

PLANNING BOARD MEETING

TOWN OF LITCHFIELD

Held on August 6, 2013

Minutes approved August 20, 2013

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, August 6 at 7:00 p.m.

MEMBERS PRESENT: Russ Blanchette (Chair), Tom Young (Vice Chair), Frank Byron, Michael Caprioglio, Michael Croteau and Kevin Bourque

MEMBERS ABSENT: Steve Perry, Joel Kapelson and Bob Curtis

ALSO PRESENT: Jen Czysz (NRPC Senior Planner), Joan McKibben (Administrative Assistant)

CALL TO ORDER

Mr. Blanchette called the meeting to order at 7:05 p.m. and joined the Board in the Pledge of Allegiance.

Mr. Kevin Bourque will be the voting Selectmen's member tonight.

1. Al Raccio Mosquito Control District - Stormwater Management

Mr. AL Raccio, Chairman of the Mosquito Control District (MCD) came forward to discuss stormwater management and mosquito control. Al stated that several years ago he had the pleasure of sitting on the Planning Board when stormwater management first started to take grass roots in the community. One thing that stuck in Al's mind is that we continue to press through the Mosquito Control District and some of its initiatives and controls. Early on with the help of Joan, himself and John Latsha, testing and treatment of the Stormwater systems, the manholes are actually incorporated into the control larvicide program that they are currently engaged in. As the years went by, Al stated that he lost track of the various aspects of Stormwater management and how it deals with drainage and swales and the actual management part of the entire program. Currently the MCD went through Town and did a number of slides to put up for public education, in doing that it really became an eye opener as to how severe the current drainage and swales are regarding some of our manholes and our actual drainage, when they really started to probe down and look inside the drainage pipes at the outlets, for example on Albuquerque near the horse farm, there are two wooden fences by the sidewalk. When you drive by the vegetation overgrowth is immense, but when you stand there and actually look at the drainage itself, it is plump and wet and collecting water and breeding mosquitos. The Board then traversed at least a half a dozen other sites throughout the Town and this became the normal theme. Al stated that what he would like to understand or

propose is that we look at the stormwater management architecture, look at the five year plan and see if there is opportunity to integrate stormwater management federal funding into a program of swales and drainage upkeep to include things like (by the Elementary School for example) there is a number of wet channels that have caused us severe problems over the years with foundation and mold and seepage as well as breeding mosquitoes right next to the park as well as the playground. Al stated that he would like to propose that the Mosquito Control District and the Planning Board on a non-conflicting basis of prime business to execute, maybe develop a sub committee between the two boards and start to look at: are their opportunities for stormwater management funding to help with this; how do we incorporate this into the 5 year plan and get it into the Town's thought process and how do we do this without asking the taxpayers to dip into their pockets yet again for something that we are spending money on Planning, we are spending money on Mosquito Control District and yet we are breeding them on our own. Al stated that he would leave the Planning Board with that thought and follow up with the committees with any extra research or work that needs to be done with our current master plan. Al stated that he is not sure where the Town is on their cycle for revising the 5 year Town Plan and not sure where we are in the management of the Stormwater Management position. Al stated that it used to be the Planning Board. He would like to start the discussions. Mr. Caprioglio asked if it was the Planning Board or the Selectmen. Mr. Byron stated that it was the Selectmen. Mr. Byron stated that the Selectmen are generating the stormwater management, but the situation they are facing right now is that the EPA has not formalized any final stormwater management, so the plan that was in place for 6 or 7 years now, is the plan they are continuing to go forward with. Once the EPA finalizes their program, then a new plan will be generated, but we don't know what their requirements are going to be. Frank stated that he can tell you that they presented a draft program and there was such an outcry from the different communities in the State of New Hampshire, due to the cost of the program, which was in some case hundreds of thousands of dollars, and in Litchfield's case would of been close to \$90,000 alone, that EPA is going back to reconsider. Frank mentioned that this is the latest information he has as to where it stands. Al asked if there was a point of contact on the Board of Selectmen, that is in front of the stormwater initiative. Mr. Byron stated that the Town Administrator, Jason Hoch is continuing to monitor that, or you may talk to John Brunelle. Al stated that he had one last question regarding the 5 year plan for the Town, he wanted to know if that is a current activity, or is that somewhere near in the future. Mr. Blanchette stated that it is not in front of the Board at this time. It will be coming up again next year. Jen stated that Jason is currently monitoring it, but in terms of the stormwater management plan, it is on hold pending the EPA MS4 permit. Jen stated that you can't write a plan to address federal requirements until the federal requirements are set. Al stated that our Town's 5 year plan may or may not include elements of the federal side, but should include elements of maintenance and possibly new activities. Frank wanted to be clear and asked Al when he refers to the 5 year plan, are you talking about the Capital Improvement Plan or are you talking about the Stormwater Management Plan? Al stated he is talking about the Capital Improvement Plan. Frank stated that is the Planning Board. Al asked where they were in the process so he knows where to start researching it and looking to see if there are any articles in it already regarding stormwater management applications. Al stated he knows they did a couple of studies for enhanced flow, they had quite a bit of activity like that. Mr. Blanchette

