

Planning Board Meeting
Monday, September 11, 2023
6:00 PM

Attendees: John Kimball, Kevin Foley, Kevin Millar, Rex Caulder, Igor Bily
Zoom: Wendy-iPhone

After a moment of silence for the 9/11 victims, Margaret called the meeting to order and did a Board
Roll Call:

Bonnie- Absent
Margaret- Present
Scott-Present
Kathryn- Absent
Lee- Present
Christine- Present
Jerry- Absent
Igor-Present

Margaret asked for a motion to appoint Igor as a member of the board for this meeting. Lee motioned, Scott seconded, and the vote was affirmative.

Approve the July 25th 2023 meeting minutes

Scott made the motion; Lee seconded the motion, and the vote was affirmative.

Selectmen's Report

Scott stated that there was not much going on except working on budgets in a couple of weeks, and all the plans for next year.

Fill Planning Board Vacancy

Margaret stated that Jerry had the most votes between him and Igor at the last elections, so Jerry should be the next alternate for the position. It was decided that it will be tabled until Jerry is in attendance to accept the position.

All agreed with Lee that the board should advertise for more alternates for the Planning Board.

Margaret noted that Christina's husband had previously expressed interest in serving as an alternate and suggested that she ask him whether he is still interested. Christina said that she would do so.

Correspondence Received

NH Land Use Regulation Books- The order has been placed for hard copies as well as one PDF file that can be shared.

Floodplain Basics Training- Margaret has registered for the training in Lancaster that will be held on Thursday, September 28th from 9-Noon, and invited the other members to join her and carpool.

Discussion on 2024 Budget Request

Margaret made a suggestion to the Board to raise the allotted hours for Cathy for the Planning Board. There is \$5,000 currently in the budget, and it was suggested to raise that to \$11,000. It was questioned by Lee as to whether that was enough allotted for continued hours plus if there is a raise in the rate that it is covered for the following year as well. Lee added that some of the line items could be looked at to change to better reflect reality.

Scott stated that Margaret did a great job filling in for the time that she filled in.

Margaret said a suggestion was made that maybe they could look into picking a particular day of the week as Planning Board time and scheduled, making it easier for Cathy to know when she is to work on Planning Board items. Lee added that it would also be easier for the Board members.

Margaret noted that they could reduce the amounts in Consulting and Legal because they weren't using that amount that it is budgeted for. Scott added that it could be reduced by quite a bit since the town also has a Legal budget, and that the original budget for Planning was established because there was a concern in the past that it was needed in the event that there was a dispute between the Planning Board and the Select Board. Margaret added that Judy has looked at the numbers and thought the revised budget allocation would work.

It was suggested by Lee that the Board could keep a minimum on that line, with Margaret adding that they could have \$1000 for operations and \$1000 for consultation and legal. No other questions were added and the board moved forward for the proposed budget of \$14,000 instead of the original \$11,000.

Discussion on planning board meeting times

It was proposed in all agreed that it should be changed to 5:00 PM to align with the other boards. *Lee motioned to accept the change to 5:00 PM and it was seconded by Scott roll call vote was made by Margaret: Scott-yes; Lee- yes; Igor- yes; Christina- yes; and Margaret abstained.*

Conversation was added about excavation pit visits. Now with the meeting starting at 5:00 PM the board would need to schedule pit visits during the pit business hours. It was decided that the members would follow up their availabilities with an email before the next meeting in mid-October.

Continuing discussion on the subdivision regulations Margaret asked if there were any further questions or discussions. Scott added that he felt the definitions were very involved and felt there should be more discussion on definitions to alleviate confusion. All members agreed that there should be future investigation on this subject, and was tabled.

Discussion on flood insurance program

Margaret and Scott are taking the next step with FEMA next week. A couple of questions were raised by Lee about how many businesses and people are affected. He was concerned that lowering costs would encourage more development in the floodplain areas. Scott answered that it would not be easier to build due to current building standards already being more stringent. Margaret added that through the program if you are not eligible for the flood insurance people cannot get certain kinds of mortgages. The second question from Lee was whether there were hidden costs to getting the points for floodplain insurance and if it was for the community as a whole or just the people in the floodplain. Margaret was not sure of the exact costs to getting to specific tiers and it would have to be looked into.

It was noted also that access to flood insurance benefits citizens who are not in the floodplain as well, since during a weather event or other event that causes flood damage in the town, not only floodplain properties are at risk of flood damage and this damage is not covered under traditional homeowners' insurance.

Discussion on the master plan draft

Christina stated that she was still working on the drafts, and it would be best if she updated when Bonnie was present. This item was tabled and suggested that there should be another master plan vision meeting with the public scheduled soon.

To read into the record Margaret stated that the flood elevation certificate has been in effect since the beginning of July. Building permit records were looked into to see if there were any that might need to be checked to request them to fill out a flood elevation certificate, so our own records are in compliance.

public participation

John Kimball was in attendance and wanted to ask about the status of the permits required by the different agencies regarding the Caulder pit at 112-008, and the conditional approval that was done back in December of 2021 allowing excavating as long as they stay away from the wetlands John was also asking if there were any other permits such as EPA that were outstanding on this permit. He stated that it's been three years since all documents have been available and asked if Caulder was done excavating on the property.

Rex was in attendance and added that he felt that this should not be discussed because there is still an issue with the shooting range. Scott stated that he felt they had the permits that are necessary right now.

John Kimball added that the demo done just a few weeks ago with blasting that some rocks had left the property. He stated that the abutters were not notified as specified in the December 13th meeting and continued in the June 13th minutes that were online.

Rex stated that people in the area were notified and that paperwork was sent out to the police department with blasting date ranges and it was up to the blaster to let them know exactly when. A letter was posted on the property a letter on the scale shack and abutters houses right there were notified by the pit operator.

John added that the owner was responsible not the contractor to which rRex responded that it was the blaster that was required to notify the chief not the contractor John added the conditional permit was that Rex agreed to notify the abutters.

Mr. Kimball stated that he was not notified and if he had been on the property, it would have not been good. Mr. Kimball wants Margaret to go back to the June 13th 2022 minutes that shows that the town attorney at that meeting that was held because he asked for a cease and desist but it was incumbent on Rex to notify others prior to any future postings and claims that that did not happen and is a violation of that permit and he was here tonight to ask for a cease and desist for a second time. Scott stated that he felt the board should stay out of the situation and move on.

Kevin Foley added that it was not about the gun range it was about excavation, so it is the planning board's responsibility since they are the regulating body by law.

Mr. Kimball asked the board to look at RSA 155: E (4) & (10) which states no permit will be granted if there is a safety hazard, nuisance, or potential property damage. He also added that this was the second time abutters were not notified and that the board had the right to shut the pit down for lack of performance with regulations.

Rex wanted to make clear that John Kimball is an abutter, but Kevin Foley is not.

Margaret stated that since they don't have all of the details since it was something that happened shortly before the planning board meeting an investigation needed to be done before they decide on any specific action. She requested a copy of the notification that was sent out by Rex, and he agreed to provide it.

Margaret then suggested to take under advisement and close the discussion.

No other questions or comments were made from the public.

With no other business from the board members Margaret mad a motion to adjourn the meeting at 6:35 pm, seconded by Lee and all agreed.