

TOWN OF LITCHFIELD PLANNING BOARD

MEETING Held on August 2, 2011

Minutes approved – 8/16/11

The Litchfield Planning Board held a meeting in the Town Hall conference room, 2 Liberty Way, Litchfield, NH 03052 on Tuesday August 2, 2011 at 7:00 p.m.

MEMBERS PRESENT: Leon Barry (Chairman), Bob Curtis (Vice Chairman), Michael Croteau, Frank Byron (Selectmen’s Representative), Russell Blanchette, Thomas Young

MEMBERS ABSENT: Barry Bean, Joel Kapelson (Alternate)

ALSO PRESENT: Steven Wagner (NRPC Senior Planner), Joan McKibben

CALL TO ORDER

Mr. Barry called the meeting to order at 7:08 p.m. He introduced the Board members and joined them in the Pledge of Allegiance.

1. R & D Londonderry Development, LLC, Map, 17 Lot 47, 12 Heron Drive – Subdivision of Lot

Mr. Lannan, representing R&D Londonderry Development, offered to answer questions from the Board. He confirmed neither he nor Scott Murphy of Hayner-Swanson, Inc (the Engineer for the project) had any problems with the minor adjustments which have been suggested. He also confirmed there is an e-mail from Captain Nichols of the Fire department confirming he is in agreement with the suggested changes relative to the radius of the approach to the driveway from the cul-de-sac.

Mr. Wagner stated the Board needs to ensure the items raised at the last meeting get onto the final version of the plan. Mr. Lannan reported his attorney has not yet finalized the easement and driveway agreement, but he agreed a copy of these will be sent to the Town for counsel to review as soon as they are finalized.

Action: Messrs. Lannan/ Murphy

Mr. Wagner reviewed the changes required, referring to page 2 of his plan review document dated July 15, 2011, Revision 1.

It was noted Kevin Lynch, Building Officer, will deal with the driveway permit.

Mr. Croteau joined the meeting at 7:12 p.m.

The Board asked questions of Mr. Lannan which he answered as follows:

- Approval from the DES has not yet been received.
- The legal easement has to be written and approved.

- 1 ○ Final revisions to the plan will be submitted with the easement when the
- 2 application has been approved by the Board.
- 3 ○
- 4 There was a brief discussion with respect to the period allowed for submission of
- 5 changes.

6
7 **MOTION:** by Mr. Byron

8 *Move that the Litchfield Planning Board hereby conditionally approves the*
9 *application of R & D Londonderry Development LLC for a subdivision on map 17,*
10 *lot 47 with the following conditions:*

- 11 *a) That legal review of the driveway easement be performed by Town counsel*
- 12 *b) That Note 5 be amended to record the DES subsurface approval number on the*
- 13 *plan*
- 14 *c) That sheet 1, Note 17 be changed from ‘requested’ to ‘granted’*
- 15 *d) That the second Note 17 be changed to 18 ‘Owner of Record’*
- 16 *e) That a note showing the impact fee structure be added*
- 17 *f) That a note be added indicating a minimum of 10 feet between the driveway and*
- 18 *Town lot 2, Map 17*
- 19 *g) That copies of the plans as well as original Mylar’s be submitted to the Town*
- 20 *with professional seals and signatures*
- 21 *h) That electronic submission be done per the regulations*
- 22 *i) That all state permits for the subdivision be collected*
- 23 *j) That all fees and escrows be paid and maintained appropriately*
- 24 *k) That change to the plat as described in the minutes of the report be listed*
- 25 *l) That the driveway permit be approved as part of the new regulations by the*
- 26 *Building and Code Enforcement Officer*
- 27 *m) That the driveway easement and maintenance agreement be recorded at the*
- 28 *Hillsborough County Registry of Deeds with the plat*
- 29 *n) That driveway signage per the Fire department request be installed and situated*
- 30 *o) That the applicant will report back to the Planning Board within sixty days with*
- 31 *the status of these conditions*

32 **SECOND:** Mr. Curtis

33
34 Mr. Lannan confirmed with Ms. McKibben that the minutes of the meeting on July
35 19, 2011 will be amended to provide clarification that the radius of the approach from
36 the cul de sac would be flattened and not the slope of the driveway itself.

