

TOWN OF LITCHFIELD PLANNING BOARD**MEETING Held on March 1, 2011**

Minutes approved – 3/15/11

The Litchfield Planning Board held a meeting in the Town Hall conference room, 2 Liberty Way, Litchfield, NH 03052 on Tuesday March 1, 2011 at 7:00 p.m.

MEMBERS PRESENT: Edward Almeida (Chairman), F. Byron (Selectmen's Representative), Leon Barry, Bob Curtis, Barry Bean, Carlos Fuertes, Michael Croteau (Alternate)

MEMBERS ABSENT: Joel Kapelson (Alternate), Jayson Brennen (Clerk), John Miller (Alternate)

ALSO PRESENT: Steve Wagner (NRPC Senior Planner), Jason Allen (Recreation Commission)

AGENDA:

1. Work Session for Planning Board training
2. Any Other Business
3. Approve minutes of January 4, 2011 and February 15, 2011
4. Correspondence

CALL TO ORDER

Chairman Edward Almeida called the meeting to order at 7:14 p.m. Mr. Wagner reported he had brought copies of RSA 764 and 91-A for review during the Board's work session.

Jason Allen of the Recreation Commission introduced himself, stating he had come before the Board to present information about a new project relative to building new soccer fields in Town. He stated the Recreation Commission want to ensure they are doing everything correct from the start of the project and would therefore value input from the Planning Board. He informed the Board they wish to begin building the fields in the spring.

Mr. Allen proceeded to hand out copies of preliminary plans to Board members and showed the location of the proposed fields relative to existing homes and the tennis courts. Other information he provided to the Board included the following:

- Plans for a driveway and parking off Albuquerque Avenue
- Looking at two fields to start, leaving it open for a third if required
- Included in the plan is a dog park close to the wetland side
- It would be feasible to add two baseball fields if required
- The plan would provide a new large park on 16 – 18 acres of land which can connect to the bike trail and to which a playground could be added

- 1 • The park would provide facilities for residents at the other end of town from Darrah
2 Pond
- 3 • The land is already owned by the Town
- 4 • An easement or road off Incinerator Road would be necessary for emergency
5 vehicles only
- 6 • It is intended to use impact fees which are available to the Recreation Commission to
7 pay for the construction of the park, as well some funding from an organization in
8 Town. In addition they will look for donations.

9

10 Mr. Allen stated the Recreation Commission was concerned about the cutting of trees in
11 the area and he pointed out the sooner they begin logging the more revenue they will
12 obtain. He reported the Commission expects to obtain approximately \$10,000 from the
13 logging, and he queried whether they would have to wait for permits and approval before
14 logging could begin. Mr. Wagner reported he thought this would be a matter between the
15 Town and the Recreation Commission the Town owns the land.

16

17 Mr. Allen also questioned whether it would be possible to build up to the buffer line
18 (currently planned to be 25 feet), particularly in the wetlands area. Members of the
19 Board pointed out there should be nothing built within the buffer zone. Mr. Almeida
20 reported there are exceptions to this which depend upon the impact on the wildlife
21 existing on the land, and a study may be required. Mr. Allen reported that Benchmark
22 Engineering is preparing the plans. Members of the Board reported the Planning Board
23 typically defer to the Conservation Commission in matters like this. There was further
24 discussion relative to the buffer zone. There was also some discussion regarding the
25 amount of traffic the fields might generate and Mr. Almeida stated this was of concern to
26 him. It was agreed discussion of whether an access road was necessary should be
27 discussed at another meeting, and there was some discussion between members of the
28 Board relative to how the additional traffic could best be dealt with. Responding to a
29 query from Mr. Allen with respect to who would pay for any road work, Mr. Byron
30 suggested that impact fees might possibly be used.

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32 Additional members of the Board weighed in with respect to the buffer zone and Mr.
33 Wagner informed them the setback for residential is 50 feet for all structures in front and
34 20 feet on the sides. Mr. Barry voiced his concern relative to putting a path through
35 wetlands and Mr. Allen explained the intent was to keep this as a walking/nature trail
36 with possibly a bridge over the wetlands. Mr. Barry clarified that the Planning Board
37 will walk the land.

38

39 Mr. Curtis queried the number of people estimated to use the park and what facilities
40 such as restrooms there would be and Mr. Allen addressed these queries. There was
41 further discussion relative to parking and Mr. Allen confirmed the goal of the Recreation
42 Commission was to have no parking on the street. He also talked about access to the
43 fields by emergency vehicles.

44

45 Following a query from Mr. Almeida relative to night games and lighting at the park,
46 there was discussion about the advantages of lighting and a concern relative to abutters,

1 with Mr. Allen reporting that the current land owner who abuts the property is on board
2 with installation of lighting. The discussion included requirements for notification of
3 abutters. Mr. Wagner suggested the Police Department may want no parking signs on the
4 road.

5
6 Mr. Allen requested input from the Board relative to the dog park and there followed a
7 discussion with respect to whether dogs should be on leashes and how the Town could
8 ensure the co-operation of residents. Mr. Allen reported the Recreation Commission
9 intends to leave trees around the dog park as a buffer between that and surrounding
10 homes and the fields.

