

1 Planning Board Site Plan/Subdivision Land Use Regs Handbook Subcommittee

2 Thursday August 1, 2 pm

3 Members Present

4 Greg Meeh (Chair), Rich Marcou, Matt Monahan, (CNHRPC Senior Planner), Lois Scribner
5 (secretary – left early)

6 Others

7 Gail Ober, (Land Use Administrator, observing), Michelle Hammond (took over as secretary)

8 Agenda

9 Matt Monahan had earlier provided an updated version of the future Handbook and
10 regulations. Greg and Rich had comments and edits to discuss. Secretary to prepare a list
11 of the issues set aside for whole Board review at meeting on August 13.

12 Changes discussed:

- 13 • Table of Contents – lose 2.3, combine with 2.2 and 2.4 becomes 2.3
- 14 • Page 8 second paragraph – take out ‘therefore’ and add ‘amenities’ for some
15 recreational facility
- 16 • Page 8 third paragraph – take out ‘also includes’ and replace with ‘require’ – so
17 ‘approval must address the completion’
- 18 • Page 9 – the title for the whole document needs to match with initial title -match
19 what is on page 9 and at 1.4 – make title ‘Purpose of these Regulations’ and then no
20 verb is needed before the list
- 21 • Page 10, # 14, ‘blighted areas’ – definition? Matt to make a definition of this
- 22 • Page 10, #1.5 – discussion about PB role before an application is submitted –
23 replace ‘building inspector’ with ‘PB authorized agent’ – and add ‘signed by PB
24 Chair” – so sentence to read, ‘PB authorized agent has verified the plans are in
25 compliance with all conditions of approval and are signed by the PB Chair’.
- 26 • Page 11, at top – put in, ‘proposed to be constructed in phases’
- 27 • Page 11, 1.8 Minor Site Plans, #1, cumulative total, within any 4-year period – agreed
28 to get rid of cumulative total as it is implied – it would be a new area so delete ‘total’
- 29 • 1.8, #1.b., numbers conflict with next page – Matt suggested 499 sq ft – so it
30 matches section 1.10, on page 12, exemptions, say ‘not more than 499 sq ft
31 impervious or ‘ and eliminate the 250.
- 32 • At 1.10, page 12, #6, ‘of not more than 499 sq ft of impervious surface or total area
33 outside does not exceed 1000 sq ft’.

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- Page 11, # 4, Rich asked about Home occupations – Matt to add where this is from, in zoning ordinance
 - Bottom Page 11, Major Site Plans – Major is 4 not 3 (from ordinance) – Matt suggested in future putting these definitions in Regs not ordinance as things can change over time – but they have to be consistent at least
 - Page 12, Site Plan Exemptions section - Greg – 1.10 - #1 – nonconforming lots – change language to ‘dwelling unit on an individual lot of record’, which would be dated; otherwise it is left to building permit process
 - Page 12, #5 Greg questioned whether the word expansion be included. Matt stated that yes, "addition" would be an "expansion". Matt to delete ‘increases’. Greg suggested “are proposed” needs to go to the end of the sentence, and take out “on-site”.
 - Page 12, #4 Rich; At the end of the first sentence insert the word ordinance and period. In the second sentence, add at the end "-- or changes in lighting". Greg; use “exterior illumination”, this needs to be changed in a dozen other places throughout the Handbook.
 - Page 13, # 1.16, Greg would like it to include financial guarantees since the town does not often use bonds. Matt will edit.
 - Page 14, at bottom rewording 2.2, Rich noted index says, ‘pre-application consultation’ is renamed ‘conceptual plan’. Matt said he would update the field and the title will be reflected into the entire doc. So - rewrite the first sentence to include all proposed applicants. Rich, 2.2 add ‘review’ at the end? Matt will edit.
 - Gail suggested that the board incorporate an Application Review Board (an ARB).
 - Page 14, 2.1-second paragraph; Greg asked re all consultant fees, do we need to say by the town? Matt - let's change to "all application fees and third-party consultant fees shall be..." ; and Page14, #2 must be listed so should property value be added? Matt to add ‘appraisers’.
 - Page 15, 2.3, Design Review Plan, # 3, re requirements for drawing plans – add shoreline setback, buffers, wetlands, specimen/type of trees – to be added. Greg noted that references to posting meeting and notifying abutters, he saw several places in the document where it says “advertising.” Matt is going to make definitions for that to update the document.
 - Page 15 continued, 2.3, #2, Greg would like ‘graphic’ replaced with ‘photos’, Matt said it means both, conceptual. Agreed to include both – so add in parentheses, next to "graphic". And 2.3, #4, drawn to scale, Matt said this is specific to the design review.

