

Town of Albany, New Hampshire
Planning Board Monthly Meeting
Monday May 11, 2015 7:00 P.M.

Next Monthly Meeting Monday, June 8, 2015 7:00 P.M.

Please note: The work session for May 25th is cancelled due to Monday being on a holiday weekend.

These minutes were prepared by the recording secretary as a reasonable summary of the essential content of the meeting, not as a transcription. These minutes have not yet been approved by the members of the Planning Board and should be read at your own risk for misinterpretation.

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

Present: Chairperson Leah Valladares, Vice Chairperson Tara Taylor, Peter Carboni, Rick Hiland, Alternate; Board of Selectmen Representative Kelly Robitaille, Theresa Ann Gallagher, Recording Secretary

Absent: Adrian Simons, Joe Ferris, Alternate

Chairperson Leah Valladares called the Planning Board Monthly Meeting to order at 7:00 P.M. She appointed Rick Hiland as a voting member for this evening's meeting.

Approval of the Agenda: Chairperson Leah Valladares asked for a motion to approve the proposed agenda for the May 11, 2015 monthly meeting; Tara Taylor made a motion; Kelly Robitaille seconded. One correction - #7 "DOT" should be "Department of Safety". All in favor of accepting the Agenda as amended.

Approval of the Minutes: Chairperson Leah Valladares asked the Board to approve the minutes of April 13, 2015 monthly meeting. Some corrections were made in wording of the sentences. Leah Valladares asked all who approve the minutes as amended signify it by saying "aye". All in favor.

Chairperson Leah Valladares asked for a motion to approve the minutes of April 27, 2015 monthly meeting. Tara Taylor made the motion; seconded by Peter Carboni. Remove the sentence about the Rules of Procedure, since that was a work session, and they were not voted on. Leah Valladares asked all who approve the minutes as amended signify it by saying "aye". All in favor

Leah Valladares had contacted Mr. & Mrs. Lundblad to discuss the business they are expanding and did not see any issues to be concerned about. However, if they use more property for parking, other than what is used for the existing business, they will have to come before the Board for a Site Plan Review. The Planning Board completed the information requested from the State of NH Department of Safety and DMV regarding the application from Albany Auto Tire & Transmission. Theresa will mail it.

Board of Selectmen's Report: None, due to Kelly Robitaille was absent at the last meeting.

Correspondence: Theresa Gallagher passed around an e-mail she received from Paul Savcheck, who said he has been retained by Bayard Kennett and Peter Cormier to coordinate efforts to gain Albany site plan approval for the display and sale of Mr. Cormier's line of utility sheds on land to be leased from The Kennett Company, Map 8 Parcel 4. Theresa has been in communication with him and sent him the

application, checklist and fee schedule. He will come before the Planning Board on June 8th with the Site Plan Review application for Mr. Cormier.

The Planning Board reviewed RSA 674:33 and discussed setbacks and variances. Leah asked Theresa to contact NHMA Attorney Steve Buckley and ask the following questions:

1. When the Planning Board issues a waiver to a tenant who is renting a piece of land for a particular reason does that waiver follow the tenant or the property?
2. Can the tenant go before the ZBA and get a variance, or does it have to be the owner of the property who goes before the ZBA?
3. If the property owner gets a variance, does it stay with the land, and for how long? If the tenant gets the variance does it stay with the land or with the tenant? When does the variance expire in these two situations?
4. Does the variance stay with the Deed? Does it have to be recorded with the Register of Deeds? When the property is sold does the variance stay with the property?

Rules of Procedure Adoption: Rick Hiland made a motion to approve the Albany Planning Board Rules of Procedure as presented at the last meeting for a second hearing; seconded by Tara Taylor. No further discussion. All in favor.

Minutes Requirements – always make reference to RSA's discussed.

Work Session Agendas will continue to be followed and no votes will be taken at the work sessions. No work session will take place on the Monday of Memorial Day weekend.

Leah Valladares reported that she found a Town Warrant in 1979 that established the Planning Board. In the 8th year of the Planning Board, 1986, Leah found minutes stating that the Board was given authority 2 years ago to adopt Site Plan Review regulations. In the 1987 Town Report Pettingill wrote "in accordance with the authority granted by Town meeting, Site Plan Review regulations were approved after formal hearings on October 13, 1987." However, those minutes cannot be found. The Planning Board assumes that is when they were granted authority.

Old Business:

1. Work Sessions: In September decide changes to work on - Site Plan Review, Zoning Ordinances; changes have to be done and ready for public hearing by December.
2. 2016 Budget

The Planning Board will put new locks on all the doors to protect records; lock rods will be placed on the files. Kelly Robitaille made a motion to have Peter Carbone contact the locksmith to do the work; seconded by Rick Hiland. All in favor.

New Business:

Leah Valladares reviewed the updated expenses and budget with the Planning Board.

Adjournment: Chairperson Leah Valladares asked for a motion to adjourn the Planning Board Monthly Meeting at 8:32 P.M. Tara Taylor made the motion; seconded by Kelly Robitaille. Passed unanimously.

Respectfully submitted, *Theresa Ann Gallagher*, Recording Secretary