

HILLSBOROUGH PLANNING BOARD

June 6, 2012

Official Meeting Minutes

Present:

Members: Herm Wiegelman (Chair), Ann Poole, Dave Fullerton, Larry Baker, Paris Wells, Fred Murphy (Alternate)

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

Emerald Lake Village District (ELVD) Commissioners: Troy Cornock, (Arrived 7:20); John Dahood (Arrived 7:15); and Bob Hutchinson (Arrived 7:15); Jim Coffey ELVD Administrator (Arrived 7:15)

Public: Rob Buker; Jennifer Viarengo, P.E. and Attorney Bruce Marshall, representing the Zaremba Group.

CALL TO ORDER

The meeting was called to order at 7:00 pm by Herm Wiegelman, Chair.

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.

DESIGNATION OF ALTERNATE MEMBERS

Fred Murphy was designated to vote in place of Martha Caron.

MINUTES

May 16, 2012

Ann Poole provided a couple of suggested wording changes.

Ann Poole moved: *To approve the minutes of May 16, 2012 as amended.*

Larry Baker seconded. Motion passed 5-0-2 (Ken Stafford, Sr. & Fred Murphy abstained).

OTHER BUSINESS

1. **Planning Commissioners Journal** – Shane O'Keefe reported that the Journal (to which the Board has been subscribing) was changing to an electronic only format. He said that the cost would be \$95.00 for 10 people and that they had a \$15.00 credit left on the current subscription. The Board discussed the Journal. Consensus was to subscribe electronically for 10 people. Herm said to make sure that all Board members who wanted were included.
2. **Recording Meetings** – Larry Baker said that the Selectboard meetings were recorded and he thinks it would be good for the Planning Board to do so also. Herm Wiegelman noted that they used to do so. John Segedy noted that he sometimes records the meeting with his own recorder but not every meeting. He said he was recording the present meeting. There was discussion of towns that have their meetings on Cable TV. Shane O'Keefe said that TDS Telecom was seeking to establish a Cable franchise in Hillsborough and maybe televised meetings could be part of that discussion. Ann Poole suggested it would be even better on the web so that those that don't live in town could have access. The Board discussed different recording options. Herm Wiegelman asked Dave Fullerton to find out if they could use the recorder that the Selectboard uses. Larry Baker said he would investigate the cost and quality of recorders.

PUBLIC INPUT/ BUSINESS**Meeting with Emerald Lake Village District (ELVD) Commissioners**

Herm Wiegelman said he saw this as a joint meeting. He said that the Planning Board had invited the ELVD Commissioners so that they could see if the Hillsborough Planning Board could assist the ELVD Planning Board get up and running and to open communication about the roles the ELVD Planning Board will play.

Bob Hutchinson said they were not looking for cross jurisdictional conflicts. He said that the District would be appointing its Planning Board in July. He said that the main things they were looking to do were:

1. Establish a Capital Improvement Program
2. Affiliate with Southwest Regional Planning Commission, and
3. Create a Master Plan

Bob Hutchinson said that they were not planning to institute a separate zoning ordinance.

District Administrator Jim Coffey said there were things that the District Planning Board can do parallel to the Town efforts. He said that they were not establishing the District Planning Board to be adversarial and described different things the Board could do.

Herm Wiegelman said he was glad and also looked forward to a cooperative relationship between the boards. He said the Town's 1984 master plan only had 3 pages specific to Emerald Lake, but the update in 2010 was about a hundred pages. He said the Emerald Lake Planning Board is welcome to use the Town's work as it is theirs also.

There was discussion of the regional planning commissions. Herm Wiegelman thought that since they were residents of Hillsborough they should be able to be part of the Town's membership and save money.

Jim Coffey said that once they get their Planning Board appointed they would do some training and then start on some projects. They would probably start with something smaller and build on successes. One thing he said they were looking at was doing a wetlands study.

There was discussion of an issue about lighting that the Commission was dealing with: and how often the problem was one of people not knowing where in the town to go for help.

There was discussion of the water lines project. There was also discussion of hydrants.

Jim Coffey suggested coordination of the Master Plan process.

Herm Wiegelman agreed that their work could be coordinated with the Town's and that they would be welcome to participate when the Master Plan Committee began its work.

OLD BUSINESS

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

Jen Viarengo said she wanted to clarify what has taken place since they were last here. She said that they have been meeting with Shane O'Keefe and the New Hampshire Department of Transportation (NHDOT) trying to get approval to implement the plan that the Planning Board had approved. There has been a lot of back and forth.

Jen Viarengo said at this point Dollar General was looking to open in three weeks and she was worried about being able to work out the issues with the crosswalk and the NHDOT's concerns. She said that

they had estimated the sidewalk and crosswalk costing \$1,800.00 and she was here to see if the Board would be willing to accept a check for \$5,000.00 to cover the costs and then they could fit in with whatever solution the Town and State worked out.

Shane O'Keefe explained that he has had many discussions regarding the roadway and its width, that currently there is an impasse, and he doesn't see the road being widened soon enough to take advantage of the Dollar General offer to help pave the roadway.

