

Town of Milton
424 White Mtn Highway
Milton NH, 03851



Planning Board
PO Box 310
(p)603-652-4501
(f)603-652-4120

7/20/21
Meeting Minutes
6:30 PM

Members of the Board Present: Brian Boyers, Ryan Thibeault, Anthony Gagnon, Matt Morrill, Jon Nute, Paul Steer, Larry Brown (Alternate)

Members Absent: Joseph Michaud, Bob Graham (Alternate)

Town Employees: Bruce Woodruff, Julius Peel

Member of the Public: *See attached sign in sheet*

I. Call to Order:

- II. Brian Boyers, chair of the Planning board opened the meeting at 6:30PM. Brian explained that Larry Brown will be sitting in for Joe Michaud who was absent.

III. Northeast Pond Open Subdivision and Site Plan Application:

Brian Boyers explained that the first thing on the agenda would be the public hearing for the Northeast Pond Site Plan/ Open Space Subdivision Plan. B. Boyers explained that Bruce Woodruff, the town planner, would present information to the board before opening up the public hearing. B. Woodruff explained that before you can open the public hearing the Planning Board must invoke the boards right to hold a public hearing. B. Woodruff noted that he had reviewed the application prior to the meeting and that he will have two different recommendations for the board. He explained that he does have an email confirming that the applicant has expressed that they would like to withdraw their application from in front of the planning board. B. Woodruff explained that this will require approval from the board to do so.

B. Woodruff noted that he had explained to the applicant that the application was incomplete upon submittal. He noted to the board the lack of draft condominium documentation, the lack of conservation easements for the open space, and there was no elevation views submitted. He referenced that there was mix up with the elevation views because the applicant had submitted these elevation views with the previous application and the applicant was under the assumption that those elevation views were going to be applied to this application by the Land Use Office. B. Woodruff explained that these three documents were not available to the public 10 days before the public hearing date and that is a requirement of a public hearing. B. Woodruff also explained to the board the

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importance of having the condominium documents reviewed by town council prior to their hearing of the application.

B. Woodruff recommended that the Planning Board move to accept the withdraw of the application and start the application over. B. Woodruff noted that the applicant has also asked that the board waive the application fees. This does not include abutters notices and public hearing notices. He noted that the other thing that the board could do is move to not accept the application as complete. He expressed that he feels that the Land Use department and the applicant made some mistakes and rushed this project to the point of missing necessary documents and publishing the application. B. Woodruff clarifies that there cannot be a public hearing tonight if the board movies to not accept the application or allow the applicant to withdraw.

B. Woodruff reads the procedures as required by RSA 676:4 for the withdrawal of an application.

The planning board shall specify by regulation what constitutes a completed application sufficient to invoke jurisdiction to obtain approval. A completed application means that sufficient information is included or submitted to allow the board to proceed with consideration and to make an informed decision. A completed application sufficient to invoke jurisdiction of the board shall be submitted to and accepted by the board only at a public meeting of the board, with notice as provided in subparagraph (d).

B. Woodruff expressed that there is not enough information and after consultation with the staff they realized this error.

Ryan Thibeault wanted to know the total fee amount. Julius explained the fee schedule and explained that the fee amount was \$988 total for the application and since they cannot waive the public notice fee for the abutter's notices, then the applicant will have the review fees waived if the board agrees. Julius estimated this would be roughly \$450 but would have to confirm this with the charge policy.

Ryan Thibeault noted that the applicant has significant skill and experience with this style of project. He explained that he does not think that he should have the fee waived because he thinks that the applicant should have known better. He expressed that



71 applications like this wastes the time of the employees at the town hall, causes concerns
72 within the abutting property owners and ultimately causes difficulties for the community.

73
74 Larry Brown asked to confirm if the board would receive this application again and if the
75 abutters would be noticed of the new date. B. Woodruff confirmed both. Larry Brown
76 explained that he understands what a complete application.
77

78 **Ryan Thibeault motions to accept the withdrawal of the application, however, deny any fees from**
79 **being waived in the future. Paul Steer seconds. The motion passes with 6 in favor and 1 abstention**
80 **(Larry Brown) .**

81 **IV. Review and Approval of July 6th Meeting Minutes:**

82 **Jon Nute motions to approve the minutes of July 6th. Ryan Thibeault seconds. The Motion is**
83 **approved unanimously.**

84 **V. Other Business:**

85 B. Woodruff updated the board to inform them that they will soon review the MS4
86 Changes to the town's ordinances and possible inclusion of a standalone stormwater
87 ordinance. He explained that he will bring a draft before them at the next meeting to
88 review the MS4 requirement. He explained that he had reviewed the MS4 plans and maps
89 while the Land Use Clerk organized the documents onto the town's website. He
90 explained that mapping of the town's outfalls needs to be done still.

91
92 Bruce maintained that the CIPC committee is still underway and at that they should
93 expect emails regarding the start of the committee. He noted that they should expect a
94 CIP update for the planned 2022 year. His third point is that exit 17 gas station is not
95 being held up by the town and is in fact the drinking water bureau has been asking for a
96 report on the water quality. He noted that the contractor dug a hole too close to the gas
97 stations and another well had to be dug.

98
99 **VI. Adjournment:**
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***Matt Morrill motions to adjourn, Seconded by Paul Steer. The vote is approved unanimously. The Motion Passes adjourning the meeting. ***