

PLANNING BOARD MEETING

TOWN OF LITCHFIELD

Held on September 17, 2013

Minutes approved Oct. 15, 2013

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, September 17 at 7:00 p.m.

MEMBERS PRESENT: Tom Young (Vice Chair), Kevin Bourque Selectmen's Rep , Michael Caprioglio, Bob Curtis,

MEMBERS ABSENT: Mike Croteau, Joel Kapelson, Frank Byron and Russ Blanchette (Chair)

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

CALL TO ORDER

Mr. Young called the meeting to order at 7:10 p.m. and joined the Board in the Pledge of Allegiance.

1. Public Hearing per RSA 675:7 and as required by the Litchfield Zoning Sections 1309.00 and 1410.00 for the annual review and Public Comment of the Impact Fee Schedule

Public Input: No Members of the public wished to speak on this

Jen sent an update on the escalator factors for the impact fee schedule. All the new factors are in and everything looks to be in order. Joan stated that this was with the cost escalator factor this is not reflecting any Bruce Mayberry recalculations. Mr. Young stated this was just the escalation factors. The High School stayed the same, the Elementary School had a slight increase of 4 cents. Jen stated that if you look at the front page, because Bruce Mayberry was already in process on a couple of them (The Elementary School and the Roads) those are held fixed at the same rate that they were the last update; because they should have a draft from Bruce Mayberry soon, so there is no point in changing them now and changing them again. The High School stays the same because its a fixed point and time, the only ones that the new escalator factor

would apply to would be the Public Capital Facilities; Town Hall, Recreation and Library. When you look at Table 1 the High School and Elementary School should remain the same as they have been. Jen stated that the other price escalator factor that has been applied is to Fire and Police, the last go around these had been newly set, so the base year for Fire and Police is 2010 opposed to the others which was 2000. This is the first time that there is time that has elapsed in order to show that cost escalation factor so those have a very small increase shown. Jen stated that her understanding from the last conversation, is that the Board wanted to move forward with some of the adjustments and then move them up to the Selectmen. Mr. Young stated that they already sent a letter to the Board of Selectmen stating that they were waiting for Mr. Mayberry. Jen stated that there would be another round when Bruce finishes round one and then we would have the Schools and Roads.

Motion: by Mr. Curtis to to accept the Litchfield impact fee costs escalators for the 2013/2014 and recommend sending to the Board of Selectmen.

Second: by Mr. Caprioglio

Motion passes: 4-0-0

Jen stated that the next step is to draft a letter to the Board of Selectmen and send to Russ to look over.

Public Input

Mr. Chris Pascucci of 12 Colonial Drive, Litchfield came in front of the Board stating that he had a couple of questions, he is still trying to learn everything there is to know about what goes on in the Planning Board. Mr. Pascucci stated that he knows they were still working on the multi-family, trying to find places to put it because in case the developer wants to come in you want to have a place for it or they could just say they want to put it anywhere and it might turn into a law suit. Mr. Pascucci asked if that was the same premise that is going on now with all the discussions about commercial development overlay and trying to determine where you want commercial and how you want it and the rules. Mr. Young stated that it is the same factor that they are trying to allocate the areas but it is not a mandate. A person can't come in and say "I want to build it here". Chris stated that okay there is no mandate, but what is the reason why this Board is talking about maybe changing some zoning and doing things like that for commercial; what is the reason, if the mandate is not pushing it like some of the other issues, then why. Mr. Young stated that is a factor that some of the things that the Board has heard from different people; they do not understand why we have a transitional zone separating all these zones and why some of the parcels are split up the way they are, so we are trying to find out themselves to understand why it was set this way, they do not know why it was done, they are just trying to see if there is a better way of doing it that is more equitable for everyone.

