

Town of Kensington
95 Amesbury Road
Kensington, NH 03833
Planning Board Meeting
Tuesday, May 19, 2020
Virtual Meeting via Zoom platform
7:00 pm

Meeting Minutes - Approved - 6/16/2020

Attendance: Mary Smith, Robert Chase, Glenn Ritter, Mike Schwotzer, Christine Ouellette, Jim Thompson, Therese Wallaga, Peter Merrill and Vanessa Rozier.

Mr. Chase called the meeting to order at 7:05 pm. He began by reading the checklist for the Right to Know Law under the State of Emergency order from the Governor. Utilizing Zoom as the videoconferencing format, in addition to making phone access available to the public. Additionally, there is a phone line and email address available in the event that a member of the public is not able to join using this format.

There was a roll call vote for those in attendance.

Mary Smith – present and alone

Vanessa Rozier – present and alone

Christine Ouellette – present and alone

Jim Thompson – present and alone

Glenn Ritter – present and alone

Therese Wallaga – present and alone

Mike Schwotzer – present and alone

Robert Chase – present and alone

It was noted by Vanessa Rozier, Selectboard Representative that town operations will be reassessed June 1, 2020.

Jim Thompson, made a motion for Glenn Ritter to act as a full member tonight in Mr. Merrill's absence. Therese Wallaga seconded. Roll call vote:

Mary Smith – yes

Vanessa Rozier – yes

Jim Thompson – yes

Therese Wallaga – yes

Mike Schwotzer – yes

Robert Chase – yes

Mr. Chase added that they need to discuss the re-appointment of Alternate Member Glenn Ritter tonight as his current appointment expired April 30th.

Mr. Thompson made a motion to recommend Glenn Ritter to another 3-year term. This will be passed on to the Board of Selectmen to complete the appointment. Mr. Thompson then made a motion to amend the original motion to make Christine Ouellette a full member for the meeting tonight.

Vanessa Rozier seconded. Roll call vote:

Mary Smith – yes

Vanessa Rozier – yes

Therese Wallaga – yes

Jim Thompson – yes

Mike Schwotzer – yes

Robert Chase – yes

Agenda items:

1. To update on the 152 Drinkwater application. Previous to the meeting, a tracking spreadsheet utilized by Robert Chase and Julie LaBranche to manage progress against conditions of approval had been circulated to the Board. The Driveway Permit was signed today. The Letter of Credit is still being addressed. The Inspection and Construction Sequence Agreement had revisions in the last 2 days and is currently in the applicant's hands. With regard to the Site Plan, the number of lights on the barn and riding arena have been significantly reduced. Additionally, a note has been added to the lighting plan on page SL-I.C.

Chief True had approved the Site Plan via a letter dated May 13, 2020 which also outlines fire code and other Kensington Fire Rescue requirements.

2. The Buxton Subdivision Conditions of Approval tracking spreadsheet was circulated to the Board prior to the meeting. There has been difficulty locating a few monuments, which had been noted as pre-existing, on the boundary with the Tannery Way development. Kathleen Felch is following up with the Tannery Way developer to complete those landmarks in order to finish the Mylar and complete the items necessary to the Buxton property and Peter Landry.

Christine Ouellette brought up the public area of concern re: the Buxton application and the idea that David Buxton should recuse himself. It was discussed that the Buxton family will no longer own the lots at the time when driveway permits would be needed.

3. Finalizing the Fee Schedule: Mr. Chase shared a spreadsheet comparing Kensington's fees to those of other towns in the area. He noted that some towns have gone to a bundling approach when it comes to newspaper, abutter notifications, and filing fees. Discussion continued on strategies to account for professional review time and excess RPC Circuit Rider time. Vanessa Rozier agreed that an increase is justified but was wondering if a site plan review should be different based on the number of lots in a subdivision. Mr. Schwotzer

added an example that a 10 lot subdivision would be a lot more work than the work on 3 or less lots.

