

MINUTES

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:30 P.M.

SEPTEMBER 15, 2016

MEMBERS PRESENT: John Ricci, Chairman; Elizabeth Moreau, Vice Chairman; Rebecca Perkins, City Council Representative; Nancy Colbert-Puff, Deputy City Manager; David Moore, Assistant City Manager; Colby Gamester; Dexter Legg; Jody Record, Alternate

ALSO PRESENT: Mr. Taintor, Planning Director;

MEMBERS ABSENT: Jay Leduc;

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I. APPROVAL OF MINUTES

1. Approval of Minutes from the August 18, 2016 Planning Board Meeting;

Vice Chairman Moreau moved to approved the August 18, 2016 Planning Board meeting minutes, as presented. Seconded by Mr. Gamester. The motion passed by a unanimous voice vote (7-0-0).

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II. FY 2018-2023 CAPITAL IMPROVEMENT PLAN

A. Informational Presentation on CIP Process and Schedule

An informational presentation on CIP Process and Schedule was given by Juliet Walker, Transportation Walker. Ms. Walker’s presentation included the following statements:

- The Capital Improvement Plan is a requirement of the City Charter assigned to the City Manager and submitted to Council at least 3 months prior the fiscal year budget approval. The Planning Board is given authority to oversee the CIP program as a non-regulatory function.
- The 6-month schedule for the upcoming CIP process was outlined. It was highlighted that the deadline for citizen project suggestions is October and the Planning Board is scheduled to adopt the CIP in January.
- A capital improvement is considered to be a major expenditure that is made infrequently or is non-recurring and falls into several various categories, such as land acquisition and facility construction.
- All CIP project requests are submitted via City Departments to the City Manager, then to the CIP Subcommittee. Each request is evaluated based on project justification criterion. It can include many or one justification and still be a high priority.

- The various sources for CIP projects were highlighted, to include federal and state mandates, infrastructure/facility updates/expansions, or planning and policy priorities.
- Financing sources generally depend on cost of the project, useful life, eligibility to receive funds from outside sources, other City obligations, and relative priority.
- The prioritization process involves multi-step qualitative assessment and considers project requirements, timing, strategic alignment, public value, and finance planning.
- The CIP is part of the annual budget process. Projects identified for the upcoming fiscal year are considered in the budget for that same fiscal year. The process lasts from December to June and the CIP is typically funded at 2% of the entire budget for the year.

Further information regarding the Capital Improvement Plan is available on <https://www.cityofportsmouth.com/cip>.

Mr. Gamester asked if the CIP subcommittee will meet with the Citywide Neighborhood Committee. Ms. Walker replied the Committee does not plan to do so because of the citizen request form, the Planning Board presentation, and the Council public hearing.

Ms. Walker noted that any questions can be directed to Planning Department.

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III. DETERMINATIONS OF COMPLETENESS

A. Subdivision:

1. The application of **Public Service Company of New Hampshire, Owner**, for properties located at **280 & 300 Gosling Road**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested.

Vice Chairman Moreau moved to determine the application for subdivision approval is complete according to the Subdivision Rules and Regulations and to accept it for consideration, seconded by Mr. Legg. The motion passed by a unanimous voice vote (7-0-0).

2. The application of **Branford Holdings, LLC, Owner**, for properties located off **Anne Avenue**, wherein Preliminary and Final Subdivision (Lot Line Revision) is requested between two lots.

Vice Chairman Moreau moved to determine the application for subdivision approval is complete according to the Subdivision Rules and Regulations and to accept it for consideration, seconded by Mr. Legg. The motion passed by a unanimous voice vote (7-0-0).

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IV. PUBLIC HEARINGS – OLD BUSINESS

The Board’s action in these matters has been deemed to be quasi-judicial in nature. If any person believes that any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.

A. The application of **Robert J. and Susan L. Nalewajk, Owners**, for property located at **350 Little Harbor Road (previously 50 Martine Cottage Road)**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within an inland wetland and inland wetland buffer for the demolition of a residential structure, detached garage and barn, and the construction of a proposed 4,600 ± s.f. (footprint) residential structure with 3,682 ± s.f. of deck and porches, a 416 ± s.f. portico, a 1,117 ± s.f. detached 2-bay garage, and a new septic system and stormwater structures, with 28 ± s.f. of impact to the inland wetland and 19,927 ± s.f. of impact to the wetland buffer (7,800 ± temporary disturbance and 12,127 ± permanent disturbance). Said property is shown on Assessor Map 202 as Lot 16 and lies within the Rural (R) District. (This application was acted on at the August 18, 2016 Planning Board meeting and is being reheard to comply with public notice requirements.)

