

Town of Albany, New Hampshire
Planning Board Monthly Work Session - DRAFT
Monday October 27, 2014 7:00 P.M.

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.

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

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

Present: Acting Chairperson/Vice Chairperson Josephine Howland, Tara Taylor, Adrian Simons, Peter Carboni, Joe Ferris, Alternate; Leah Valladares, Alternate; Selectmen Representative Rob Nadler, Theresa Ann Gallagher, Recording Secretary

Absent: David Maudsley, Technical Advisor; Matt Parker, Alternate

Also Attending: Rick Hiland, Steve Knox, Mike Helmers, June Johnson, Leroy Grant, Kelly Robitalle, Cathy Ryan, Cort Hansen,

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

Acting Chairperson Josephine Howland opened the discussion on reorganization of the Planning Board. Rob Nadler nominated Peter Carboni as the Chairperson; seconded by Tara Taylor. Peter was asked if he wanted to be the Chairperson. He said he would be an Acting Chairperson for two months to help the Planning Board reorganize, until they get a person to take over. He would not stay on until March. Adrian Simons asked if it was a conflict of interest to have the Chairperson of the Planning Board also be the Code Enforcement Officer. After some discussion no one was sure. Peter said Acting Chairperson would not be a conflict of interest. Steve Knox commented that if he became the Chairperson he would have to stay on until March. **Josephine asked for a vote, all in favor of accepting Peter as the Acting Chairperson for the next two months signify it by saying “aye”; all in favor.** Peter Carboni will chair the next meeting. **Tara Taylor made a motion to accept Josephine Howland as the Vice Chairperson; seconded by Adrian Simons. Josephine asked for a vote, all in favor of accepting her as the Vice Chairperson signify it by saying “aye”; all in favor.**

Approval of the Agenda: The letter to Matt Parker was discussed, asking him if having the meeting another night would make it convenient for him to attend, due to his absence at several meetings this year. Theresa Gallagher did not receive any message from him saying that he resigned.

Motion: Adrian Simons made a motion to send the letter to Matt Parker asking him if another night for the meetings would work for him, with a request to respond in 10 days; Peter Carboni seconded; all in favor.

No changes to the agenda. Adrian Simons made a motion to accept the agenda as written; seconded by Peter Carboni. All in favor.

Approval of the Minutes: **Acting Chairperson Josephine Howland asked for a motion to put the minutes from the October 15, 2014 Monthly Meeting on the table; Rob Nadler made the motion to put the minutes on the table for discussion; seconded by Adrian Simons. All in favor.** Corrections. Page 1 , take out the word “interrupted”. Page 2, “has to do with the time element” delete. Page 3, the “boundary line adjustment” should be a “land subdivision”. The next sentence “Road Agent” should be the “Town Engineer.” Page 5, “Rob started to yell at David” **Tara Taylor made a motion to delete the sentence; seconded by Adrian Simons. 5 in favor, 1 not in favor.** Page 5, where it discusses Mike Helmer’s resignation; “The Planning Board said he sent an e-mail” Josephine Howland said change it to “An E-mail was sent to the Administrative Assistant, and she forwarded it.” Josephine said she made the next statement. Page 6, it states “The Planning Board agreed that the meeting was disrupted by the Board of Selectmen Representative.” A lot of people were talking out of term. Peter made a motion to delete the last paragraph on page 6; seconded by Rob Nadler. All in favor.

Peter commented that there was more discussion on the presentation on the tape. **He made a motion to amend the minutes to reflect the discussion to include “Peter did not know what the presentation was about, and he asked David what it was, and who hired him to do it. David answered that it was Josephine who hired him by phone.” seconded by Rob Nadler. All in favor.**

Leah Valladares suggested making the motions stand out in bold,

Josephine asked for a motion to accept the minutes as edited. Adrian made a motion to accept the minutes as edited; seconded by Rob Nadler. All in favor.

Theresa Gallagher handed out the signature page for the Master Plan for those who worked on it to sign.

Changes for the Site Plan Review were discussed, in reference to making the application digital for people to complete on line, and requiring then to submit the Plot Plan in electronic form. Theresa would forward them to all the Planning Board members, like she already does, but she has them digitized at Staples. Mike Helmers has the application already formatted for on line completion. This change in the SPR regulations does not have to go before the residents for a vote. Concerns about Board members who do not have e-mail was discussed, making it an option and not a requirement. The benefit of electronic files is that it would speed up the process for the applicants. Further discussion continued.