37
38 **VOTE:** 6-0-0

39 **The motion carried unanimously.**

40 **Action: Messrs. Lannan/Murphy**

41
42 **2. Approval of Minutes (7:20 p.m.)**

43 The Board reviewed the minutes and the recording secretary noted amendments.

1 Mr. Barry stated he liked the addition to the minutes of the person responsible for
2 action points. There followed a brief discussion relative to how action points from
3 previous minutes should be addressed at the next meeting.

4
5 **MOTION:** by Mr. Curtis

6 ***Move to approve the minutes of the Litchfield Planning Board's meeting on July***
7 ***19, 2011 as amended***

8 **SECOND:** Mr. Croteau

9 **VOTE:** 6-0-0

10 **The motion carried unanimously.**

11
12 **3. Proposed Zoning Changes (7:30 p.m.)**

13 Mr. Barry stated he would like the Board to do the following:

- 14 ○ Identify areas of prioritization and concentrate on those for the rest of the year
15 until the March 2012 Deliberative Session.
- 16 ○ Identify the direction it would like to take with respect to development of
17 regulations.

18
19 Members of the Board put forward their ideas as follows:

- 20 ○ Workforce housing – Mr. Wagner confirmed that work on this topic would
21 probably take the longest.
- 22 ○ Development of a Heritage District – Mr. Wagner confirmed he had
23 consulted the NRPC intern who would be willing to assist the Board in the
24 matter of an Overlay District along the Route 3-A corridor. He suggested the
25 Board hold discussions in order that they can provide the intern with ideas
26 relative to what the Board would be looking for. Mr. Wagner stated they
27 could look at a Heritage District instead of a Historic District at the same
28 time as they develop an Overlay District. There followed discussion between
29 Messrs. Barry and Wagner relative to the area and size for one or multiple
30 Heritage Districts. Mr. Wagner also explained the principal difference
31 between Historic and Heritage Districts, stating these are separate from an
32 Overlay District. Mr. Barry clarified the Town would have to vote to adopt a
33 Heritage District. There followed further discussion.
- 34
35 ○ Mr. Wagner reported he is working on an update to the Storm Water
36 Management regulations.

37 ***Action: Mr. Wagner***

38
39 The Board held further discussion with respect to what its goals should be at this
40 time, with Mr. Wagner providing advice and guidance. He also pointed out that
41 improving the Town's regulations in the areas being discussed could result in
42 speeding up the planning approval process and provide lower cost homes within the
43 Town.

44
45 Mr. Wagner suggested showing existing presentations from NH Housing Finance
46 Authority (NHHFA) to members of the Board for information. He also offered to

1 provide the Board with some examples of the language other Towns have used in its
2 regulations (with respect to Workforce Housing).

3 **Action: Mr. Wagner**

4
5 Mr. Barry suggested how the Board should approach the topics with respect to time
6 frame and the Board's schedule.

7
8 (7:49 p.m.)

9 The Board discussed whether to request input from Steven Buckley through Mr.
10 Wagner and gave Mr. Wagner permission to approach Mr. Buckley with questions
11 relative to Workforce Housing. It was agreed Ms. McKibben should write or call Mr.
12 Buckley on behalf of the Board to inform him of this.

13 **Action: Mr. Wagner/Ms. McKibben**

14
15 Mr. Wagner stated he would like to review Impact Fees at the Board's next meeting
16 due to the fact the statute requires that these be updated during August He stated
17 minor changes may be necessary to the Town's ordinance. He agreed to find out
18 what Mr. Hoch has done relative to the CIP this year.

19 **Action: Mr. Wagner**

20
21 **Discussion:**

22 There followed a discussion relative to changing School Impact Fees. Mr. Byron
23 suggested the Board obtain information on growth projections for the student
24 population to make a finding that the Town should cease collection of School Impact
25 Fees. He stated the Planning Board should then recommend to the Board of
26 Selectmen that they discuss the direction in which the Planning Board is moving with
27 the School Board. Mr. Wagner talked about the necessity of developing new
28 ordinances relative to impact fees for the future if the Board makes a change in
29 direction.

30 **Action: Planning Board**

31
32 (8:01 p.m.)

33 There followed a discussion on the appropriate use of Impact Fees. Mr. Byron also
34 raised the matter of the CIP and its purpose. There was discussion and Mr. Byron
35 provided historical background information on Impact Fees and the reason for having
36 them. Mr. Wagner suggested how the Planning Board should approach reviewing
37 and changing its Impact Fees.

