

Town of Albany, New Hampshire  
Planning Board Monthly Meeting - Approved  
Monday, December 8, 2014 7:00 P.M.

Next Monthly Meeting Monday, January 12, 2015 7:00 P.M.

The Planning Board Monthly Meeting was held at the Albany Town Hall.

Present: Acting Chairperson Tara Taylor, Adrian Simons, Leah Valladares, Rick Hiland, Alternate; Selectmen Representative Kelly Robitaille, David Maudsley, Technical Advisor; Theresa Ann Gallagher, Recording Secretary

Absent: Peter Carboni, CEO; Joe Ferris.

Also Attending: Mike Helmers, Steve Knox, Sara Young Knox, Deborah Hatch, Cathy Ryan

Acting Chairperson Tara Taylor called the Planning Board Meeting to order at 7:00 P.M.

Tara reported that Acting Chairperson Peter Carboni called her to ask her to chair the meeting this night since he cannot attend. Rob Nadler has resigned as the Board of Selectmen Representative. Kelly Robitaille is the Board of Selectmen Representative. The Board of Selectmen have assigned Leah Valladares as a voting member of the Planning Board.

No alternates need to be assigned as voting members.

*Approval of the Agenda: Leah Valladares made a motion to approve the proposed agenda for December 8, 2014 Monthly Meeting; Rick Hiland seconded. Discussion included adding Joe Ferris at the end of the agenda. He is not present but intends to come late after the School Board meeting. Acting Chairperson Tara Taylor asked all in favor of approving the amended agenda. All in favor.*

*Approval of the Minutes: Leah Valladares made a motion to approve the minutes from the November 10, 2014 meetings; seconded by Adrian Simons. A few changes were made in the last paragraph, to summarize it. Tara Taylor also suggested some other technical changes. Page 1, Josephine resigned from the Planning Board, not only as the Vice Chairperson. Page 2, Road standards are used for everything, not just existing roads. Acting Chairperson Tara Taylor asked all in favor of approving the amended minutes signify it by saying "aye". All in favor.*

**Public Consultation:** Deborah Hatch came before the Planning Board for a consultation on her plan to sell her house on a property of 200 acres. She displayed the map showing where the house is located on the property and the right of way used as a driveway to the house. She wants to subdivide the land so the house to be sold is on a smaller piece of property. She has a 50 foot right of way off a private road which has been in existence for 30 years. The Planning Board advised Deborah Hatch that she could proceed forward with the land subdivision. However, the Planning Board noted that the second structure on the property cannot be used as an apartment or dwelling place, because it is not allowed in the Town of Albany. No decision was made, and no part of the discussion is binding.

David Maudsley presented his information on RSA 674.41, which addresses building permits. Section A states that no building shall be allowed on a lot unless the street leading to the access to the lot meets the standards for roads, and is approved by the Planning Board, when a land subdivision occurs. Section C addresses Class VI roads stating that the municipality does not assume responsibility for the maintenance of the Class VI highway, nor does it assume any liability for any damages for use of the road. The applicant must produce evidence of this. Section D says the same thing regarding private roads. If a building permit is approved, the applicant will have to go before the ZBA to file a waiver of liability and register it at the County Register of Deeds.

David Maudsley commented that he has never heard that the Planning Board was asked to comment on Building Permits issued, which is the correct procedure to be followed as stated in RSA 674.41. This needs to be looked at.

Theresa Gallagher announced that Tara Schroeder is not going forward with her land subdivision. She is postponing it at this time.

The budget was discussed; it cannot be finalized until the end of the year and will be worked on in January. The last day to hold a public hearing on the budget is the second week in February.

Rules of Procedure were discussed. The Planning Board did not follow the correct procedure to make a change, "assigning the most senior alternate as a voting member when one member leaves the Board". The amendment was supposed to be discussed at two successive meetings and it was not discussed. So therefore it is invalid and non-binding. The Planning Board compared the Rules of Procedure signed in 2014 to the one signed in 2003. The appointment of the alternate as a member of the Planning Board was discussed. The person with the most experience is not always the most fit to become a voting Planning Board member. According to the RSA it states that the Planning Board makes a recommendation for the member. The person who wants to be on the Planning Board should present themselves to the Board of Selectmen, and also should go before the Planning Board to present their vision and goals for the Town. The Planning Board reviewed the wording of the Rules of Procedure regarding appointing Planning Board members, and included "excused" absences. Discussion continued on the absences of the Planning Board members. Theresa Gallagher will update the Rules of Procedure and forward them to the Planning Board members.

