

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
JULY 9, 2008

MINUTES OF MEETING

Present: Board members Fred McGarry, Kate Hartnett, Walter Hooker, Gile Beye, William Perron. Alternate Fran Menard, Planning Consultant Gerald Coogan and secretary Jane Boucher.

Chair Fred McGarry called the meeting to order at 7PM.

APPROVAL OF MINUTES

Gile Beye moved to approve the minutes of June 25, 2008. Walter Hooker seconded. The following corrections were made:

Page 1 Paragraph 7: Correct to read "...should be a 75% build out.."

Page 2 Paragraph 1: correct to read "...the Planning Board can release the remaining bond when the final coat is put down and a letter recommending the release comes from KNA."

Page 2: Paragraph 5: # 3 delete one "Beau Acres Road"

Page 3 Paragraph 1: Correct to read "...that State Subdivision approval has been obtained..."

Page 3 Paragraph 2: "...reviewed the approved subdivision plans..."

Page 3: Paragraph 10: #2 "Impact Fee Statement..."

Page 4 Paragraph 1: Correct to read "...application has to be submitted..."

Page 4 Paragraph 11: Add to sentence " as well as activities outlined in her May, 2008 recommendations."

Page 4 Last Paragraph: Correct to read "...noted that, for him, everything was contingent on receiving the Work Force Housing Grant."

Chair McGarry called for a vote on the motion to approve the minutes of June 25, 2008 as amended. Voted in favor.

APPROVAL OF MANIFEST

Gile Beye moved and William Perron seconded to approve a time sheet for Jane Boucher for 16 1/2 hours (6/12-6/25 2008).

Motion carries.

REQUEST FOR EXTENSION OF CONDITIONAL APPROVAL/MCCARRON PHASE III

Cathleen McCarron Perron was present.

Mrs. Perron provided a letter noting that she had been asked by the Board to come back with some bonding and a work schedule for her project on Middle Road by July 15, 2008. She added that she has been working with her engineer Ron Bourcier and Steve Keach as well as prospective buyers. They are looking for additional time to make some adjustments to the plan.

Cathleen Perron said that she has been talking to prospective buyers who have balked at some things required in the plan. She noted that some things are very expensive for road construction and she has been talking to Steve Keach. She said that they are talking about re-designing the plan and possibly will speak with DES about an amendment.

Chair McGarry asked what are the changes they are discussing. Mrs. Perron replied that one is the concrete box culvert at the end of the cul de sac. She added that it could be substituted with something else that would get the job done. She said that the end caps required on the guard rails are not even used by the State any longer and are extremely expensive.

Gerald Coogan said that he had spoken with Steve Keach who said that perhaps the road was over designed. Mr. Coogan said that Ron Bourcier has to re-design the plans and Steve Keach has to review them. He added that DES has to review it as well.

Kate Hartnett said that she felt the box culvert was designed for the wetlands on the property and a lot of time went into it's design.

Chair McGarry said it would be best to get a recommendation from Steve Keach, rather than the applicant having the expense of re-designing the plan, as to what he thinks can be substituted for the box culvert. Mr. McGarry suggested that Ron Bourcier contact Steve Keach to discuss possible changes.

Walter Hooker moved to grant a 90 day extension for the McCarron Phase III Subdivision (October 15, 2008). Gile Beye seconded. Voted in favor with William Perron abstaining.

ROCKINGHAM COUNTY REGISTRY OF DEEDS

A notice was received from Rockingham County Registry of Deeds that effective July 1, 2008 a separate \$25.00 State LCHIP surcharge will be due at the time of recording plans. This fee must be paid at the time of recording and cannot be billed.

Applicants will be asked to submit a separate check payable to Rockingham County Registry of Deeds in the amount of \$25.00 at the time of signing.

HOME BUSINESS

Joseph Dubiansky and Richard Pelletier were present.

Joseph Dubiansky commented that he had met with Gerald Coogan and Code Enforcement Officer Richard Pelletier a couple of times. He said he became involved because he was hearing things about "Home Occupations" and he felt that our current

ordinance is fine and he would not want to see too much departure from the current ordinance. Attorney Dubiansky said he had sent out some e-mails including copies of those from other towns. He added that he also prepared a check list listing 17 items as a Comparison of Common Criteria and Current Deerfield Home Business Ordinance.

Attorney Dubiansky said that one thing that came up at the meetings was that perhaps we should require some type of permit or registration for home businesses.

Chair McGarry thanked Attorney Dubiansky for all the work he has put into this.

Gerald Coogan commented that Deerfield is unique in that there is only one zone, agricultural/residential throughout the entire town. He added that many residents may not be aware of the overlay and still view the section of Route 107 as Commercial.

Mr. Coogan referred to an e-mail from Attorney Raymond noting that in some towns, a small engine repair or an auto body shop reflects local culture and may be considered a home occupation while in others, the business is permitted only as long as it cannot be perceived from the street.

Mr. Coogan noted that Richard Pelletier, as Code Enforcement Officer, should have discretion in determining permitted uses, but he needs guidance. He added that he felt a registration requirement for any new business is a good idea. Mr. Coogan said the concern would be if the business expands or the property is sold.

Kate Hartnett questioned if anyone had any idea of the number of Home Businesses in Deerfield.

Richard Pelletier replied no, because there is currently no process.