11
12 Discussion moved back to the removal of trees and Messrs. Almeida and Wagner
13 concurred that a public hearing would be required to which all abutters should be invited
14 to raise awareness of the project, raise all issues and concerns and obtain feedback. It
15 was confirmed that the Conservation Commission will deal with most of the Planning
16 Board's issues. Mr. Kevin Lynch was in the audience and he provided input, stating
17 logging permission has to come from the Board of Selectmen. There were several
18 suggestions from Board members and Mr. Wagner as follows:

- 19
20 • The path over wetlands can be installed as a boardwalk
21 • An off duty police officer may be required to direct traffic when games take place
22 • Some natural buffer should be left if installing lights and there was discussion
23 relative to what the buffer depth should be
24

25 Mr. Allen talked about the possibility of expanding the tennis courts and having a
26 basketball court in the area, and he talked about obtaining an easement, outlining how the
27 Recreation Commission will proceed to move the plan forward. Mr. Lynch provided
28 input relative to the benefit of access to power. Mr. Allen provided talked about use of a
29 water detention basin. Mr. Fuertes stated he was most concerned about the safety of
30 those using the bike path and cars accessing the park and there followed a discussion on
31 the topic.

32
33 Responding to a query from Mr. Barry, Mr. Allen reported the Recreation Commission
34 has not yet addressed allocation of parking for people walking their dogs.

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36 There was a suggestion from Mr. Wagner that Mr. Allen should look at land use laws on
37 line.

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39 There was consensus that the Recreation Commission should proceed by providing notice
40 to the Planning Board and the Board of Selectmen and one of those bodies will hold a
41 public hearing. Mr. Allen thanked the Board for its time and input.

42
43 **1. Work Session for Planning Board training**

44 Messrs. Almeida and Wagner confirmed that the homework for the Board from the
45 previous meeting was to have read RSA 676:4 and RSA 91-A prior to this meeting in

1 order that the Board could discuss and clarify any questions the members might
2 have.

3 Mr. Wagner suggested the Board needs to become familiar with the statutes and he
4 suggested he take questions from members. He then proceeded to review each
5 statute with the Board and responded to the members' questions.

6

7 Topics discussed relative to RSA 676:4 (Board's Procedures on Plats) were as
8 follows:

- 9 • The statute states that the Planning Board cannot refuse a request based upon the
10 fact that the applicant has not completed all the requirements.
- 11 • Examples of what constitutes a completed application were provided.
- 12 • The difference between a public hearing and a public meeting were discussed.
- 13 • Plans should ideally be submitted between 21 days and one month prior to the
14 meeting at which they will be discussed by the Board.
- 15 • Procedures should be set out better for the benefit of the public.
- 16 • The addition to the statute relative to dams.
- 17 • Litchfield regulations and whether these need to change with respect to notice
18 and use of the Town web site as one of the two public posting places.

19 Mr. Wagner highlighted and stressed the important points of the statute, pointing out
20 that it sets out the minimum requirements. He also addressed questions from the
21 Board.

22

23 There was a discussion with Mr. Barry relative to changes and additional reviews to
24 an application as well as what proof should be required that an applicant has filed the
25 application with the state.

26

27 Michael Croteau joined the meeting at 9:04 p.m.

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29 There was also a discussion relative to support staff to the Planning Board e.g.
30 consulting engineer, legal counsel.

31

32 The Board then reviewed and discussed RSA 91-A (Access to Governmental
33 Records and Meetings), sections 1 through 4. Matters discussed included the
34 following:

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- 36 • Meetings open to the public and what constitutes a meeting
- 37 • Means by which members of a public body can participate in a meeting
- 38 • Minutes of meetings
- 39 • Posting of meetings
- 40 • Nonpublic sessions and what these should be used for
- 41 • Availability of minutes and records for public inspection.

42

43 **2. Any Other Business**

44 It was agreed that the Board should discuss 'Election of Officers' at its next meeting
45 and that each member should arrive at the meeting knowing what they can do.

1 Mr. Almeida reported he has received e-mail from J miller who intends to step down
2 at some point and there will therefore be one or two open positions on the Board.

3
4 Mr. Fuertes discussed scheduling difficulties he was experiencing, after which Mr.
5 Almeida talked about what his expectations were relative to attending the Board
6 meetings. He stated the minimum requirements for each meeting are Chairman, Vice
7 Chairman and Clerk. He then discussed the Chairperson’s role and responsibilities.
8 There followed a discussion on recruiting members, and Mr. Byron recommended
9 giving consideration to asking those who cannot attend meetings regularly to resign.
10 Mr. Almeida stated he would enquire with Ms. McKibben whether she had received
11 any recent applications to join the Board. There followed a discussion relative to Mr.
12 Almeida’s continued participation in the Board.

13 Mr. Wagner requested members bring their blue books (Planning and Land Use
14 Regulations) to the next meeting. He also suggested they review the Board’s Rules of
15 Procedure and Mr. Almeida agreed to obtain a copy of these as well as the Planning
16 Board’s by-laws. It was agreed they would also discuss abstentions and exclusions.
17

18 **3. Approval of Minutes**

19 Mr. Almeida suggested that they should approve the minutes of previous meetings at
20 the next meeting.
21

22 **MOTION:** by Barry Bean

23 *Move to adjourn the meeting*

24 **SECOND:** Robert Curtis

25 **VOTE:** 6-0-0

26 The motion carried unanimously.
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28 There being no further business before the Board, the meeting adjourned at 10:03 p.m.
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32 _____
33 Edward Almeida, Chairman

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35 Frank Byron, Selectman

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37 Bob Curtis

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39 John Miller

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46 **Minutes taken by: Sandra Maxwell, Recording Secretary**