

Board Members Present: Chairman Paul Powers, Vice Chairman Andy Kohlhofer, Ex Officio Roger Barham, and Members Tim Lavelle, Jack Karcz, and Alternate Member/Administrative Assistant Leanne Miner present in the basement meeting room.

Also Present: Jennifer Rowden, Rockingham Planning Commission (RPC; via Microsoft Teams), Laurence Miner, Building Inspector. Resident Keith Hart Jr and Keith Hart Sr.

I. WELCOME

Mr. Powers opened the meeting at 7:00 PM.

Leanne Miner was appointed as a voting member for one of the vacant member positions.

II. MINUTES

Meeting minutes were distributed for February 17, 2021.

Mr. Karcz made a motion to approve meeting minutes for February 17, 2021 as written. Mr. Barham seconded the motion. The motion passed 6-0.

III. NEW BUSINESS

1. 001-012 Cell Tower Site – Request for consideration. Applicant representatives from Vertical Bridge REIT, LLC including Erin Lane, Chad Curry. The Board received correspondence with a request for a reduction in escrow, request for Town inspection, and provided responses to the Town Engineer comment letter dated December 4, 2020.

Erin Lane, Project Director, stated that the project has been in construction approximately 2 ½ - 3 years and had numerous inspections with Stantec. She feels the list of items to complete are done except for the few listed above. Ms. Lane stated there were 2 escrows the first approximately \$20,000 for offsite improvements which they completed directly and is expected to be refunded. The second escrow was for compliance and monitoring fees for the inspections. This fund has been depleted. They are requesting that the balance of the offsite improvement escrow be released with \$2,500 for item 1 and \$2,500 for item 3, to be held in escrow until vegetation has been re-established at the site. Regarding the disturbance in the wetland buffer noted in Stantec's review, they are working with a consultant to have the wetlands permit amended.

Mr. Barham mentioned currently there are outstanding invoices with Stantec and insufficient escrow, he also mentioned issues from the first contractor. Mr. Curry stated that the cul-de-sac was hydroseeded and began growing then the weather changed, this will need to be inspected in the spring. There was discussion among the Board members regarding project completion and escrow management. Mr. Miner, Town Building Inspector, stated that he would be willing to inspect the site for completion in the spring and write a letter of completion for the files.

Mr. Lavelle motioned to hold \$7,500 – 8,000 to pay for Town Engineering charges and \$5,000 to be held for site improvements and the until last inspection on 2 items and return net balance to applicant. Mr. Kohlhofer seconded the motion. The motion passed 6-0.

Ms. Lane and Mr. Curry left the meeting at 7:22 pm.

2. 002-043 – 55 Danville Road. Mr. Hart was present to address the Board regarding zoning violations. Mr. Hart Jr. has 3 or 4 trucks with trailers that he states that are parked overnight. He is also considering building a garage. The vehicles are commercial trucks and trailers. There was discussion about this use as commercial including the parking of multiple commercial vehicles. Ms. Rowden stated that parking commercial vehicles is explicitly not permitted in the flexible use district, but commercial use may be permitted with a variance (or variances), a site plan, and because the property is in the aquifer district it will require a conditional use permit. Maintenance of vehicles is also expressly prohibited in the Aquifer Protection District. Ms. Rowden recommended they get a Surveyor or Engineer to help with the site plan, also a wetlands scientist. Ms. Miner also informed Mr. Hart that if he gets into the Prime Wetland buffer in the back of his property, he will need to go to the NHDES for a wetland permit that may require mitigation. Mr. Kohlhofer informed Mr. Hart that he will need to find another place to park the vehicles or start paying fines. Mr. Hart Sr. stated that they would need time to find a place to park trucks. The Board said that the Town Selectmen sent the letter, and he would need to speak to Selectmen on this matter. The Harts left the meeting at 7:36 pm.

IV. CONTINUED BUSINESS – Zoning Ordinance Administrative Corrections

1. Review proposed administrative zoning ordinance revisions to Sections 903 and 1203.8. Ms. Miner distributed a document that included the current text and zoning amendment text from 2019 to discuss interpretation of the calculations. The text also showed the math longhand for concurrence on interpretation.

The Board corrected Section 903 – Lot Size and Section 1203.8 – Use Regulations. Mr. Powers provided a draft, Ms. Miner followed up with town council to confirm numbers can be changed which she agreed and provided a spread sheet to the Board. There was discussion on the calculations and the Board corrected the total square feet of both tables. The Board discussed correct interpretation and next steps.

V. ADMINISTRATION, OTHER

Budget – Incurred (2/19/21) \$4,800/\$47,576 proposed budget. Note - Land Use and Stormwater work is paid from 2020 budget. Ms. Miner reported that the budget is on target.

Membership – Tim Lavelle's membership is up and there are also 2 positions available and 2 alternate positions open.

- Land Use Masterplan Chapter Subcommittee – Ms. Rowden reported that there has been progress based on the discussion at the last Planning Board meeting. The chapter should be updated for review and discussion at the first April Board meeting.
- Stormwater Regulations Subcommittee – Ms. Rowden has started work on this, this can be discussed with the subcommittee or at the regular meeting April 17.
- Ms. Rowden reported that she was working on the grant proposal for the Piscataquis Region Estuary Partnership Grant, which is a branch of NOAA dealing with the protection of Great Bay and Hampton Harbor. This grant is primarily targeted toward implementing actions to help protect natural resources dealing with water quality some climate change and coastal adaptation. The Grant supports Masterplan Chapter work associated with natural resource planning. The scope of work would include the Conservation Commission at some joint meetings. The first task is to review the Natural Resource Inventory within the context of the Masterplan and Zoning

Regulations. A subcommittee could be formed to work on reviewing data, goals and actions coming. The Grant would also support activities including a Public Hearing and a presentation which would cover the public outreach requirement. Ms. Rowden will send the Board copies of the grant application. It needs a letter of support from the town.

- Natural Resources Inventory – Ms. Miner distributed the final draft of the NRI to the Board for their review and comments by April 5, 2021. The Planning Board may then adopt the NRI and hold a Public Hearing to include it in the Masterplan or adopt the NRI to replace the existing 2008 version and include its adoption into the Masterplan at a later date with the Natural Resources Masterplan Chapter.
- Capital Improvement Plan (CIP) Presentation – No updates.

Incoming Correspondence and Project Updates –

- Mr. Kohlhofer received an anonymous letter regarding some activity at a residence on Sandown Rd. He stated that any such letters must be sent to code enforcement.
- 001-082 Scribner Road – Special Exception – continued to March 23
- 002-070 Main St - Variance – ZBA Public Hearing March 23
- Conservation Commission continues to work on Open Space mapping and data revaluation.

VI. ADJOURNMENT

Mr. Lavelle made a motion to adjourn the meeting at 8:19 PM. Mr. Karcz seconded the motion. The motion passed 6-0-0.

Respectfully submitted,


Kathy Clement