Joseph Dubiansky said he did have a list, due to the efforts of a small group of people, and the last count was 156. He cited the Town of Nowmarket which distinguish between Home Business and Home Occupation. Home Occupation has no impact outside the limit of the property.

Walter Hooker said there were many ranges of Home Business and questioned what are we trying to regulate. Do we want to see a business with no impact have to register.

Richard Pelletier said he did not feel we should regulate all business but it would be helpful to know what businesses were

located in Deerfield. He said that he looked at several ordinances and found that small towns, such as Deerfield, are less restrictive versus Manchester or Londonderry.

Mr. Pelletier said that if he moved to Manchester to open his business he could move in and open tomorrow. He said we have to be cautious when someone does want to open a business in Deerfield not to make him/her go through a lengthy process.

According to Mr. Pelletier the biggest problem he sees is visual.

Mr. Pelletier cited the Family Dentistry on Cotton Road noting that it was in character. He said that he felt it was not creating additional traffic and that Cotton Road is used as a short cut between Rte. 107 and 43.

Gile Beye questioned the process for opening an automotive repair shop. Richard Pelletier replied the only reason he is aware that one opens is because the State sends a form for Inspection Station and if the business complies with Town regulations.

Chair McGarry said that the Dentist's office, in his opinion, is a good example of a home occupation however he felt that the auto repair shop on Brown Road was not a home business.

Attorney Dubiansky advised that Tracey Pike, the owner of Family Dentistry, will be meeting with the ZBA for a special exception to hire additional people. He added that she will not be adding more hours but would like to cut down the hours she does work. Attorney Dubiansky said this is a good example of our ordinance working.

Gile Beye said we need to pay more attention to traffic increase, regardless of what the home business is.

Attorney Dubiansky said the Board needs to go through the list and determine what they would like to propose. He added that he would like feedback from the community before it goes through the hearing process.

Kate Hartnett noted that the Planning Board should go through the list focusing on trying to keep Deerfield's rural character.

William Perron commented that the auto repair shop on Brown Road is surrounded by other businesses. He noted that there are two plumbers next door.

Chair McGarry said he should have gone through the

Commercial/Overlay process.

He added that the home occupation should be subsidiary to the residence.

Gile Beye said she would like to see home businesses go through the Site Plan Review process.

Chair McGarry said that perhaps we should consider re-establishing the commercial district.

Kate Hartnett commented that we are looking at "use intensity", meaning we are looking at things that are subordinate, predominate and commercial/industrial. She added that we want to support each of these.

Kate Hartnett suggested that the 156 businesses and locations be identified.

Richard Pelletier will review the check list submitted by Attorney Dubiansky. He said he would like to see visual screening included and a registration process.

Mr. Pelletier said that the Board of Selectmen does have the authority to create an ordinance that would require home businesses to register. He added that it would be faster than waiting until Town Meeting and could be changed easier if necessary.

Chair McGarry commented that perhaps the Board should discuss this with the Board of Selectmen.

Kate Hartnett said that whatever we do a statement should be included that the Planning Board encourages home business.

Kate Hartnett felt that the issue of "Signs" should also be addressed.

SNHPC REPRESENTATIVE APPOINTMENT

A letter from SNHPC advised that the term of Gile Beye as Deerfield's representative to SNHPC expired on June 30, 2008.

Walter Hooker nominated Gile Beye to serve for a four year term as Deerfield's representative to SNHPC to expire on June 30, 2012. This recommendation will be forwarded to the Board of Selectmen.

MASTER PLAN

Board members did not have an opportunity to review the Master Plan and it was agreed to invite Jack Munn, SNHPC, to attend the August 27, 2008 meeting to discuss the Master Plan.

Board members will review and discuss the Master Plan at their August 13, 2008 meeting.

CTAP DISCRETIONARY FUNDS

Fran Menard said that she felt Work Force Housing should be # 1 if the Town did not receive the IZIP Grant. She commented that she would like to see something done pertaining to storage for Town records. Ms. Menard said currently Town records are located in several places and stressed the importance of having them organized and in one location. She added that this would benefit the Town as a whole.

Kate Hartnett said that she agreed that this is a problem, however, she felt the Town should pay for it and she felt it was not associated with CTAP funds.

Gile Beye agreed saying that CTAP is about planning and managing growth.

Kate Hartnett felt that the Planning Board should meet with the Board of Selectmen and discuss the problem of storage for all Town records.

Gerald Coogan suggested that perhaps \$3000.00 should be allotted to finalize the Master Plan and maybe \$8000.00 for Wild Life Habitat. Mr. Coogan said he sensed there was consensus at the last meeting.

Chair McGarry agreed saying he felt it was the general consensus.

Chair McGarry asked Mr. Coogan how long he thought it would take for the IZIP Grant to reply. Mr. Coogan felt that it would probably take two to three weeks.

Walter Hooker nominated Work Force Housing as # 1 with \$9,000; Gile Beye nominated Wildlife Habitat and Natural Resource # 2 with \$8,500; and Finalize the Master Plan as # 3 with \$2,500.

Kate Hartnett asked if the Board would consider Deerfield Traffic Calming for the second round for \$14,000.

Gile Beye suggested considering Economic Assessment and Action Plan, perhaps working with the Town of Candia.

Gile Beye was not certain if Traffic Calming was eligible for CTAP Funds. She will check with the grant and advise.

The meeting was adjourned at 9:15PM.

PLANNING BOARD 7/9/08

Recorded and transcribed by Jane Boucher
Pending Approval by the Planning Board