The Chair read the notice into the record.

Mr. Taintor explained that the Planning Board approved the application in August, however, it was later found that the abutters were not notified. The conditions in the current application remain unchanged since the previous meeting.

SPEAKING TO THE APPLICATION

Mr. Bernie Pelech provided a brief overview of the project. The Conservation Commission reviewed the application, conducted a site visit, and recommended the conditional use permit be granted. Due to the shape of the property, there is little buildable land outside of the buffer or wetlands. Since the last meeting, numerous letters of support were submitted to the Planning Board through the department. Mr. Pelech emphasized that the application requests conditional use, not demolition.

Mr. John Chagnon, Ambit Engineering, provided a brief overview of the purpose for the conditional use permit. The property has two buffer zones, which he described in detail. The project intends to demolish the existing structure and replace with a new L-shaped home with associated driveways and utilities. Access will be provided starting from the northeast side of the property. The ribbon driveway will have grass in the middle and consist of permeable pavers. There will be temporary impact to install underground services, which has been approved by NHDES. The remaining impact is in the buffer zone. The property will be served by drilled well and there are a number of treatment points for runoff on the site. The existing septic system will be converted into an infiltration device. He explained which existing structures located within the buffer will be removed.

Mr. Chagnon replied to Vice Chairman Moreau that the access entry point will be located from Little Harbor Road.

Mr. Steve Riker, Ambit Engineering, provided a brief overview of the mitigation components. The barn and detached garage will be removed, which both currently direct untreated runoff towards the nearby wetland. The remainder of access way that is currently not used will be returned to a natural state and serve as a natural buffer to the northern wetland. Erosion on the west side will be reconditioned. All storm water runoff will be controlled before reaching the wetland. The plan is reasonable, feasible, and attempts to reuse spaces that have already been disturbed. As many trees as possible will be preserved.

Mr. Riker highlighted the functions and values assessment, which explains the northerly fresh water wetland is not a principle function. He reviewed the criteria listed in the conditional use permit.

Mr. Riker confirmed to Mr. Gamester that the access way to be reconstituted has not seen much use which will make it easier to revert to its natural state.

Chairman Ricci asked if anyone was present from the public wishing to speak to, for, or against the application.

Kerry Vautrot, 10 Middle Street, Chairwoman of Portsmouth Advocates

Ms. Vautrot encouraged the property owners to consider alternative options other than demolition. Mr. Taintor noted that there is a proposed revision to the demolition delay ordinance currently under review by Council. The property was reposted on August 23rd for demolition and the comment period to the building inspector would last until September 23rd.

Robert Najar, 10 Martine Cottage Road

Mr. Najar was pleased to see that there will be positive changes to the property since it has been vacant and in disrepair for the past ten years. He asked for further details regarding the material used for driveway and what other options are available. Martine Cottage Road is dirt and the neighborhood has discussed in the past what type of material is best.

Robbi Woodburn, Woodburn & Company

Ms. Woodburn explained that the ribbon driveway and courtyard would be made of permeable paver. The applicant wanted to have a sturdy and sustainable pavement that would be attractive and functional. They wanted to avoid asphalt and concrete entirely. The crushed stone and gravel was not desirable for the winter months. That led them to choose to utilize permeable pavers, which are set on top of stone to allow for infiltration.

Chairman Ricci closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Vice Chairman Moreau moved to grant Conditional Use Permit with the following stipulations:

- 1. The stone and brick rubble pile shall be removed.
- 2. The construction access to the site shall be entirely on the southerly access way.

Seconded by Mr. Legg.

Vice Chairman Moreau expressed positive support given the large amount of surrounding wetlands.

Chairman Ricci felt that the conditional use permit does not meet criteria five and he did not feel comfortable with the increase in square footage compared to the existing footprint.

The motion passed by a voice vote (6-1-0) with Chairman Ricci opposed.

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B. The application of **599 Lafayette, LLC, Owner**, for property located at **599 Lafayette Road**, requesting Site Plan Approval for the construction of a 772 s.f. 1-story drive-thru Aroma Joe’s coffee shop, revision of the existing parking and circulation layout, and relocation of dumpsters, with related paving, lighting, utilities, landscaping, drainage and associated site improvements. Said property is shown on Assessor Map 229 as Lot 8 and lies within the Gateway (GW) District. (This application was continued from the August 18, 2016 Planning Board Meeting.)

Vice Chairman Moreau moved to postpone to the next regularly scheduled Planning Board Meeting on October 20, 2016, seconded by Mr. Legg. The motion passed by a unanimous voice vote (7-0-0).

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V. PUBLIC HEARINGS – NEW BUSINESS

*The Board’s action in these matters has been deemed to be quasi-judicial in nature.
If any person believes that any member of the Board has a conflict of interest,
that issue should be raised at this point or it will be deemed waived.*

A. The application of **Seacoast Trust, LLP, Owner**, and **Stonegate NH Construction, LLC, Applicant**, for property located at **150 Route 1 By-Pass**, requesting a Conditional Use Permit under Section 10.1017 of the Zoning Ordinance for work within the inland wetland buffer for the demolition of the existing building and the construction of a proposed 246’ x 85’ 3-story multi-family building with a footprint of 17,667 ± s.f. and gross floor area of 53,000 ± s.f., with 24,950 ± s.f. of impact to the wetland buffer. Said property is shown on Assessor Map 231 as Lot 58 and lies within the Single Residence B (SRB) District.

Mr. Moore moved to **postpone** to the next regularly scheduled Planning Board Meeting on October 20, 2016, seconded by Mr. Gamester. The motion **passed** by a unanimous voice vote (7-0-0).

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B. The application of **Public Service Company of New Hampshire, Owner**, for properties located at **280 & 300 Gosling Road**, wherein Preliminary and Final Subdivision Approval (Lot Line Revision) is requested between two lots as follows:

- a. Map 214, Lot 2 decreasing in area from 79.367 ± acres to 40.494 ± acres with 135’ of continuous street frontage along Gosling Road.
- b. Map 214, Lot 3 increasing in area from 0.232 ± acres to 39.105 ± acres with 1,568’ of continuous street frontage along Gosling Road.

Said lots lie within the Waterfront Industrial (WI) District which requires a minimum lot size of 2 acres and 200’ of continuous street frontage and Office Research (OR) District which requires a minimum lot size of 3 acres and 300’ of continuous street frontage.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION

Kenneth Clinton, Meridian Land Services, Inc.

Mr. Clinton’s presentation included the following statements:

- The purpose of the lot line revision is to allow for the future divesture of the generation facility from the transmission and distribution. They look to delineate the functions of the property with the lot lines, so that one side of lot is generation and the other is transmission and distribution.
- The location and size of the two properties were detailed. The lot line shift would move towards the railroad resulting in about 135' of frontage.
- The Zoning Board of Adjustment granted a variance for the reduced frontage, structures exceeding height limitations, above ground gas line, and the vision buffer wall.
- There are three access point locations and each resulting lot will have its own access point. Relative to the proposed new line, the suggested access easement from staff was determined unnecessary for the particular application for various reasons mentioned.
- The City has a license agreement for access to a large portion of the property. Staff has recommended that the easement be formalized prior to the final recording of the plan. Further clarification was requested for the terms of that formalization and release procedures for the easement.
- A waiver was submitted to not require the final plat requirements given the nature of the site.
- The zoning exhibit will need to be revised on the final plat for slight changes in the lot line. It was requested to consider that as an administrative change.

Mr. Taintor explained that the administrative change for foot differences due to fences or any other reason will need to be included in the motion.

Vice Chairman Moreau asked if they currently have Right-of-Way access across the railroad. Mr. Clinton replied that there are certain rights to cross the railroad, but he could not recall if the proposed use fits under the existing right. The City would have to verify the use since it is not a component of the application.

Vice Chairman Moreau asked for clarification in where the buildings near Gosling Road are located. Mr. Clinton replied that they were not buildings. He explained that an extensive amount of time was spent evaluating the property line adjustment.

Mr. Taintor clarified why an easement would not be required for the two driveways. If the access is required in the future, then an easement would be necessary with approval from the Technical Advisory Committee. The current subdivision application does not approve access from one owner's property to another. Mr. Clinton understood that granting a private right or easement to another private party is not in the jurisdiction of the Planning Board. He suggested that further discussion be had to clarify the understanding. Mr. Taintor concurred.

Mr. Taintor answered to Mr. Clinton's written communication that the City intends to design and construct. Easements are only a stipulation that will be defined once the easements are created. He noted that reference should indicate Lot 11, not Lot 12.

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Chairman Ricci asked if anyone was present from the public wishing to speak to, for, or against the application. Seeing no one rise, the Chair closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Mr. Taintor cited the lot line revision waiver request into the record.

Mr. Legg moved to grant a partial waiver from the Subdivision Rules and Regulations, Section V., Requirements for Final Plat, Item #8, specifically a waiver from providing the location of wetlands, water courses and soil types. Seconded by Vice Chairman Moreau. The motion passed by a unanimous voice vote (7-0-0).

Mr. Moore moved to grant Preliminary and Final Subdivision approval with the following stipulations:

1. Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
2. GIS data shall be provided to the Department of Public Works in the form as required by the City.
3. The applicant shall grant the City 50-foot easements for an emergency access way for the Atlantic Heights neighborhood over adjacent property under the same ownership (Assessors Map 213 Lot 11 and Map 214 Lot 1), generally along the alignment shown on Sheet 3 of the subdivision plan, unless the City Manager advises the Planning Director that the easement is no longer required.
4. The final plat, deed and easement shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department., Moreau to grant subdivision preliminary with the stipulations depicted in the memo.

Seconded by Vice Chairman Moreau. The motion passed by a unanimous voice vote (7-0-0).

Further action was later had under VIII. Other Business as follows:

Mr. Gamester noted that the applicant requested that City staff provide the flexibility for minor modifications in the lot line after granting the waiver. Mr. Taintor responded that the previous motion did not include that stipulation.

Mr. Gamester moved to reopen the motion for discussion to grant Preliminary and Final Subdivision approval, seconded by Vice Chairman Moreau. The motion passed by a unanimous voice vote (7-0-0).

Mr. Moore moved to amend the motion to grant Preliminary and Final Subdivision approval to add the following stipulation:

1. The Planning Director is authorized to approve a minor modification in the lot line as stated by the applicant at the public hearing.

Seconded by Vice Chairman Moreau. The motion passed by a unanimous voice vote (7-0-0).

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C. The application of **Branford Holdings, LLC, Owner**, for properties located off **Anne Avenue**, wherein Preliminary and Final Subdivision (Lot Line Revision) is requested between two lots as follows:

- c. Map 286, Lot 13 increasing in area from 1.116 acres to 1.390 acres with street frontage along Joan Avenue, Ann Avenue and Robert Avenue.
- d. Map 286, Lot 1A decreasing in area from 25.354 acres to 25.080 acres with no street frontage.

Said lots lie within the Garden Apartment/Mobile Home (GA/MH) District which requires a minimum lot size of 5 acres and no continuous street frontage.

The Chair read the notice into the record.

SPEAKING TO THE APPLICATION

Corey Belden, Altus Engineering

Mr. Belden’s presentation included the following statements:

- The proposed lot line adjustment will create a rectangular piece out of Map 287, Lot 1A which will extend the property line for the parking area. There’s an existing dog park that would be reconfigured to be fully retained in the Map 286 lot. There will be a proposed amendment to construct a pool and amenities in that area. Given the increased lot size, there is a slight reduction in the percentage of impervious surface.
- The impervious area in Map 286, Lot 1A will increase slightly.
- The proposed site amendment plan demonstrates the new swimming pool addition. There are future plans to renovate one of the units into a bathroom facility, shower, and recreational room.

Chairman Ricci asked if anyone was present from the public wishing to speak to, for, or against the application. Seeing no one rise, the Chair closed the public hearing.

DISCUSSION AND DECISION OF THE BOARD

Vice Chairman Moreau moved to grant Preliminary and Final Subdivision approval with the following stipulations:

1. Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.
2. GIS data shall be provided to the Department of Public Works in the form as required by the City.
3. The final plat and deed shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

Seconded by Mr. Legg. The motion passed by a unanimous voice vote (7-0-0).

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VI. PUBLIC HEARING – LAND USE REGULATIONS

A. Proposed amendments to the Zoning Ordinance, Articles 2, 3, 4, 5, 6, 8, 10, 11, 12 and 15, relating to variances, nonconforming buildings and structures, accessory dwelling units, building coverage and yards, residential bulk control and building heights, Historic District exemptions and design guidelines, wetlands protection, off-street parking setbacks, digital signs, and definitions. The proposed amendments are available for revise in the Planning Department during normal City Hall business hours, and are also posted on the Planning Department website, planportsmouth.com.

Mr. Taintor suggested to continue the public hearing to the next regularly scheduled meeting to incorporate past comments regarding bulk control plane and signage.

Mr. Taintor highlighted the changes in the drafted amendment regarding accessory dwelling units since the previous meeting as follows:

- It was learned that the Type 1 and Type 2 approach previously intended would not be allowable under State law. The law makes it difficult for the conversion of existing structures, such as carriage houses, into accessory dwelling units because the ADU would have to meet the requirements for a single family dwelling.
- An attorney from the New Hampshire Municipal Association suggested simply changing the name. Thus, a revision was made to allow for attached and detached accessory dwelling units and garden cottages. The ADU would be subject to conditional use permit by the Planning Board. The garden cottage would be granted by special exception through the Zoning Board.
- One addition was made to ADUs in Section 10.814.33 to allow home occupation use only for the owner of the property in their occupied unit. That needs to be verified whether it is legal under the law.
 - The drafted provisions for a garden cottage was stated with emphasis at Section 10.815.23, which exempts the unit from the residential density standards allowing the conversion of existing structures to happen without needing a variance. Also, the existing accessory building shall not be expanded and one parking space is allowable per garden cottage.

Mr. Taintor replied to Ms. Record's question that the garden cottage would not be larger than 500 s.f. because it geared towards existing buildings.

Mr. Taintor replied to Mr. Gamester that if the building height of a garden cottage needed to be increased, then a variance would be necessary.

Mr. Legg suggested that the garden cottage be granted by conditional use permit until the City has a better sense of what the best approach is. The Board concurred with that notion.

Councilor Perkins asked why the parking space requirements for ADUs are higher than the existing microunit standards. Vice Chairman Moreau recalled that the consensus of the Board was to provide strict standards initially that could be later relaxed once there is a better understanding of how that standard works in practice.

Mr. Taintor clarified to Councilor Perkins that the Board reached consensus to not use a sliding scale for maximum gross floor area of a DADU. Instead, the provision indicates two maximum size requirements, which depends on whether or not the lot area is less than 2 acres.

Councilor Perkins asked whether or not the criteria for ADU and DADU is subjective where it states "provides adequate open space and landscaping" and "not significantly reduce the privacy of adjacent properties." A few members of the Board felt that even though it is subjective, it is still reasonable.

Councilor Perkins questioned whether the standard that a garden cottage shall not be larger than 500 s.f. is necessary since it only applies to existing structures. Vice Chairman Moreau added that the standard would not be met for an existing structure that exceeds 500 s.f. Ms. Colbert Puff added that the same situation would occur in the standard that windows cannot be higher than eight feet. Mr. Legg felt that the 500 s.f. maximum area constraint is important to ensure that garden cottages would look

similar to other ADUs in terms of form and function. Councilor Perkins suggested applying the same size restrictions for both an ADU and garden cottage.

Ms. Colbert Puff asked whether different dimensional and intensity standards can and should be ascribed to the DADU and ADU rather than requiring that both comply with single-family dwelling standards. Mr. Taintor explained that it can and suggested to add an exception to that standard for minimum increased lot area for DADUs.

Mr. Taintor suggested to add an exception for DADU for an increased minimum lot size area up to 20%. Ms. Colbert Puff wondered if it should intend to increase the lot area requirement for a detached unit compared to what a single-family dwelling lot would require. Councilor Perkins suggested that subjective standards may help to handle those particular situations and supported the minimum lot size area caveat.

Mr. Taintor noted that a few standards, such as, condominium ownership and home ownership, still need additional clarification from the State. He explained that the statute indicates the single-family dwelling requirements apply to the combination of the principle dwelling unit and the ADU. However, the City cannot prohibit condominium ownership. Thus, the difficulty is whether the prohibition of condominium ownership is excluded by the terms of that statute. Councilor Perkins saw the main concern is to ensure the owner occupies at least one of the units. Mr. Taintor added that the statute only requires the owner to be onsite for at least one of the units and if the other is separately owned, it could entice a short-term rental situation.

Ms. Colbert Puff asked if the Planning Board has the jurisdiction to withdraw the annual certification at any point the unit becomes non-compliant. Mr. Taintor clarified that the certificate is a finding by the Planning Board. He noted that 23 out of 26 communities in the Rockingham County region that are mostly rural currently allow ADUs. One community issues a new certificate of occupancy every time a residential tenant changes, but that is unlikely to be feasible in Portsmouth. Because of the larger scale in Portsmouth than other communities, some approaches will have to be different than common practice.

Mr. Taintor summarized: to change garden cottage to conditional use permit; consider increased lot area for a DADU in those districts with low minimum lot area requirements; if condominium ownership cannot be controlled, do not consider DADU; and, examples for each type of zoning district would be helpful.

Chairman Ricci asked if anyone was present from the public wishing to speak to, for, or against the application. Seeing no one rise, the Chair closed the public hearing.

Vice Chairman Moreau moved to continue the public hearing to the next regularly scheduled meeting on October 20, 2016, seconded by Mr. Legg. The motion passed by a unanimous voice vote (7-0-0).

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B. Proposed amendments to the Subdivision Rules and Regulations and the Site Plan Review Regulations (1) to require pre-application review for certain major developments; (2) to require that all mylars be pre-approved by the Registry of Deeds before being delivered to the Planning Department for recording; (3) to review the membership of the Technical Advisory Committee; and (4) to provide for administrative approval of minor amendments to approved subdivision plans.

Mr. Taintor highlighted the four major changes for the proposed amendments to the Subdivision Rules and Regulations and the Site Plan Review Regulations and provided a brief background description for each.

Chairman Ricci and Vice Chairman Moreau expressed support for the mylar pre-approval.

Chairman Ricci asked if anyone was present from the public wishing to speak to, for, or against the application. Seeing no one rise, the Chair closed the public hearing.

Mr. Legg moved to amend the Site Plan Review Regulations as presented, seconded by Vice Chairman Moreau. The motion passed by a unanimous voice vote (7-0-0).

Mr. Legg moved to amend the Subdivision Rules and Regulations as presented, seconded by Ms. Record. The motion passed by a unanimous voice vote (7-0-0).

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VII. CITY COUNCIL REFERRALS/REQUESTS

*The Board's action in these matters has been deemed to be legislative in nature.
If any person believes any member of the Board has a conflict of interest,
that issue should be raised at this point or it will be deemed waived.*

A. Consideration of rezoning options for 678 Maplewood Avenue and the adjacent vacant parcel to allow for the development of affordable housing. (This was postponed from the June 16, 2016 Planning Board Meeting).

Vice Chairman Moreau moved to postpone to the November 17, 2016 Planning Board Meeting, seconded by Mr. Legg. The motion passed by a unanimous voice vote (7-0-0).

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VIII. OTHER BUSINESS

A. Request of 406 Highway 1 Bypass, LLC, Owner, for property located at 406 Route 1 By-Pass, requesting a one year extension of Site Review approval, which was granted on October 20, 2015.

Mr. Taintor stated they have the ability to request a one-year extension that does not require a public hearing.

Vice Chairman Moreau moved to grant a one year extension of Site Review approval to October 15, 2017, seconded by Mr. Legg. The motion passed by a unanimous voice vote (7-0-0).

B. Discussion

The October 20, 2016 meeting will include a work session with the City Attorney to discuss the conflict of interest law.

A public meeting will be held at on September 22, 2016 at the Exeter Public Library by Ben Frost, a proponent of the ADU law, and Steve Law, an attorney from New Hampshire Municipal Association.

Vice Chairman Moreau asked about the status of the Master Plan updates. Mr. Taintor noted there was some delay due to Ms. Berna’s absence. The online survey concluded on August 30, 2016 and roughly 170 responses were received. The most recent public draft is dated early August. Planning Board approval is aiming to occur at the end of the year.

Chairman Ricci noted that Mr. Gladhill submitted his resignation from the Planning Board.

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IX. ADJOURNMENT

A motion to adjourn at 9:15 pm was made, seconded and passed unanimously.

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Respectfully Submitted,

Marissa Day
Acting Secretary for the Planning Board

These minutes were approved at the October 20, 2016 Planning Board Meeting.