stated that the Capital Improvements Plan posted on the Town website, 2014 is the end date, so it will be in front of the Planning Board soon. Al stated that he will be following through. Mr. Byron stated to Mr. Raccio that we have the classic EEE and West Nile, has the Mosquito Control considered its potential of looking at Lyme disease as well as there were two new mosquito born diseases that recently popped up. Mr. Raccio stated that lyme disease has always been part of their doctrine and in their plan, they have discussed it on a number of occasions, Al stated that simple activities like a bark mulch perimeter around your tree line will stop ticks from crossing out of the woodlands into your yard, though it will not stop them from being carried. Al stated that the 2 new diseases that were recently brought up, they have not. They have just finish around a 60 slide presentation on education and some of the basics, it is with the cable committee now ready to be released with their previous slides. On the two new mosquito borne diseases, they have not had a meeting since that was announced, but is on their agenda, to start to get stuff from Kevin and some of the agencies in Concord.

2. Tanager Way - Confirmation from L.C. Engineering as-built complete

Joan stated that she has a letter dated the 6th of August that reads; "Dear Planning Board Members, On this day I reviewed revised As-Built plans for Tanager Way. After further review and a couple of drainage invert clarifications telephoned in by T.F. Moran, the site surveyor, I find the As-Built plans for the roadway to be complete as required". Joan stated that as far as the punch list that Amos White had mentioned, Lou had a generic one back in April, before they paved and he said all those items were taken care of before they paved. Joan stated that she also has a letter from Lou stating: "Dear Planning Board Members, To the best of my knowledge, Tanager Way was constructed in accordance with the approved subdivision plans, including amendments, and the Town of Litchfield's construction standards". Joan also stated that she has an in-place maintenance bond that expires in December of 2014, which was put in place in December 2012; also a deed to the road. Joan stated that the warranty deed was received in November and that she has all the pieces needed. Joan stated that the next step for the Board would be to recommend this to the Selectmen for acceptance under our new regulations that were just approved.

Motion by: Mr. Young to send Tanager Way as completed to the Board of Selectmen.

Second by: Mr. Caprioglio

Motion passes: 5-0-0

3. Rules of Procedure (By-Laws continued) Review revisions from July 9 conversation

Jen and the Board reviewed and went through the revisions from the July 9 conversation and then reviewed the rest of the By-Laws from where they left off. The Board made their comments and suggestions of what they would like changed or re-worded. Jen will look into appeals section which was unclear and bring her findings back to the Board. Jen will make the revisions and bring back to the next meeting.

4. Impact Fees:

1. **Update from Bruce Mayberry, Progress to date, draft work products for review, scheduling for completion of work**
2. **Draft letter to BOS stating no changes at this time given fee structure is currently being revised. Include a summary of B. Mayberry's progress and status**
3. **Discussion on how to zero out the Elementary School Impact Fees- Should the PB recommend to the BOS fee be zeroed out now or will that occur through B. Mayberry's revisions**

Joan stated that she has not heard from Mr. Mayberry. Russ stated that he received an email from Mr. Mayberry stating that he has fallen behind due to a large workload. Russ mentioned that the Planning Board is required to send a letter to the Board of Selectmen. Jen went through and pulled the 2011 to the Board of Selectmen, because last year the recommendation was to do nothing because they were sending it to Bruce Mayberry, they had hoped to have something but they are still waiting for info. from Bruce Mayberry, Jen stated that she has two approaches pasted together, the first is if we are going to go through the process and do a quick review, we can do a quick review. Jen stated that she was hoping they had a little more back from Mr. Mayberry that they could put in there to demonstrate some progress. Or the Board can state that at this time, the Board does not institute changes to the schedules, currently working with BCM Planning to update the impact fee calculation schedules, changes are anticipated to be completed by a certain date, add summary of progress from BCM Planning, concurrently the Planning Board will be drafting changes to section 1300 and 1400 of the Zoning ordinance which are done pending some work on Mr. Mayberry's end to line up the language; Jen stated they did those changes a while ago, almost a year ago. Those changes will be put forth in the 2014 Town Meeting, cumulative effect of the forthcoming changes would render moot to any work to adjust the impact fee schedules at this time. Jen stated that those are the two approaches. Jen handed out two sets of pdf tables, one that went forward in 2011/2012, which is still in effect and then she did a really quick version of the July 2013 index which is not the annual average that it needed but it will get them close. Jen stated that the intent was to give the Board an idea of how the numbers would change if they were to be updated.

Jen stated that Mr. Mayberry needs to reply to the planning board because they need to reply to the Board of Selectmen immediately and they need an anticipated completion date and status report of progress that has been made at this point. Jen stated that they need to hold a impact fee hearing. Joan will notice this for the next meeting on August 20th.

