

**TOWN OF HENNIKER  
PLANNING BOARD**

October 22, 2008  
*Approved Minutes*

**Members Present:** Gary Guzouskas, Vice-Chairman; Terry Stamps; Jim McElroy; Ron Taylor, Selectman, ex-officio; Scott Osgood; Ed Miner, Alternate; Leon Parker, Alternate Selectman, ex-officio

**Others Present:** Laura Scott, Planning Consultant; Jennifer Astholz, Recording Secretary; Mike Vignale, Town Consulting Engineer; Scott Dias

Gary Guzouskas, Vice-Chairman, called the meeting to order at 7:00 pm.

Mr. Miner, Alternate member, is to vote in the absence of full member Kristin Claire.

**Town Engineer Meeting – Mike Vignale KV Partners**

Mr. Guzouskas introduced Mike Vignale, of KV Partners, as the newly hired engineering firm that will be working with the Town. The Board members introduced themselves to Mr. Vignale. Mr. Vignale gave a brief introduction of his professional experience, which includes traffic, drainage and roadway engineering. He stated that he enjoys working on the municipalities' side of projects. Mr. Vignale asked if the Board members had any questions for him.

Mr. Osgood asked when Mr. Vignale would like to see a plan turned over to him for review of any potential engineering conflicts. Mr. Vignale stated that it is his opinion that he would typically rather review plans earlier in the process than later. He stated that fees are lower, and it can save time in the long run to review plans during the conceptual phase. Engineering review early in the process usually saves redesigning time and money.

Mr. McElroy asked if Mr. Vignale's firm has the necessary resources to review complex drainage calculations, steep slopes, road construction, hydrocad modeling, etc. Mr. Vignale stated that this is typical of the work that he does. He stated that there are occasional specialty types of site plan reviews that may require additional expertise, or situations where specialty uses within a building would require more specific expert review. He stated that he has the ability to secure additional resources if the situation falls outside of his professional expertise.

Ms. Stamps asked Mr. Vignale if there is anything that he would like to request of the Board members to produce a successful working relationship. Mr. Vignale stated that communication and coordination between the Board, himself and the developer is of key importance. There was discussion about the need for clear communication of technical information to all parties involved in a case.

The Board expressed their thanks to Mr. Vignale and looks forward to a productive working relationship.

### **10/8/08 Meeting Minutes – Review and Approve**

Terry Stamps **MOVED** to table the review of the 10/8/08 meeting minutes until the next meeting on 11/12/08 when Kristin Claire is present. Jim McElroy **SECONDED** the motion. Motion **PASSED, 5-0-1.** (Mr. Miner abstained on this vote as he was not present at the 10/8/08 meeting.)

### **2009 Town Meeting Draft Warrant Articles – Zoning Ordinance Amendments**

#### *\*Small Wind Energy Systems Ordinance:*

Ms. Scott stated that as requested by the Planning Board, she sent a letter to Peter Flynn, Town Administrator, and Roland Soucy, Building Inspector, with the model ordinance drafted by NH OEP stating that the Planning Board would like the Board of Selectmen to consider adopting this language as a Town Ordinance.

State law dictates that small wind energy systems cannot be banned through zoning, and they are regulated through the building permit process. The small wind energy systems are only for onsite consumption and are not meant for selling power commercially. Ms. Scott will confirm all of the RSA's referenced in the proposed zoning ordinance.

Scott Dias, resident, stated that no building permits are required in Henniker. Ms. Scott replied that State law requires any small wind energy system to meet state building code and notify abutters in order to receive a building permit, which overrides Town requirements.

Mr. Dias stated that it is his understanding that if a small wind energy system is generating more power than what is being used, the State utility must buy it back. Mr. Dias stated that he has looked into these systems and it appears that there are many equipment options in many price ranges. He stated that there needs to be much more wind than you would think to make these work. He stated that there are actually very few days during the year that would provide enough wind for use in this area.

#### *\*Article II and 133-12 Junkyards:*

Ms. Scott stated that the proper RSA's have been referenced in the proposed ordinance language. She stated that a State law had changed regarding setbacks, and that information in the proposed ordinance language was altered to coincide with the law. Ms. Scott will make a complete packet available of the RSA's referenced in the proposed ordinance language and any other applicable information for review during the Planning Board public hearings.