Jen Viarengo talked about the State requiring space for trucks to turn into Municipal Drive without crossing the lane(s) exiting. She said that something is going to have to be done.

Jen Viarengo said that Zaremba has committed to having her continue to work on the engineering plans to help the Town find a solution.

There was continued discussion about the different alternatives that have been looked at and the problems with each. Jen Viarengo passed around copies of an aerial photograph of the intersection that was referred to during discussion.

Ann Poole said that to clarify her understanding: That the geometry doesn't work for any of the proposed crosswalk locations and that Zaremba is offering the \$5,000.00 cash payment so that at some later time when a solution is found that is acceptable the sidewalk and crosswalk can be put in with that money.

Jen Viarengo said that is correct with the caveat that it is not just the sidewalk/crosswalk issue that needs to be fixed, but the road width and turning radius issues.

Ann Poole said that the Planning Board would be gambling that a solution could be found that would allow the crosswalk. She said that the Planning Board would be relieving Zaremba of the requirement to do the sidewalk/crosswalk.

Jen Viarengo answered 'Yes'.

Herm Wiegelman questioned whether the Town could do this.

Rob Buker said that it appears that part of the hold up for all of this is the need for part of his property. He said that he has had a number of conversations with Shane O'Keefe and Highway Foreman Billy Goss about it. He explained that there is a history surrounding the property where thirteen years ago he ended up spending \$36,000.00 in attorney fees to protect his property and ended up getting \$12,000.00 from the Town because they needed it. Rob Buker said that is why he is protective and doesn't want to give up any more than he has already. He said that if he reduces the square footage of the lot then it reduces the size of what can be built on it.

Shane O'Keefe stated that there has never been any proposal to use land beyond the limits of the existing Town right-of-way and said that it is his position that the right-of-way can be used by the Town since they purchased it subject to the terms of a settlement agreement. But that he understands that Rob disagrees, which is why he doesn't see the issue being solved quickly. There was discussion of the fence.

Dave Fullerton suggested that perhaps a swap could be worked out with some of the land that the police station is on.

Rob Buker said that it's possible a payment could be arranged for a small section of his property.

There was further discussion of different options.

Jen Viarengo said that there is a solution, but that it would mean there would only be one lane exiting Municipal Drive. There are things that have to be worked out with drainage. She said the proposal isn't that they make the \$5,000.00 payment and that is it, but that they keep working on the issues, and then when a solution is found the sidewalk/crosswalk can be done to mesh with the other solution rather than cause further problems.

Dave Fullerton said that if there is only 1 lane out then that is going to be a traffic mess on Saturdays. Jen Viarengo said that one lane out is all there is room for with the current right of way.

Ken Stafford, Sr. suggested doing a mountable curb.

Bruce Marshall said that you can't have a mountable curb for a sidewalk because it is against the State's code and is dangerous to pedestrians.

There was further discussion of the different options.

Herm Wiegelman said that it will be in Dollar General's interest to have the intersection problems fixed as their customers will be backed up.

Ann Poole asked if there was anyplace that a crosswalk will be acceptable to the State.

Jen Viarengo said no, not with the existing conditions.

Herm Wiegelman said that they should get to the issue at hand. He asked what was being asked of the Board.

Jen Viarengo answered that they were looking to see if the Board would be agreeable to the payment as discussed.

Anne Poole said that although the offer is generous, the solution should be on Zaremba's dime as this is their project.

Jen Viarengo said she didn't think that was a just characterization as the problem was an existing one.

There was discussion of the drainage issues.

Rob Buker said he thinks they will be spending \$5,000.00 on legal fees.

Paris Wells asked if they could extend the time to complete the crosswalk and allow an occupancy permit in the meantime.

Ann Poole said that she thinks that would require reopening a Public Hearing.

Shane O'Keefe said the Board could just eliminate the condition after a Public Hearing.

Fred Murphy moved: *That a \$5,000.00 payment to the Town, continued engineering support, and providing an easement for a sidewalk will be considered satisfaction of the required condition of a crosswalk/sidewalk.*

Paris Wells seconded.

Anne Poole said she is against this because she thinks it is a bad deal for the Town.

Motion passed 3-2-2 (Fred Murphy, Larry Baker & Paris Wells voted yes); (Ann Poole and Herm Wiegelman voted no); (Ken Stafford, Sr. & Dave Fullerton abstained).

Dave Fullerton said he would be working to see the sidewalk the full length of West Main from downtown to Route 202.

Rob Buker said that he offered good luck on getting the sidewalk constructed.

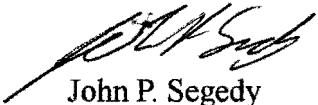
Rob Buker said that the statement made that the Town can move the fence is not true.

ADJOURNMENT

Fred Murphy moved: *To adjourn.*

Larry Baker seconded. Motion passed 7-0 at 8:55 pm.

Respectfully Submitted:



John P. Segedy

Recording Secretary

Approved June 20, 2012