

**BETHLEHEM PLANNING BOARD
MEETING MINUTES
August 26, 2015
BETHLEHEM TOWN HALL MEETING ROOM**

Present: Mike Bruno, Chris McGrath, Andrea Bryant, Marie Stevenson, Jeanne Robillard, Libby Staples and Dave Wiley.

Excused: Steve Gorman and Sandy Laleme

Mike opens the meeting at 6:30 and appoints Jeanne Robillard as a full member for Steve Gorman and introduces Libby Staples as the Select Board liaison, sitting in for Sandy.

Mike begins by explaining that due to a faulty notice the public hearing that was scheduled for tonight will be rescheduled for September 23rd. A conceptual plan that reflects the changes since the last meeting will be presented by AHEAD.

Deb Beard would like to know how it was faulty. Mike informs her one of the abutters was missed.

Mike Claflin would like a clarification on procedure. Dawn explains that AHEAD will have to return to the ZBA for Special Exception since that meeting was also noticed incorrectly. Currently there is a ZBA meeting schedule for September 10 for an appeal for a rehearing. Dawn has suggested that meeting be used for a new Special Exception application.

Mike Claflin would like to reference the engineer's report while explaining the new plans. Mike Bruno agreed that the information could be shared informally.

Olivia presents the board with 3 copies of the revised plan. She points out that the plan still includes the solar array, which will reduce costs for tenants. Olivia states that there is no rental assistance for this property, rather it is affordable workforce housing with rents not paying more than 30% of the tenants income.

Mike Claflin points out that this plan is different from the last one based on the engineer's report which suggested the project take another look at access from Rte 302. He adds this was the original plan, which was presented at a conceptual meeting on March 11, 2015. He indicates there will have to be another wetlands report since those need to be completed every 5 years. AHEAD has talked with DOT and have been told they could have access from Rte 302. He adds that AHEAD has made the best effort to mitigate community concerns, and while this is the more expensive proposition AHEAD would like to proceed to see if this works.

Mike Bruno wonders about the Alteration of Terrain permit and whether or not the fire chief and road agent had been informed about the changes. Olivia confirms that she spoke with the road agent and

DOT. She adds that the issue wasn't about having two access roads, it was about the condition of James Street through the construction phase. That, along with feedback from the community made the modification for the access from Rte 302 logical.

Mike Clafin comments that the one thing that didn't change was the water levels. There is a high water levels in the spring time, which is compounded by the snow storage by town plowing. The engineer's report shows that the ROW is not large enough. They are also looking at the wetlands disturbance as it relates to the service road to the solar array. The wetlands need to be mitigated.

Olivia offers that there will be speed bumps on the road in an effort to reduce the speed.

Mike C points out that the switchback for handicap accessibility will have to be changed now that the entrance comes from 302.

Mike Bruno is requesting that snow storage be noted on the plan.

Olivia informs the board that AHEAD will meet with the residents of James Street on Wednesday, September 2nd at the town library. This will be an informational meeting.

Mike Bruno invites the public to the table to review the plans.

Mike Bruno closes the conceptual review and reminds the public there will be an informational meeting on Wed, September 2, at 6:00.

The board reviews the draft of the proposed site visit policy that Mike had put together. The proposal includes the addition of a definition of a site visit in section 5 of the Site Plan Review Regulations, which reads as follows:

5.14 Site Visit: a visit by the Board, or a subcommittee of Board members to a location which is the subject of an application before the Board, and involves going onto the property or visiting areas which are not customarily available for public inspection. The site visit shall be in the company of the owner, applicant, their agents or employees. This does not include a view of the sight from adjoining public ways, or other points where observations can be made without entering the property.

There is also a proposed addition to section 8, **Requirements for Site Plan Approval**, which reads:

8.12 Site Visit: The Board may deem it necessary for adequate consideration of an application to require an onsite visit. The Chairman shall request the applicant to allow a site visit by the Board or a Subcommittee of Board members.

The Chairman may request if unaccompanied visits by Board members is permitted. If granted, members may visit individually.

The Chairman may delegate members of the Board to visit the site of the application. If a quorum will be present, the site visit must be noticed as a public meeting with minutes recorded in accordance to RSA 91-A

While the Board shall have the authority to conduct approved site visits where the general public is not granted, such refusal may constitute grounds to decline the site visit. Consideration for the safety of Board members and the general public must be considered in requesting a site visit. The Board may consider the refusal of the applicant to allow access to the property for a site visit as basis for denial of the application.

The board saw a potential problem with the last sentence and wondered if they could deny based on whether or not the Board was allowed for site visit. It was decided that the use of the word “may” would give the board some leeway on the matter and the entry was left as presented. The board also discussed whether or not every site plan would require a site visit; who was liable if someone, member of the public or a board member, was hurt during a site visit; and whether the size and complication of the application would be a good tool for deciding which sites needed a visit.

Motion made by Dave Wiley, seconded by Marie Stevenson to approve the proposed Site Visit Policy with further approval from the NH Municipal Association. All members vote in favor, motion carries.

Dawn will send the proposal to NH Municipal Association for their input.

The board reviews the minutes from August 12, 2015.

Motion made by Chris McGrath, seconded by Marie Stevenson, to approve the minutes from the August 12, 2015 Planning Board meeting. Libby Staples and Dave Wiley abstain due to absence, the remaining members vote in favor. Minutes are approved.

The board further discusses the issue of improper notice for the AHEAD SPR. Andrea suggests the Board look to modify the checklist so there is a cross reference of abutters. The board also discusses completing the checklist before the meeting. Dawn notes that most of the time a complete site plan map is not available until the meeting. The board considers modifying the application process to include a submission of a site map before a public hearing is scheduled. Dave offers to review the checklists for possible revision.

Other Business:

Rita Farrell expresses concerns about the AHEAD project. She feels there are big danger at this point is the lack of backup information. She would like to see the DOT report rather than go on hearsay. She also referenced Sovereign Journey and said no one would listen to her when she said there was abuse in their past and as it turned out the facility closed due to abuse.

Motion made by Dave Wiley, seconded by Marie Stevenson to adjourn at 8:21.

Respectfully submitted,

Dawn Ferringo
Planning and Zoning Board Clerk