

PLANNING BOARD PUBLIC HEARING

TOWN OF LITCHFIELD

Held on March 4, 2014

Minutes approved 3/18/2014

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, March 4 at 7:00 p.m.

MEMBERS PRESENT: Russell Blanchette (Chair), Tom Young (Vice Chair), Frank Byron (Selectmen's Rep), Michael Croteau, Bob Curtis, Joel Kapelson (7:10) and Jason Guerrette (alternate)

MEMBERS ABSENT: Michael Caprioglio(excused), Steve Perry (Alternate)

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

CALL TO ORDER

Mr. Blanchette called the meeting to order at 7:00p.m. and led the Board in the Pledge of Allegiance.

Public Input:

No members of the public present

1) Home Occupation Application. Lisa Oberto 22 Colonial Drive, Tax Map 17. Lot 20 for an indoor cycling Studio.

Lisa gave her plans to the Board. The Board went through the plans and the application. Ms. Oberto stated that she would like to start an indoor cycling studio in her house, she has a total of 6 bikes; 5 of which would be to have participants come and she would be instructing them. Lisa stated that she has been a cycling instructor for 14 years and is cpr certified. The studio is in her basement , she has access through her basement which her garage is under and has access through the front door. There are two exits out of the house. There is plenty of parking in her driveway to accommodate all 5 vehicles, there would be no parking on the street. Mr. Blanchette asked her best estimate on how many trips per day or week. Lisa stated that she would like to offer 1 class per day for a potential of 5 vehicles in and out once a day. Lisa

stated that she has considered 2 night and mostly 3 daytime in the morning from 8:30 to 9:30 and 5:30 to 6:30 two nights a week and on Saturday morning for a total of six days. Mr. Curtis asked if this was a finished basement. Lisa stated that it is, it has walls. Mr. Curtis asked if there was heat down there. Lisa stated no. Mr. Curtis asked if we need to be concerned with any egress as far as safety. Mr. Guerette suggested to have the Fire Department come in to evaluate, if someone were to get injured or have a heart attack would you be able to get a gurney in there for treatment. Lisa stated that she would do that and there is direct access to the garage, so the garage is also under the house, so there is direct access from the garage into the door and the cycle would be right as you open the door to come into the basement. Mr. Byron asked if it was her intention that the garage was being eliminated or is it still going to exist the way it is. Lisa stated that it is still going to exist the way it is. (looking at the map) Mr. Byron asked that where the black magic marker is now, are those walls built or is that something she will have to build. Lisa stated that those walls are built. Mr. Byron asked if it was already a 299 square foot room. Lisa stated yes it is. Mr. Guerette stated that it was a semi-finished basement and she was going to repurpose the use. Mr. Byron asked if on the far left hand side if that was a window that she has into the footing. Lisa stated that it is a window. Mr. Byron asked if she was intending to put at the bottom of the stairs; would there be a door. Lisa showed on the map where the door was., and showed where the garage was and where the door is that would lead into the cycle room and showed where there was another door to the stairs to allow access into the house and showed the other side of the basement where there was a window. Mr. Guerette asked if the furnace was in the alcove in the garage. Lisa stated no, it was just a bump out in the garage. Mr. Byron asked if there was a fireplace in the bump out. Lisa stated no. Mr. Guerette also suggested adding CO 2 devices. Lisa stated that they do. Lisa stated that there are also smoke detectors. Mr. Byron asked if there has been notice made to the abutters. Joan stated that there has been. Joan stated that all fees have been paid.

Motion by: Mr. Guerette to accept Ms Oberto's Home Occupation application.

Second: by Tom Young

Vote passes: 7-0-0

2) Discuss Bruce Mayberry Impact Fees Documents

Mr. Blanchette asked if the Board had an opportunity to review the plan from Mr. Mayberry. Jen stated that he is confirmed for the next meeting on the 18th. Jen explained that most likely the priority is Mr. Mayberry's draft Schools and Roads fee methodology. Jen stated that on the 18th, Mr. Mayberry can address either piece. Jen stated that the difference is that she has been working on the ordinance piece and Mr. Mayberry has been working on the fee methodology so he is waiting on the Board's input so he can go onto the next steps on the fee methodologies and she is waiting for

the Boards input before she can take the next steps on the ordinance.

Mr. Blanchette asked of the Board had any comment or questions or items they want clarified by Mr. Mayberry. Jen stated that one of the things the Board needs to look at in the draft that Mr. Mayberry has prepared for them, is that he has proposed several different alternative methods in which the fee can be calculated and he has also giving some recommendations for which he thinks are the best method, but he does need the Boards input and the Board needs to look at that and discuss what you think is the right method for your community and part of that is that the Board needs to make sure that your fees reflect potential growth or new growth with the opportunity that you can recoup some of the costs for investment you have already made to accommodate future growth. Jen stated that enrollment numbers in schools are not projected to increase, they may potentially decline and also with the road impact fees, looking at population projections which are not showing a significant level of growth. In a slow growth universe, to what degree is the imposition of impact fees rationale and if you do collect impact fees, then to what amount is appropriate fair and proportionate, so he does raise a few different points in here.

Jen went over the Impact fee draft with the Board and explained the different methods Mr. Mayberry used to come up with the numbers for School impact fees. Jen also went over some of the concerns Mr. Mayberry raised.

