

**PLANNING BOARD
TOWN OF PETERBOROUGH, New Hampshire**

Workshop Minutes of July 29, 2013

Members Present: Chair Joel Harrington, Ivy Vann, Alan Zeller, Jerry Galus, Tom Weeks, Barbara Miller, Rich Clark and Audrey Cass.

Staff Present: Carol Ogilvie, Director Office of Community Development and Laura Norton, OCD Administrative Assistant.

The meeting was called to order by Chair Harrington at 5:31 p.m. He introduced the members noting the meeting was a workshop for the Board dedicated to the Innovative Subdivision Design Ordinance. "I would like to get through this tonight and send it to public hearing" he said adding "I really don't want to put in another month; I think we can move this along." The Chairman noted he had spent some time reviewing the draft and said "I took this ordinance and got some feedback from friends in the planning community about what this looks like and the feedback was that it was good. It was really coming along, and in some aspects it is further along than other towns."

Chair Harrington then noted the response from the Conservation Commission (ConCom) regarding their meeting July 24th. The review and comments from that meeting included members Matt Lundsted, John Patterson, JoAnne Carr and Francie Von Mertens. "This may be tedious but I want to walk through it" he said. He thanked the members in advance and acknowledged "this is really important; we want to be sure to get it right." He also thanked Francie Von Mertens (who was present) and the Conservation Commission for their input. Ms. Von Mertens replied "we so appreciate being asked for our input early in the process."

Chair Harrington began with page 1, *Items 1 and 8* where the Conservation Commission strongly supported retaining the existing ordinance's requirement of a minimum of 50% open space and 10-acre parcel lots. Chair Harrington noted "this is not an issue, no qualms, it seems fine. I am fine with that." A brief discussion about the primary and secondary natural resources followed before the members moved onto *Item 2* detached units concern. Ms. Von Mertens noted that bonus points allow generous increases in the number of "stand-alone (detached)" units. She reviewed the translation of creating two stand-alone structures versus a duplex and how "that doubles the allowable units." Ms. Von Mertens noted this type of design works well when a development is close to town and infrastructure and gave the example of Robbe Farm Road in West Peterborough. A discussion about the size of the footprint versus the number of units followed with emphasis on the Big House, Little House, Back House, Barn and the connected farm buildings of New England. Ms. Von Mertens reiterated that stand-alone (structures) fragment the property and that attaching and connecting structures should be encouraged. Ms. Vann reiterated that attached or detached "it is the same number of people, cars and square footage" adding "visually it may be better but in terms of impact it is the same." She noted if the density was for 16 houses "you could have 16 single family homes or 8 duplexes but you are not going to get 32." The members discussed yield plans and how they should be interpreted. Ms. Ogilvie interjected that the language of the current draft allows the Planning Board to approve a separation (all single family homes) "but that would be an approval by you, not a choice by the

developer.” The example of the Stone Barn on Old Street Road was discussed briefly. Ms. Ogilvie concluded that the applicant had been approved for 6 duplexes, requested 12 detached units. She noted the Planning Board was authorized under the terms of the ordinance to consider it and approved it. Mr. Galus asked if aesthetics played any part in the decision with Ms. Von Mertens noting it was more the fact that a development like Robbe Farm Road was close to a Village District. Ms. Vann agreed adding “I worry about this type of development in the Rural District but we cannot prevent it.” Mr. Zeller interjected the importance of owner satisfaction as well. Another brief discussion about Big House, Little House Back House, Barn followed with Ms. Vann noted their inability to manage the style of the attached buildings and cautioned “we may not get the type of architecture we want, it may be more like four monopoly houses stuck together. What we are talking about is a complicated and expensive building style.”

Chair Harrington reiterated the importance of encouraging the Planning Board members to work closely with the applicant “I am thinking of future Boards” he said adding “we need to attract their thinking to it.” Ms. Vann replied “innovative subdivision design and it starts with that first meeting.” Mr. Weeks asked for clarification of the *general requirements* concerns for the ConCom about allowing detached units in the Rural District. He asked “what is the bottom line?” adding “it is not what it looks like, how many units can I get is the question.” Another brief discussion about proximity to a Village District followed. Ms. Vann concluded “the Rural District comes down and touches the villages.” Chair Harrington suggested the members move noting “the existing language gives us flexibility for now, maybe we will draw it out a bit more in the Rural District.” It was noted “fragmentation is the enemy.”

