

Town of Albany, New Hampshire  
Planning Board Work Session Minutes - Approved  
Monday, January 27, 2014 7:00 P.M.

Next Meeting Monday, February 10, 2014 7:00 P.M.

The Planning Board Work Session was held at the Albany Town Hall.

Present: Chairman Josephine Howland; Vice Chairperson Mike Helmers, Tara Taylor, Adrian Simons, Peter Carboni, Alternate; Joe Ferris, Alternate; Theresa Ann Gallagher, Recording Secretary

Absent: David Maudsley, Technical Advisor, Selectmen Representative Jack Rose, Matt Parker, Alternate

Also attending was Steve Knox.

Chairman Josephine Howland called the Planning Board Work Session to order at 7:06 P.M.

Approval of the Agenda: Chairman Josephine Howland asked for a motion to approve the proposed agenda for January 27, 2014 Work Session. Adrian Simons made a motion to approve the proposed agenda for January 27, 2014 Work Session; seconded by Vice Chairperson Mike Helmers. Chairman Josephine Howland asked if there were any additions or changes; there were none. She asked all those in favor of accepting the agenda signify it by saying "Aye". All were in favor.

Approval of the Minutes: Chairperson Josephine Howland asked for a motion to approve the minutes from the January 13<sup>th</sup> Monthly Meeting; Tara Taylor made a motion to approve the minutes of the January 13<sup>th</sup> Monthly Meeting; seconded by Adrian Simons. Chairperson Josephine Howland asked if there were any comments or changes; there were a few typing edits. Chairperson Josephine Howland asked all those in favor of accepting the minutes of January 13, 2014 with the edits signify it by saying "Aye". All were in favor.

Theresa Gallagher presented everyone with a list of their terms as Planning Board members; The Planning Board suggested giving it to Town Administrator, Kathy Vizard, to confirm what she has on file.

The Planning Board discussed the budget for 2014:

Administrative – same	\$3,500	DM & TG
Legal – increase	5,500	
SS/Med same	300	
Member Attendance - increase	5,500.	
Manuals/Resource Materials - same	250	
Operating Expense	900	(may change)
Advertising – increase	350	
Seminars/Lectures/Travel – same	500	
<u>Digitized File Storage</u>	<u>10,000</u>	
Total	\$26,800	(\$16,800 without Digitalized Files)

## Discussion:

Attendance – Budget for the possibility of adding more members

Legal – A suggestion was made to have the Planning Board hire their own attorney due to a conflict of interest being an issue in the case where the attorney has to represent more than one board who are involved in the same argument. Vice Chairperson Mike Helmers uses NHMA (New Hampshire Municipal Association) for questions he has, and he receives good advice and information.

Conference calls cannot be made during meetings because there is no conference phone in the meeting room. Mike Helmers agreed to search for Law Firms that specialize in Municipality Laws and have experience in related topics. Communication with any lawyer should always be in an e-mail. Legal expenses increased for 2014 because the Planning Board perceives more issues to discuss in 2014.

Steve Knox commented that at the meeting with Attorney Mitchell, the attorney was put in an awkward position; Peter Carboni also noted that he did not give any information to confirm the Planning Board's ruling on whether or not Todd Provencher's Service Station is a Home Business or a Commercial Business, which was what he was called in to give legal advice for. Peter Carboni reported that he is researching how to do his job when a commercial property is involved; if it's called a "service station" then it is a commercial business and the setbacks have to be met. The Planning Board can be at the ZBA meeting to clarify the reason why Todd Provencher was denied. Vice Chairperson Mike Helmers, Joe Ferris, and Tara Taylor will try to attend the meeting.

Operating Expenses – In order to produce a Notice of Decision at a meeting a printer and laptop are needed in the meeting room. Also, having the files stored in an off-site location was discussed. It will provide reasonable access and security. Digital files can be uploaded on a computer. A wireless printer can be kept in the locked closet. People who come before the Planning Board will have to prepare their documents in digital form. Budget for electronic files should be \$10,000 for now.