Mr. Pascucci asked Mr. Young what he meant by equitable. Mr. Young stated that the transitional zone in his own personal feelings are not needed. The same thing can be done with a buffer, which is a smaller area and get rid of the transitional zone. Mr. Pascucci asked if they did that, what is the end goal, is the end goal that it will be easier for businesses to come in. Mr. Young stated that the end goal is to have something that works in Town. Mr. Pascucci asked how the transitional zone is defined. Mr. Young stated that basically a transitional zone is a buffer between the commercial, commercial/industrial and residential. Mr. Pascucci stated that there is really no commercial in town besides on 102 and a few parcels on 3A. Tom stated that there is quite a bit of commercial zone; it is zoned commercial. Zoned commercial is something that can be commercial but is not currently. Tom stated this is for the future. Chris stated that watching the last meeting, and noticed there was a survey and found it; this is where his concern is; what are you trying to gain from it, what are you looking for? Tom stated that they are trying to get input from the people in town to see what they want. Mr. Caprioglio stated that some people can not make these meetings, so the survey is the easiest way to get their input. Mr. Pascucci stated that survey's are always good, but the concern he has (he referenced the 1st question) which asked of the following options, which is the most important zoning and land use regulation provisions to change in Litchfield to allow for the type of commercial development that will best fit the character of the Town. Mr. Pascucci stated that when one reads that, and says the Planning Board is planning on changing things in the Town, so they are asking input on how to help change it to allow more commercial. This does not seem like a fair survey question to him, it seems bias. Mr. Young stated that the intent was not for it to be that way. Mr. Pascucci asked who wrote these questions, and did they come from the NRPC. Jen stated they worked on them and the Board saw them and approved them. Mr. Curtis stated that they approved them, discussed them, analyzed them and word smithed them endlessly. Jen pointed out that "none of the above" is an option for every single one of the questions, because it is open ended, they want to know what is right and what is not right. Mr. Pascucci stated that he understands and is in sales and when you are trying to sell something, you don't ask the customer "if you would like to buy from me", you would say either "do you want choice B or choice A" or you say would you like 10 or 20. If you are looking for fairness you could say out of the following options which are the most important zoning and land use regulations provisions to keep in Litchfield to keep so as to maintain the character of the town. Mr. Caprioglio stated that not all the questions are like that, you are just looking at one question. Mr. Pascucci stated for example; under that it says to reduce frontage requirements. Mr. Caprioglio stated for places like Route 102, where commercial is, it should be in the busiest place in town. If you have commercial there already, you have to have commercial to reduce the tax base to lower taxes, which are high; what do you do to encourage commercial where commercial exists already? Mr. Curtis stated that the

survey has already been taken, and stated that Mr. Pascucci's basis here is that he does not like the majority of the questions on the survey that has already been undertaken and at this point there is not much we can do, and does not want to sit there and go through every single question and try to reword something that has already been done. Mr. Pascucci stated that there is a couple of points here he is trying to make; one being that you stated that commercial would decrease the taxes in town and that is not proving, it is an opinion. Mr. Pascucci stated that he and others in this Town would like to have that conversation and has done it and will do it again, there is no proof that new commercial business will lower the taxes, in a town such as this more commercial would keep level or increase the taxes, because we would need additional services; fire, police, there is more break ins when you get business; therefore we might need a new police station, police cars, etc., there is a lot of other issues involved so that is not a proven premise and he is not going to go through the other premises. Mr. Pascucci stated that he is not going to go through the other questions; he just wants to make it clear that it seems from the meetings that he has been to, the listening sessions and the way people vote, it seems to be consensus that they do not want additional business in town, but it seems that this board and the NRPC's goal is to whatever they can to try and invite business in by the way you word the questions of the surveys, but bring it to the next issue and say that people want this and then your bring it to the ballot, or you talk to planners or compare us to Town's like Bow, Strafford, that we should emulate them or we should be more like Bow and be attracted to businesses. If your are taking in all of this, it seems like every meeting its more towards what can we do to get more business in the Town. Mr. Caprioglio stated that the survey was to see where the people would like to see more business put in town. If we don't ask then people can't tell us. Tom stated that one thing you have to remember is that when we are looking at other town's in the area, they are not looking to say this is what we want to be, we have a list of the problems we have, and these are the questions we have, how do these other town's solve them, its not that we want to be like them, its how did they solve them. Mr. Pascucci stated that if you're looking at other town's, you want to look at places like BoW, North Conway, Strafford and Londonderry, but if you don't your Town character to look like that you would look at Town's like Deering, etc., where there is no business, where there is mostly farms, and so then you say, lets talk with the Town leader of these Towns. Mr. Curtis stated that the point of what they are doing is trying to gather input to guide them in what they want to do and believes it is prudent, you can't just let everything sit the same forever, you have to reassess. You reassess by gathering input from a variety of sources and that is what guides us. Jen stated that character is a very important thing to keep in mind, it is not necessarily always about more business, it is about what is the character that residents want and will the zoning ordinance that we currently have get yout that, and so a lot of what they have heard from input is smaller scale type development. We all recognize that property owners