Ms. Vann fought hard for and secured the steep slope definition as 35% (not 25%) in *Item 6*.

Purpose and Authority followed with the members agreeing that reducing a development’s infrastructure reduces its roads, utilities and sidewalks all of which benefit the developer. Mr. Clark interjected “let’s not spread everything out” noting the example of Community and Monadnock Lanes in the Peterfield development.

Chair Harrington made the distinction that the amenities of the common land are shared by the residents where open space land is also accessible to the public. There was a brief discussion about the reality that some management of that land is necessary (the what, where and who of which can start to be determined with that first meeting with the applicant). Chair Harrington noted his concern noting “I am not sure how to get to this but I am concerned about the management being done well and to our standards.” It was noted how the primary and secondary conservation areas and resources and developable land were determined. It was also noted that different parcels would yield different resources with some areas more valuable than others, “and how more or less land to be left in its natural state depends on the parcel’s resources.”

The members had a brief discussion about maps and how they do not show all the ecological information. Chair Harrington reminded the members “conservation before recreation” adding “again, I am thinking of future Boards.”

Ms. Vann proposed the ordinance should contain the following language, “Common open space shall be used for conservation and preservation of natural resources. The Planning Board may

approve other uses of the common open space including but not limited to agriculture, forestry and recreation. Any use of the designated open space is subject to approval of the Planning Board and such uses shall not negatively impact the natural or cultural resources.” Ms. Von Mertens interjected “we want to encourage agriculture and common gardens. It is not just for the bobcats, you want the neighborhood to be a community.”

Chair Harrington reiterated his concern about getting the information out “in a way that is well managed and to our standards.” A brief discussion about revising the ordinance to account for new habitat or invasive species followed. Ms. Von Mertens noted an example of bittersweet and how quickly it can take over. She referred to model ordinances from the OEP and reminded the members that part of the site visit is to do a spot check of potential community challenges to natural resources such as erosion and invasive species of plants. Ms. Vann agreed noting “this is the time and place to do it.”

Chair Harrington thanked Ms. Von Mertens and the conservation Committee for their participation and expertise. “I spent a lot of time with it and took what you had to say to heart” he said adding “it is important we do our work *here* and then take it to the public meeting. This is not the end. We do not want to take another ordinance to town meeting that is going to fail.” Chair Harrington concluded with “don’t let the perfect become an enemy of the good” adding “this is better than what we have which is not used at all.” Chair Harrington looked up and asked “do I hear a motion to move this to public hearing?” Me. Weeks asked for clarification on the 75 foot buffer and a brief discussion about the frontage and setback requirements followed.

A motion was made/seconded (Harrington/Miller) to move the Innovative Subdivision Design Ordinance draft to Public Hearing with all in favor. Chair Harrington thanked the members noting “it is time for the public to weigh in.”

A brief discussion about defending the draft followed. Ed Henault was in the audience and noted that he has seen draft ordinances fail at public hearing and the nay-sayers could be predicted. He encouraged the members to support the ordinance in getting it off the ground without too many stones being thrown. Ms. Von Mertens agreed and cited a lack of “changing miscommunications” by the Board in the past. Chair Harrington replied “that is changing, as of *now*.” He reiterated that the members should not be gun shy and be prepared to support the ordinance. “It does benefit the developer” he said. Mr. Clark agreed noting “I will benefit but when I benefit everyone benefits.” Mr. Clark also noted the importance of getting the public to the public meetings.

In closing Chair Harrington noted Ms. Ogilvie was retiring on August 7th. He looked to Ms. Ogilvie and said “we are profoundly appreciative of your 10 years of service. You have been a terrific member of the team and this Board, thank you Carol.”

The meeting adjourned at 7:55 p.m.

Respectfully submitted,
Laura Norton
Administrative Assistant