



PLANNING BOARD
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MINUTES OF THE PLANNING BOARD

Thursday, October 03, 2019 – 7:00 p.m. – Town Hall Conference Room

Members Present: Frank Catapano, Stu Gerome, Steve Gerrato, John McDevitt, Catie Medeiros (Alternate), Bob Dion (Alternate), Steve Smith (Selectmen's Rep)

Late Arrival: Rich Winsor

Members Absent: David Moore, Vaughan Morgan (Alternate)

Staff: Mark Fougere - Consultant

S. Gerome opened the Planning Board meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. MS-4 Stormwater Management – Julie LaBranche, Rockingham Planning Commission

Julie LaBranche, Rockingham Planning Commission, addressed the Board. She has been working with the Town Administrator on year one of the MS-4 Permit Compliance. Year one of the permit year ended June 30, 2019; we are now in year two. The Town Administrator is working on the stormwater management plan with RPC; the annual report was filed on Tuesday, October 01, 2019.

Updating the Planning Board's Erosion and Sediment Control Regulations to be MS-4 compliant is another year one requirement. J. LaBranche reviewed recommendations for amending the regulations (copy on file). As part of year two, she will do an audit of the Stormwater Regulations for compliance. Year three, four and five activities will also involve the Planning Board. M. Fougere recommended including the map of Greenland's MS-4 area as part of the Ordinance as well as on the zoning map and a layer on the GIS map. The MS-4 area is based on population within the census block. J. LaBranche will forward the shape file to M. Fougere.

M. Fougere stated that Subdivision Regulations can be changed at any time with a public hearing; J. LaBranche noted that the deadline was June 30, 2019.

Item 1 – Subdivision Regulations Section 5.3: The MS-4 area needs to be identified on the stormwater plan or on a plan sheet. Any discharge points also need to be identified, including redevelopment or expansion projects (anything that currently exists or is proposed).

Item 2 – Subdivision Regulations Section 5.3.3: Volume 3 - Erosion and sediment control during construction is referenced. However, J. LaBranche recommends also referencing Volume 2 (post-construction design manual).

Item 3 – Subdivision Regulations Section 5.3.6: Perimeter controls for erosion and sediment are not mentioned in any other part of Section 5.3. Before any activity begins, the site needs to be secured with

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perimeter controls so no erosion, sediment or polluted water leaves the site during construction. It should be part of the inspection process before any activity or earth disturbance happens. The EPA wants to see this in writing as part of the regulations. Based on a discussion with F. Catapano, J. LaBranche suggested the following: Recommend that perimeter controls within the proposed area of disturbance..... She added it should also be all around it and not just downstream to capture things like roadside swale, etc. M. Fougere added that any disturbed area has to have controls.

R. Winsor arrived at 7:13 p.m.

Item 4 – This item should be added to Subdivision Regulations Section 5.3.7. Every time the Planning Board makes an approval, they have to designate an agent to make inspections. It should be the Building Inspector or Planning Board engineer, depending on the size of the project. The language is in that section; however, a motion must be made designating an agent to do the inspections. Or, the section can be amended to state who would be doing the inspections. Enforcement will also need to be addressed. M. Fougere stated the Building Inspector should be first and then it would go to the Selectmen. J. LaBranche suggested crafting a paragraph that would cover: in the event of a violation or compliance issue who would report it and who would act on it. M. Fougere stated that the inspector could bring a violation to the Planning Board. J. LaBranche noted that a procedure should be documented (the violator will be notified by letter, fines, etc.). M. Fougere will email any edits to J. LaBranche for review, noting that statutes must be followed. J. McDevitt added that the Building Inspector or Planning Board engineer would be doing inspections; fines would be the purview of the Selectmen. J. LaBranche recommended violations be documented and include pictures when possible.

Item 5 is directly from the permit and is a requirement to control waste on a site. There are restrictions and environmental rules (NH Administrative Rules Env-SW 302.03.b.9) that list the types of materials that are allowable as fill (limited to earth-derived materials). J. LaBranche recommended adding the section referencing the environmental rules. Responding to a question from Chair Winsor, J. LaBranche stated stumps can be buried; however, there are restrictions regarding the loads. Burying the chips is the better way to handle the stumps. An example of an earth material prohibited for discharge: contaminated soil.

