



OLD VALUES - NEW HORIZONS
COMMUNITY DEVELOPMENT

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Planning Board Workshop Minutes
April 13, 2022

7:00 pm at Community Development Meeting Room
3 North Lowell Road

Attendance:

- Chair Tom Earley, Present
- Vice Chair Jennean Mason, Present
- Derek Monson, Present
- Jacob Cross, Present
- Matt Rounds, Present
- Alan Carpenter, Present
- Dave Curto, (alternate), Present
- Bruce Breton, Board of Selectmen ex Officio, Present
- Alexander Mello- Planner, Director, Community Development
- Christopher Sullivan, Assistant Planner, Present, via Zoom
- Renee Mallett- Minute Taker
- Roger Hohenberger, Selectmen
- Shannon Ulery, School Board
- Stephanie Wimmer, School Board

The workshop opened at 7:00pm with the pledge of allegiance and the introduction of members.

Mr. Hohenberger shared a presentation on proposed updates to the town impact fees. Mr. Carpenter questioned the disparity in the increases in impact fees between single family detached homes and condos, work force housing, and other. Mr. Hohenberger said the the number of children going into the school system, their ages, differed depending on the type of housing stock. He said the data showed that single family homes were fueling the student population growth in the school system. Mr. Hohenberger said for most of the town’s history condos were not charged impact fees because historically they did not increase the student body. Chair Earley felt that the condos being built currently differed from the floorplans of condos historically and questioned if they should be treated as single family homes. Mr. Hohenberger said he dealt with facts, not anecdotes, or possible projections. He said the data did not support the suppositions of Chair Earley and Mr. Rounds.

It was mentioned that some towns charged impact fees based on the number of bedrooms. Chair Earley said he would like to see what the impact fees would be based on bedrooms versus square footage. Mr. Carpenter said reading the RSAs he did not think the Planning Board had the ability to extrapolate in the ways that were being suggested. He said impact fees had been refunded in the past and he felt basing the fees on what they thought might happen and not what the facts supported they could result in refunds

44 again. Mr. Hohenberger reminded the board that impact fees could be reassessed annually. Vice Chair
45 Mason agreed that it made more sense to look at the fees yearly and to increase them when data
46 supported them. Mr. Rounds made the point that a change in impact fees did not affect current residents.

47 Ms. Ulery said she would like to see the increase in impact fees implemented quickly. She said the
48 information being shared this evening had been worked on for the past six months and the current impact
49 fees had last been calculated in 2015. Ms. Ulery said the committee was extremely confident in the
50 numbers they were proposing, and that the data supported them.

51 Mr. Rounds said that ultimately changes to the impact fees was the decision of the Planning
52 Board and that they could chose to increase the fee on condos. Mr. Breton did not think it was legally
53 justifiable. Mr. Rounds said he would like to look at what condos in other towns had contributed to those
54 school systems. Mr. Carpenter and Mr. Hohenberger said that information could not be used in
55 determining Windham's fees.

56
57 **Mr. Cross made a motion to move impact fees to public hearing. Mr. Monson seconded the**
58 **motion. The motion was amended to include the date of the hearing for May 11, pending review by legal**
59 **counsel. 7-0, the motion passed.**
60

61 Mr. Rounds thanked Mr. Hohenberger and the school board members for their work on this. Mr.
62 Carpenter asked that Attorney Campbell weigh in on if duplexes counted as single family homes or as
63 condos. The board discussed how impact fees would be calculated for town services.

64
65 The board reviewed the items they thought should be made a priority in the coming year. Mr.
66 Carpenter brought up expanding the developments reviewed by the Design Review Committee. Mr.
67 Carpenter said he'd also like to see the board look at the porousness of materials used near the lakes and
68 ponds. Mr. Rounds would like to see what he called a "non-political assesment of the town aquifers," and
69 to change zoning based on the capacity of those aquifers. Mr. Rounds also wanted to examine what he felt
70 is state pressure to build high density housing. Mr. Monson wanted to add a septic maintenance schedule
71 to the WPOD ordinances and to look at encouraging connectivity between commerical properties, along
72 with updating maps to reflect the new overlays for Moeckel and Rock Ponds. Appendix A1 also needs
73 updated.

74 Mr. Cross wanted to make sure the board better anticipated the work they needed to do for the CIP
75 and September zoning changes. He wanted to see the annual review of the impact fees added to this
76 schedule. Mr. Cross wanted to revisit the approved use of agro-tourism in rural zoning, an issue which came
77 up at a previous meeting, in a workshop. Mr. Cross suggested writing a letter, signed by multiple planning
78 board members, to be sent to the state regarding the housing diversity issue as brought up by Mr. Rounds.
79 Mr. Cross also wanted to see an audit of the town's current housing stock. Mr. Rounds said he already had
80 one from Mr. Hohenberger.

81 Vice Chair Mason said she would like to see the board review driveway permits and the
82 tent/temporary structure issue which had become an issue during the pandemic. Chair Earley was
83 interested in shared septic systems around the lakes, he suggested this could be added into Mr. Carpenter's
84 review of porous materials. Mr. Curto also wanted to expand on Mr. Carpenter's suggestion, he would like
85 to see a grading system created for the different porous materials. He also thought the board should revisit
86 porous product inspections, especially for those over a certain dimension. WPOD septic inspections and
87 pumping requirements were on Mr. Curto's list along with contiguous land use for loading calculations.
88 Penalties for infractions of the WWPD and WPOD ordinances were discussed. Mr. Curto said he would like
89 to see the Planning Board support the Conservation Commission's efforts on these issues. WWPD wetland
90 grading and mapping wildlife corridors were also suggested as topics that Conservation and the Planning
91 Board could collaborate on.

92 Chair Earley thought small groups of two or three people could look at each issue individually to
93 then bring to the board as a whole. Or another option would be for the board to prioritize the list to work
94 on together. Mr. Breton suggested some items could be handled by the planning commission. To that point
95 Mr. Cross suggested Mr. Mello review the list as he could best suggest what outside groups or committees
96 might be better suited to handle the issue.
97

98 A sub-committee for the creation of the Master Plan was discussed by the board. Chair Earley
99 suggested they could address only a land use section to be added with the recently approved Vision
100 Statement as the full Master Plan.

101 Mr. Carpenter asked if the board was updating the existing Master Plan or starting from scratch.
102 Chair Earley said the sub-committee should create a framework for the land use section. Mr. Rounds said
103 the current Master Plan would contradict the recently approved Vision Statement so it should be a full
104 rewrite. Vice Chair Mason said some chapters were already very good or close to good so she would not
105 like to see them eliminated just to be rewritten later.

106 Mr. Breton suggested that the numbers in the current plan be updated and that the board look at
107 the money available from the state for funding the effort. Mr. Rounds said there were conditions attached
108 to that money which he thought would dictate the development that could then occur within the town.

109 Ms. Mallett asked if the board was saying the committee was updating the land use section first or
110 that the land use section would be added to the recently adopted vision statement to become the full
111 Master Plan. Mr. Cross felt that the Master Plan currently contained dangerous statements which could be
112 used against the town in court. He said the Master Plan would be the Vision statement and land use
113 chapter, and that, if needed, other chapters could be added afterwards. Chair Earley described the
114 proposed sub-committee as a steering committee that would be tasked only with the creation of the
115 process of how a Master Plan would be written, not with writing the plan itself.

116 Mr. Monson said that the town was currently in court for several cases and confirmed with staff
117 that the Master Plan had not been mentioned in any of them. He said the land use section needed to
118 incorporate updated information from all of the other chapters. Mr. Cross was firm that the land use section
119 must be done first so that all of the other chapters would conform to that section. He said the Master Plan
120 had to start from a clean slate and that everything but the vision statement should be removed.

121 Mr. Carpenter said legally a Vision Statement and Land use chapter could be called a Master Plan
122 but he would be embarrassed to sit on a board that did so. He pointed out several existing chapters that he
123 said it would be a shame to lose. Mr. Carpenter felt other sections needed only minor edits and he did not
124 feel there was anything in them that so urgently needed to be removed.

125 In his proposal Mr. Rounds expected to Chair this sub-committee and had created a list of whom he
126 thought should serve on it. Chair Earley said he thought this current workshop discussion should be limited
127 only to the creation of the committee.

128 Mr. Curto said he agreed with the creation of the sub-committee but thought each committee
129 should be tasked with looking at the changes their chapter needed. He said that updated information was
130 needed in the current Master Plan so that the land use chapter could be built around that information. Mr.
131 Hohenberger agreed that the current Master Plan was not a bad document and was in just in need of
132 updating.
133

134 **Mr. Carpenter made a motion to approve the formation of a sub-committee to develop a process**
135 **for updating the master plan, that would then bring this process with timeline to the Planning Board for**
136 **approval before execution. Mr. Carpenter specified that this steering committee would be chaired by Mr.**
137 **Rounds and its membership would include a member of CDD staff, a member of the Historic District**
138 **Commission, a school board member, a member of the Board of Selectmen, and a member of the public**
139 **at large. Mr. Rounds seconded the motion, and asked that it be amended to include that Mr. Mello**

140 would be in charge of the logistics of the functioning of the sub-committee, including having it's meetings
141 televised and minutes taken. Mr. Carpenter amended his motion to include that the committee's
142 meetings would be open to the public and best efforts would be made to televise it. Chair Earley
143 suggested a further amendment that a member of the Conservation Commission to be included in the
144 committee. Vice Chair Mason suggested Mr. Keach also be included. Mr. Monson said the committee was
145 for only for creating the process by which the Master Plan would be written and asked if so many people
146 needed to be members for that task. Debated followed on the scope of the sub-committee. Mr. Cross
147 said he thought the Planning Board should direct the sub-committee as to what they wanted them to
148 deliver. But he thought a compromise could be made and suggested that the sub-committee should
149 create the "Land Use" section and then in the future could look at other chapters. Ms. Mallett asked for
150 clarification from Mr. Carpenter on how committee members were to be selected. Mr. Carpenter said
151 boards would select their own representative. Mr. Mello suggested the EDC also be represented. Mr.
152 Carpenter did not amend his motion to include Mr. Mello's suggestion, as he thought the EDC would give
153 input on their chapter but would not be members of the sub-committee for creating the process and
154 timeline. Mr. Breton suggested the sub-committee consist of only a member of the Planning Board, a
155 Board of Selectmen, a school board member, a member of CDD staff, and one member of the public. Mr.
156 Carpenter amended his motion to remove members of the HDC and Conservation from the committee.
157 Ms. Mallett said the HDC was a land use committee and they had expected to be included in crafting the
158 Master Plan, particularly land use chapters. Chair Earley called the motion, it passed 6-1, with Mr.
159 Monson opposed as he thought HDC and Conservation should be included in the steering sub-committee.
160

161 **Old/New Business**

162
163 Discussion followed on board participation of the SNHPC meeting coming up about housing on April
164 19th.

165
166 Mr. Carpenter made a motion to adjourn, at 9:17pm. Vice Chair Mason seconded the motion. 7-0,
167 the motion passed.
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