38
39 **4. Any Other Business (8:25 p.m.)**

40 **a) Escrow Accounts**

41 Ms. McKibben informed the Board there were some escrow accounts where funds
42 needed to be released by the Board. She proceeded to hand out a list of the
43 escrow accounts and their balances to the Board. There was some discussion with
44 Ms. McKibben with respect to the accounts she had highlighted for release of
45 funds.

46

1 **MOTION:** by Mr. Barry
2 *Move that the Planning Board does hereby refund escrow funds to Grace Free*
3 *Church, a/c number 07-1010.61 in the amount of \$1,900.55 plus interest*

4 **SECOND:** Mr. Curtis

5 **VOTE:** 6-0-0

6 **The motion carried unanimously.**

7
8 There was a brief discussion with Ms. McKibben with respect to the escrow
9 account for Boucher.

10
11 **MOTION:** by Mr. Barry
12 *Move that the Planning Board does hereby refund escrow funds to Boucher on*
13 *Hillcrest, a/c number 07-1010.05 in the amount of \$3, 723.13 plus interest*

14 **SECOND:** Mr. Croteau

15 **VOTE:** 6-0-0

16 **The motion carried unanimously.**

17
18 **MOTION:** by Mr. Barry
19 *Move that the Planning Board does hereby refund escrow funds to Continental*
20 *- Golf, a/c number 07-1010.09 in the amount of \$3, 842.19 plus interest*

21 **SECOND:** Mr. Curtis

22 **VOTE:** 6-0-0

23 **The motion carried unanimously.**

24
25 **MOTION:** by Mr. Barry
26 *Move that the Planning Board does hereby refund escrow funds to Larach –*
27 *Amendment Paradise, a/c number 07-1010.20 in the amount of \$1,742.43 plus*
28 *interest*

29 **SECOND:** Mr. Croteau

30 **VOTE:** 6-0-0

31 **The motion carried unanimously.**

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33 **Discussion:**

34 Ms. McKibben reviewed the remainder of the list with the Board following a
35 query from Mr. Byron about why the balance in some of the accounts had been
36 allowed to go below the required \$5,000. He suggested the Planning Board
37 consider each account and write to the developer requesting he refresh the fund
38 balances.

39
40 Ms. McKibben agreed to obtain information on the status of the Moose Hollow
41 project.

42 **Action: Ms. McKibben**

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44 The Board discussed the matter as suggested by Mr. Byron. It was agreed that
45 Ms. McKibben would ensure that Mr. Wagner and the Town engineer will be

1 copied on the list of under funded accounts, and informed that no further work
2 should take place on behalf of the Town until further notice.

3 **Action: Ms. McKibben**

4
5 Ms. McKibben clarified the list is updated weekly. Mr. Barry requested Ms.
6 McKibben add the date when the escrow account began to the list. There was a
7 discussion with respect to what other information should appear on the list to
8 make it more effective for the Board.

9 **Action: Ms. McKibben**

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11 The Board held a discussion on the Carcon Company account.

12
13 **b) Handouts/Agenda Items for Next Meeting (8:50 p.m.)**

14 Mr. Wagner handed out information to the Board on the following:

- 15 i) A paper from the EPA on the Storm Water Phase II Program
- 16 ii) SB 342 Workforce Housing Opportunities

17
18 Mr. Barry requested Board members review both documents prior to the Board’s
19 next meeting.

20
21 A discussion was initiated by Mr. Barry relative to stream water into the
22 Merrimack and whether there are any issues for the Town regarding this.
23 Mr. Croteau, as a member of the Lower Merrimack River Advisory Committee,
24 provided a status report for the benefit of the Board.

25
26 The following items were identified for the agenda of the next meeting:

- 27 o Impact Fees and the CIP
- 28 o Work to begin on the first phase of the Workforce Housing regulations.

29
30 Mr. Wagner agreed to send e-mails to the Board providing them with links to
31 statutes and other pertinent information.

32 **Action: Mr. Wagner**

33
34 **MOTION:** by Mr. Curtis
35 **Move to adjourn the meeting**

36 **SECOND:** Mr. Croteau

37 **VOTE:** 6-0-0

38 **The motion carried unanimously.**

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40 There being no further business before the Board, the meeting adjourned at 9:10 p.m.

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Leon Barry, Chairman
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Bob Curtis, Vice Chairman

Frank Byron, Selectman

Barry Bean

Michael Croteau

Thomas R. Young

Russell Blanchette

Minutes taken by: *Sandra Maxwell, Recording Secretary*