

1 Planning Board Land Use/Regs Subcommittee

2 Tuesday, May 21, 6:30 pm, Meeting House – Draft Minutes

3 Present

4 Greg Meeh, (Chair), Rich Marcou, Lois Scribner (secretary), Matt Taylor (CNHRPC)

5 Absent

6 Megan Portnoy

7 Previous Minutes – April 2 and April 16, 2024

8 Rich moved to approve April 2 minutes as written. Greg seconded. All in favor. The April 16
9 minutes could not be voted on since there had not been a quorum of Board members
10 present that evening. There was short discussion about the previous minutes, and it was
11 agreed that summary type minutes gave a good sense of the meeting and were easy to
12 process.

13 Matt Taylor arrived, with copies of the up-to-date skeleton version of what will be the new
14 Land Use Handbook, with red lining from the April 16 meeting. This had been sent to
15 subcommittee members previously. Matt had been in contact with John O’Connor, Road
16 Agent, and needed to follow up with him on the phone regarding details and issues in his
17 email before changing any items on the document. **Matt would do another red line**
18 **version after contacting the Road Agent and send to members.**

19 Rich had comments and notes for discussion.

20 On page 12, re thresholds for Site Plan Exemptions: Rich suggested adding something
21 about both **an increase in employees to Section 1.10.,4**. And also something about
22 **septic loading** somewhere in that section. **And also changes to lighting and noise. Matt**
23 **would add these but leave the language sufficiently open** so that the Board had some
24 discretion if there was something else causing them to say no to an exemption.

25 Greg wanted to add on page 12, 1.10, mention of **“individual conforming lot”**, rather than
26 ‘lot’.

27 Rich suggested adding the point about **septic load at #5** in that section. And in **Section 1.**
28 **10. #6 re accessory buildings**, it should be twice as big as usual before triggering a site
29 plan. There are different elements in that sentence, Matt said. There is structure (size) in
30 the first part, then grading/impervious surface, and then disturbed area. **Add ‘provided**
31 **that’** to that sentence.

32 There was discussion about the **last paragraph** (page 12, Section 1.10) it mentioned that
33 an applicant can request a determination with 24 hours' notice to be placed on the agenda.
34 That was acknowledged to be unreasonable and also inconsistent with all the other
35 references to 21 days. Matt said this was not regulated by statute, **so it could read 21 days**
36 **instead of 24 hours.**

37 Moving on to Section 2.2, (page 15) where Preapplication was consolidated with
38 Conceptual – agreed to say '**all applications are strongly encouraged' to come for**
39 **conceptual consultation.**

40 **And add 'subdivision' at the beginning of the sentence** so it is clear this is for both site
41 plan and subdivision applications. **Both types are to be submitted 21 days prior to the**
42 **hearing.**

43 There was brief discussion about Design Review – the Board has not had that type of
44 application – it is more demanding and if approved locks the applicant into the version of
45 zoning at the time of approval.

46 Rich asked about the Checklists being added to 2.4, on page 16, to the Final Application
47 Submissions and Procedures section. Re the Checklist, **Greg said it should be as**
48 **inclusive as possible.** All the aspects for completion must be on it, otherwise completion
49 cannot be denied. There are some items on the Checklists that appear to be just one thing
50 but if you unpack them there can be four things to consider. **Matt will add Checklists in an**
51 **Appendix to the Handbook.**

52 Rich asked that there be specific reference in this section telling applicants to refer to the
53 checklist. Put something in **such as, 'see checklist in Appendix' in 2.4, #2.**

54 At the bottom of #5 it says again 35 days. Again, this is not statutory. There was discussion
55 about the subcommittee of 2, Rich and John, who had been asked last year to preview
56 applications for completeness. Matt said this was perfectly ok – someone can be assigned
57 to preview it before the whole Board discusses for completeness. Applicants cannot be
58 contacted in advance if something is missing during that preview, as it all has to happen in
59 the Board meeting. Applications are now dealt with in 2 meetings, the first for
60 completeness and the second for merits. And abutters to be told that the application will
61 be considered in agendas until it is decided. There is a waiver power however, if the Board
62 should do it all in one meeting (as happened recently with a lot line adjustment).

63 There was discussion about instituting a **Request for an Extension** form – Matt said many
64 towns treat this like a new application. But for now, there is no way of formalizing such
65 requests. Matt said there were some mentions of expiration and extensions on page 18 and
66 page 19.

67 There was discussion about having a deadline for new paperwork for extensions. It should
68 be in the Procedures and Bylaws Matt said. On page 19, Revision to Approved Plans
69 section, again applications for revision should be submitted 21 days prior to the meeting to
70 decide if it is material or immaterial (section 2.8, 1.). **So, add a #4 to that section saying**
71 **all requests for changes must be received at least 21 days prior to hearing by Board.**
72 **And in #3, if a request for change has been found to be material, then a new site plan**
73 **application is needed so take out word ‘revised’ from #3 and put ‘new application’.**

74 There was some discussion about the 65-day clock that starts after completeness.
75 Requests for extensions could impact that. At present the Board does not have any expiry
76 dates for anything. See page 18, 2.7,2. Re Expiration. Greg was asking about expiration for
77 conditional approvals. Matt asked if it would come from something in the ordinance – no
78 one was sure if the ordinance said anything about expiry of conditional approvals at this
79 time. But **add something to 2.7, #4 is about subdivision and #1 is about site plan – (so**
80 **bottom of page 18, top of page 19) where it mentions 2 years for each – change that to 1**
81 **year for each for expiry of a plan – and allow a first extension after 1 year, and a second**
82 **extension after that for a year.**

83 On to page 20, Section 3. re Determination of Completeness: Greg asked to **add ‘review of**
84 **surrounding water supplies’ in this as part of conditional approval.**

85 Section 3.3 re **Abutters** – Rich pointed out it should say there that **abutters have to pay all**
86 **the costs for the application. And to produce the abutter list. And add that applicants**
87 **are strongly encouraged to verify that list with town staff.**

88 It was agreed to do some work individually to reduce the need for multiple meetings.

89 **Members agreed to read through sections 3-6 inclusive, pages 21 to 37 inclusive. Send**
90 **suggestions to Matt Taylor at CNHRPC to add to a new redlined version. Get comments**
91 **to Matt a week in advance, by Thursday June 6 at latest.**

92 It was hard to find a time to meet given the other work to be done in June and other
93 commitments. **Members agreed to meet on Thursday June 13, 6:30 pm (venue TBD).**

94 Rich moved to adjourn. Greg seconded. It was 7:50 pm.

95 Respectfully submitted,

96 Lois Scribner, secretary.