

**MADISON PLANNING BOARD
APPROVED MINUTES
OCTOBER 5, 2016**

ATTENDANCE:

Chair, Marc Ohlson – Present

David Cribbie – Present

Paul Littlefield – Present

Phil LaRoche, Alternate - Present

Noreen Downs – Present

Andrew Smith – Present

Recording Secretary – Colleen King

POSTING DATE AND LOCATIONS: 9/29/16 at Madison Town Hall and Lower Level, Madison Post Office, and Silver Lake Post Office,

OTHERS PRESENT: Town Clerk/Tax Collector Michael Brooks, Fire Chief Jeff Eldridge, Building Inspector Bob Boyd, Selectman Bob King, Jay Bisio

CALL TO ORDER: Mr. Ohlson called the meeting to order at 7:00 P.M.

APPOINTMENT OF ALTERNATES: Mr. Smith motioned to elevate Mr. LaRoche to a full member; Mr. Cribbie seconded. Motion passed.

APPROVAL OF OCTOBER 5, 2016 AGENDA: Mr. Cribbie moved, seconded by Mr. Littlefield to approve the agenda as presented. Motion passed.

APPROVAL OF SEPTEMBER 3, 2016 MINUTES: Mr. LaRoche moved, seconded by Mrs. Downs, to approve the minutes as amended. The motion passed.

PUBLIC COMMENT:

1. Banfield Hollow

- Mr. Jay Bisio reviewed the Planning Board conditions dated September 2, 2004 for his 44 unit subdivision Banfield Hollow. The conditions required two (2) 30,000 gal cisterns be installed; the first cistern installed prior to the start of Phase 1 and 2 and the second cistern to be installed prior to Phase 3 and 4. The first cistern has been installed; however, there have been 2 homes build in Phase 3 and the required cistern has not been installed. Mr. Bisio stated that he made an error based on a 2013 conversation with former Fire Chief Jenkins and assumed that the second cistern was not necessary. This assumption resulted in a Cease and Desist Order issued by the Building Inspector for all construction currently on the 3rd home in Phase 3. After discussion with Board of Selectman on October 4, 2016, Mr. Bisio requested that the Planning Board allow him to continue the building of the third home which is in progress and hold up the Certificate of Compliance until the 2nd cistern is installed and operational. Mr. Bisio stated that the tank should be completed and operational by December 1, 2016 and agreed that he would give the

Building Inspector progress updates between now and December 1, 2016. Mr Bisio also agreed to contact the Fire Chief prior to the installation to confirm the exact location of the 2nd cistern.

- Mr. Brooks was on the Fire Department in 2004 and remembers requirements for the cisterns in Banfield Hollow. He stated that neither the Board of Selectmen nor the Fire Department have the authority to change the Planning Board conditions of approval for a development; only the Planning Board can waive conditions. Mr. Brooks suggested that there should be a waiver to continue the construction of the house in progress but that the 2nd cistern must be installed first and that the 60' apron needs to remain around the tank.

- Selectman Bob King stated that Mr. Bisio had discussions with someone who had no authority to waive conditions and that there should be no further activity until conditions are met.

- Mr. Ohlson reviewed the original Planning Board conditions and verified that that the Building Inspector Mr. Boyd recently discovered that the 2nd cistern had not been installed.

-Mr. Bisio agreed to give progress reports to the Fire Chief and Building Inspector and will be contracting with a NH firm to construct the 30,000 gallon cistern.

-Mr. Littlefield stated that Life Safety would not be an issue as the Certificate of Compliance would not be issued until cistern is installed and operational.

-Mr. Boyd stated that there are already 2 homes completed in Phase 3 with the 3rd in progress. He doesn't have an issue with having the construction continue as long as the cistern is completed and installed beforehand. Mr. Brooks and the Fire Chief agreed.

-Selectman King stated that the Board of Selectmen cannot give permission to continue the building but under enforcement, they could and did authorize a Cease and Desist Order.

-Mr Ohlson stated that the Subdivision Regulations are most concerned with health, safety and welfare. Some discussion followed about the design of the cistern.

MOTION - Mr. Littlefield made a motion to accept Mr. Bisio's letter asking for a waiver with the following conditions for Banfield Hollow:

1. The second cistern will be installed and operational by December 1, 2016.
2. If the cistern is not installed and operational by December 1, 2016, the Cease and Desist Order will be reinstated by the Building Inspector effective 12:01am on December 2, 2016.
3. The construction of the 3rd house in Phase 3 can resume immediately.
4. The Certificate of Compliance for the 3rd house will not be issued until the cistern conditions have been fully met.

Mrs. Downs seconded with all in favor. Motion passed.

2. Bed and Breakfast

Mrs. King reported that a potential buyer for a bed and breakfast/café inquired about the procedures and regulations with the Town.

-Mrs. Downs stated that they may need a State permit/license for food and beverages.

-Mr. Boyd stated that they may need ZBA Special Exception approval.

-The Fire Chief indicated that a Change of Use may require a new set of codes and may require the structure to have sprinklers

-Mr. Ohlson suggested that they consult the Site Plan Regulations.

REVIEW OF NEW APPLICATIONS – None

PENDING APPLICATIONS – None

OLD BUSINESS

CIP

-Mrs. Downs and Mrs. King have been compiling information needed from the various departments and have a meeting schedule on October 12, 2016 to review the data.

NEW BUSINESS – None

CHAIRMAN’S REPORT - None

SELECTMAN’S REPORT - None

CORRESPONDENCE- None

ADMINISTRATION

Budget – Mrs. King distributed the budget drawdown year-to-date and stated that the 2017 budget amounts are needed by next week. Mrs. King also requested that the line item amount for Secretary be increase. The current budget allows for 10 hours a week and for the past 4 months, there has been a need for more than 10 hours a week. The time for meetings, writing minutes, meeting with applicants and file management is driving this increase. Mr. Ohlson agreed that more hours are needed, especially for documentation and file management and some discussion followed.

Motion made by Mrs. Downs to increase that Secretary line item from \$6000.00 to \$10,000.00 dollars. Mr. Ohlson seconded. Mrs King stated that once the files are in order, this line item reduced. All in favor; Motion passed. Mrs. King will submit the budget to the Finance Director, Sue Stacey.

ADJOURMENT

Mr. Smith made a motion to adjourn; Mr.Cribbie seconded; Motion passed.

Meeting adjourned at 9:00pm

The next meeting is November 2, 2016.

Respectfully Submitted,

Colleen King

Land Use Boards Administrator

Note: These minutes were approved at the November 2, 2016 meeting.