

PLANNING BOARD MEETING
MAY 21, 2015

PRESENT: Ed Dekker, Chairman, Liz Freeman, Woody Meiszner, Bert Hamill, Paul Termin, Ned Nichols arrived after the meeting started

The Board approved the minutes of the May 6, 2015 meeting with two changes: 1) in paragraph 5 the word comprised was changed to compromised and 2) on the last line of page 1, "open until 12" was changed to "open until 12 noon."

The Board received an update on the gas pipeline from Woody.

Ed summarized the results of looking at other New Hampshire towns' noise ordinances and how they regulate commercial and industrial noise. Ed reported he thinks that the Large Wind Ordinance is a better starting point than the noise ordinances he found. Ed will have a draft ready for the first June Board meeting.

The Board talked about bonding roads, offsite improvements and reclamation.

Ned observed that offsite improvements should be completed before the development is occupied. He suggested that offsite improvements should be covered by a cash deposit to the Town. Additionally he suggested that the Town solicit bids for the offsite work and issue the contract. This allows the contract to be supervised by the Town Road Agent. The developer would be allowed to bid for the work without any special status.

The reclamation bond would be a non-revocable letter of credit to stabilize the site if onsite work is not completed. The Board talked about requiring that the security be either a non-revocable letter of credit or cash.

Onsite work remains an open issue. The Board talked about a three year time limit for completion of all onsite improvements required by the subdivision plan, including but not limited to roads and drainage. Further the Board talked about issuing building permits only after the onsite improvements are complete. If the onsite work is bonded, the Board talked about requiring the security be either a non-revocable letter of credit or cash. If the developer chooses to do the onsite work himself, the Board talked about the mechanism which could be used. Ideas ranged from:

- Making the subdivision approval conditional on the completion of the improvements, i.e. the filing with the Registry of Deeds would not take place until the improvements are complete.
- Making all lots non-buildable until the improvements are complete.
- Making a binding agreement with the developer that the improvements will be completed before lot sales. The Board was unsure of the differences between the types of agreements: covenants, and development agreements. The Board also noted that a PlanLink post noted

there is “no grant of power” for an agreement with the developer. Liz will contact the author of the post for information and the Board will consult with Gary.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,
Ed Dekker, Chairman