Mr. Byron asked if we used impact fees to pay for the portables. Mr. Guerrette mentioned that the state paid for them for the first three years. Mr. Byron stated that he thought we used impact fees to pay for them after the 3 years. Mr. Byron asked who owned the portables today. Do we own them or do we rent them? Jen stated that Mr. Mayberry does address the portables. Mr. Byron stated that on the document it states that these average values includes the portable space now in service which provides a portion of classrooms available. Mr. Byron also mentioned that Mr. Mayberry is talking about a second credit allowance which is also incorporated based upon the estimated cost to replace existing portables with permanent facility space. The Board discussed the portables further. Mr. Byron stated that before they start talking to Mr. Mayberry about this they need to find out who owns those portables. Mr. Guerrette stated that he believes the school did purchase the portables.

Mr. Curtis stated that he believes if we stop collecting the fees, there needs to be some definable trigger that would somehow alert future Boards, then re-institute or trigger a re-investigation, he stated that he wouldn't just stop the fees without some procedure in place to re-trigger it at some point. Mr. Guerrette stated that the Board should be continually monitoring that angle or having outreach with the school department.

Jen stated that this is where this conversation on this draft ties into Mr. Mayberry's comments on the ordinance. One of the things Mr. Mayberry recommended for the ordinance was not to narrow or be overly specific on what exactly you're collecting the impact fees for, but to say that those impact fees would be collected based upon this parallel fee setting process that you enabled. One caveat he mentioned was do you need town voters to approve collecting fees on schools for town's facilities versus fire and safety.

Mr. Blanchette stated that the Planning Board reviews annually to make sure the fee schedule does make sense. Conversation ensued regarding whether to collect impact fees or not and what makes sense.

Mr. Blanchette mentioned that reading through the draft there is a lot of detail as to what types of development deliver what types of impacts based on what research models. Jen gave comparison stating that we currently have fees scheduled at a single rate and is based on square foot, it is not broken out by single family detached versus other structure types. Jen stated that another approach that Mr. Mayberry states is that you collecting a fee you might want to discount that fee because you're going to anticipate declining enrollments.

Mr. Byron stated that he would like to hear Mr. Mayberry discuss what are the pluses and minuses of the different systems that he has proposed, what are the ups and downs of that whole thing and would like to also understand from him some of the answers to the questions that Board has been kicking around, with declining enrollment and everything else, what do you do about collecting impact fees and how do you collect impact fees and have them make any sense. Jen noted that Mr. Mayberry gave comparisons and referenced the city of Lebanon as a good example for the town, because Lebanon also adopted their initial impact fee ordinance and methodology at about the same time Litchfield did and has recently worked with Lebanon to overhaul both their ordinance and fee schedules. Lebanon's ordinance was developed by the same author using the same model and the same with the fee schedule. Jen shared links to Lebanon's documents on their website. Jen stated that she had wrote up a few questions that the Board did have and typed them up and will send them to Mr. Mayberry in advance of the meeting of the 18th.

Roads: The Board looked over the draft road impact fees. Jen stated that what they have proposed is an extremely simplified version of the road impact fee structure based upon use. Jen stated Mr. Mayberry has two different models, one based on lane mile and one based on per new trip which he uses population projections. Then Mr. Mayberry does a alternative based on OEP projections which would show a lower projected population for 2030. The Board discussed the draft road impact fees and

what is being proposed by Mr. Mayberry.

Jen read the statute to the Board. The Board had discussion regarding this.

Jen stated that aside from the maintenance question; looking at the two different methodologies, lane mile versus trips, to her they came out with almost identical results, they didn't seem to be drastically different, it just seemed like there was slightly less map on the trip version than there was on the lane mile version to get to the end result. Jen stated that was one of the things proposed, the other thing proposed was his reduction in categories; in the past the Board had a list of different land use types that was a page long that had a different impact fee rate for every different land use type; he has drastically shrunk that down to where you have your residential breakouts and retail and restaurants, office and general commercial and industrial and storage which is 3 categories.

The Board again discussed road maintenance and Mr. Mayberry's draft fees for the maintenance of roads. Jen went through Mr. Mayberry's tables for road fees. Jen stated that Mr. Mayberry does propose discounting the rates to factor in the fact that much of your driving would be on state roads.

The Board made a list of questions for Mr. Mayberry regarding impact fee for the schools and roads. Jen will go through Mr. Mayberry's comments for the ordinance.

Approve minutes of February 4, 2014

Motion: by Mr. Guerrette to approve the minutes of February 4, 2014

Second: Mr. Young

Vote Passes: 5-0-2

Other Business

Mr. Byron requested getting an update on the meeting the Board had with Hudson. Mr. Blanchette stated that NRPC presented a great package of information about future buildout of the region and their action between the various communities. Mr. Young stated that basically all the stuff was on the benefits that NRPC has for us on all the programs. They got into transportation a little bit and got into some of the problems the different communities had and how to go about them. Mr. Young stated that it was interesting to see how they run their meeting and picked up a few pointers there. It is something they are looking to doing maybe once or twice a year at different locations.

Jen gave a quick summary of what was presented: Kerry did an overview of the services that NRPC provides to municipalities. Jen covered some basic demographic

trends that we have seen in the last decade in the region. Sarah who runs the GIS programs, presented a preliminary build out findings and as part of that what the GIS team worked on was first mapping just generally what all of the zoning ordinances in the region look like when they are placed up against each other. It gives you an opportunity to see how you and your neighbors might be competing, working at odds or having mutually supportive objectives. Jen stated that they also looked at natural development constraints and then said knowing what current growth rates are projected to be over the next 30 years with basic zoning allowances with what you are allowed to build versus natural constraints, what that might look like and where that might land. Just a chances for towns to say do our ordinances and regulations yield the image that we have for our community in the next 30 years.

Motion: by Mr. Guerrette to Adjourn

Second: by Mr.Young

Vote: 7-0-0

The Next Planning Board meeting will be held on March 18, 2014 at 7:00 pm.

The meeting adjourned at 9:27 pm

Minutes taken by: Donna Baril