



Stratham Planning Board
Meeting Minutes
March 1, 2017
Municipal Center, Selectmen's Meeting Room
10 Bunker Hill Avenue
Time: 7:00 PM

Members Present: Mike Houghton, Chairman
 Bob Baskerville, Vice Chairman
 David Canada, Selectmen's Representative
 Tom House, Member
 Jameson Paine, Member
 Nancy Ober, Alternate
 Lee Paladino, Alternate

Staff Present: Tavis Austin, Town Planner

1. Call to Order/Roll Call

The Chairman took roll call.

2. Review/Approval of Meeting Minutes

a. February 15, 2017

Mr. Paine made a motion to approve the meeting minutes for February 15, 2017 meeting. Motion seconded by Mr. House. Motion carried unanimously.

The Chairman shared that he is running for the position of selectman on March 14, 2017.

3. Public Meeting(s):

a. Planning Board Workshop on Project Review.

The Chairman said the purpose of tonight's meeting was to brainstorm and discuss ideas of how the Board can improve. One of the responsibilities of the Board is to elect its Chairman and Vice Chairman so he would like everyone to consider the role they would like to assume. Mr. House nominated Mr. Baskerville to be Chairman. Mr. Houghton said he would like to be the Selectmen's representative and he knows that Mr. Canada would like to remain on the Board.

Mr. Paul Deschaine, Town Administrator explained that in general terms the new Board is seated the night of March 17, when the Town Meeting closes; this is when all electees are sworn in. The first Board of Selectmen (BOS) meeting after that would be March 20, 2017. Typically the need for volunteers and interested parties is announced at Town Meeting and interested parties informed they should come forward by March 31. The BOS need a little time to adjust to their own new Board so a date for considering and confirming appointments may take a few weeks.

The Chairman turned the topic to what the Board thinks it is doing well and what it thinks it can do better. He wondered if time limits should be set on applications. Mr. Baskerville said there are some towns that won't consider an application if they have to start on it after 10:00 pm. Mr. Canada said the problem is that some applicants bring in their attorney, engineer or a landscape architect and that adds up to a lot of money. He wouldn't leave until he had heard them.

Mr. Austin asked the Board what would be a preferred amount of time for receiving meeting materials. Mr. House said he would like a week. Ms. Ober said if they could have it before the weekend before a meeting that would be good as most of the Board work full time during the week. Mr. Paine and Mr. Houghton agreed. Mr. Houghton added that if the applicant can't have their information to the planning office on time to send out the information the Friday before the Planning Board meeting then the applicant should be taken off the agenda. Mr. House agreed.

Mr. Austin asked how much detail the Board would like in a staff review and talked about third party reviews. He asked the Board if it wants to reserve the right to ask for third party review or would it prefer that the third party review be triggered by the application itself while reserving the right to send it out again if it needs more information. Mr. House said in reference to the third party review, if it helps speed up an application and save money, he is fine with it being triggered by the application itself. Mr. Austin said the difficulty is when an application may not require it. Mr. Deschaine said in the past, it was typically done by the Board deciding an application should go for third party review which was also in keeping with when a formal application is submitted, it's supposed to be complete. Lately files have been basically complete, but there has been one or two things missing, or the applicant wants more dialogue with the Board before they do this or that which leaves the application in a quasi-complete state. Mr. Deschaine continued that the other thing that has happened of late, is applicants taking a liberty and submitting a third party review. That can expedite things, however the opposite can happen. It makes it more difficult for the Planner to go through a check list as the applicant's third party review might be insufficient or incomplete because the Board or Staff haven't said exactly what they want reviewing. Some applications change over time so another third party review becomes necessary so how many reviews does the Board want? Mr. Houghton said the Board should strive to become more buttoned up and expect applications to be presented as complete. He feels if it's not complete, it should be taken off the agenda. Mr. Houghton observed that they are all volunteers, giving up their time and that should be respected. Mr. Houghton was on the fence about third party reviews because it depends on the nature of the application. Mr. Austin took Rollins Hill Development as an example of an application that sent their plans directly to third party and that staff has no way of knowing if the plans that went to the reviewer are the same plans that were in front of the Board at the meeting. Mr. Baskerville said usually the review will state the date of the plan set they are reviewing.

Mr. Baskerville said it would be helpful to have a paragraph that sums up if an application is complete or not and if not, stating what is missing. Ms. Ober added that she feels staff has the expertise to determine that. Mr. House asked what they should do procedurally if an application isn't complete. Mr. Houghton said they just say the application isn't complete so they won't accept it. Mr. Deschaine added that if waiver requests are complete, they could stay on the agenda. Mr. Paine said they should tighten up on waiver requests, making sure they are filled out properly. Mr. Deschaine said that rules of procedure ratified by the Board would help explain the procedures for applicants and become part of the application. Mr. Austin said he can add a check box stating "I read and understood the rules of procedure".

Mr. Austin talked about motions next. He said members should think through the motion, he will do his due diligence to have application materials and a staff review sent to them before the meeting. For those applications which are approaching the approval stage, he suggested members think about the motion and he is happy to provide some form of template. Mr. Houghton said he would find it

helpful to have a cheat sheet for conditions precedent and subsequent. Mr. Baskerville said it would be a good idea to make notes of possible conditions especially as applications can run over several meetings. Mr. House said that the Chairman in Danville, NH used to do that.