Item 6 is direct language from the permit. J. LaBranche can help craft language for procedures for the consideration of potential water quality impacts. It's basically making sure no contaminated water reaches the waterway or MS-4 system. J. LaBranche explained that the MS-4 system is anything within the Town's stormwater drainage system. It can be underground or above ground running through swales, etc.; any drainage pathway that leads to an outfall (out-falling to surface water or wetlands connected to surface water whether tidal or freshwater).

Item 7: J. LaBranche has suggested this item to all communities involved in the MS-4. The entire Town of Greenland is not subject to the MS-4 permit. The MS-4 boundaries are not based on stormwater, watersheds, etc.; it is population based and has no relationship to the goals of the permit. She used Newington as an example: they are not subject to the MS-4 permit due to population density. J. LaBranche recommended the Planning Board implement and enforce measures from construction activities that result in a land disturbance for the entire Town. The permit requires it for sites over one acre; however, the Board is responsible for water quality throughout the entire Town. If there are activities that drain into the MS-4 area, they need to be reviewed as if they were in the MS-4 area. The recommendation is to not discriminate MS-4 and non-MS-4 areas.

J. LaBranche noted that Items 1 through 6 are required by the permit; Item 7 is her recommendation. M. Fougere requested a shape file and map from J. LaBranche. He will update the sections as necessary

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and send to J. LaBranche for review. She will be doing an audit on the stormwater information and suggested M. Fougere wait and do everything all at once.

There was a discussion about the as-built requirement, which is included in the Site Plan Regulations (Article 6.2). J. LaBranche reviewed the two requirements for year three, four and five: (1) an assessment of the impervious surfaces and ways to look at the regulations to encourage developers to minimize their impervious cover by using either porous materials or disconnecting run-off (effective impervious cover that generates run-off that must be managed), by using infiltration devices that disconnect all the run-off and keep it on the site. (2) How to incentivize the use of green infrastructure for private development as well as municipal functions and facilities. Ways to manage run-off in a less structural way; using more green practices with buffers and infiltration. Many places are using cisterns to capture water and use it for irrigation.

2. CIP Update

The Board reviewed the CIP information submitted by department heads. The Police Department submitted a roof in the amount of \$35,000; the Selectmen were considering a capital reserve fund for Town buildings. The Library, Cemetery Trustees, and Conservation Commission did not have any requests; the Town Clerk's request did not meet the \$25,000 threshold. S. Smith briefly discussed the proposal to redesign the intersection in front of the Church to create a municipal parking lot on the property across from the gazebo. Five items were received from the School. S. Gerome suggested picking one or two of the five requests submitted by the School.

F. Catapano questioned S. Smith about \$250,000 for the pedestrian bridge: wouldn't it be better spent on fixing roads in Town. M. Fougere stated that if the Town moves forward with any improvements to that intersection, pedestrian accommodation will be part of it when that intersection is evaluated. The State will be involved; however, there was no way the intersection would be improved without the Town contributing. M. Fougere continued that if the Town pushed fixing that intersection because it was a "choke point", part of the evaluation will be to have a design to accommodate traffic; dealing with pedestrian traffic will be part of the evaluation.

Sharon Hussey, Rec Committee Chairperson, was present and addressed the Board. The Rec Committee would like to build a second multi-purpose field. Gove Engineering told them there are no wetlands in the proposed location. S. Hussey explained the location of the proposed field and parking, which must be moved away from the well. They've included a kit for a pavilion on their wish list. It would be built through an old-fashioned barn raising with no cost to the Town. Dug-out kits were also included and would be built in a similar manner to the pavilion. The Rec Department has money in their revolving fund that can be used for equipment, etc. They plan to use a large portion of that money for the proposed projects. S. Gerrato added the dug-out would be a safety feature. S. Hussey stated it would probably be a couple of years before the dug-outs were done. They planned to do some fund raising; they had every intention of not burdening the Town. Money has been put into the revolving fund for the expansion of fields. Chair Winsor asked if there would be a way to phase the expenditure. S. Hussey explained that the "big thing" was starting the fields and that would come out of the Rec money; she would like to start it in the spring. They want the field to settle for a year before putting topsoil on it. S. Hussey felt it would be a good idea to allocate a specific amount of money each year through the CIP to offset the costs. The Board would like dug-outs sooner rather than later. S. Hussey will give the Board an updated schedule.