**Rick Hiland made a motion to put the changes and revisions to the Standards of Conduct in the Rules of Procedure in the minutes of this meeting, to be read at the next meeting, and then to be voted on. Adrian Simons seconded the motion. All in favor.**

David Maudsley brought up the statutory means of removing a person from the Planning Board,. He read RSA Section 693.13 I from the Planning Board Handbook. It is difficult to remove someone from the Planning Board. More changes were made to the Rules of Procedure to reference this RSA 673.13 D. It will be written as in the other sections. A question was brought up about other changes to the Rules of Procedure; the Planning Board members will compare the 2003 version to the 2014 version, and if there are other changes it will be brought up in the January meeting to be voted on at the February meeting.

Planning Board cheat sheet will be put under old business at the next meeting.

Tara mentioned that the town takes over maintaining the roads but they do not own the roads. Discussion continued on the liability of the roads. David Maudsley suggested that when a land subdivision is put before the Planning Board they must clarify who owns the roads. The Town should not take over any roads until they are 80% built out. Heavy trucks do a lot of damage to the roads and that has to be considered.

David Maudsley recommended that the forms be updated and be digitized. There are seven spreadsheets in the one file he projected. There are 400 files which does not take up a lot of space. The Planning Board should be able to save about 20 years worth of files in digital form. He suggested having a big screen TV in the meeting room with a connection from the lap top to the TV screen so the documents being discussed can be projected on the screen. The advantage of this techniques is how conveniently a document can be retrieved and projected for everyone to see. He said there is money in the budget to purchase the equipment needed to go forward with this project. It would be very inexpensive. However, there will be a cost to maintain the records. David did this project on a pro-bono basis. All records should be transparent. Theresa Gallagher would be the one to maintain the records. The records do not have to be put on the web, because once they are out there they are there forever. Procedures have to be put in place to make sure all the documents are correct; and if a document is found incorrect there has to be a procedure in place to correct it.

The next step would be to make the documents available to the Planning Board members and also to anyone who wants access to them. The date placed on the documents would be the way to keep track of which version it is. A question came up about making sure the Planning Board Secretary has the education to be able to work with the software program, whether it is the current Secretary or a future person who is hired. Another question came up about having two people trained and both have access to work with the software. A few points to consider: The documents have to be protected to prevent someone from altering the documents, by copying and pasting and changing them. The records have to be updated in a timely manner. This will cause an increase in cost.

Theresa Gallagher handed out an updated report of what the Planning Board expenses are for the year. About \$1,000 would be needed to purchase the equipment. David uses Open Office software which is free. **Rick Hiland made a motion to spend up to and including \$1,500 for a flat screen TV, a laptop and the devices needed to connect the equipment, and the software needed, such as Acrobat, Word Processing, Excel, and Power Point. Mike Helmers, David Maudsley and Rick Hiland will research and come up with the items to be purchased by December 15<sup>th</sup>. Seconded by Kelly Robitaille. All in favor.** A short meeting will take place on December 15<sup>th</sup> at 6:30 P.M. before the scheduled Planning Board training meeting on that evening. Theresa will post a notice for the meeting in two public places.

David Maudsley reviewed all the digitized records starting in 2014, and how easily they can be accessed. The advantage of going digital is that the documents on record are all together, no matter the size of the document; another advantage is that the documents are safe in PDF format. The documents are indexed with links to each one, and then categorized and stored in separate spreadsheets that have tabs.

Tara Taylor announced that she is willing to be the Acting Chairperson until March.

Correspondence: Letters were sent to Josephine Howland and Suzanne Brown. Tara Schroeder told Theresa that she is putting her land subdivision application on hold until further notice, due to other things she needs to take care of at this time.

Board of Selectmen Report: Representative Kelly Robitaille announced that there is a training workshop scheduled for the Planning Board and Zoning Board of Adjustments, on Monday, the 15<sup>th</sup> at the Albany Town Hall, at 7:00 P.M. The presenter is Steven Buckley, an Attorney for the NHMA. The Town of Albany is the only town involved in order to allow time for questions. The workshop is called Planning Board and Zoning Boards Basics, Roles and Procedures. Only Board members will be allowed to ask questions. Anyone can attend.

Adjournment: Acting Chairperson Tara Taylor asked for a motion to adjourn the Planning Board Monthly Meeting at 9:25 P.M. A motion was made by Adrian Simons; seconded by Leah Valladares. Passed unanimously.

Respectfully submitted,

*Theresa Ann Gallagher*

Recording Secretary