise to the Board. If you were to make the job of the chair solely to run the meetings, making sure copies of materials were done and managed the agenda, minutes, and didn't do any of the other stuff, passing it off to the secretary, that would make the chair job easy to do. If you could do that, it would cut the workload down considerably. RMarshall volunteered that he will be available to help whoever who is going to take that position.

JFletcher tabled the election of chairman.

PRenaud moved to appoint AWood as a regular member. KPaulsen seconded. This is a one-year position which replaces SCHicoine. JFletcher asked for a vote. Vote was 5 affirmative and 1 abstained.

PRenaud motioned to appoint RMarshall for a one-year alternate position. SFox seconded. Vote unanimous in favor.

JGryval offered that if the Vice Chair was the contact with legal council, it would take a burden off the Chair. JFletcher said with what is coming up with the town, I couldn't be responsible for that part of the job.

AWood and RMarshall left to be sworn in by the Town Clerk, returning after as members

Review of goals for next year will be moved to our next meeting.

8:00 p.m. Planning Board Procedures Review:

Under Procedures for Processing Subdivision Applications

- b. add roman number I to RSA 676:4 I (c) (I)
- c. lower case d on the word deliberation
- d. remove last sentence in paragraph

Under Procedures for Processing Excavation Regulation Applications

- c. remove the phrase, open to the public
- d. remove the last sentence in the paragraph

Under Procedures for Public Hearings

Subdivision, Site Plan Review, Excavation Regulation

Change the word in the second sentence from *determine* to *inquire*. The sentence is to read: The Chairman will inquire if any members should be disqualified.

Hearings other than Subdivision and/or Site Plan Review

Remove last sentence in the paragraph

Under Inter-Office Procedures

- 3. Delete the last sentence.

Returning to the Voting Section, PRenaud has a concern about the majority number of votes that are needed when there are four members voting and the result is 2 to 1. That is not a majority of the votes. PRenaud asked the Board if he could contact LMA about the "majority" definition. JFletcher agrees with PRenaud on getting a definition for 'majority'.

AWood said I think unless the chair wants to always say. "I want to abstain," it would be the Chair's prerogative to vote on a case-by-case basis. PRenaud said in the case of tie, a vote could be taken at a later meeting. AWood asked if there is a RSA or precedent that says the Chair does, or doesn't, have to vote. PRenaud is still concerned about this majority vote ratio. "I feel that should this come up during litigation, I want this to be clarified."

PRenaud stated that at the last meeting, we changed it to read, "It is up to Chair to make the decision to vote all year or just to vote in tie-breaks." JFletcher asked PRenaud to get the legal opinion about the "majority" vote by the chair and inform the Board at the next meeting.

AWood said, "Your concern is valid and getting the legal opinion will help in deciding what to put in this procedure. With the upcoming cases, it would be good to have a clear understanding..." SAtherton motioned to table the discussion on #4 Voting procedure, (c) until legal advice on majority is needed. KO'Connell seconded. JFletcher abstained.

Affirmatives: KO'Connell, AWood, KPaulsen, SFox, PRenaud, and SAtherton.

8:50 p.m. Return to Election of Officers

JFletcher asked, "Do you want to continue with the election of officers?" SFox said we should continue because if we don't, we would be presenting a "bad" image to the town. RMarshall said he will be getting phone calls about anything on or about the Planning Board so who do I send the calls to? If you don't make a decision on this tonight, by default it falls on JFletcher.

AWood said if we are allowed to re-elect however often as we need, we could elect someone for a short term.

RMarshall said he will work with whoever gets the nod as Chairman, but someone has to do it.

PRenaud said "I don't see legal problem why we can't decide by the next meeting, but JFletcher would be the Chair until we do make this decision." SFox said moving to the next meeting isn't going to change as we have the same people, still have the same problem. We need to have a Chair now, because of what is coming up. What if we agree that, whoever is Chair, whoever is Vice Chair and whoever is Secretary, the others will help with the majority of work with the Chair.

RMarshall said you haven't considered co-Chairs. One co-Chair does the scheduling, writing the public hearing postings and the other co-Chair does the administrative side and will run the meeting when the other can't attend.

KPaulsen said he could handle the vice chair position. PR said if we had an informal agreement with each co-Chair, this could work.

JFletcher asked KO'Connell if he could take us at least through April. K'Connell said, "Yes, I could." RMarshall said if you take it, and the [AllRose Farm] application does come through, get it to DTuomala immediately and that will give you a timeframe that you can get this publicly noticed.

AWood nominated **KO'Connell for Chair**. JFletcher seconded... Vote as follows: KO'Connell abstained.

Affirmatives: JFletcher, AWood, KPaulsen, SFox, PRenaud, and SAtherton.

PRenaud nominated. **JFletcher for Vice-Chair**. SAtherton seconded. Vote as follows: JFletcher abstained.

Affirmatives: KO'Connell, AWood, KPaulsen, SFox, PRenaud, and SAtherton.

KO'Connell nominated **SFox for Secretary**. JFletcher seconded. Vote as follows: Sox abstained. Affirmatives:

KO'Connell, AWood, KPaulsen, PRenaud, JFletcher and SAtherton.

JGryval suggested that RMarshall remain on the Hazardous Mitigation Team as that is usually a duty of the Chairman's duty.

RMarshall said he would e-mail the list of duties that he received at a seminar for land use administration along with the Rules for Procedure. He said the person that would be the public face in the Land Use office should be very familiar with regulations and have experience with the RSA's.

9:45 p.m. Adjournment

SFox motioned to adjourn. PRenaud seconded. Vote unanimous in favor.