

Planning Board Minutes 10/09/12

NEWMARKET PLANNING BOARD MEETING OCTOBER 9, 2012 MINUTES

Present: Val Shelton (Chairman), Janice Rosa (Vice Chairman), Diane Hardy (Town Planner), Elizabeth Dudley, Rick McMenimen, Ed Carmichael (Town Council ex officio), Justin Normand, Eric Botterman (Alternate)

Absent: Adam Schroadter, Jane Ford (Alternate)

Called to order: 7:04 p.m.

Adjourned: 8:55 p.m.

Agenda Item #1 - Pledge of Allegiance

Agenda Item #2 - Public Comments

None.

Agenda Item #3 – Review & approval of minutes: 09/18/12

Action

Motion: Rick McMenimen made a motion to approve the Planning Board minutes of September 18, 2012 with the corrections

Second: Justin Normand

Rick McMenimen stated Jane Ford was left off as an absentee with an excused absence. He stated on page 6, line 257, on number 4, “the floor drains to the holding tanks have to be” and it should be “inspected, plugged, and capped” instead of “inspection”.

Chairman Shelton stated on page 6, line 266, it should read “if they are not in compliance with DES regulations”, adding the word “not”. She also stated, on page 15, line 634, her address is 124.

Vote: All in favor

Eric Botterman abstained due to not being appointed to the Board at the time of the meeting

Agenda Item #4 – Regular Business

Wayne & Janice Rosa - Public hearing for an application for renewal of an excavation permit, for Wayne & Janice Rosa, for the property located at 421 Wadleigh Falls Road, Tax Map R6, Lot 2, B3 Zone. The application and plans are available for viewing at the Newmarket Planning Office, 186 Main Street, Newmarket, NH during normal business hours.

Janice Rosa recused herself.

Diane Hardy gave the Board a memo and included a checklist used in the review of the application. She would like to get two additional sets of plans for the Conservation Commission and one for the Code Enforcement Officer. The application fees have been paid, the abutters have been notified, the public hearing notices have been properly advertised, and a copy was sent to the Conservation Commission. The applicant is current in all quarterly and yearly reports and the Notices of Intent to Excavate filed with the NH Department of Revenue Administration. There is a current bond on file in the Finance Office in the amount of \$27,000. She recommended the Planning Board accept the application for technical review.

Alternate Eric Botterman was appointed to fill in for Adam Schroader.

Action

Motion: Rick McMenimen made a motion to accept the application of Wayne and Janice Rosa for a technical review as it is substantially complete

Second: Ed Carmichael

Vote: All in favor

Wayne Rosa stated he and his wife, Janice, own 421 Wadleigh Falls Road. It is a gravel pit. He has been in business for 42 years and operated this gravel pit since 1984, for 28 years. This is a renewable permit, every three years. The last time it was reviewed was 2009 and it was approved. The current condition plan, of which the Board has copies, was updated on 08/10/12. The only difference is there has been a small change in the location of the road. There has been a little more activity in the last couple of years, but other than that, due to the economy, the excavation hasn't moved very quickly.

Diane Hardy gave an overview of the history of this application. The application was approved by the Planning Board in December 2003. It was approved under the Town's excavation regulations that went into effect in 2000. Within those regulations, there is a list of items that should have been included in the original plans. Back in 2003, the Planning Board determined that the application met those requirements. The date of that approval was November 18, 2003. There were several conditions placed on the approval at the time. The expectation is those conditions will carry forward, as part of any renewal. There was a requirement that quarterly reports be filed with the Planning Office and the Rosas have been very diligent about getting reports in to us every quarter. These reports provide information on the amount of material excavated and whether there have been any changes in the excavation with respect to the groundwater table. They are also current with all their reports to the NH Department of Revenue Administration. The renewal process is not a complete revisiting of the application. It just covers any changes. That is why Mr. Rosa brought in an updated plan. In the original approval there was an excavation and reclamation plan filed that shows the phasing of excavation and reclamation over time. Our Code Enforcement Officer will go out and inspect the property to assure the activity that has occurred is consistent with the original approved plan, plus any applicable State laws that come into play under RSA 155E.

