

HILLSBOROUGH PLANNING BOARD

April 4, 2012
Official Meeting Minutes

Present:

Members: Herm Wiegelman (Chair), Martha Caron , Larry Baker, Dave Fullerton, Ken Stafford, Sr., Paris Wells

Staff: Shane O'Keefe, Planning Director; John P. Segedy, Recording Secretary

CALL TO ORDER

The meeting was called to order at 7:01 pm by Herm Wiegelman, Chairperson.

Shane O'Keefe, Planning Director had provided a staff memo to the Board regarding the meeting's agenda items as part of a packet of information to the Board..

MINUTES

March 21, 2012

Martha Caron moved: *To approve the minutes of March 21, 2012 as presented.*

Larry Baker seconded. Motion passed 3-0-3 (Dave Fullerton, Paris Wells & Ken Stafford, Sr. abstained).

OTHER BUSINESS

1. **ZAREMBA PROGRAM MANAGEMENT, LLC/CRAIGEN L.T. MAINE (Zaremba)** Discuss previously approved conditions of approval. 201 West Main Street (Map 11P, Lot 177). Case No 11-015.

Shane O'Keefe told the Board that he had thought that Zaremba would have the Bond ready for the Board for review but it isn't yet. He said that he would like to discuss that along with sureties in general which was later on the agenda. He said that they also needed to discuss one of the other conditions which was the crosswalk.

Consensus of the Board was to discuss the crosswalk first.

Shane O'Keefe referred the Board to copies of letters provided to the Board in the packets. In particular he noted that the letter from the New Hampshire Department of Transportation (NHDOT) said that they would not approve the proposed crosswalk without a number of changes.

In answer to a question Shane O'Keefe explained that he had written the request for approval of the crosswalk on behalf of the applicant because NHDOT had indicated to the applicant that it wanted the request for the crosswalk across West Main Street (Route 149) to come from the Town.

Shane O'Keefe said that in speaking with NHDOT's William Lambert he had two alternative changes to the sidewalk & crosswalk. Shane O'Keefe had sketched the two alternatives and provided copies to the Board. Referring to the sketch's Shane O'Keefe explained the first alternative was to move the crosswalk easterly and straighten it to cross perpendicular to the road. The second alternative was to extend the sidewalk a little to the west, narrowing Municipal Drive and allowing for a perpendicular crosswalk.

The Board discussed the two alternatives. The consensus of the Board was that the second alternative, involving the narrowing of Municipal Drive, was not acceptable as it would make the traffic conditions on the road worse.

Shane O'Keefe said that he saw two options for the Board: 1. being to have Zaremba work with NHDOT to create an acceptable plan based on the first alternative (moving crosswalk east) and bring that to the Board; or 2. to lift the condition requiring a crosswalk.

Herm Wiegelman said that it should be up to Zaremba to work it out with NHDOT.

Martha Caron expressed concern about NHDOT requiring a 'controlled walkway'.

Shane O'Keefe pointed out that while the letter suggested controlled signage and lights, it did not require them and he thought that signs and striping alone might be acceptable.

Dave Fullerton said that he thought that controlled walkways were a waste of money as his experience has been that they don't always work.

Consensus of the Board was that they should keep the condition of a crosswalk and that Zaremba should work with NHDOT to create an acceptable plan.

The Board then discussed the surety requirement.

Shane O'Keefe explained that he had been in discussion with Zaremba about it and there had been some back and forth as to whether a Bond, cash escrow or Letter of Credit would be provided.

Martha Caron expressed concern that work had begun without the assurance being in place first.

Shane O'Keefe said that there had been a meeting last week that he hadn't been able to attend between the Town staff and representatives of Zaremba. He believes they were given the go-ahead to begin work.

The Board discussed different types of assurances including Bonds and Letters of Credit.

Shane O'Keefe provided the Board with copies of a confidential opinion letter from the Town's Attorney. He said that he didn't think there was anything in it that needed to be confidential but that was up to the Board.

Herm Wiegelman said that the Board could discuss it if it wanted.

Ken Stafford, Sr. said that they should accept the less expensive option (Bond).

Herm Wiegelman said that it seemed that the Attorney was suggesting that the Letter of Credit was safer for the Town even though it was more expensive.

Shane O'Keefe said that the Board should also decide what it wants covered by the assurance. He said the Board had a lot of discretion whether to have it cover the cost of parts of the project it was concerned about or to cover the cost of reclaiming the site.

Martha Caron said that they should at least cover the costs of the site improvements.

Herm Wiegelman pointed out that for the development on Beard Road they had required coverage for the road and cistern.

Shane O'Keefe provided the Board with copies of a letter from the Town's engineer, William Rollins addressing the cost of the items in the plans to be covered by the assurance and suggesting other items that the Board might want covered.

Shane O'Keefe said he was inclined to not require the extra items to be covered at this point. There was discussion of the items to cover.

Consensus was that in the future it would be appropriate to be clearer in the approval of plans as to what items should be covered by required assurance.

Chair Wiegelman expressed the Consensus of the Board was that they should accept a Bond covering the base items (but not the additional items) as outlined in the engineers letter.

Dave Fullerton said that he had thought that sidewalks were going to be required for all the projects along West Main Street so that eventually they would be continuous from School Street to Route 202. There was discussion on this subject.

Herm Wiegelman answered that in some cases it wasn't practical as in this case where there was the drainage ditch along the property and road and that in some cases it was resulting in a hodge-podge of different sections of sidewalks.

There was further discussion of Letters of Credit versus Bonds.

APPOINTMENT OF ALTERNATES

Herm Wiegelman noted that Marianne Hammond and Fred Murphy were interested in being alternate members.

Martha Caron moved: *To appoint Marianne Hammond as an alternate member of the Hillsborough Planning Board with a ONE YEAR term extending until April 2013 and to appoint Fred Murphy as an alternate member of the Hillsborough Planning Board with a THREE-YEAR term extending to April 2015.*

Ken Stafford, Sr. seconded. Motion passed 6-0.

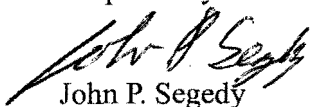
There was a brief discussion of the Economic Development Commission's efforts to attract business to town.

ADJOURNMENT

Herm Wiegelman moved: *To adjourn.*

Paris Wells seconded. Motion passed 6-0 at 7:59 pm.

Respectfully Submitted:



John P. Segedy

Recording Secretary

Approved April 18, 2012