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- Page 16, section 2.4, Final Application Submissions and Procedures; Rich noted need for a checklist. Checklist for items 4, 5, and 6 (hearing procedure) to eliminate the redundancy, and all is covered. Rich suggested having a checklist on the site plan side and break down sub-lists and site each section and summarize it. Greg: they will go through this and get the checklist to cross-check. Matt: it is helpful to have a small one in the preconceptual (design review section) 2.3 and for 3.2 (determining completeness).
 - Page 16, section 2.4, Final Application Submissions and Procedures; Greg – how to decide for independent review or special studies? Suggested this is where engineers, specialists and potentially an Application Review Committee – need a process to evaluate what is needed. Matt – see what is required on pages 29-30 for Major Site Plan, required information – and there is reference to these extra studies in section 2.1, #2 on page 14. These requirements are on pages 34-35, in 6.6 Supporting Documentation for Major Subdivision. Matt suggested USING THE CHECKLIST FOR LISTING DIFFERENT REQUIREMENTS/THRESHOLDS. RICH SUGGESTS USING SITE PLAN CHECK LIST FOR MINOR – THEN ADDITIONAL FOR MAJOR TO AVOID REPETITIONS. Matt – be careful the checklist does not repeat the whole document and have Yes or No – not N/A as an option.
 - Page 16, 2.4, # 7, “request written statements” from town officials/other committees – question if it should include a meeting with Planning Board prior to that, with department heads. And have #7 go before letter A (re: Building Inspector letter certifying zoning compliance). Matt to change wording.
 - Page 17, 2.4, # 8, Greg; “Duly noticed” Is that advertised? Language for the abutter notifications and public notices. Matt will define it.
 - Page 17, 2.4, #9, re timing for hearings, is it 90 days after submission, or 65 days? Is this an RSA? Matt will double-check it. Rich; #11 in that section, change ‘Decision’ to ‘Disapproval’.
 - Page 17, 2.6, Voluntary Lot Mergers, #2, Matt; should say ‘lot advertisement’.
 - Page 17, 2.6, #3, Greg; we don't have a ‘Board Clerk’, so Matt will replace with ‘Chair’. Greg said there is a lot of that in this document (FOR FUTURE EDITING).
 - Page 18. At top? Greg, a lot cannot be on two sides of the road. Matt said that is not that clear, you can have a scenario where a lot is split by a town road. Example - Bradford had a lot line adjustment, a road, and 3 lots and they adjusted as well as two wells. So, they advised an easement for that.
 - Page 18, 2.7, Expiration. Discussion about obtaining building permits after approval. There is a new state law. Last sentence needs to be clear. Suggested ‘an expiration of one year or the granted extension if significant construction has not

- 108 commenced then void'. Matt to check on RSA for dates and add – plus define
109 significant construction, and ONE YEAR FROM DATE OF SIGNED PLANS. #4 is
110 similar – also talks about dates and expiry of Plats not recorded at Registry.
- 111 • 2.7. #3 Greg, if building permits have been issued, additional to what? It should say
112 a year from the date the building permit was issued.
 - 113 • Page 19, section 2.8, Revision to Approved Plans, #2, and #3, discussion about
114 immaterial changes versus material. There NEEDS TO BE DEFINITIONS OF THOSE
 - 115 • Page 19 – 20, Section 3.2, Determination of Completeness – 3.2, #2, last sentence
116 says no public testimony will be accepted. This is not how Canterbury PA operates.
117 ASK WHOLE BOARD WHAT THEY WOULD PREFER HERE – have it optional? Put
118 'may' accept public testimony? Or delete that sentence as the practice has
119 precedence with the Board. Matt to remove it.
 - 120 • Page 20, 3.2, #4, discussion about 'If the development application is declared
121 complete –' – should say 'all types of application' ---Matt to edit.
 - 122 • Page 20, 3.2, #5 Greg; "reviewing completeness" or deeming an application
123 'incomplete' – the Planning Board determines completeness or not – and Matt said
124 memos go to both board and applicant so both parties have it and it is transparent.
125 Rich emphasized importance of checklist. Matt to look into language on
126 completeness. For Minor Site Plans, may want to have option to do completeness
127 and hearing on same night – Greg and Rich agreed there should be an option to split
128 between two meetings and err of side of more noticing to abutters not less – so it
129 could say the application 'may be considered for completeness' on same night.
 - 130 • Page 20 continued – (side issue not directly in this part of the regs) - Rich suggested
131 that Notice of the Decision should go out to the entire board (*note from secretary,*
132 *currently this does not happen, Building Inspector is often included, but this can*
133 *easily be changed and maybe would be appropriate coming from Gail as Land Use*
134 *Administrator circulating to all interested parties*). Matt suggested there are ways of
135 showing both parties are working on it, agreeing to some things while still working
136 out other issues – all that can be included – Greg noted there should be a timeline
137 added – Matt to add an extension timeline to this section.
 - 138 • Page 20, 3.3, #5, Notice to Applicant, Abutters and Public – Greg noted it should say
139 town office not town hall for posting.
 - 140 • Page 20, 3.3, #8, re applicant creating abutters list – Greg thought town staff cannot
141 guarantee list is accurate. Matt suggested deleting everything after list. (*Note from*
142 *secretary – checking with Mandy has been the habit to ensure enough abutters are*
143 *notified using the office software – otherwise the list could be truncated – there is*
144 *RSA language – we should check on that. Professional surveyor/engineers are not*

145 *the problem – it is more likely to happen with nonprofits and regular residents trying*
146 *to save costs- so just thinking in terms of erring on more noticing than less).*

147 • Page 20, 3.3, #9, Site Walks, have to be noticed to abutters too – Rich suggested
148 striking #7 (all costs for noticing born by applicant – *note from secretary that this is*
149 *not the current practice – it has depended on circumstances – but if that is certified*
150 *mail to abutters for site walk, question if that can be done in same letter as notifying*
151 *about completeness etc. hearing – generally the office has tried to reduce costs for*
152 *ordinary residents in the past – having Gail in post may make all this easier –*
153 *SHOULD THE WHOLE BOARD TALK ABOUT IT?).*

154 • Agreed to break up #9 – site walk and payment issues in separate numbers.

155 **IT WAS AGREED TO HAVE 3 MORE MEETINGS TO GET THROUGH THIS EDITING. NEXT**
156 **MEETING TO BE AT 1 PM, WEDNESDAY AUGUST 14, 2024, MEETING HOUSE.**

157 **AND THE WHOLE BOARD CONSIDER SOME OF THE ISSUES HIGHLIGHTED IN PAST**
158 **MEETINGS ON TUESDAY AUGUST 13 AT 7PM.**

159 Respectfully submitted,

160 Lois Scribner, secretary, with notes taken by Michelle Hammond, incoming secretary.

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