have the right to develop their property and we can not impinge that. Recognizing that right that property owners have as individuals, we also have a community that has an interest in how the community looks in the future, so how can we properly structure the zoning that that still guarantees individual property owners rights but gets the outcome that the residents would also like to see, so character is a big piece.

Part of looking at other Town's was how do Town's regulate character and say this is the type development, and what you couldn't see on the screen, is that that document also had photographs of development in those communities. Those photographs were tailored to get images that represented what folks were mentioning at the visioning session, for the style of what they would like to see when they drive down the street. What the board is seeing is that they have individual property owners who complain that they can't do anything with their property with the way it is zoned, they would have to for for variance after variance and there are some nice property owners that haven't pushed that from the legal perspective. Some day they may want to do something with their land and they don't like what is on their land for restrictions, so there is that at one end but we also have the character piece to protect, how do we balance that. Mr. Pascucci said that the board had a listening session once and if there is any money left in that grant, maybe it would be worth having another one to discuss more so what the tax impact would be and thinks it is a worthwhile discussion, for some people it is a given that if business goes in, it is going to lower and ease the burden of taxes on the Town. On the other hand people say the more business that comes in, it will do nothing to lower taxes but will increase it because there will be additional services need, so he thinks that there are two very opposite sides of that debate and thinks it might be worthwhile to have a listening discussion, because some people in this town are saying "absolutely, I want business in this town because my taxes are going to be lowered, then the minute you say what if your taxes do not get lowered or there is a chance that they go up., People will say no, they do not want business in. Obviously people will do anything now to lower their taxes and they need relief. Mr. Pascucci asked please, if it is worth your time, and you are willing to get the people back in this room like you did the last time, set a meeting up and just discuss that option first, and then we could go on the premise of lets get commercial in here regardless of whether it raises or lowers your taxes. Mr. Caprioglio stated that they are talking about small businesses and that what those slides are showing. Mr. Pascucci stated that is where you need to be careful because if you redo zoning and you do a little too much and make it a little too easy for business then there is a chance that bigger business could come in. Mr. Pascucci stated that he knows the Board is getting a lot of input from people, but slow and steady is the advice that he would say. Mr. Young stated that is what they are trying to do. Mr. Young mentioned frontage and that is what they are looking at. Mr. Pascucci stated that we need more people to come to these meetings, filling out a survey just does not say what people are looking for, so he would like to encourage

people to come here and voice their opinion.

2. Community Planning Grant

- **Commercial, Transitional and Industrial Districts Review**
- **Revised Draft Agricultural Preservation Overlay District**

Jen went over with the Board performance standards and gave examples of what they include: Concrete (parking, architect style being consistent with surrounding neighborhoods, parking frontage. Also, shared driveways, landscape, size and entrances. Jen and the board went over Permitted uses, Frontage, Setbacks, Site Coverage, Vehicular access and special exceptions. The board discussed this and gave their comments and ideas of what they would like to see and what they would like to change.

3. Release escrow funds for John Nelson subdivision Tax Map 18 Lot 64 after July NRPC bill is paid

Deferred to next meeting of October 1, 2013

Approve minutes of September 3, 2013

Deferred to next meeting

Any Other Business

Mr. Young mentioned that the NRPC Litchfield night will be postponed until December 18th, 2013.

The next Planning Board meeting will be held on October 1, 2013.

Motion: by Mr. Curtis to Adjourn

Second: by Mr. Bourque

Vote: 4-0-0

The meeting adjourned at 9:45 pm

Minutes taken by: Donna Baril