

Sugar Hill Planning Board

February 7, 2024

Members: Arthur Chase, Margo Connors, Mike Valentine, Chairman Rob Hayward, Jim Keefe, David Thurston, Steve Monsein, Secretary Amy Venezia

Absent: Alternate Patty Robertson

Guests: Tara Bamford (via Zoom)

Chairman Rob Hayward called the meeting to order at 5:30PM on Wednesday, February 7, 2024. On a motion made by David Thurston, seconded by Jim Keefe the minutes of the January meeting were approved and accepted. PASSED UNANIMOUSLY

Subdivision Regulations Review

Tara and the Board reviewed the memo dated 1/25/24 about the review of our current subdivision regulations. This review is part of the Housing Opportunity Project to identify outdated and unclear provisions that may work as barriers to housing choice and production. Several areas of the regulations were found to have areas that would benefit from modifications and some that are no longer consistent with state statutes.

Procedures

Combine minor and major subdivision as requirements are the same. Two parts will be Minor Lot Line Adjustment or Boundary Agreement and Subdivision.

Application deadlines are inconsistent throughout. Change to 21 days to be consistent with RSA 676:4. Rules of procedures can provide for a shorter time for extenuating circumstances.

RSA 676:4 requires notice to easement holders and any professional whose seal is on the plat in addition to abutters, the subdivider and the public.

Unpaid property taxes are listed as grounds for rejecting an application (Section 2.3 D.3 and 3.5 D.3) this may not be linked in this manner per municipal attorneys.

Timing for studies or additional information is not typical for a Board to limit itself in this manner. Recent amendments to RSA 676:4 enable the Board to deny an application with prejudice if more information is needed and the applicant doesn't grant an extension to the 65 days.

RSA 676:4 requires the Planning Board to allow a subdivider to go right to a final application if desired and skip the Design Review (referred to as Preliminary Review in current regulations). Best practice would be to let the applicant decide when they are at a good point for feedback. It is also recommended to provide a mechanism for the Board to decide when the design review phase is done.

The Selectboard can go ahead and certify the plan as approved if the Planning Board does not make a decision within 65 days. This was changed last year and would be best to reference RSA 676.4 in Section 3.6 rather than to try to keep up with the changes of the statute.

The numbering throughout this section needs to be cleaned up as there are references to lettered sections which do not exist.

RSA 36:54-57 requires the Planning Board to determine if an application may have the potential for an impact outside of the borders of the community and to provide notice to the regional planning commission (North Country Council) and municipalities that might be affected. This needs to be shown in the minutes as well. Steve suggested that the North Country Council be notified for big developments. Board members agreed as there is no harm in notifying.

RSA 676:3 requires a written notice of decision whether it is approved or denied. If there are conditions of approval that notice needs to be recorded unless all conditions are written on the plat itself. Best practice is to include in the regulation examples of the types of conditions precedent and subsequent that might be included in the notice of decision for Board members to use as a sort of checklist.

Tara provided examples of other towns whose subdivision regulations were updated for the Board to review.

Standards and Specifications

It is recommended that Sections V and VI be combined and stormwater language in one place. The stormwater language is out of step with today's best practices. The easiest way to ensure that is to include some basic guidelines and incorporate NHDES Stormwater Manual by reference.

Streets – There seems to be some inconsistencies in this section. There is much more detail on road construction specifications than would normally be found in subdivision regulations. It is more common to incorporate the industry standards by reference. Tara will contact Doug Glover, Road Agent for his input on elements such as width and grade. It is best practice to treat every subdivision as if the roads will remain private and ensure strong language is included in the deeds regarding a mechanism to carry out and pay for future maintenance and repairs. Tara asked the Board to see Maintenance Responsibility on page 19 of the Colebrook example she provided.

It was suggested to remove the section on cluster development as it is covered in the Zoning Ordinance.

The section on monuments needs additional language. Tara asked the Board to review page 20 of the Colebrook regulations as example.

Water and sewer section contains details that may not be necessary. If you require that they meet NHDES requirements there is no need to duplicate that review, or add to the cost of the development by hiring an engineer at the applicant's expense to review the plans for you.

Sugar Hill is a member of the National Flood Insurance Program (NFIP) and the language required needs to be added. See section 8 page 22 of the Colebrook regulations for required language.

Minor corrections and comments on the administration and enforcement and definitions sections.

Tara will email out a first draft to Board members for review before the March meeting.

With no further business, on a motion made by Arthur Chase, seconded by Jim Keefe it was moved to adjourn the meeting at 6:40PM. PASSED UNANIMOUSLY

Submitted by:

Amy Venezia

Planning Board Secretary