Diane Hardy also pointed out the property is within the Aquifer Protection Zone. The Town's interpretation has been the provisions of that do not apply to this pit, because it was legally in existence prior to the adoption date of the Aquifer Protection requirements, which was 2002. There is a legal opinion on file from our former legal counsel, Attorney Laura Spector, indicating those regulations do not apply to this pit. This pit is grandfathered from the aquifer protection regulations.

Diane Hardy has prepared a checklist that goes through all of the requirements and she completed it up to the point where they are today. They need to have an inspection of the site by the Code Enforcement Officer to assure the minimum operational standards have been complied with. Those regulations are included in our local excavation regulations, but also in the State law.

Diane Hardy asked Mr. Rosa about the time table given to the Town back in 2003 indicating at what point they would be completely finished with the excavation work. She asked for an update. Mr. Rosa stated he is asked this question every three years. He stated he thought he would be done right now, but the economy has had an effect. He thought perhaps another five to ten years. He was not sure.

Diane Hardy asked what the sequencing would be for reclamation and the type of reclamation work that is being done. Mr. Rosa indicated the sections to be reclaimed on the plan. He has a pile of loam and will probably move it over next year and reclaim that area. He is never far from where he is excavating. He is excavating within 100 feet now from the area he is reclaiming.

Mr. Rosa stated he has operated this pit since 1984 and they are working from the 2003 reclamation plan. Diane Hardy stated this was correct. The 2003 plan supersedes the earlier reclamation plans.

Chairman Shelton opened the public hearing.

Leo "Skip" Manseau, 33 Kimball Way, stated his property directly abuts Mr. Rosa's pit. He stated Mr. Rosa has always been a good neighbor, runs a great operation, and he has never had any issues.

Elizabeth Dudley asked if there was a concern about any effect on the aquifer. There is no chemical hazardous waste or anything. Eric Botterman explained his excavation has to be above the water table. Mr. Rosa stated, in 2003, there were two test pits per acre that were dug. There were upwards of 50 test pits done to assure they would be in compliance with the requirement that calls for at least four feet of separation between the bottom of the pit and the seasonal high water table. They repaired a few little spots that had been dug to assure they are not digging into the water table. As far as contaminated material, there is none. When the school was interested in the property in 2005, they had Gillespie drill borings and install a half dozen monitoring wells and they came out okay.

Chairman Shelton stated she would like to schedule a site walk. Diane Hardy stated the Chairman of the Conservation Commission is not available on the date that was mentioned as a possibility in an earlier conversation, but there will be representation from the Commission on the twentieth of October. Chairman Shelton asked if the Code Enforcement Officer might be able to do his inspection prior to the site walk. Diane Hardy stated she would try to set something up for Thursday.

Action

Motion: Rick McMenimen made a motion that the Wayne and Janice Rosa public hearing be continued to the site walk on Saturday October 20, 2012 at 9:00 a.m., at the site located at 421 Wadleigh Falls Road

Second: Eric Botterman

Action

Motion: Rick McMenimen amended his motion to include "and then to the regular Planning Board meeting on November 13, 2012"

Second: Eric Botterman

Vote: All in favor

Workshop to consider and discuss a possible re-zoning of property along Route 108 from the Newmarket/ Durham town line to the car wash on Route 108 south of the downtown. The Planning Board is looking for feedback from residents and property owners about the possibility of re-zoning property within the existing B-1 (General Business) zone to an M-2 (Mixed-Use) district classification in order to reflect the character and density of the development along that portion of the Route 108 corridor.

Diane Hardy stated the purpose of this workshop was to solicit input from the public. She explained the map that had been provided to the abutters indicating the areas to be involved.

Chairman Shelton stated they had public input on the Elm Street area at a prior meeting. What they are looking at now is the Route 108 corridor from the car wash area to the railroad tracks then from the bridge by the library to the Durham town line. She indicated the areas involved on a land use map that showed commercial, residential, public, and mixed-uses in those areas.