5. Community Planning Grant - Review Commercial Zoning Examples and Questions

Jen gave a quick update: She stated that Kim and Christina from NRPC have been meeting with various folks in Town and what they will do, is once they are done for the next Planning Board Meeting put together a summary of what they have heard. They have met with owners of Mel's, Mr. Normantons Beef Farm, Rick Charbonneau, and they have meetings scheduled with other businesses next week. Jen stated that some of the general things are that there are some mixed feeling about the agricultural piece, from the Farms perspectives, there still needs to be that residential development right preserved, which is something the board has discussed and is on the radar. One of the farm owners highly encouraged going the conservation easement

approach. From the business development side of things, one of the things they heard is that the town is not viewed as being business friendly so folks will not come forward because they there may not be a positive reception. Jen will ask Kevin for a list of variances that have been requested over the last couple of years, just to get an idea for what people are requesting variances for. Mr. Byron stated that the ZBA has probably had 3 cases in the past two years. Jen stated that they were told by one that they are not even going to put forward an application because they do not want to deal with the variances (the biggest thing being the frontage and setbacks). Jen stated they will pull an aggregated summary together. Jen stated that they are going to try to be kind to the folks that were willing to sit down and speak to staff and keep it a bit more generalized, because they may be future applicants in front of the Board. The Board had previously talked generally about shrinking the frontage requirements. Jen mentioned that they did talk to Michael Bergeron, from his perspective as a business recruiter for NH to what he looks for in a community before he talks to an applicant and one was a community that he knows that will be easy to get through the planning and zoning process, also just having area available is the other piece. They asked him what he saw as given the size and geographic position in Litchfield and what already exists here, what did he think could business wise survive. His thing was higher tech, but smaller type office space that would look for more of a business park type environment, independent organizations, business, but are fairly well established and could stand on their own. He did not see large retail, there is not enough population base to support it and keep those businesses alive. It would need to be something where the business can survive on its own without the local population base assisting it. When they asked him generally where would be feasible, he said just the southern end of town, he mostly circles the land that is the State land where the circumferential highway as the most ideal chunk of land, because it has good access and the size that would be needed. Jen stated that we have some opportunity to build off of what existing commercial development we have. Jen stated that those are his general thoughts and then they asked him what are some communities that he thought was easy communities to work with that were business friendly and his answer was Bow, Londonderry and Bedford. Jen pulled a mix of example of different bits and pieces that are out there from different communities across NH to share and discuss with the Board. Jen stated that this is not intended to be a comprehensive review of any one of these ordinances, what they did pull consistently for each was those basic requirements such as minimum lot size, frontage and setbacks. Jen stated that the rest of what they have, is different notes of what they heard, or mentioned along that way that people are interested in that exists in these different ordinances. Jen stated that she does not see any one of these being a standalone of what they should do here. There is ideas and elements from each. There is also different approaches that can be taken. Jen went through the different communities guidelines for commercial development with the Board and the Board gave their opinions on what they liked or didn't like and what they would like to see in our community.

6. Bond Amount for Hamel Circle

Joan read a letter from Mr. Caron dated Aug. 1 stating that the Bond amount for Hamel Circle should be set at \$30,000.

Motion: by Mr. Blanchette to recommend to the Board of Selectmen to set the bond for Hamel Circle in the amount of \$30,000 as recommended by LC Engineering.

Second: by Mr. Young

Motion Passes: 5-0-0

7. Close escrow account for Cutler and Page IV - Balance \$301.73 plus interest

Joan stated that was the section that was never approved and there are no outstanding bills.

Motion: by Mr. Caprioglio to close out the escrow account for Cutler and Page IV for the balance of \$301.73 plus interest.

Second: by Mr. Croteau

Motion passes: 5-0-0

8. Budget 2014

Russ mentioned that he had an email from Mr. Hoch on July 8th for the proposed budget which was pretty much the same as current year. The Board will review the package at the next meeting.

Approve minutes of July 9, & July 16, 2013 PB minutes, Approve minutes of June 25 Land Use Workshop

Motion: by Mr. T. Young to accept the minutes of July 9th as written

Second: by Mr. Caprioglio

Motion passes:: 5-0-0

Motion: by Mr. Caprioglio to accept the minutes of July 16th as amended

Second: by Mr. T. Young

Motion passes:: 3-0-2

The meeting minutes of the June 25th Land Use Workshop will be deferred to the next Planning Board Meeting.

Any Other Business

Mr. Byron mentioned to Jen that he sent her an article and also sent it to the rest of the Board.

Mr. Young stated that on September 18th it is Litchfield Night at NRPC in the Merrimack office at 7:00 pm. Everyone is invited to attend. This is a quarterly meeting for the Town.

The next Planning Board meeting will be held on August 20, 2013.

Motion: by Mr. Caprioglio to Adjourn

Second: by Mr. Young

Vote: 5-0-0

The meeting adjourned at 9:30 pm

Minutes taken by: Donna Baril