

## MONT VERNON PLANNING BOARD

Mont Vernon, NH 03057

MEETING MINUTES –Tuesday, February 23, 2016

### AGENDA

7:00PM Mail and Announcements

Review of minutes from 2/9/2016

7:15PM John Tenhave, Voluntary Lot Merger

7:30PM NRPC Representative for Mixed Use Zoning

8:15PM Work Session, Orchard Hill

9:00PM Adjournment

Seated: Chris Aiston, Chairman, John Quinlan, Annette Immorlica, Chip Spalding, Bill McKinney

Absent: Andy Brown, Jim Bird

7:02 PM

Aiston called the meeting to order. Aiston asked John Tenhave to speak first. Tenhave explained he is looking to do a Voluntary lot merger on two lots he owns on Dow Road. Spalding stated the relevant RSA is on page 776 in the RSA statutes book, and read a portion, “no new survey plat need be recorded, but a notice of the merger sufficient to identify the relevant parcel and endorsed in writing by the Planning Board or its designee shall be filed for recording in the Registry of Deeds and a copy mailed to the Municipality’s assessing official. No such merger parcel shall thereafter be separated or transferred without subdivision approval.” Spalding also mentioned no public meeting was necessary. Aiston asked to see a map of the lots. Some discussion was had concerning the easement that exists through the two lots; Tenhave stated the easements run with the land. The board agreed the voluntary lot merger is a straightforward procedure, and signed Tenhave’s form. Tenhave stated he would be submitting the lot merger to be recorded along with the sale of the lots, and he would make sure the Planning Board received a copy.

7:15 PM

Jen Czysz from the NRPC was present to discuss mixed use zoning. The AA introduced the board members. Jen began by asking for the board’s thoughts on the memo that had been sent out earlier by Camille Pattison. Aiston explained to Czysz that the board had used the maps provided by NRPC at voting day to gauge resident’s opinions on where a mixed use business zone could possibly be located. The board agreed the general response had been positive. Spalding stated the area receiving the largest positive response was the center of town, and noted that many residents had questions concerning what the possible permitted uses could be. Czysz had brought a list of permitted uses from the town of Pelham as an example, and the board went through the list to add and subtract what could be relevant for Mont Vernon. Immorlica wondered if there could be an option to allow different businesses along the Rte. 13 corridor, in comparison with businesses that could be allowed in the center of town. McKinney agreed that options for different areas could be considered. Immorlica also asked about Rte. 13 south as a possible area for mixed use expansion. Spalding mentioned feedback he’d received on Primary voting day where people suggested offering the entire town the opportunity to have mixed use zoning, but then also mentioned others who felt that starting with a small area of town would be better. A smaller start would allow a better chance to see how a new zoning regulation would work. Immorlica pointed out that other residents felt a smaller proposed area would have a better chance at getting approval. McKinney pointed out that bringing in businesses will not likely have an impact on the tax rate, but that it will make the town an easier place to live. Immorlica agreed, stating she’s received feedback that residents could live and work in the same town. McKinney agreed that is the intent of the mixed use proposal. Czysz asked for clarification on which of the boundaries in the town center had received the most support; the Historic district boundary, or the residential district boundary. Spalding stated using the Historic District boundary had received the most positive feedback. Immorlica stated there had been very little support for the suggestion of using Francestown Turnpike area.