The proposal is to convert one or both areas or sections to the M-2 zoning classification, which would allow by Special Use Permit or Conditional Use Permit, the ability to have mixed-use development there. It would be subject to the Route 108 corridor district, which would mean the bottom floor street level would have to be commercial.

Diane Hardy read the purposes of the districts from the Zoning Ordinance for the B-1 and M-2 Zones. She provided a Table of Permitted Uses and Dimensional Controls with the map. She went over the permitted uses in the current B-1 and M-2 Zones. She also provided a dimensional table to show the density differences between the two zones and explained the differences.

Chairman Shelton stated, when the Committee was meeting, they understood that any proposal to bring in more multi-family units to the town is a very sensitive issue. They thought about where population growth is predicted to occur. And asked, if it makes more sense to have that population growth located in areas where town services are already located and to encourage more urban in-fill development by providing more flexibility in the types of uses that are allowed and to base density, setbacks, lot size and side yards based on the current character of the existing development patterns. This is occurring throughout the nation right now. They were looking at bringing people into town and having places where they can spend their money in town or to be able to work in town. They were thinking about expanding and strengthening the downtown village area. There is a lot of urban in-fill development going on within the mills and in the downtown, but now we should be looking at how to facilitate development along the Route 108 corridor. There are sidewalks in various places now and a new bike path with continuous sidewalks on both sides of North Main Street is supposed to be constructed by the New Hampshire DOT along the northern corridor by the year 2015. There are a lot of things happening and several reasons why development is not taking place, related to water and sewer capacity, and the Town needs to look into in these issues in order to facilitate development along this corridor.

Chairman Shelton requested comments from the public:

Russell Pope, 32 North Main Street, stated it appears the Planning Board wants more development along North Main

Street. They would be seeing more subdivisions. Chairman Shelton stated she did not think there would be more subdivisions. Most every lot in the northern corridor is nonconforming. They do not meet the required acreage. They are also nonconforming with respect to their uses. While, the area is zoned for business, it is largely residential. The thought was what type of zoning regulations could be enacted that would encourage more commercial development or a bigger economic base. It is currently zoned for commercial, but it is not happening. There is some mixed-use development occurring. A great example is Great Bay Dental, where you have a commercial use on the bottom level and residential above on the second floor or Lamprey Screenprint which is a home-based business. Those are great uses, because someone is able to have their home and business within the same lot. Russell Pope asked if they envisioned buildings being torn down and parking lots added and stores going in or would the residential character of the area remain residential.

Chairman Shelton stated, if someone wanted to do residential under the M-2 District along Route 108, they would have to go on the second floor. (Reference: Section 5.08 of the Downtown Commercial Overlay District of the Newmarket Zoning Ordinance). Russell Pope asked if this would make it easier for someone to come in and tear down a couple of houses and put in a store. Chairman Shelton stated that can happen under the current zoning in that area. The current zoning is saying "Please come in, tear down all this residential and build just commercial". Chairman Shelton stated the rezoning would be more like it used to be, where people had businesses where they lived and they were more neighborhood oriented. On most lots, if someone was going to build a large type of business, like a Rite Aid, for example, it would be difficult, because they would have to purchase more than one lots and tear the houses down to make that mass. The biggest lot that would probably be developable would be 3 North Main and people have talked to the Planning Board about developing that site. That site would probably be all commercial. This would not prohibit people coming in and just doing commercial projects. If someone wants to do a residential portion to a redevelopment of a site, it would have to be in combination with a commercial use on the main floor. That would be the purpose. Russell Pope stated this is a nice entry to the town, it would be nice to preserve it.

