

Town of Albany, New Hampshire  
Planning Board Monthly Meeting / Public Hearing Minutes – Approved  
Monday, May 12, 2014 7:00 P.M.

Next Work Session Meeting Monday, May 19, 2014 7:00 P.M.

The Planning Board Monthly Meeting / Public Hearing was held at the Albany Town Hall.

Present: Chairperson Mike Helmers, Vice Chairperson Josephine Howland, Tara Taylor, Adrian Simons, Joe Ferris, Alternate; Matt Parker, Alternate; David Maudsley, Technical Advisor, Selectmen Representative Rob Nadler, Theresa Ann Gallagher, Recording Secretary

Absent: Peter Carboni, Alternate

Also Attending: Alan and Leah Valladares, Ron Briggs, Cort Hansen

Chairperson Mike Helmers called the Planning Board Meeting to order at 7:00 P.M.

Approval of the Agenda: Chairperson Mike Helmers asked for a motion to approve the proposed agenda for May 12, 2014 Monthly Meeting/Public Hearing; Vice Chairperson Josephine Howland made the motion; seconded by Tara Taylor. Rob Nadler suggested making a change to include the Board of Selectmen's report under item 6. Josephine suggested adding "Other Business" to discuss the correspondence. Chairperson Mike Helmers asked all those in favor of accepting the agenda as amended signify it by saying "Aye". All in favor.

Approval of the Minutes: Chairperson Mike Helmers asked for a motion to put the minutes from April 28, 2014 Work Session on the table for approval. Tara Taylor made the motion; seconded by Adrian Simons. Tara Taylor made a suggestion, on page 4, to remove the 4<sup>th</sup> paragraph from the bottom; personal observations should not be included in the minutes. No other changes. Chairperson Mike Helmers asked all those in favor of accepting the minutes as amended say "Aye". All in favor.

Public Hearing: The Site Plan Review application for an Industrial Repair shop had been submitted by Leah Valladares and Alan Valladares and accepted as complete by the Albany Planning Board at the meeting in April. The Albany Planning Board received a memorandum from the Town Engineer, Burr Phillips stating that he has not completed his review of the drainage on the property because he needed information from Josh McAlister from HEB Engineers. They have been communicating back and forth. The Planning Board agreed to go ahead with the Public Hearing and provide a conditional approval, pending Burr Phillips' review of the improved design and based on his report of the data presented. Allan and Leah Valladares will not have to come back for a continuance if the Site Plan Review is granted a conditional approval. Ron Briggs handed out plot plans to all Board members to review. He pointed out the proposed improvements, bench marks, landscaping extension, and catch basins, which will have landscaping. He also presented the drainage report which explains the catch basins, and an analysis of the peak inflow of water into the catch basins. Ron also presented the Test Pit Report and explained the results, which were good. A question was brought up about the catch basins avoiding water draining down the driveway; what will prevent the water from running out into the road? The DOT requirement is to have a slope away from the road to prevent that from happening. Burr Phillips will flag the slope to make sure it is adequate for the drainage. Another problem that has to be dealt with is the septic system perking

too fast. Soil may have to be brought in. Allan Valladares remarked that the trailer on the property will be removed sometime between now and when the construction of the building begins.

Chairperson Mike Helmers asked the Planning Board for a motion to conditionally approve the Site Plan Review for an Industrial Repair Shop located on Map 7, Partial 58, based on the following conditions:

1. An approval by Burr Phillips, Town Engineer
2. Everything is developed in compliance with all Federal, State and Local Regulations
3. The measure of substantial improvement be that the site preparation for the building (sand removed, drainage in place) occurs within the next 12 months, completed by May 12, 2015
4. Thereafter, the measure of substantial improvement is that the entire project is completed, with the building up and running, in 24 months or more, no later than May 12, 2017.

Chairperson Mike Helmers asked for a vote to accept the amended approval of the Site Plan Review for the Industrial Repair Shop; Tara Taylor made the motion; seconded by Adrian Simons.

Chairperson Mike Helmers asked all those in favor to say "Aye". All in favor, none opposed.

Chairperson Mike Helmers asked for a vote to conditionally approve the Site Plan Review for the Industrial Repair Shop, provided that the four conditions are met upon completion; Tara Taylor made the motion; seconded by Adrian Simons. Chairperson Mike Helmers asked all those in favor to say "Aye". All in favor, none opposed.