Mr. Baskerville asked if bonding was worked out after Planning Board approval. Mr. Austin said it is in the regulations. Mr. Deschaine said he thinks it states that the Planning Board sets the amount and in the ideal situation the applicant comes in with an estimate and hopefully the Board will get Colin Laverty's input. Once the amount is set, it passes to the BOS as an enforcement issue in terms of conditions, format amount and such like. Mr. Baskerville wondered if it's better to add conditions to a motion or just leave it open by stating all standard Town regulations apply. Mr. Austin said the standard applied if it is a standard project, but if there is something unique about it, then recommendations could be imparted. Mr. Deschaine added that if there is something unique and you are grasping for the terms and wording that need to be part of the condition, it may be sometimes better to just rest the thought, allow staff to ruminate on it and compose what they think they heard and come back the next meeting with it. Mr. Houghton said it would make sense to direct staff to draft conditions of approval and a notice of decision to bring to the next meeting and continue the application to the next meeting.

Mr. Paine asked if the Board would want some applicants to go to other boards when it is necessary before coming to the Planning Board. Mr. Austin said staff's general rule of thumb is if an application appears that it is going to raise the hackles of the Heritage Commission, he would strongly suggest getting on their agenda before going to the Planning Board. Mr. Deschaine said should staff be proactive in helping an applicant to be on another Board or Committee's agenda or just let the applicant know it is strongly suggested that they do so which means the applicant may not do it. He continued that a Board needs to be clear on what its expectations are; if eventually the Board knows it will need a traffic study, it is fine to ask for it up front. Mr. Baskerville said he would like to see the Board give a little more authority to Mr. Austin so when he puts recommendations into a staff review, the Board agrees.

The Board talked about staff reviews. Mr. Baskerville asked if there would be just be one when the application comes in, or would it be updated as the application proceeds. Mr. Austin said he has been reducing the length of staff reviews to the point where he knows the Board knows everything else so just refers to the main pieces.

Mr. Baskerville talked about the third party reviewer Civilworks. He looks at them as doing an engineering review, and not just drainage. He doesn't think the Board needs Civilworks to be a zoning expert. Mr. Austin said they do need to understand the underlying use for the drainage and the initial staff review supplies enough information for Civilworks.

Mr. Paine said when the Board gets an application, the plan will have a surveyor location on it which may be 2' off the edge of the property line. It doesn't give a lot of information to see how it will affect neighbors or other areas; their focus is on the actual spot, but the Board needs the bigger picture at times. Mr. Austin said an applicant is required to provide a surveyed site plan, which shows the structures within 200' of the boundaries of that and then there's a locus map. More information is needed on the Locus map. Mr. Paine said the scale 1:24000 is a typical USGS map. Mr. Deschaine said if the Board wants this information to be included, an amendment should be made to the regulations. Mr. Baskerville said you could almost ask Staff just to highlight the lot. Mr. Austin said he thinks it would be helpful if each Planning Board member had an iPad or tablet. Mr. Deschaine said Londonderry does that, but one of the down sides is a lack of technical expertise. Mr. House said they use them in Portland, Maine too, but he believes they only use them for the zoning regulations.

Mr. Austin said he was going to start working on putting together rules of procedure that would ultimately get acted on and adopted. He will put together an evolutionary staff report and a cheat sheet which will include conditions. Mr. Austin said he will also facilitate those applications that appear to require meeting with other bodies such as the Conservation Commission or Heritage Commission prior to Planning Board and will send out meeting materials a week before; anything that turns up from an applicant after the fact won't be included. Mr. Baskerville added it would be nice also to have a cheat sheet pertaining to State permits. Mr. Austin referred to the idea of a draft Notice of Decision. Mr. Houghton clarified that he thought it might be useful for those applications that are long in duration where they may be contingencies attached to the decision, it would be reasonable to ask Staff to draft it so the meeting can continue on. Mr. Austin said he will endeavor to have draft conditions to date coming into each meeting. Mr. Austin said he can put together amended language to include the submittal requirements suggested by Mr. Paine too. There was much discussion on what size of scale should be required. Mr. Austin said the answer might be to pull together some maps with an identifier on it that shows the general neighborhood.

Mr. Baskerville said he would prefer not to become the Chairman. Mr. Austin complemented Mr. Houghton in his role as Chairman and his ability to control the public in a very calm and polite manner.

Mr. Austin talked about the next meeting on March 15. He said Verizon will be back with an application for the Audi site as a preliminary. There will be a preliminary for a subdivision and another minor subdivision which is a further subdivision of the John Reiss subdivision which will result in Betty Lane changing from a private to a public way.

Mr. Austin mentioned the Spring Planning and Zoning Conference on April 29, 2017. He offered to register those interested in attending.

4. Adjournment

Mr. Baskerville made a motion to adjourn at 8:35 pm. Motion seconded by Mr. Paine. Motion carried unanimously.