Debbie Bassett, 25 North Main Street (U2-341), owner of the screen printing shop stated her family also lives on the lot with the business in the house on the corner. Her concern was how this would affect their current situation. They are grandfathered in and zoned commercial, but that means anyone who comes in around them can buy, for example, the coffee kiosk lot and build a big building there with businesses on the bottom and apartments up top. Chairman Shelton stated right now they could just construct a building with all business. Debbie Bassett didn't know if putting apartments above would make any difference, if the business is there it is there. She and her neighbors are concerned about the number of businesses coming in around them. She felt, if it became more enticing to put a business in, there would be more traffic, noise, and lights. Chairman Shelton asked if her concern was more business would be coming in to that area. Debbie Bassett stated that was correct. It is not a quiet place to live. They are not opposed to more businesses coming into town, but more renters are not something she sees as a great addition. She did not know if that area needed a lot more businesses. She wondered what affect this will have on them.

Justin Normand stated he is on this Committee and one of the concerns is they want the townspeople to be able to use their property in ways that will help to better their situation. If someone wanted to start their own business and be able to afford it rather than going out and leasing space in another town or another part of town, you may have the option of doing a small redevelopment of your own property, which would allow you to have that in-home business. They are not looking to create any discontent, but are trying to help promote small business. Chairman Shelton stated, at the same time, we need an understanding of what is economically feasible in order to redevelop these particular areas and expand the tax base. That is why it was originally zoned to business, with the thought that it would convert to commercial over time and would not be residential. It is clear, particularly in the northern area, that this is a neighborhood, which is very much residential. It is not made up of strictly single family housing, there are a variety of housing types. They are not looking to encourage straight multi-family housing. The question is whether some residential use is needed in order to facilitate commercial development, because of the economics that are at play there.

Debbie Bassett asked if changing the zoning to allow more mixed-use development would entice more business people to want to come and build in Newmarket in comparison to just leaving the zoning as commercial and not having people interested in investing in the community. Chairman Shelton stated that was correct. Or, like Justin had pointed out, if you had to pay taxes on the property where you live and then also had to pay taxes on property for your business in a separate location, that may not be economically viable, as opposed to having a mixed-use development on the one lot for both your home and your business. Debbie Bassett asked if the zoning change would change the assessed value of her property. Chairman Shelton stated it would not, because she is already a mixed-use. If someone came in and redeveloped their property into a mixed-use, then their assessed valuation would probably change.

Richard Homiak, 150 Hersey Lane, asked if this change would allow you to have commercial development to put residential units above. Chairman Shelton stated that was correct. It would expand what is now allowed, which is just

commercial. With the change, you could add a residential component above. Richard Homiak asked how that would affect Fire Department regulations, having residential above commercial space. He asked, if you were to have stores and you had residential above, would the fire regulations be a lot stricter and tougher to comply with. Diane Hardy stated that was correct. They would be required to have separation between different uses. Chairman Shelton stated this would be stricter than what currently exists in the mixed-use buildings we currently have in town. Those are older buildings. Now, if you want to renovate and do a mixed use development, you are talking about meeting new construction codes.

Leo "Skip" Manseau stated, in terms of taxes, a strict commercial use probably has a higher valuation than a mixed-use property in the M-2 district. As far as bringing in tax dollars, you would not want to leave it as a B-1 zone, if no one is utilizing the B-1 zoning, because the Town isn't getting any income from it. This was discussed at a public hearing in the past and some people expressed concern that living in a mixed-use development was an undesirable way to live, with a business on the first floor and residential on the second floor, especially if it was your own residence. He did not agree with that. He agrees with this concept of "Mom and Pop" type of operations and he thinks there are still a lot of people that agree with this type of situation. It is a positive move to go from a B-1 to M-2 classification. It certainly fits the structures that are located in that zone, especially in the North Main Street. He would think the adaptability of the structures is relatively easy. The fire break (separation) between commercial and residential is not cost-prohibitive. It is a lot less expensive to do that than pay money for a full commercial use property. Property should be more affordably zoned as M-2. Fire breaks are not necessarily always done through sprinklers. You come into town, past Simons Lane, you see houses, some big, some small. That is what you have until the bowling alley. There are a lot of ranch style homes there. At first blush it seems they would not lend themselves to what we are talking about here. Ideally, they are talking about two story structures. They could add a second story on pretty easily. You would not have to be concerned with retrofitting everything that is already there. You could take a roof off and put a second story on the home. He has heard the rental property issue talked about, as far as whether we need more apartments. A lot of these would probably be turned to condominiums. They are not talking about renters, condominiums would be homeowners. There is difference in thought between a condominium owner and a renter.

