



Town of Weare Planning Board

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Planning Board

Craig Francisco, Chairman
Frank Bolton, Vice Chair
Neal Kurk, Secretary
George Malette, Member
Keith Lacasse, Ex-Officio
Dani-Jean Stuart, Alternate
Bruce Fillmore, Jr., Alternate

PLANNING BOARD – JANUARY 9, 2014 FINAL MEETING MINUTES

Present: Craig Francisco, George Malette, Frank Bolton, Bruce Fillmore, Jr. and Chip Meany
Guests: None

I. CALL TO ORDER

The meeting was called to order at 7:00 pm by Chairman Craig Francisco. Mr. Fillmore was acknowledged as a full voting member.

- II. Mr. Francisco called attention to Article 2. He stated it is per council recommendation as the state language had changed. Mr. Fillmore made a motion to approve Amendment 2 for the Town Warrant as written. Mr. Malette seconded. All were in favor.

Mr. Francisco brought up Article 3. Mr. Fillmore made a motion to approve Article 3 as written. Mr. Bolton seconded the motion. It was discussed that town counsel advised that the current language is not enforceable. Mr. Bolton said the new article is less enforceable. Mr. Meany stated that the new language will allow him to do more research. Mr. Meany said it adds constitutional enforceability. Mr. Malette summarized that our town counsel considers it the most defensible language. Mr. Francisco, Mr. Malette and Mr. Fillmore were in favor of the motion, Mr. Bolton was opposed. The motion passed 3-1-0.

Article 4 was reviewed and Mr. Malette pointed out that the language didn't seem quite right regarding the word use or usability. Mr. Bolton recommended use as the correct term. Mr. Francisco said that Amendment four adds section 3.14.1 and adds the definition of use. 3.13.1 is just the RSA. Mr. Bolton moved to recommend that the Planning Board accept Article 4 as corrected. Mr. Malette seconded the motion. All were in favor and the motion passed.

Amendment 5 was to amend Article 4 definition for driveways, allowing changes adding the conditional use permit for driveways over a 10% grade. Mr. Meany clarified that these two were combined by the Planning Board. Mr. Bolton asked what would happen if 5 passed and 4 didn't. Mr. Meany said he believed it was contingent. Mr. Fillmore asked if we could insert a clause regarding the contingency. Mr. Meany said it was posted as that at this public hearing.

Mr. Fillmore asked for a point of order to withdraw the previous motion for Amendment 4.

Mr. Francisco made a motion to delete the previous motion on Article 4. Mr. Bolton seconded. All were in favor.

Mr. Francisco summarized that Article 4 and Article 5 are to be combined. Mr. Francisco stated that Amendment 4 is going to add 3.13 with 1 as conditional use. He stated the purpose to amend Article 4 is to add a definition for conditional use and revise the definition of driveways.

Mr. Francisco opened a discussion on Amendment 6, and stated it should also become the last part of Article 4, which is to amend article 29.7.2 which currently states the maximum coverage may be increased upon a conditional use permit. Mr. Bolton made a motion that the Planning Board include

Amendment 4 as corrected to the Town Warrant. Mr. Fillmore seconded. All were in favor.

Mr. Francisco stated that now, as of the posting, we have a conditional use permit process, and we need an application. SNHPC came up with an application that he shared with the board. Mr. Meany said he would like to see on page 2, "state agency approvals as applicable, if applicable" so that he doesn't have to chase down agencies. Mr. Francisco replied that it is up to the applicant to do that. Mr. Fillmore had an issue with the Waiver Request, and he would like to see it rolled into one form. Mr. Fillmore made a motion to accept this Conditional use Permit Application as amended. Mr. Malette seconded. The five pages that are to be included were reviewed. The vote was unanimous.

Mr. Meany explained the fee schedule. Mr. Francisco said the middle third of the piece of paper handed out details a \$50 review fee, \$50 application fee and \$8 per certified letter per abutter. Mr. Meany said we were charging \$5 now and were losing money due to the weight of the letter. Mr. Francisco stated he would like the \$8 per certified letter to say \$8 per certified letter/abutter notification so people know what the certified letter is for and understand it is per abutter. Mr. Meany stated right now we do not charge plan review fees. Mr. Francisco recommended upping the application fee to \$100 and removing the review fee. Mr. Meany noted that for towns that have part time building inspectors, they charge \$25 or \$50 per inspection, for every time the inspector has to go out. He noted a cost involved in collecting that data. Mr. Bolton made a motion to accept the conditional use fee schedule as revised. Mr. Malette seconded. The vote was unanimous.

III. **OTHER BUSINESS**

Mr. Bolton made a motion to accept the November 14th 2013 minutes as printed. Mr. Fillmore seconded. Mr. Malette abstained. The vote passed 3-0-1.

The November 21st minutes were reviewed. Mr. Bolton said on the last page, second line up from the bottom just above adjournment, it should say "Frank Bolton abstained." Mr. Fillmore said on the second page, top paragraph, it says "Mr. Fillmore said he feels Mr. Smith needs to go to the Zoning Board for a variance." Mr. Fillmore did not recall this. Mr. Francisco stated he knows he said it and said to change it to "Mr. Francisco". Mr. Malette made a motion to approve the minutes of November 21st 2013 as amended. Mr. Fillmore seconded. The vote was unanimous.

Mr. Fillmore talked about implementing fillable .pdf documents, and he would like to eventually have them on the web site once the new web site goes live. Mr. Fillmore clarified this was the ability to complete it on a computer and print it out, the ability did not include submitting the application on-line and he didn't think we would want that.

IV. **ADJOURNMENT**

Mr. Bolton made a motion to adjourn at 8:24pm. Mr. Malette seconded. The meeting was adjourned.

A true record,

Wendy J. Stevens