Mr. Chase added that new language would be added to the applications to improve communication and understanding of fees. Current language regarding Escrow will remain on the applications.

Mr. Schwotzer added that applications should be sent to the town engineer then sent back with escrow amount recommendations. Discussion continued about the threshold for an escrow set up and that this may require extensive discussion beyond the meeting tonight. Perhaps a group could be set up for future discussion, for today the focus will remain on the fees set up for the town.

Discussion continued that any applicant should have to cover all of the actual costs and details of the language to be used in specific areas. For items like conditional use permits, after confirmation that it is permissible, fees for the public hearing and notice to abutters etc. would be more comparable to actual costs for completion of the application. South Hampton's fees include a Public Hearing administration fee. Areas related to septic systems require NHDES approval and may need further discussion before creating language around that. Mr. Schwotzer expressed the desire to have an opportunity to review the spreadsheet and have further discussion of the board at the next meeting. Vanessa Rozier added that Julie LaBranche was not a part of the conversation tonight because her Kensington time allotment has been used on application-specific work and her feedback on this topic would be useful, given that she works with several area towns. Furthermore, fees changes will need to be discussed in a public hearing with the Board of Selectmen. **Mr. Schwotzer made a motion to authorize Mr. Chase to summarize the fee structure and have it ready to present to the Select Board. Mr. Thompson seconded. Roll call vote:**

Mary Smith – yes

Vanessa Rozier – yes

Therese Wallaga – yes

Jim Thompson – yes

Mike Schwotzer – yes

Christine Ouellette – yes

Robert Chase – yes

4. The 2-tier structure of the RPC Circuit Rider Contract: This was distributed to the Board in advance for them to review. Core Services are billed annually. In order to expand allotted hours, if needed, due to application-specific work, as section has been added to address Application-Specific Services. Discussion continued whether it was possible to approve this approach for new contract and use the same language to implement not only for the next annual contract, which begins July 1, but also for the remainder of the current contract which runs through June 30. **Mr. Schwotzer made a motion that the Planning Board**

requests the Board of Selectmen to accept the 2 tier contract changes for both the remainder of the current contract (through June 30) and the new contract beginning July

1. Mary Smith seconded. Roll call vote:

Mary Smith – yes

Vanessa Rozier – abstains

Therese Wallaga – yes

Jim Thompson – yes

Christine Ouellette – yes

Mike Schwotzer – yes

Robert Chase – yes

5. Establishing filing and technology requirements for applications and public hearings to be held while using the videoconferencing platform under the state of emergency order. Discussion ensued about how many copies of materials would need to be provided and distributed to the board. In addition for the materials to be accessible to the public via electronic means on the website, a table of contents would be required for orderly presentation. In addition, applications would be held to a strict 21-days in advance policy. Applications under the current protocol would require:
- Providing all materials 21 days prior to the next meeting
 - 13 hard copies for the Board, the application file and the host. In addition, a digital version of all materials that could be made available to the public, complete with a Table of Contents.
 - The applicants must certify that they or their representatives are capable of presenting their application via the the Zoom platform.

Applications that would not be able to comply would not be accepted at this time.

Mr. Chase will make a document that pertains to COVID -19 for discussion and agreement on deadlines and processes. **Mr. Schwotzer made a motion to accept the Zoom Meeting Requirements as outlined above. Vanessa Rozier seconded. Roll call vote:**

Mary Smith – yes

Vanessa Rozier – yes

Jim Thompson – yes

Therese Wallaga – yes

Christine Ouelette – yes

Mike Schwotzer – yes

Robert Chase - yes

6. Discussion of the Growth Management Ordinance RSA 674:22: Discussion of how to manage growth in the future. Instead of waiting for something to happen, it is advised that putting a plan in place now is the best strategy. The warrant article related to a Build Out

Analysis in March was not well presented. Instead of waiting another ten months, it may be wise to start a subcommittee to work on this topic. Robert is happy to be a part of it, and will need 1-2 others to work outside of regular meetings to do necessary research and analysis and then bring summaries and recommendations to the Board as available.