Walter Cheney Jr. is a landowner on the southern end of town. The type of commercial development that has happened since the area was zoned B-1 many years ago is relatively small due to many factors. There are several lots, which are nonconforming, for business uses. It is very difficult to buy an existing house lot that is not regular size and get it to adapt to a commercial entity. If you take the current setbacks and regulations for B-1 buildings, most of the available lots require that you get variances to put in a commercial unit on the lot. Under most circumstances, including his firsthand experience, you cannot justify a large enough building when you buy the house, tear it down, and design a building that could go on the footprint that meets all the setbacks. There is not enough rentable space to make it economically feasible. If you have a 90 foot lot, you have 50 feet of side setbacks under the current B-1 zoning. Your buildable square footage is not feasible to make the numbers work. Even though the B-1 zone says we want to encourage businesses in these areas, couple that with the fact that the area is heavily residential now, you are saying to people living there that it is okay for someone to come in, take down a house and put up a commercial building next to you. Even though residential uses are not allowed, you are forcing a commercial entity into a residential neighborhood with no cushion (buffer). He stated that residential use may not be all apartments, it could be condos. There are plenty of mixed-use buildings that have very nice living quarters on the second floor above a business. It makes it more economical for someone who might want to start a business who is trying to finance it all to roll it all into one loan and make it work, because they can live on the second floor above the business. You can turn a house into a dentist office, but those are limited. There are only so many doctors and dentists that are going to come in and do those kinds of retrofits. Without the merger of the two, it makes it economically difficult to make the numbers work based on the current standards of the B-1 zone, not only to acquire the property, but to get enough retail space. So, you have to build on the second floor to get enough revenue to support the commercial space on the first floor. In too many places, even larger places like Concord, Manchester and Nashua, the second floor business struggles. There is more turnover on the second floor for residences than on the first floor. He was not sure why that is the case. (Why do people wait ten (10) minutes for someone to back out of a parking space when four cars down, the lot is empty?) Second floor retail or office space is difficult to keep full and get a reasonable amount of income, unless it is a joint effort where the person running the floor below is living above. There are a lot of positives in changing the zoning, because the existing zone has been unsuccessful for a long time and there is no sign that will change. No one is knocking on the door looking to build new commercial uses in the B-1 zone.

Richard Homiak made a statement that it has been a long time since someone has tried to put commercial development in these areas, but that is not so. He stated it has been tried. He did not want to expound on it. Whatever comes in, the Town needs to try not to jeopardize these two areas we are talking about, because they are two of the few places where sizable development can be done for commercial use. He realizes this may hurt a lot of property owners in those areas, but things can be done that are eye appealing, and noise can be mitigated. Chairman Shelton asked what he thought might jeopardize these areas. He did not have an answer, but he did not want the Town to do anything that would turn people away. He stated they have to look back and see where Newmarket has missed opportunities to have some large businesses. A lot of Newmarket residents watched Kingston Warren go somewhere else, because we didn't let them

have a railroad siding. Budweiser (Anheiser Busch) wanted to buy property here in town. They are now in Merrimack. He could name more. Newmarket has watched businesses leave that wanted to come into this area. All that tax money follows them. We've missed out. Chairman Shelton stated that was a very good point.

Elizabeth Dudley stated they were trying to be more inclusive than restrictive. She only sees two uses in M-2 that are allowed in B-1. She did not see why research and development could not be included in M-2. Automotive repair is allowed in B-1. They have to allow this somewhere in the town. They should make sure all uses are included in each zone or at least include some transitional phasing. On the dimensions table it seems M-2 is trying to capture the village feel and setbacks come into play. The Board should look at the setbacks and see what the impact is in terms of changing B-1 to M-2. Her general thought is to bring more flexibility to the M-2 zoning classification and include as many as possible of the uses that are now included in the B-1 zone and make sure nothing is being excluded for a reason that does not make sense.