Motion: Adrian Simons made a motion to make it a requirement that all Site Plan Review Applications, Forms and Plot Plans be digitized and sent to the Administrative Assistant of Planning Board for submission, effective January 1st, 2015. Peter Carboni seconded. All in favor.

Kathy Vizard is updating the list of tax payers addresses to include a column for entering the zone that the residents live in, which will make it easier to pull the residents’ addresses by each zone in Albany.

Correspondence: The letter to Matt Parker will go out this week.

Theresa Gallagher reported that Collen Cormack e-mailed her, stating that she works on the school board and she constantly insists on including details in the minutes in order to be more transparent. Theresa will forward the e-mail to anyone who did not see it.

Theresa sent the Master Plan in digital form to Tara Bamford. She asked if it was voted on, and said she will offer her comments.

Theresa is working with the website company to get her e-mails working; she is having some difficulty. She is able to get into the website but wants to sit with Kathy to see how she posts things.

Tara Schroeder contacted Ed Alkalay to ask about access of the right of way to Moat View Drive, and he was not clear. He told her to contact someone else. She was able to review the Moat View Drive Association By-laws and the right of way is included in them. Mike Helmers commented that there is no right of way on those parcels of land in her area. There is an RSA that states that a property owner cannot sell having a right of way on your property to gain access to the town road. Tara Taylor suggested having her come before the Planning Board with her deed showing that she has a right of way; Peter recommended that she come before the Planning Board with a proposal, and make sure she has a land surveyor. She came before the Planning Board with a plan, but not the plot plan. Peter commented that the Planning Board is not qualified to give her an answer or any information. Steve Knox commented that on the deed it may show the driveway as a right of way, but the land subdivision is another matter. Theresa will contact her to ask for a copy of her deed for the Planning Board to review.

Leah Valadares needed to reclus herself to discuss her Site Plan Review. She wrote a letter to the Planning Board regarding some issues she has with the last meeting. (See attached). HEB Engineers to contact the Town of Albany means the Select Board. She hoped that the chairperson has not made a phone call to HEB on her behalf, as stated in the minutes. Josephine said she did not. The e-mail from HEB copied to Theresa was deleted in error after Theresa responded that she received it. After reading the minutes Leah contacted Theresa to let her know that she forwarded the response to her; she asked what else was deleted? This error almost cost their project's conditional approval to be revoked, as stated in the minutes. According to the minutes the Planning Board seemed to think Leah appeared to be doing nothing to satisfy the questions of the Town Engineer. She has not received an answer and neither has the Planning Board. Once again she is concerned about the conflict of interest brought before the Planning Board on August 11th between the Town Engineer and HEB.

Leah also discussed the Notice of Decision that she received for the Site Plan Review. For #1, most of his recommendations were already answered or dismissed. There are only 2 things that need to be addressed. #3 was not part of the original conditions voted on by the Planning Board. #4 was never voted on or discussed; she does have a right to ask the State for an extension if needed. The driveway condition was not voted on, neither was the site development subject to final inspection for a final certification. Tara said that's part of the regulations any way. It should not be listed as a condition. Leah pointed out in the minutes the section that shows the four conditions that were voted on, but the Notice of Decision has 5 conditions. The Planning Board agreed to make an amendment to the Notice of Decision. Peter pointed out the comment on the bottom of HEB's e-mail to Burr Phillips about the Planning Board putting a condition on the approval to provide additional/larger dry wells in case the site should need them down the road. He asked if anyone wants to challenge it as not being strict enough as a fix? Peter suggested defining that the problem is correctable even

before the building is erected, so that they can get moving on their project. The way it is now, the site a safety hazard. Rob suggested taking away the January 1st deadline. Peter suggested sending an e-mail to Burr Phillips by tomorrow asking him for a response within 10 days. Mike Helmers suggested sending the e-mail that was originally sent to him so that he has the information. Leah wanted to make sure the Planning Board knew that she did act.

Motion: Tara Taylor made a motion to revise the Notice of Decision to list the conditions as exactly stated in the minutes and voted on at the May 12th Planning Board meeting; seconded by Adrian Simons. All in favor.

Leah Valladares was at a workshop at DS and shared discussion rules to be adhered to (Robert's Rules of Order); she passed them around for everyone to read.

Leah joined the Planning Board again for discussion.

