

Planning Board - Public Hearing Minutes – Article 8, Public and Private Road Ordinance and
Article 12, Mobile Home Park Ordinance

Wednesday, 15, April 2015

Mallett Hall

6:00 PM

Members present: Hutch Hodsdon, John Bowdren, Liza Nichols, Matt St. Cyr, Jerry Gould, Russ Schmidt, planner Tony Dater

Guests: Sherry Dietrich, Tim Giddenge, George Anderson, John Green, Alan Chesney, Bill Schmidt, Craig Vosmus

The hearing was called to order at 6:05 by the Chair.

Hutch explained that road standards had been in the Subdivision Ord. and we made it a stand-alone ordinance since it could apply under other circumstances such as a single lot or site plan application. There were not too many changes, mostly updates, such as the table in Section 15, Appendix A, Design and Construction Standards for Streets, where Arterial Streets were removed and many standards changed on the recommendations of the Road Commissioner. John went over those changes for those present. George Anderson asked if the specifications were based on the amount of travel a road might receive. We said that we believed the RC based them on state standards. John said, for instance, the addition of geotextile helps with water retention and runoff.

There was discussion about road naming, which several years ago the Selectmen asked go through them. Tim Giddenge thought that adding that extra step made the process more complicated and suggested the decision stay with the Planning Board who can consult with the RC if it has questions about similar names or controversy. New wording for Section 5, F. Road Naming: "The name proposed by the builder of any new public or private road shall be submitted to the *Planning Board for approval who may then consult with the Road Commissioner*. A pole and sign is obtained through the Selectmen. (see Fee Schedule)."

Tim was concerned about enforcement of the ordinance and possible conflict with other ordinances, particularly the Single Lot Ord. The Single Lot, Section 7. Criteria and Standards sends applicants to the CEO and RC for permits and sites the Subdivision Ord. for specifications, so that will have to be changed. Until then, the caveat in Section 11. Conflict with Other Ordinances, will suffice.

Discussion veered off onto backlots. The Board explained that it was working on a definition as a stopgap until a proper ordinance could be written. Tony remarked that it was an unusual approach; Sherry Dietrich was uncomfortable with it. The consensus of those present was that allowing backlot development without an ordinance in place was problematic and would not stand scrutiny. It was pointed out that the Road Ordinance allows for some modifications to private roads (Section 7. B. & C.) and that alleviates at least one of the problems with private roads for single lots.

Section 5. B., concerning a survey for the reconstruction of roads, generated some confusion. Hutch explained that this was if a private road was to become a public road. Would a town road need a plan if it was to be reconstructed? Bo Chesney wondered, wistfully, about a possible reconstruction of

Lawrence Rd. The Board proposed additional wording to clarify: "...any new or substantially reconstructed public road outside its existing right-of-way or private road...."

Bo questioned what happens if we are without a RC when there is a road application? Tim said the Selectmen are responsible for overseeing and in the past they have been able to make use of other towns' CEOs.

It was noted there is no conflict caveat in this ordinance; Liza will add a new section after Section 12. Enforcement.

Sherry asked if Section 10. Performance Bond ought to mention performance guarantees? Hutch felt we could use the same wording used in the Subdivision Ord. Jerry suggested putting something in Definitions, but it didn't fly.

Variances and Waivers are a perennial point of confusion (Section 7). Tony explained variance is defined by state statute; they are the domain of the Board of Appeals, waivers are the Planning Board's. We modified 7.A. by removing "Other waiver" and "or waivers"

Section 11. Inspection of New Roads had an "and/or" for inspections; we thought to eliminate the "or" so that the CEO and RC would both be responsible for inspections. Hutch said that Shawn had inspected roads in the past and had a checklist he followed.

Section 12. Enforcement will have the RC added with the CEO as having authority to issue a stop work order.

We then quickly reviewed Article 12. Mobile Home Park Ord. Hutch explained that state statutes severely limit the town's say in the ordinance. According to the Town Attorney road standards must be less stringent and nothing can be required that would take space and possibly reduce the total number of mobile homes in a park.

Sherry noticed some typos: a misplaced ")" on p.3 and a missing "s" to "contaminant" on p.6.

We briefly discussed mobile home standards outside of parks. The Zoning Ord. covers that and the National Manufactured Housing Construction and Safety Standards Act calls the shots.

The hearing adjourned at 7:43 PM.

Respectively submitted,



Liza Nichols, Secretary