The Board will prioritize CIP requests at the meeting on Thursday, October 17, 2019. J. McDevitt suggested prioritizing three ways: safety and health, maintenance and desire/future plans. M. Fougere

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stated that six points will be used when prioritizing. The Selectmen will need to give the Planning Board an updated CIP. CIP's to be prioritized by the Planning Board: Selectmen, Rec Committee, and School.

J. McDevitt asked if there were plans for a warrant article for roads. A lot of money was spent for engineers to identify the roads in Town that need to be repaired. Bayside Road was a critical road and was not on the Selectmen's CIP list. S. Gerome asked for a list of anticipated warrant articles.

3. Zoning Updates

The draft for a Residential-Commercial-Industrial Mixed Use (RCIM) Overlay District was discussed. The proposed overlay district would be from the Portsmouth line to the area of the Town Hall and include all the non-residential zones. Through the conditional use process, the Planning Board could allow whatever they felt met the goals of the district and the Master Plan. This will allow the Board significant flexibility to review any development scenario that would help expand utilities within the district, expand the tax base, create mixed use areas, etc. It was clarified that the Village District on Portsmouth Avenue would be included in the Overlay District, along Rt. 33 to Portsmouth (Commercial A, B and C). M. Fougere suggested there were two ways sewer could be extended: if funded by the Town through a bond or leverage development.

Chair Winsor questioned the pitfalls. M. Fougere responded the pitfall would be a "lousy Board". J. McDevitt added it would depend on what the Board allowed. F. Catapano suggested starting with one small area (Packard site) to see if it worked. Several different areas were suggested. Chair Winsor stated it would behoove the Board to consider the Alden Avenue area as well as Packard. F. Catapano was concerned it would be the wrong development too close to downtown. He was also concerned about traffic. He felt the focus should be on the area from McDonald's to the Portsmouth line. J. McDevitt suggested including prohibited uses. Chair Winsor stated the risk comes from a Board that is incapable. M. Fougere stated that concerned citizens could petition to delete it and it would go to the ballot by petition.

This item was continued to the meeting on Thursday, October 17, 2019.

4. Master Plan Vision Statement

The Master Plan Vision Statement draft was also reviewed. Goals were mainly from the results of the survey. M. Fougere will have the Population/Housing chapter ready for the next meeting. A section will be included on workforce housing.

S. Gerrato asked if the Board was still planning on zoning changes for Breakfast Hill Road. Chair Winsor stated the Board needed to focus on one or the other. He felt the Board may be better served to focus on Rt. 33 at this time. S. Gerrato suggested changing the zoning on the 28 acre parcel next to the landfill to Industrial. Chair Winsor felt that should be added to the list. M. Fougere suggested including the land behind the strip mall on Breakfast Hill Road.

S. Gerrato stated he would like to see the 28 acre parcel next to the landfill zoned Industrial; other members preferred Commercial. S. Gerrato felt the location, adjacent to Rt. 1, would be ideal for Industrial. S. Gerome suggested an Overlay District without limitations. Chair Winsor noted an area to be included in an Overlay District.

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5. Approval of Minutes

MOTION: F. Catapano moved to approve the minutes of Thursday, September 19, 2019. Second – S. Gerome; seven in favor, one abstain (J. McDevitt). MOTION CARRIED

6. Approval of Invoices

MOTION: J. McDevitt moved approve payment of the invoice from Fougere Planning & Development from the Planning Board Town Budget in the amount of \$3,025.14; all in favor. MOTION CARRIED

7. Other Business

S. Gerome noted that there was a very important water quality meeting with the Rockingham Planning Commission on Monday, October 28, 2019 at the Stratham Town Hall. It is free, but anyone interested in attending must register. S. Gerrato stated he would like to see everyone there.

8. Adjournment

MOTION: S. Smith moved to adjourn at 8:30 p.m. Second – S. Gerome; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, October 17, 2019 – Public Hearing, 7 p.m., Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Administrative Assistant

Approved: