

**PLANNING BOARD**  
**Monday, March 6, 2023**  
***Public meeting convenes at 7:00 p.m.***  
***Appointments scheduled to begin at 7:30 p.m.***  
***In person at the Town Offices with a Zoom option for the public.***

**Present:** Joe Brodbine, Steve Laskowski, Maria Bissell, James Hancock (alternate), Joe Parisi, Bob Maibusch, and Fran Shippee. Also present at the meeting was Recording Secretary, Jennifer Keating.

**Absent:** James Corliss

**Others Present:** Sarah Pratt, Rick Pratt, David Gale

**Call to Order:** Maria Bissell, as Vice-Chair, called the meeting to order at 7:00 P.M.

**Seat Alternates:** Hancock was seated.

**Review of the Minutes**

February 20, 2023

*Laskowski moved to approve the minutes from February 20, 2023, as amended. The motion was seconded by Brodbine and passed unanimously.*

**Appointments**

**Public Hearings**

**Items for Discussion**

**Review for Completeness- Village Creamery**

The board reviewed the application for completeness. It was noted that the abutters across Route 9 were not on the plans, but they were included on the abutters list. The drawing is not complete with the abutters list.

The plans are missing a North Arrow.

Applicant requested a waiver for the first-floor slab elevation.

Brodbine said that he believes the plans need to show Route 9.

Parisi asked about the location for solid waste disposal and collection facilities. Board agreed it was missing. Bissell noted that a waiver was submitted for this.

Hancock commented that the utility entrance appears to be missing as well.

The plans were missing the other structures for abutting properties. Bissell noted a waiver was submitted for the existing structures on the adjacent properties.

There was a waiver for the topographical survey, the requirement for a full lighting study, and the surface water management plan.

The board would like to see the abutters within 250 feet listed on the plan and be consistent with the list. The Board requests a North Arrow added to the map. This is from Land Development Regulations (LDR) 401.

Per LDR 403.3A, Route 9 should be noted on the map.

Laskowski asked if the applicant can be allowed to submit the application, not the owner. Shippee pointed out the Representation form.

*Parisi made the motion to schedule a Public Hearing for the Village Creamery on March 20, 2023. Laskowski seconded the motion. Motion passed unanimously.*

Parisi noted that the waivers were pending and that if the applicant is worried about the timing, it may make sense to limit the number of waivers requested.

### **Possible Processes for Finding of Fact**

Bissell said that going forward, it is important to call out RSAs and LDR for all approval and denial of applications. She said that if there is an application that relies on a certain RSA, it should be called out in the minutes and on the Notice of Decisions. She asked if anyone else had thoughts.

Brodbine noted that sometimes projects are denied, but without an RSA to point to. He thinks that the Board needs to state the reason and rationale behind the denial.

Hancock said that he believes that if the board cannot point to an RSA, the board is on legal thin ice. Bissell disagreed with Hancock. Maibusch said that he thinks that pointing to the Master Plan is another option, but he does not think that the Planning Board should be able to be subjective about the plans, they should only be objective. Parisi agreed with Maibusch that there needs to be justification and without justification it is very risky for the Planning Board. Hancock said that he thinks that quantitative documents, such as traffic studies, may be appropriate for denial.

Laskowski pointed out that in HB 1661, the state suggested documentation to make potential court cases less likely or less risky.

Parisi said that he thinks, historically, the board has not denied plans without a finding of fact.

Bissell would like to put this on the agenda for the next meeting for a reminder and so that the board can work the finding of fact into the NODs. Bissell said she would like to consult with Town Counsel about the proper verbiage. Hancock said that he thinks that after public hearings, it could be listed out. Bissell said, in her opinion, it should be done before voting.

Bissell said that she would like to have the Board vote on the process next meeting.

Parisi noted that this seems to be much more important for denials than it is for approvals. He thinks that all denials need to be substantiated by fact.

Hancock said that he thinks that the public objections should also be addressed in the Finding of Fact Procedure. Brodbine said that he would like to work out a procedure and put in action prior to putting it in writing.

Parisi noted that the Board may be able to borrow best practices from other towns. Bissell said that it may be able through the OSI as well, she will look on the website.

### **Items for Information**

#### **Housing Navigator Program Update**

Shippee noted that minutes were taken in order to help the Planning Board understand the mission of the Housing Navigator Academy. Laskowski and Shippee will be attending the Housing Navigator Academy again on March 22, 2023, in Bedford, NH.

Hancock said the Master Plan seems to be in conflict with the need for Workforce Housing. Bissell said that perhaps the next Master Plan should address this. Laskowski said that the Master Plan had come up in the conversation with the Housing Navigator, Rick Ekstrom. Laskowski said that they had given Ekstrom the challenge of looking at the Land Development and Zoning Regulations but the town has not yet formulated a direction yet. Shippee noted that the Master Plan does need to be reviewed.

### **Meet the Candidates**

Bissell attended the Meet the Candidates night to speak about the Zoning Ordinance Regulation recommendations.

Parisi asked about the questions she received. Bissell said that there was a lot of interest and questions regarding Workforce Housing. Brodbine said that he thinks there has been a lot of publicity via Workforce Housing and people seem to be a bit more accepting than he anticipated. Laskowski was interested in why many people equate workforce housing with low-income housing.

It was noted that there is an RSA that points to income levels. Bissell said that Workforce and Affordable Housing are interchangeable in the law.

Hancock stated that it was good that the public was generally receptive to the Workforce Housing addition, but it would be nice if there could be more communication with the public prior to the vote.

### **Other Business**

### **Items for Signature**

#### **Adjournment**

*Brodbine moved to adjourn at 8:23pm. The motion was seconded by Laskowski, motion passed unanimously.*

The next meeting will be held at 7:00 PM on March 20, 2023, at the Town Offices and virtually.

Respectfully Submitted by:  
**Jennifer Keating**

**Planning Board Secretary**

Approved by:

*Maria Bissell*

*3/22/23*

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**Maria Bissell, Vice-Chair**

**Date**