



**Planning Board**  
**Academy Building**  
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Desiree Tumas, Administrator  
Mark Fougere, Certif. Planner  
Nancy Girard, Chair  
John Funk, Vice-chair  
Ralph Lavin, Select Rep  
Marty Martindale, Member  
Wayne Ogni, Member  
Laurie Sanborn, Member  
John Weston, Member

**Planning Board**  
**Minutes of the Meeting**  
**August 9, 2012**

**Member Attendance** Nancy Girard, Chair; Ralph Lavin, Select Rep.; Marty Martindale, Member; Wayne Ogni, Member; Laurie Sanborn, Member; John Weston, Member; Desiree Tumas, Administrator. John Funk, Vice-chair was absent from the meeting.

**Public Attendance** (As signed in) Peter Fleischhacker, Betty and Wayne Hackett.  
**Open Meeting**

*Call to Order @ 7:00 pm*  
*Introduction of Board Members*  
*Explanation of Meeting Procedures*

N. Girard called for approval of the minutes, following Board introductions and explanation of the meeting procedures.

**Approval of Minutes**

**1. July 12, 2012 – Regular Meeting**

*M. Martindale moved to approve the July 12, 2012, Minutes of the Meeting as submitted, J. Weston seconded the motion as stated; the motion passed unanimously.*

**Discussions**

**1. Zoning Ordinance – Table of Uses: Review Commercial Land Use Survey Results**

Board Members were provided a copy of the survey results.

Opening public discussion, N. Girard recognized Peter Fleischhacker.

P. Fleischhacker is concerned commercial development will change the character of the town and he does not believe there is enough traffic flow to support commercial development.

N. Girard explained there is business that could provide a revenue benefit to the Town, with little impact to Town Services. Campgrounds, for example, would be seasonal and each site taxed. Cottage Industry is another type of business with low impact to Town Services which provides additional tax revenue.

**Planning Board  
Minutes of the Meeting  
August 09, 2012  
Page 2 of 4**

The Board briefly discussed all proposed amendments to the Table of Uses would be on the March, 2013, ballot and the Residents would have opportunity to vote on the proposed amendments.

R. Lavin explained there had been a concern expressed to the BOS regarding the integrity of the survey.

It was explained that the web service for the survey provided the originating IP Address for every survey that was completed. There was one IP Address that appeared twice and it was the Academy Buildings IP Address. It was confirmed that two employees of the Town (Assessing and Town Clerks Office) completed the survey.

L. Sanborn added that she had completed the survey online and when another tried to complete the survey from the same computer and email address, they were not permitted to complete the survey.

D. Tumas noted she had received a similar complaint regarding the integrity of the survey and shared her reply with the Board.

N. Girard explained the purpose of the survey was to get a sense of what is wanted and not to be used as a hard-rule on where and what will be developed.

The Board briefly discussed that larger corporations do not want to incur the additional cost of infrastructure and typically not interested in Towns that do not have a built-out infrastructure; such as Town sewer and water services.

P. Fleischhacker questioned what tax benefit would be realized by bringing business to Town?

It was explained that NH DRA would be able to provide revenue data related to commercial development.

N. Girard explained that many share the opinion of preserving the rural character of Gilmanton. The GYRL is a perfect example of how the rural character is preserved.

P. Fleischhacker questioned what the Town used to regulate development?

It was explained that zoning ordinances and regulations have been in place since 1972. Amendments to the Zoning Ordinance are put forth by the Planning Board and placed on the March Ballot to be voted upon by the residents. Residents may also submit petition warrant articles to amend the Zoning Ordinance.

The Site Plan and Subdivision Regulations are amended by the Planning Board and approved during a duly noticed public hearing.

The Board briefly discussed without conclusion the couple of attractive sites along NH Route 106 that could be considered for development.

P. Fleischhacker agrees with home offices, but not the development of office buildings; reiterating the need to preserve the rural character.

**Planning Board  
Minutes of the Meeting  
August 09, 2012  
Page 3 of 4**

The Board went on discuss the low number of responses.

B. Hackett and W. Hackett believe a contributing factor of the timing with summer vacations and that people don't necessarily want change.

It was noted that the seasonal residents were considered when determining when to conduct the survey.

R. Lavin explained that he abstained from completing the survey as a Selectmen and PB Rep.

The Board went on to discuss the benefits of Belknap County Economic Development assistance.

D. Tumas and R. Lavin, BOS Rep., to the BCEDC will look into what services BCEDC can provide moving forward.

N. Girard called for further discussions. Hearing none, discussions were concluded.

**Correspondence**

**1. (416-20) BMMC Contractor Yard – Revocation of Site Plan Approval - Update**

It was explained that R. Benson has been notified by Town Counsel affirming the Board's decision to revoke the approved site plan to operate a Contractor Yard at 1955 NH Route 140 at the corner of Halls Hill Road.

At the request of Town Counsel, photos of the site were taken and forwarded. It was noted that R. Benson had removed the 12' x 20' storage container but that other items remain onsite.

Additional updates will be provided, as they become available.

**2. Payment Approval: \$24.00 - Invoice to upgrade options for Survey Monkey's Land Use Survey**

The free service of Survey Monkey only allowed 10 questions per survey. The upgrade of service was needed to allow for the number of questions on the Land Use Survey. D. Tumas paid the \$24.00 fee to upgrade the service and requests reimbursement.

***M. Martindale moved to approve the payment of \$24.00, to upgrade the Survey Monkey account, W. Ogni seconded the motion as stated; the motion passed unanimously.***

**Unscheduled Business**

**1. Willowgrass Subdivision Update**

D. Tumas explained the discussion is under "Unscheduled Business" because the legal opinion was received on Tuesday, August 7<sup>th</sup>, and the Agenda was posted on Friday, August 3<sup>rd</sup>.

**Planning Board  
Minutes of the Meeting  
August 09, 2012  
Page 4 of 4**

At the July 12, 2012, meeting, Members requested a legal opinion as to any standing the Board would have to compel compliance with the approval.

D. Tumas contacted NH LGC; the opinion was that the “plan” was signed and recorded. As such the Board accepted the development as final.

The Board went on to discuss the physical condition of the existing 12” driveway culverts, concluding the condition to be such, that when development occurs a driveway permit will have to be issued and the Road Agent. At that time, the Road Agent can address the culvert requirements.

The other note of concern was that no top coat had been applied to the “road”. Board Members agree that the top coat requirement would be addressed, if and when the developer decides to requests the Town to adopt Willowgrass Lane as a Town Road.

W. Ogni noted that he as well as M. Daigle and B. Currier inspected the road and confirmed the road is 22’ wide. However, the cracks that have occurred needed to be blown and sealed.

The Board is satisfied with the status and oversight that will be provided when development of the lots occurs.

**Adjournment**

N. Girard called for further discussion to come before the Board. Hearing none; entertained a motion to adjourn the meeting at 8:35 pm.

***M. Martindale moved to adjourn the meeting at 8:35 pm, J. Weston seconded the motion as stated; the motion passed unanimously.***

Respectfully submitted,

Desiree Tumas  
Administrator