Eric Botterman stated he has seen at least one town where zoning like this works very successfully, where they allow one residential unit per commercial lot. A lot of people build small, 4,000 or 5,000 square foot buildings and put an apartment on top of it, so they can afford to start their own business. This is a great idea. This is done a lot in Salisbury, MA. This would allow the "mom and pop" businesses to start up and stay in business. He believes people think when you are proposing to change the zoning like this, you are going to allow fifty (50) more condos on a lot. He does not think that is what is happening here, but he thinks that is what people are afraid of. Chairman Shelton stated, if they were changing the zoning from a B-1 to a M-2 classification, the number of allowed residential units would be relative to the density that is permitted in that zone. Eric Botterman stated the Board would want to guard against it being worthwhile for someone to build a building with two stories of condos above it and they don't care if the commercial sits vacant, because the residential pays for the whole thing. He feels the density proposed is reasonable and the concept makes sense.

Leo "Skip" Manseau stated it was interesting to revisit the Budweiser and Kingston Warren proposals. He was not involved in the town when those came along. He was curious where the properties were located in relationship to the current zoning. Richard Homiak stated the Budweiser facility was proposed on the current Newmarket Storage site, in the vicinity of the old Beudet Farm. Leo Manseau clarified that is not part of the zone, we are discussing this evening. Richard Homiak stated Kingston Warren looked at property on Beech Street Extension. Leo Manseau stated he agreed those were opportunities that never should have been missed. Within the corridors, we are now talking about, there really isn't any large parcel where you could locate a business the size of the Budweiser plant and Kingston Warren. A 30,000 square foot building with two stories of rentals or condos to make the bottom floor affordable will not happen. Those numbers will never work. The money is in that commercial venture on that first floor. The important thing is the size of the lots available, because they all require variances. They do not lend themselves to the B-1 zone, they lend themselves to the M-2 zoning. Although he would not want opportunities missed like in the past, he did not think there were any vacant parcels large enough to handle that scale of development. The biggest problem is the lack of land area for parking. When you try to fit the parking into any one of these parcels, there is always an issue.

Chairman Shelton clarified that she understood Mr. Homiak's comments that the Board just be cognizant of what we do with our zoning, so we do not miss opportunities we may not have thought about. For example, at 3 North Main Street, you would not want that converted into another apartment building, because that would have been an opportunity for retail space along Route 108 for the community.

Diane Hardy stated one of the concepts they are looking at is "form-based zoning". Instead of having a prescribed standard for setbacks and density, it would be based upon the existing character of the neighborhood. Dover has experimented with this type of zoning in their business area and it has been a somewhat effective tool in trying to promote in-fill development. We are looking at what other communities have done to promote this type of mixed-use development.

Elizabeth Dudley suggested choosing one area to rezone and see how that goes before rezoning both areas. Chairman Shelton stated the uses in the B-1 zone would be included in M-2 zone. Elizabeth Dudley stated there are some differences in the dimensional requirements of the zoning, such as the road frontage, which is 150 feet in the B-1 zone and is 50 feet in M-2. Chairman Shelton stated the existing frontages and acreages of lots currently in the current B-1 zone are small. Many lots are nonconforming. They could not be redeveloped without a variance at this time, because they do not have enough road frontage or acreage. Elizabeth Dudley stated it is less inviting to have someone come in and think they have to ask for a variance to begin with. With structure heights, 50 feet as a maximum might be too high

for an M-2 building in these areas.

Justin Normand stated, looking at the two B-1 zones and the lot sizes of what is there now, converting those over to a mixed-use zoning classification with the appropriate density and setback requirements, would be really conducive to those residential lots. Right now, you cannot do anything commercial with those lots without a variance. Diane Hardy stated or without consolidation of those lots. It is a matter of time, as the market responds, when those opportunities may become more apparent. She spoke of her experience in Merrimack, NH where the market conditions were such that several non-conforming residential lots were bought up by a developer, the houses were torn down, and the lots were consolidated to create a large enough development tract on the Daniel Webster Highway, which paved the way for the construction of a new Walgreens drugstore.