Spalding asked again about using the dots to allow residents to give feedback on which of the map suggestions they like or don't like. Quinlan stated the Planning Board would have 10 minutes prior to the start of town meeting to give their presentation. Spalding stated they'd use part of that time to explain how to use the dots on the maps. Czysz suggested using a survey to gauge opinions of residents about possible proposed uses; what could be allowed or not allowed, and in which of the possible areas. The board agreed that would be an efficient idea. Immorlica confirmed the board would not be having a powerpoint presentation at town meeting. Quinlan mentioned there may be other opportunities to get opinions from residents, such as the Easter Egg Hunt and Spring Gala. Czysz asked when the board would need the survey, and Spalding stated it would be needed prior to Town Meeting on March 9th. Spalding stated the results from the survey can be tallied at the next Planning Board meeting, and then the board can go from there. Immorlica expressed concern about waiting until Spring Gala to get more resident's input. Quinlan mentioned it might be worthwhile to at least try to solicit opinions at the Easter Egg hunt on March 26th, because the resident demographic could be different compared to who attends Town Meeting. Immorlica asked who would attend the Easter Egg Hunt to represent the Board. Aiston expressed concern that the Easter Egg hunt tends to be chaotic and may not be the best time to try to get opinions from parents when they are trying to chase their children around. Czysz stated there is ample time to spread out the work that will be done in phase two, and the more opportunities to get resident's input, the better off the board will be. Spalding envisioned having the feedback from Town Meeting to show at Spring Gala, and the next step after that would be starting to build the language of the zoning. Czysz stated the hearing process would be stretched over four meetings, to cover a first, second and final draft. Spalding mentioned including a version of the proposed zoning in the Master Plan, with the work on that likely being done over the summer. The board discussed further the options that would be listed on the survey, and agreed to include different business options that could be included in different areas of town. Spalding suggested not handing out the stickers to put on maps and only using the survey, and Czysz stated it would be a good idea to keep both, since they would capture different people's way of thinking. Immorlica pointed out that the circled areas on the maps capture more land area than is likely intended to be included in the zoning regulation. She wanted to make sure that the board would discuss at some point what the actual boundary would be, whether it's a setback from the road or some other definition. Czysz stated that the "blobby shapes" on the map are meant to be a general definition of the area, and that it's not a good idea at this early stage to get mired down in defining distinct boundaries. The board continued the discussion on what options would be included on the list for the survey. Aiston suggested making the survey 2 sided and including a copy of the map of the different proposed areas so that residents filling out the survey would have the map for reference. The board discussed accessory dwellings (in-law apartments) and mention of a new state law affecting accessory dwellings was brought up. Immorlica asked about mixed use being a new zoning area or an overlay; she mentioned she'd talked to someone at the Municipal Association who stated that putting an overlay on top of an existing overlay can be very complicated and recommending doing a new zone instead. Czysz stated that Camille Pattison from the NRPC agreed with that. Immorlica also mentioned that the board needs to make sure there is enough time after the warrant is written to submit it to the town attorney for review, and asked Quinlan when he felt the warrant should get to the attorney. Quinlan stated the board should have a draft for review by the town attorney by September. Czysz recommended having comments back from Town counsel by the first hearing so that any revisions can be reviewed prior to voting on sending it to a second hearing. Czysz started to review the memo that Pattison had sent along, and stated the board needed to consider three factors in deciding which way to go (new zone vs. overlay): political support, complexity, and split zoning. Czysz mentioned that interpreting split zoning can be very tricky in certain locations, and the NRPC tends to advise avoiding split zoning. Spalding stated the board could follow lot boundaries. Aiston asked about a lot merger, wondering what would happen to the zoning for the new lot. Czysz stated the zoning boundary would remain the same unless specific parcels were called out in the ordinance, then it would be more complicated. Spalding stated a lot merger would not likely be a common occurrence. The board asked Czysz to send the completed survey by email so that the AA can print them prior to Town Meeting, and said that Pattison will not need to attend the next board meeting since the board will be busy with the Orchard Hill subdivision hearing as well as preparing for Town Meeting. Czysz asked the board to connect with Pattison after the 4th Tuesday in March meeting to discuss when she would next need to attend. Czysz recommended moving forward in April.

8:35 PM

The board reviewed the minutes from 2/9/2016. McKinney and Aiston both suggested edits. Immorlica

motioned to accept the minutes as amended. Aiston seconded. All were in favor, the motion passed.

8:45 PM

The AA next discussed the mail. The board received an invitation to an NRPC event on March 2 called The Future of Energy in the NRPC Region. RSVP required by Friday 2/26. There was also a mailer from PLAN NH offering to do a 2 day workshop. The AA also had 2 engineering quotes from Monadnock Survey as well as Meridian. Spalding reviewed the quotes; Monadnock survey came in at a range of \$2700-\$3000, Meridian was at \$4400. Quinlan stated the board is not required to go with the least expensive quote; they need to pick who they are most comfortable with and confident in. The AA had not connected with Keach Nordstrom to obtain a quote. Spalding expressed desire to make a decision soon; Quinlan stated the board needs to have the application accepted before deciding on the engineering firm. Quinlan also stated any one of the firms would be fine. Spalding stated Meridian has the most experience with the Town of Mont Vernon. Spalding noted that once the application is approved the board needs to make the applicant aware that he is responsible for paying for the engineering review of the subdivision. Immorlica suggested finding the section in the zoning ordinance that references the applicant paying for the review. Immorlica pinpointed the zoning regulation, it is found in III-420.12. McKinney read the section. "Application for Technical Review: At a regularly scheduled meeting the Planning Board will review the application for completeness and determine its acceptability for further processing. The Board will determine the need for review and special investigative studies, and advise the applicant of the time and the need for financial support from the applicant. The Applicant shall pay those fees and charges, plus the costs of any required publications, costs of posting notices, and the cost of mailing notices of hearings."