Therese Wallaga volunteered to be a part of this. **Vanessa Rozier made a motion to create a Growth Management subcommittee consisting of Mr. Chase and Ms. Wallaga. Mike Schwotzer seconded. Roll call vote:**

Mary Smith – yes

Vanessa Rozier – yes

Jim Thompson – yes

Therese Wallaga – yes

Christine Ouellette – yes

Mike Schwotzer – yes

Robert Chase – yes

7. Members and Term Expiration dates: Mike Schwotzer explained that there is currently an inconsistency in the term rotations of the Planning Board's Full Members and Alternate Members. In order to preserve continuity from year-to-year as members' 3-year terms expire, only two of the six Full Members' terms and one of the three Alternate Members' terms should expire in a given year. For some reason, we currently have four Full Members whose terms expire 4/21: Peter Merrill, Mike Schwotzer, Mary Smith, and Jim Thompson. After discussion among the members, Mike Schwotzer and Mary Smith agreed to extend their terms from 4/21 to 4/23 so that the regular, desired rotation could be restored. With regard to the Alternate Members: Glenn Ritter's term will expire 4/23; Christine Ouellette's term will expire on 4/22; Chris Chetsas' (soon to be an open position) on 4/21. **Mike Schwotzer proposed the motion that Full Members Mike Schwotzer and Mary Smith, whose terms currently expire 4/21, extend their terms to 4/23. Alternate Member term expirations to be: Glenn Ritter 4/23, Christine Ouellette 4/22, Chris Chetsas (soon to be open) 4/21. Roll call vote:**

Mary Smith – yes

Vanessa Rozier – yes

Jim Thompson – yes

Therese Wallaga – yes

Christine Ouellette – yes

Mike Schwotzer – yes

Robert Chase – yes

Peter Merrill – yes

8. The resignation of Christopher Chetsas: **Mike Schwotzer made a motion that the Board of Selectmen accept the resignation of Mr. Chetsas. Mary Smith seconded. Roll call vote:**

Mary Smith – yes

Vanessa Rozier – yes

Jim Thompson – yes

Therese Wallaga – yes

Christine Ouellette – yes

Mike Schwotzer – yes

Peter Merrill – yes

Robert Chase – yes

9. Possible subcommittees for: 1) streamlining and standardizing the Application process; and, 2) updating Wetlands Regulations. Vanessa Rozier, Christine Ouellette and Robert Chase volunteered to work on the Application Process. The Wetlands topic will be addressed at a later date. **Mike Schwotzer made a motion to establish an Application Process Subcommittee to streamline and standardize the application process. Therese Wallaga seconded. Roll call vote:**

Mary Smith – yes

Vanessa Rozier – yes

Jim Thompson – yes

Therese Wallaga – yes

Christine Ouellette – yes

Mike Schwotzer – yes

Peter Merrill – yes

Robert Chase – yes

10. Approval of minutes from 4/23/20: Vanessa Rozier commented that at the end of the public hearing the opportunity for public comments needs to be memorialized. Will table the approval of minutes to the next meeting. Vanessa will coordinate with Chelsea for necessary edits.

The next Planning Board meeting will be held Tuesday, June 16, 2020 at 7:00, presumably using the Zoom format.

Mary Smith asked if there was a need for Vanessa Rozier to be reappointed to the Planning Board. It was discussed that the Board of Selectmen went through the list of individual responsibilities for board liaisons therefore it was not necessary.

Meeting was adjourned at 9:28 pm with a **roll call vote to adjourn.**

Mary Smith – yes

Vanessa Rozier – yes

Jim Thompson – yes

Therese Wallaga – yes

Christine Ouellette – yes

Mike Schwotzer – yes

Peter Merrill – yes
Robert Chase – yes

Respectfully Submitted,

Sarah J. Wiggin