Janice Rosa stated she would like it to be rezoned all at once. The subcommittee has met several times, they invited the public to the meetings, the meetings were posted, and a lot of separate contractors provided input. People were well-notified. If she owned land in any of these areas, she would be sitting there thinking how she had a piece of property zoned for business, but she couldn't do anything with it. Maybe the property owners are hoping these changes are going to be made, so they can move ahead with something. If only one section is rezoned at this point, it takes that opportunity away from someone whose property was not rezoned and they will wonder how many more years they have to wait to sell or develop their property. She would hate to see lost opportunities with current landowners, because they have patiently waited the process out. There may not be huge businesses coming in, but they would be small missed opportunities. They build up over time, one missed here, one missed there, and the prospective business goes to another town.

Chairman Shelton stated the Board had received a letter from a property owner, Eric DeWitt, from 81 Exeter Road, in the area of along the southern section of Route 108 being considered for re-zoning. He supported the re-zoning concept. She read the entire letter aloud. He stated he explored the opportunity of developing his property with a mixed-use building and ran up against two major problems. First, the setbacks from the adjacent wetlands, and abutters, and right-of-way on Route 108 restricted the size of the proposed building. Second, the building needed a residential component to be economically viable. He is strongly in favor of easing setback restrictions and changing the zoning to M-2 to allow for more flexibility in the development of his land.

Agenda Item #5 – New/Old Business

Town Council

Ed Carmichael stated they had discussions relating to asbestos at the Newmarket Historical Society building, the Stone School Museum.

Skybridge Committee

Eric Botterman stated the committee was going through the engineer's estimate. The latest estimate was \$1,000,000+, which is nearly \$400,000 more than they have available, so they are back to the drawing board trying to figure out how to make it work. They are looking at alternatives to lower the cost. They will meet again once the engineer looks at the alternatives. If no alternatives, it will not go anywhere fast.

Landscaping Regulations

Chairman Shelton said the landscaping regulations have been set forth and Cynthia Copeland is working on them. Diane Hardy stated she had some questions from her she will forward to Elizabeth Dudley.

Advisory Heritage Committee

Elizabeth Dudley stated they met and went over the founding goals of the committee. They were waiting for a project to come before them.

Conservation Commission

Janice Rosa stated the Planning Board had addressed their concerns about the animal crematorium. They talked about their concerns regarding the 13 Water Street project. She will make sure to announce at their meeting on Thursday about the site walk for the Rosa property. Diane Hardy stated that 13 Water Street project is on the Zoning Board agenda for next Monday.

CIP Committee

Rick McMenimen stated they have concluded their meetings and made recommendations and submitted them to the Town Administrator. Chairman Shelton asked about water and sewer upgrades. Diane Hardy stated she has a report she can share at a future meeting. The committee recommended funding that was requested by the Water and Sewer Department to assure level funding for them to meet their needs and what the Town Council approved for water system priorities last year. Eric Botterman stated this was to maintain the system we have, not expand it. Items, such as sidewalk development, stormwater management and revaluation are included in the CIP, which were mentioned and discussed.

Planner's Report

Diane Hardy stated the Master Plan Land Use Update Committee will be meeting next week on October 16.

Chairman's Report

Chairman Shelton asked if anyone was going to the Law Lecture Series. Diane Hardy mentioned the Local Government Center workshop for Planning Board basics, which is scheduled for October 27, 2012. Chairman Shelton stated she has attended this in the past and it is a really good workshop.

Dam Removal Feasibility

Diane Hardy stated they have received four proposals. The Committee has reviewed them. They have been in touch with DES and are going forward with additional modeling. When they get that information back, they will begin the process of hiring the consultant.

Agenda Item #6 – Adjourn

Action

Motion: Janice Rosa made a motion to adjourn at 8:55 p.m.

Second: Rick McMenimen

Vote: All in favor