



1 **Planning Board Workshop Approved Minutes**

2 October 11, 2023

3 7:00 pm at Community Development Meeting Room

4 3 North Lowell Road

5  
6 **ATTENDANCE**

7 Chair Tom Earley, Excused

8 Vice Chair Derek Monson, Present and served as Chair

9 Jennean Mason, Present

10 Jacob Cross, Present

11 Matt Rounds, Present

12 Alan Carpenter, Present

13 Pam McCarthy (alternate), Present and seated for Mr. Earley

14 Timothy Zurowski (alternate), Present

15 Roger Hohenberger, Board of Selectmen ex Officio, Present

16 Bruce Breton, Board of Selectmen ex Officio (alternate), Excused

17 Also present was: Julie Suech, Assistant Director / Planner, Community Development Department and

18 Alexander Mello, AICP, Director (remotely via Microsoft Teams).

19 *Draft minutes provided by Alexander Mello.*

20

21 **CALL TO ORDER**

22 Vice Chair Monson called the meeting to order at 7:00 PM. Ms. McCarthy was seated for Chair Earley.

23 Mr. Zurowski was seated for Mr. Cross. Mr. Cross arrived at 7:02 PM and resumed his seat.

24

25 **CAPITAL IMPROVEMENTS PLAN (CIP) SUBCOMMITTEE PRESENTATION**

26 Rob Gustafson, Chair of the Capital Improvements Plan (CIP) subcommittee of the Planning Board,

27 provided a [presentation](#) of the 2024-2031 CIP Plan. He introduced the subcommittee members, provided

28 an overview of the purpose of a CIP, the schedule they followed this year beginning in June, their priority

29 classification system, the estimated funds available for CIP requests, the submitted requests from the

30 Town and School, the ranked projects, items (Fire SCBA and Police radio replacement) that they

31 recommend be added to the Town budget, and other financial considerations.

32

33 Mr. Rounds noted that the federal government may have funds available for solar projects. Mr. Kovacs

34 (CIP subcommittee member) noted that the Town is under contract for another two-years with a

35 provided and this plan accounts for those required payments. Mr. Rounds inquired by the Greenway Trial

36 was not recommended for a higher amount of funding. Mr. Gustafson noted that the condition of Town

37 Hall was determined to be more critical.

38

39 Mr. Carpenter inquired if there was a separate capital reserve fund for Town Hall improvements, if the

40 payments for the Fire Truck were for a new truck, and a capital reserve fund for the Greenway. Mr.

41 Gustafson stated that there is a reserve fund for such and the Fire payments were for an existing truck.

42 Mr. Cross, encouraged the Board of Selectmen to fund a new municipal complex rather than spend

43 money on the current Town Hall.

44



45 Mr. Zurowski inquired about the purchase of vehicles. Mr. Gustafson stated that the big vehicles  
46 (ambulances and fire trucks) come before them.

47  
48 Mr. Monson asked if the solar panel projects have resulted in savings. Mr. Kovacs stated that the solar  
49 panel electric bill has been reduced by \$8,000. Once the power purchase agreement (PPA) is paid off  
50 (\$7,000-\$8,000 annually), that will be an \$8,000 savings. Their lifespan is approximately twenty-five  
51 years.

52  
53 Vice Chair Monson asked if any members of the public wished to comment.

54  
55 Wayne Morris suggested that additional grants be investigated for the Greenway projects such as  
56 Congressional District Spending through Representative Ann Kuster's office. He noted that some  
57 opportunities require a match and funding the project at \$200-\$300,000 would help provide the  
58 required match. Mr. Cross would support that.

59  
60 Ms. McCarthy would support to amend adding money for the Greenway Trail at \$210,000.  
61 Mr. Carpenter asked why the total surplus was not allocated. Mr. Gustafson noted that they like to be  
62 conservative because they are not sure what the Board of Selectmen will actually allocate.

63  
64 Mr. Cross was not in support of changing a lot of the numbers this late in the process. Mr. Rounds  
65 recommends that the Board put forth what they think is best and let the Board of Selectmen decide.

66  
67 Ms. Mason noted that the CIP put a lot of thought into their plan. Regarding Town Hall, she noted that  
68 whether a new complex is built it will remain a staple for the Town and needs to be repaired.

69  
70 **Mr. Carpenter made a motion to approve the CIP plan as presented with the modification that the**  
71 **amount for the Greenway Trail be increased from \$60,000 to \$210,000. Mr. Rounds seconded. The**  
72 **motion passed with the following roll-call vote:**

73 **Vice Chair Monson, aye**  
74 **Mr. Cross, aye**  
75 **Mr. Carpenter, aye**  
76 **Mr. Hohenberger, abstain**  
77 **Ms. Mason, aye**  
78 **Ms. McCarthy, aye**  
79 **Mr. Rounds, aye**

80  
81 Mr. Gustafson noted that he will update the excel sheet and report then send it to Staff. Mr. Gustafson  
82 noted a quorum of CIP subcommittee members (himself, Shannon Ulery, Mark Kovacs, Ross McLeod,  
83 Pam McCarthy, Jennean Mason, and Kathleen Harris). Mr. McLeod made a motion to approve the CIP  
84 subcommittee minutes of September 28, 2023 as presented. Ms. Mason seconded the motion. The  
85 motion passed unanimously.

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87  
88  
89



90 **2024 ZONING AMENDMENTS**

91 **Watershed Protection Overlay District (WPOD)**

92 Mr. Monson presented his proposed changes to the WPOD zoning ordinance that he worked on with Mr.  
93 Cross and a member of the public. The changes included modifying the definition of “tributary stream”,  
94 limiting fertilizers being applied within 250 feet of a shoreline, limiting the disturbance of land to 1 acre  
95 at a time, showing the 100-foot buffer zone of tributaries and WWPD on plans, and addressing  
96 reductions to the 100-foot buffer zone.

97  
98 Mr. Hohenberger asked what the definition of ephemeral was. Mr. Monson noted that it was virtually  
99 stormwater runoff or melting snow.

100  
101 Ms. Mason asked if Attorney Campbell has weighed in. Mr. Carpenter stated that they would be sent to  
102 him for final review.

103  
104 The Board had a discussion about fertilizers being applied within 250 feet of a shoreline.  
105 Wayne Morris noted that it would stop the landscapers, but maybe not the homeowners. Wayne Morris  
106 inquired if the “tributaries” definition should include a scoured channel.

107  
108 The Board discussed amending the fertilizer distance to 200 feet. Mr. Mello stated his concerns with  
109 enforcement on fertilizer restrictions.

110  
111 There was no opposition to Mr. Monson’s proposal giving the Planning Board authority to require  
112 additional erosion control if deemed necessary.

113  
114 The Board discussed disturbance of 1 acre at a time. Mr. Carpenter stated that was concerned that it will  
115 make it difficult when properties are developed. Mr. Morris commented that those things are covered in  
116 the Site Plan Regulations. Mr. Hohenberger concurred that it is in the stormwater section. Mr. Carpenter  
117 suggested that for properties over 3 acres perhaps the Planning Board could have discretion. The Board  
118 agreed to make the threshold 5 acres.

119  
120 The Board had no opposition to the proposed amendment to the buffer reduction section. Mr. Cross  
121 clarified that the proposed maximum reduction could be 75% (or 75 feet) leaving a 25% (or 25-foot)  
122 buffer. Mr. Cross suggested 50% or 50 feet. The Board decided to keep the proposed as presented by Mr.  
123 Monson.

124  
125 Vice Chair Monson offered the floor for public comment.  
126 Patrick Nysten suggested a comment to 616.6.1.1 about showing tributaries, buffers, wetlands, and  
127 WWPD within 100-feet of the subject property.

128 Mr. Cross summarized the Board agreed upon changes to Mr. Monson’s proposal:

- 129     1. Reduce the proposed fertilizer restriction from 250 feet to 200 feet.  
130     2. Address the term “tributary” throughout the entire Section.  
131     3. Clarify what needs to be shown on the plans within 100 feet of subject properties.  
132     4. Modify the land disturbance threshold to 5 acres.



133 **Mr. Carpenter made a motion to have Staff refine Mr. Monson’s proposed amendments as revised this**  
134 **evening for language, grammar, and formatting then send to Town Counsel for review and schedule a**  
135 **future public hearing. Mr. Cross seconded. The motion passed with the following roll-call vote:**

136 **Vice Chair Monson, aye**  
137 **Mr. Cross, aye**  
138 **Mr. Carpenter, aye**  
139 **Mr. Hohenberger, aye**  
140 **Ms. Mason, aye**  
141 **Ms. McCarthy, aye**  
142 **Mr. Rounds, aye**

143 Mr. Carpenter brought up that man-made impervious surface does not function as well as natural  
144 impervious. He proposed a third category of semi-porous materials to regulate.

145

146 **Flood Plain District**

147 Mr. Mello discussed his proposed amendments to the Flood Plain District. He received an email from the  
148 New Hampshire Office of Planning and Development with suggestion to the Ordinance to ensure  
149 compliance with the National Flood Insurance Program (NFIP), which the Town participates in. Mr. Mello  
150 noted that the Town’s participation helps reduce homeowner’s premiums for flood insurance. He also  
151 mentioned that the Federal Emergency Management Agency (FEMA) is in the process of revising the  
152 flood maps for the Merrimack River Watershed. He noted that the proposed zoning changes would  
153 modify definitions, one thing he is concerned about is the suggestion of a new type of permit for certain  
154 activities in the flood plain.

155 **Mr. Carpenter made a motion to send to Town Counsel for review and schedule a future public**  
156 **hearing. Mr. Cross seconded. The motion passed with the following roll-call vote:**

157 **Vice Chair Monson, aye**  
158 **Mr. Cross, aye**  
159 **Mr. Carpenter, aye**  
160 **Mr. Hohenberger, aye**  
161 **Ms. Mason, aye**  
162 **Ms. McCarthy, aye**  
163 **Mr. Rounds, aye**

164

165 **REVIEW AND APPROVAL OF THE MINUTES FOR:**

166 September 20, 2023 – The Board differed the consideration of these minutes to a future meeting.

167

168 **ADJOURNMENT**

169 At 9:17 PM, Mr. Carpenter made a motion to adjourn the meeting. Seconded by Hohenberger. The  
170 motion passed with the following roll-call vote:

171 **Vice Chair Monson, aye**  
172 **Ms. Mason, aye**  
173 **Mr. Hohenberger, aye**  
174 **Mr. Cross, aye**  
175 **Mr. Rounds, aye**  
176 **Mr. Carpenter, aye**  
177 **Ms. McCarthy, aye**