Public Hearing Closed at 7:40 P.M.

The Planning Board Monthly Meeting continued.

Selectmen Representative Rob Nadler presented an update regarding the Lundblad property having a tent on it. They applied for a building permit, which will be reviewed by the CEO, Peter Carboni. Then they will go before the Board of Selectmen again. Whether they need a Site Plan Review or not depends on the property undergoing a change of use. That particular site is under an AUR 600, and the DES will be able to tell the restrictions if there are any and what they can do and if they can expand the business. A question came up about who owns the property.

The Board of Selectmen also followed up with the Town Appraiser and the State Appraiser who will be inspection other properties with buildings on them. Only commercial properties will be visited for now.

The BOS are working on updating the building permit. Sean Bergeron gave a presentation to them stating he has fire safety concerns, which will be incorporated into the new building permit application and regulations.

Kathy Vizard is moving forward on the Albany website. E-mail addresses to be on the website will be the Chairperson of the Boards and the Secretary.

The ZBA Chairperson attended the Planning Board meeting two months ago, but nothing has occurred since that time. Kathy Vizard is working on updating the ZBA's application. The ZBA Board members do not fully understand the proper proceedings, as was demonstrated at the ZBA Public Hearing; a suggestion was made to have members of the ZBA attend classes. The Chairperson of the ZBA should look into hiring a lawyer or attending classes. The Planning Board also reinforced the idea that when a referral is made to the ZBA, the secretary of the Planning Board

is to contact the Administrative Assistant of the ZBA to inform her of the correct referral and the RSA that applies, so that no interference with the referral will occur.

The Board of Selectmen will be reviewing the road conditions in the Town in order to make decisions on which ones need immediate attention.

Correspondence: Kathy Vizard received a letter from the State regarding a Towing Company has applied for a Transporter Registration, stating their property is on the Lundblad's property. The Secretary of State's website has their office located in Center Conway. They have not approach the Town of Albany requesting to set up their business. Kathy would like some input from the Planning Board. The Board of Selectmen have to handle the decision. The Town Attorney will be contacted to have some legal input for the final determination.

Theresa Gallagher forwarded some information from the Local Government Conference that Rob Nadler attended. David Maudsley reviewed and discussed the section on the minutes. It is recommended that the draft minutes be kept available by request only. The final approved minutes will be posted on the website. The minutes do not have to be verbatim, just a summary of what was discussed. The original Town records cannot leave the Town Hall, and records cannot be researched without supervision. David Maudsley told the Planning Board he will work with Theresa Gallagher on adding a disclaimer to the draft minutes. The approved minutes will have "as approved by the Planning Board" on the top.

The agenda for the next work session was passed out by Theresa Gallagher, along with copies of the Master Plan and other paperwork for the Site Plan Review changes to be worked on. Chairperson Mike Helmers asked for a vote to accept the agenda for the May 19<sup>th</sup> Work Session; Rob Nadler made the motion; seconded by Josephine Howland. Chairperson Mike Helmers asked all those in favor to say "Aye". All in favor, none opposed.

The final version of the Albany Planning Board Rules of Procedure was signed by all Planning Board members, including BOS Representative Rob Nadler.

David Maudsley reviewed the Right To Know Law regarding the proper procedures with electronic communications. Discussions outside of any meeting are prohibited. Non-public sessions and telephone participation was also reviewed. The Non-Public Session form that was passed around should become the standard form used by all Albany Boards.

Rob Nadler told the Planning Board that sometime in late June the Board of Selectmen will try to have a collaborative meeting with all the Boards of the Town of Albany to get six months of the budget done; they hope that some residents will also attend.

Theresa Gallagher passed out a survey from the North County Council to be completed by the Planning Board members. The completed surveys will be collected at next week's work session.

Adjournment: Chairperson Mike Helmers asked for a motion to adjourn the Planning Board Monthly Meeting at 8:50 P.M. A motion was made by Selectmen Representative Rob Nadler; seconded by Adrian Simons. Passed unanimously.

Respectfully submitted,

*Theresa Ann Gallagher*

Recording Secretary