Chairperson Josephine Howland asked for a motion to approve the expenses in the Budget for 2014 that were finalized, leaving an open amount for Digital File Storage; also to have Mike Helmers investigate and search for pricing of companies that handle the process. The information will be forwarded to Theresa Gallagher for distribution to the Planning Board. Joe Ferris made a motion to approve the expenses in the Budget for 2014 that were finalized, leaving an open amount for Digitalized File Storage; also to have Mike Helmers investigate and search for companies pricing that handle the process, which will be forwarded to Theresa Gallagher for distribution to the Planning Board; seconded by Tara Taylor. All were in favor. Steve Knox reminded the Planning Board that when the e-mail goes out it cannot be discussed through e-mail.

Ordinance Changes – Definition of Structure: Peter Carboni described his definition of structure and discussed roof structures, such as mechanical cover or plastic cover, fabric structures, and agricultural green houses, all of which need permits. The way the structure is fastened to the ground was discussed, leaving a 10 x 10 x 10 structure exempt from getting a permit. Well structures and emergency repairs are not included in the definition of structure. Peter Carboni suggested leaving out the list of those that are non-structures. Temporary structures need to be addressed and they should also require permits. The fee for the permit should be in the range of \$25 to \$30. Wedding/Party tents will be a flat fee. Chairperson Josephine Howland brought out the fact that a resident needs a permit to build a deck, but not a patio. Tara Taylor discussed Sandwich's definition of structures;

there are separate definitions for accessory structure, principal structure, dwelling, accessory dwelling, etc. They all have to meet setbacks. For a structure that is 100 square feet which meets the setbacks, then no permit is required. Peter Carboni said he will review and work on his definition of structure. Tara Taylor commented that accessory structures also need to be addressed.

Josephine Howland presented her definition of structure for further discussion.

Site Plan Review regulations – The Planning Board told Theresa Gallagher that when she reviews the application and it is not complete (having “to be determined” marked in the check list) then she should notify the Planning Board and the applicant saying that there cannot be a public hearing until the application is complete; she will then not send out the abutters notices nor put the notice in the paper for the public hearing. The Valladares’ should not come before the Planning Board until they have the driveway permit, the building specifics, including drainage, on the Plot Plan, The engineer has to draw topographical lines and the green space on the Plot Plan. When the completed application is at the Town Hall notices will go out for a Public Hearing. They also have to talk with the Fire Chief and the Code Enforcement Officer, and state that the structure is a commercial building.

“Green Space”, “New England Structure” and “Paved Parking Lots” also need to be defined in the Site Plan Review regulations and addressed at future meetings. The green space in the front of the property should be the focus of the discussion. When a commercial property is near a residential property there should be shrubs in the setbacks. Allowed signs also need to be discussed. In the meantime, the current green space regulations should be enforced. On page 5 of the SPR regulations “open green space” needs more details, including description of the frontage of the property. New England look does not mean gabled roofs.

Chairperson Josephine Howland reported that someone stopped by Suzanne Brown’s property and told the men working there that she cannot sell firewood on her property. The Albany Planning Board told her that she can sell wood there once she has her driveway in. If anyone has complaints about these things they must put it in writing and send to the Board of Selectmen.

Mike Helmers suggested having “New Business” and “Old Business” on the agenda. Also the Planning Board has to set an attendance policy for its members. In the Rule of Procedures it should be stated that if an active member needs to miss several meetings due to travel or unexpected circumstances, they can request a leave of absence.

Adjournment: Chairman Josephine Howland asked for a motion to adjourn the Planning Board Work Session at 9:13 P.M. A motion was made by Adrian Simons to adjourn the Planning Board Work Session at 9:13 P.M.; seconded by. Tara Taylor. Passed unanimously.

Respectfully submitted,

*Theresa Ann Gallagher*, Recording Secretary