9:00 PM

Immorlica asked if there would be any other reviews needed under this application, pointing out that the environmental issue surrounding the wetland would be covered by the DES review. Immorlica wondered if a traffic study would be necessary for the Purgatory Road/Old Wilton Road intersection. McKinney stated he felt there would be enough additional trips to warrant a traffic study. Quinlan stated he didn't necessarily feel a traffic study would be needed, but that the intersection would have to go from a three to a four way stop. The board discussed who could possibly perform a traffic study; McKinney mentioned Meridian does traffic studies. Quinlan stated that as the Selectmen, they would have the authority to put in a stop sign there if they feel one is necessary. Spalding wondered what improvements could possibly be suggested by a traffic study, and whose burden the improvements would be. McKinney stated it might be considered an offsite improvement. Quinlan stated that a more important subject than installing a new stop sign is the drainage issues that need to be resolved on Purgatory Road. Aiston asked if the drainage would be part of the engineering review, and Spalding confirmed it would be. Quinlan stated that assuming the application is accepted in March, a site walk could be scheduled in April. Aiston asked if Quinlan's concern was the water relative to the road, or relative to the homes. Quinlan said he wants to know how the water is going to be channeled through the eastern-most lots, especially upstream coming down through the lots. Immorlica came back to the traffic study and stated that overall she is concerned about the safety of the intersection, and that even if the town had to bear the burden of improving the intersection that would be a worthwhile consequence of a traffic study because that would improve safety. Spalding stated he felt that including the intersection as part of the subdivision might be a stretch. Immorlica stated that typically a sloping road should even out at an intersection for a distance equivalent to two car lengths. Quinlan stated it would be a ridiculously expensive project to try to reduce the grade of Purgatory Road. Spalding agreed it would be a challenge, since the road is built along a ridgeline. Immorlica expressed concern that there could be crashes there in the winter when the roads are icy because of the steepness of the grade. Spalding stated an easier way to access the property would be through Upton Road instead of Purgatory Road. Quinlan said ultimately there's no good way to improve the Wilton/Purgatory intersection aside from encouraging people to slow down and putting in a stop sign. Spalding asked the AA to reach out to the engineering companies to ask if a traffic study is included in the engineering review, and if not, what one would cost.

9:21 PM

Immorlica stated there were two other items related to Orchard Hill that she had concerns about. One was the point brought up at the last meeting by Joanne Draghetti about the crime problems on Dow Road. Immorlica was

wondering how many police calls have gone down to Dow Road and also if the Police Dept. had any thoughts on how to prevent a similar situation at Orchard Hill. Aiston pointed out the Police Chief had already sent in his feedback and that the criminal aspect had not been expressed as a concern. Quinlan stated that Dow road had problems because it had been empty for so long, and he didn't see it being an issue on Orchard Hill. The other question Immorlica posed concerned the berm the Gun Club is proposing to construct. Immorlica wondered if that meant there would be increased noise in the other direction of town. Quinlan explained it didn't work that way. Quinlan explained the improved berm will be safer and mitigate sound better in all directions. Quinlan asked when Orchard Hill was next on the agenda, and the AA stated the hearing is continuing on March 8th. Quinlan mentioned something he'd read in the gun club meeting minutes implied that the applicant might be considering changing to a grid subdivision. The board discussed the implications of a change such as this, and wondered if the applicant would be required to begin the application process over, and re-notify the abutters. Immorlica pointed out that either way, the applicant would need to fill out a new checklist. Immorlica also expressed concern that if the applicant came on March 8th with a significant change to the subdivision plan that the board would not have had the required 20 days to review the plan prior to the hearing. Aiston asked where in the regulations it referenced the 20 day period. McKinney noted the 20 day period includes time for the abutters to review the plans as well as the board. The AA noted III-301.4 mentions the 20 day period; "Materials for consideration by the Board shall be submitted twenty (20) days prior to the scheduled hearing at which they will be discussed." Aiston had concerns over whether the abutters would need to be re-notified if a significant change is submitted, as all the feedback given so far from the public would no longer be relevant.

9:38 PM

Aiston motioned to adjourn the meeting. Immorlica seconded. All were in favor, the motion passed.

Respectfully submitted,  
Amy Wyman  
Planning Board Administrative Assistant