Rob Nadler brought up for discussion as old business David Maudsley's job description; he asked the Planning Board to decide what his role should be. Tara Taylor reported that a job description already exists. Discussion continued, confirming that he has a contract with the Town. A review of his scope of services and what his qualifications are were discussed. Members of the Planning Board and former members of the Planning Board, along with the Technical Advisor are having meetings at a private restaurant. It was confirmed by Steve Knox that the Technical Advisor gets paid for 12 Board meetings a year and nothing else; he was not paid to be at those meetings. The discussion revealed that members currently on the Board have much less experience; a broad area of advisers should be invited to give advice and presentations to the Planning Board. Having the Planning Board members know what is going to be presented in the meetings ahead of time would help them prepare to review the topics and ask questions. Peter suggested being informed in advance, form a committee, discuss the issue, create drafts, and hire someone to make a presentation on the subject at hand. Rob said he would like to see the Planning Board set goals.

Josephine asked what ordinances have to be worked on to go along with the presentations. Rob suggested accessory apartments, and over time have a committee look at the commercial zone and review it. Leah said that she would like to work on that, calling it a business district. Joe Ferris commented if the Planning Board is going to use other advisors, they need to go over the budget and change the wording for what the money is going for: instead of technical advisor, it should be technical advisors. The Planning Board needs to review what kind of advisors are needed and come up with a list of advisors. Peter suggested that when they are working on an issue or topic they can get an advisor who has expertise in that area of discussion.

Leah Valladares made a suggestion to keep the work sessions as work sessions; the agenda needs to be set up properly, and only discuss what is on the agenda at the work sessions. Keep the approval of the minutes, public comments and all the other reports to the monthly meetings. The Planning Board did follow that procedure in the past and needs to get back to it.

Kelly Robitalle spoke about David Maudsley's presentations for which he is getting paid. He asked how he came up with what he was going to present. Tara Taylor said when she was the chairperson she met with him to go over what was going to be discussed at the meetings. It's the chairperson's responsibility. David is on the agenda for monthly meetings. Adrian said the Planning Board knows the topics being presented, some of them by request, some on what the Board was working on, such

as definitions, applications and the new deadlines for the state laws. The last presentation was not known.

Kelly Robitalle asked if anyone has a complaint about the Board of Selectmen, to please come and talk to them. He said something came up and the Planning Board will find out about it.

Mike Helmers announced to the Planning Board that when he was the chairperson he made it a regular procedure to meet with David as an advisor in preparation for the Planning Board meetings. That's what those meetings were about and Steve attended them, too.

Leah asked if David could attend a work session and give a presentation at those. He cannot because he can only attend one meeting a month. She suggested having him at the work sessions. Adrian explained that it depends on what is being worked on; sometimes he would give advice on the legal aspect of regulations. Steve Knox explained that David brings an incredible amount of knowledge to the meetings. He worked for other towns for decades and he has a tremendous amount of experience.

Leah asked how did the Planning Board get to the way it is now? The only way to go forward is to change it. Rob said Mike has the right to complain but David should not do it on his behalf. Leah said she agrees.

Motion: Rob Nadler made a motion to have a review of the existing job description or scope or services for David; Tara said one already exists; Josephine asked for a second on the motion. Peter Carboni seconded. Joe Ferris suggested reviewing the existing job description and if it needs changes, make the changes. Josephine asked all in favor signify it by saying "aye". 1 in favor;

Rob Nadler made another motion to find the job description for David Maudsley, review it and if it needs changes, then change it. Seconded by Peter Carboni. Josephine asked all in favor signify it by saying "aye". 4 in favor; 1 against.

Peter Carboni made a comment about Planning Board members spending time working on Planning Board projects on their own time; he thinks it is a noble effort to improve things. However he said the Planning Board has to realize that some people do not have extra time; if you ask him to make a call, he will not be able to while he is working. Other people are retired and they can do it. He suggested that this is all walks of life getting paid for what they do. He doesn't expect anyone to do anything for nothing on the Board. Steve commented that he always got a vote from the Planning Board before he made any calls. Discussion continued. The Planning Board members are expected to spend time preparing for the meetings.

Adjournment: Acting Chairperson Josephine Howland asked for a motion to adjourn the Planning Board Monthly Meeting at 9:05 P.M. A motion was made by Tara Taylor; seconded by Rob Nadler. Passed unanimously.

Respectfully submitted,

Theresa Ann Gallagher,

Recording Secretary