

Henniker Planning Board
Wednesday June 25, 2008

Approved Minutes

Members Present: Terry Stamps; Jim McElroy; Ed Miner, Alternate; Leon Parker, Alternate Selectman, ex-officio; Kristin Claire; Chairperson

Others Present: Laura Scott, Planning Consultant; Jennifer Astholz, Recording Secretary

Terry Stamps, Budget Director, called the meeting to order at 7:02 pm.
(Chairperson Claire arrived moments later.)

6/11/08 Meeting Minutes – Review and Approve

The minutes of the June 11, 2008 meeting were reviewed and corrected. Jim McElroy **MOVED** to accept the minutes as corrected. Ms. Stamps **SECONDED** the motion. Motion **PASSED, 4-0-1.** with Mr. Parker abstaining.

It is noted that Alternate Ed Miner is a voting member tonight.

2008 Planning Board Work List

Site Plan and Subdivision Applications

Merrimack County Registry of Deeds Fees

Laura Scott, Planning Consultant, has recommended changes to the Site Plan Application and the Subdivision Application in order to make the forms easier to use. Also, the Merrimack County Recording fee will need to be increased from \$40 per plan sheet to \$65 per plan sheet, and from \$25 per document to \$50 per document. It was suggested that the Town increase their fees accordingly in order to recover these costs.

The Board reviewed the revised applications and agreed that they will be helpful.

Jim McElroy **MOVED** to accept the proposed Site Plan and Subdivision Application forms as submitted. Mr. Miner **SECONDED** the motion. Motion **PASSED, 5-0.**

Mr. McElroy **MOVED** to submit an increase in fees to the Board of Selectmen for Site Plan Review and Subdivision applications as the Merrimack County recording fees have increased \$25 per document, which will cause an increase from \$40 per plan sheet to \$65 per plan sheet, and from \$25 per document to \$50 per document. Ms. Stamps **SECONDED** the motion. Motion **PASSED, 5-0.**

UNH Cooperative Extension Community Profile Program

Ms. Scott stated that she came across information from the UNH Cooperative Extension whereas they would act as a “neutral third party” to do community outreach and gather

information from the public on what direction the Board should be going and community priorities. She stated that the application process for this program is pretty easy to do, and there are funds available in the existing budget to pay for it (\$750). She stated that this could be a helpful step in the process of preparing for Town Meeting 2010. The Board discussed the benefits of such an opportunity.

Mr. McElroy **MOVED** that Ms. Scott prepare the application for the UNH Cooperative Extension Community Profile Program. Mr. Miner **SECONDED** the motion. Motion **PASSED, 5-0**. Ms. Scott stated that she will present a draft of the application for the Board's review at the July 23, 2008 meeting.

The Board discussed the process for creating the Master Plan in 2002. Ms. Stamps stated that revisions to the Master Plan should be considered every 5-10 years. She stated that the Board may want to consider revising the master plan before the year 2012, and the UNH program may be a good first step in this process.

Henniker Web Site

Ms. Scott stated that currently only the Planning Board agendas and approved minutes are posted on the Town web site. She reported that a few residents have asked if other items could be posted to help disseminate information. Additional items that may be helpful to include are public hearing notices, draft minutes, notices of decision, and Planning Board application forms.

Mr. McElroy stated that all of the suggested items are public documents. If the Town has the capacity and the staff available to maintain the web site, it would be good for the information to be there. He stated that the web site is not updated regularly at this time, and Town staff will have to be notified when a change to a document is necessary.

There was further discussion about the legal requirements of posting public hearings in three public places. The website should contain the same information that is posted elsewhere, but it is not yet considered an official public posting place.

Chairperson Claire **MOVED** to request that the Board of Selectmen approve posting the following items on the Town website: agendas, hearing notices, applications, draft minutes, approved minutes, notices of decisions, zoning ordinances, site plan regulations and subdivision regulations. The request is also made to ensure that these items get posted and updated as requested by the Planning Consultant or the Planning Board. Mr. McElroy **SECONDED** the motion. Motion **PASSED, 5-0**.

"Outlook" Newsletter Article

At a previous Work Session, the Board discussed placing an article in the Outlook encouraging people to attend the July 23rd meeting to discuss Town Meeting Warrant Article ideas. However, Ms. Scott stated that the Outlook is scheduled to be at the Post Office on July 21st, which only gives people 2 days notice, if it is on time. The Board decided to place an ad in The Villager newspaper inviting the public to the meeting, as

well as posting an invitation on the Town web site. Ms. Scott will write the ad as requested by the Board.

Site Plan and Subdivision Waiver Requirements

In the past, applicants have been able to request waivers from Site Plan and Subdivision Requirements. Ms. Scott stated that the Subdivision Regulations for requesting waivers is acceptable, but the regulations for requesting waivers from Site Plan requirements have to be revised in order to comply with the new court standards. The applicant must submit their request in writing. The applicant must prove hardship and that they meet the spirit and intent of the ordinance.

Ms. Claire stated that sometimes requesting a waiver actually creates a better development; however, the reason of being a “better development” will no longer apply. The court says that all that can be considered in granting a waiver are criteria for hardship and spirit of intent of the ordinance. The Board discussed the meaning of “hardship.” The Board stated that it is clear that financial considerations cannot be considered hardship.

Ms. Scott stated that if legislation on this matter does not pass soon, some towns may change their requirements for each type of application. Mr. McElroy stated that the action that must be taken in the interim is to revise the Site Plan Regulations to conform to the new standard.

Planning Board Correspondence

Ms. Scott verified that the Board received her memos dated June 4, 2008 on the following topics:

- 2009 Town Meeting Memo
- Town Meeting Amendments Memo
- Draft Work List

Ms. Scott stated that digital maps are currently being worked on, but no date on their availability is known yet.

Miscellaneous

The Board discussed problems and discrepancies with Town mapping and the current system used for tax cards.

Ms. Scott previewed the July meeting agendas. The July 23rd meeting is dedicated to zoning matters. Also, Ms. Scott is drafting a Request for Proposals as the contract for the Town engineering firm is being reviewed.

At Mr. McElroy’s request, the Board discussed the topic of abandoned property. It was stated that if work begun on private property is abandoned, the Board of Selectmen cannot really impose any penalties as it is private property.

Mr. McElroy **MOVED** to adjourn the meeting at 9:00 pm. Mr. Miner **SECONDED** the motion, and it **PASSED UNANIMOUSLY**.

Respectfully submitted,

Jennifer Astholz
Recording Secretary