#### *\*Article XI Signs:*

Ms. Scott stated that the proposed zoning ordinance changes have also been reviewed by Mr. Flynn, Cindy Masland and Nicole Gage in the Town Hall.

There was discussion about whether or not historic markers in town would have to follow the sign ordinance. Ms. Scott will add a note stating that historic marker signs, plaques, and markers sponsored by any governmental agencies are exempt from this ordinance.

There was discussion about the section regarding sign measurement. Sign measurement allowances will be moved to the Table at the end of the ordinance to make it easier to read. How to measure freestanding and attached signs will be differentiated.

Ms. Scott will include language from the Master Plan into the purpose statement.

*\*Legal Opinion re: SB 432 (Workforce Housing)*

The Board discussed the issue of the new workforce housing RSA and Henniker compliance with the requirements. Ms. Stamps offered to do preliminary inventory of the housing types and opportunities in Town for future work on this issue. Ms. Scott stated that she will gather what information she can to assist her. The Board agreed not to recommend any zoning changes for 2009 Town Meeting until further research is done.

Ms. Scott stated that she will send the revised zoning amendments drafted by the Planning Board to legal counsel for review in order to have their comments back prior to the public hearings scheduled to begin in November.

There was discussion about the proposed zoning amendments affecting the Educational District.

Mr. Osgood stated that he would like to keep lines of communication open with New England College about any proposed changes to the Educational District. Ms. Scott stated that she would forward the proposed zoning ordinance language affecting the Educational District to NEC for their information and invite them to participate in the Planning Board public hearing process. She also stated that NEC has a representative on the Community Profile project. She will put the issue of continued discussion about working with NEC and the Educational District on a future work session agenda.

Planning Board members were each assigned a set of proposed changes to present the various zoning amendments at the public hearings: Wind Energy Systems – Terry; Signs – Kristin; Junkyards – Gary; Administration – Scott; Institutional – Jim; ZBA – Leon; Manufactured Housing – Ron; Excavation – Kellie; Educational – Ed. Each member will present the proposed changes, why the changes are being proposed, and answer any questions about the changes at the public hearings.

**Gravel Road Standards**

Mr. Osgood compiled examples of gravel road standards from around the country. The information gives a highly detailed manual on how they should be designed and constructed. Mr. Osgood stated that this information would help to make decisions on new gravel roads in Town.

Mr. McElroy stated that the topic of gravel roads is a very divisive issue in Town.

The Planning Board could adopt these gravel roads standards into the Subdivision Regulations.

Ms. Scott stated that the Road Management Committee has not yet met to review these standards. She suggested that the Highway and Fire Departments also review the standards.

Mr. Guzouskas stated that he will make sure that this topic gets put on the next agenda of the Road Management Committee. Ms. Scott stated that she will work with Fire and Highway on this issue and bring proposed Subdivision Regulation changes to the Board in the spring.

### **2009 Annual Budget Request**

Ms. Stamps will present the proposed budget at the Board of Selectmen hearing on November 1, 2008.

Ms. Scott explained that the budget sheet does not show revenue, but she will get that information for Ms. Stamps for the meeting.

The Board discussed several of the line items in detail. Mr. McElroy stated that \$9,000 in legal fees is an anomaly this year. He suggested that the budget remain flat with no increases, and the Board needs to live within their means. Leon Parker stated that the Board may have to deal with big legal cases in the coming year.

Ms. Scott stated that she will check on the CNHRPC dues to see if they are increasing this year. She will ask for written documentation for their records.

Mr. McElroy **MOVED** to increase Line item 320 Legal Fees to \$5,000 and increase Line item 625 Postage to \$1,000; Line 560 Dues/Memberships will represent the view of the Planning Commission as obtained by Ms. Scott. Ms. Stamps **SECONDED** the motion.

Mr. Osgood stated that based on Mr. Parker's comments about the Board of Selectmen looking for other ways to pay for increasing legal fees, he prefers a flatline budget without increase. Hearing no other discussion, Mr. Guzouskas called for the vote. Motion **PASSED, 5 – 1 – 0**. Mr. Taylor, Mr. Guzouskas, Mr. McElroy, Ms. Stamps and Mr. Miner voted in favor of the motion; Mr. Osgood dissented.

Mr. McElroy **MOVED** to adjourn at 10:04 pm. Ms. Stamps **SECONDED** the motion. Motion **PASSED, 6-0**.

Respectfully submitted,

Jennifer Astholz