**MINUTES**

**Business Meeting**

**Sanbornton Planning Board**

**Meeting Date and Time:** Thursday, March 15th, 2018 at 7:00 PM

**Meeting Place:** Meeting Room, Sanbornton Town Offices

The meeting was called to order by Don Bormes at 7:00 PM

**Roll Call**

Regular Members present: Don Bormes, Dick Gardner, Selectman Karen Ober, Will Ellis, Justin Barriault

Alternate Members present: Jody Slack

**Others present at the meeting:** Debra Schneckloth

**Approval of draft Planning Board minutes from 3/1**– Selectman Karen Ober made a motion to approve the draft minutes of 3/1. Dick Gardner seconded the motion and the motion passed unanimously.

**New Business**

**a. Discussion of cell tower ordinance –** Don Bormes explained that Planning Assistant Steve Laurin is out sick but that he found the Town’s ordinance related to cell towers is outdated. He learned that the Planning Board does not need to review a site plan before a cell company makes upgrades; in this case Sprint would like to make an upgrade to antenna on Brook Rd. This would require review from the Code Enforcement Officer who happens to be the Planning Assistant as well. Dick Gardner suggested getting a list together of what needs to be amended in the current site plan review regulations.

**b. Solar energy system ordinance –** Don Bormes stated that the passing of the new solar energy ordinance may mean that the CEC doesn’t need a use variance even if it is commercial, because of how the ordinance is written (which allows solar in any zone). Selectman Ober asked why the applicants went to the ZBA before coming to the Planning Board and Don Bormes responded that the PB told the applicants that they needed a use variance before the PB would review the site plan. Selectman Ober asked if Clean Energy Collective is allowed to be the applicant if they are the lessee of the land owned by the Guintas. She noted that the land has not been taken out of current use yet and therefore they are not truly the lessee yet. Don Bormes responded that he doesn’t have an issue with this and that CEC is acting as an agent which the PB and ZBA have seen many times before. Debra Scneckloth stated that she feels the ordinance, as written, does not give the Planning Board much control over a commercial project. Dick Gardner responded that he ordinance will give guidelines to a commercial entity but their site plan still needs to be approved by the Planning Board so there is control.

Justin Barriault suggested asking for an attorney’s opinion related to this project. Selectman Ober stated that there has been no formal application to the Planning Board yet, and Justin Barriault responded that he would like the Board to be prepared for when it does come before them. The Board would like to direct the following questions to an attorney, possibly having Steve Laurin call NHMA regarding these and then getting further information from an attorney if needed.

1. Under the new ordinance, does any ground-mounted solar energy system require a variance from the ZBA, i.e. a commercial installation in an agricultural zone?

2. Is additional approval needed in order to change the poles on a scenic road or in a historic district?

3. Who is the applicant in this case – the lessee or the property owner?

4. Does the Planning Board have the authority to charge an applicant for legal advice needed to properly process an application?

5. Is the Planning Board able to control off-site impacts of a site plan application, such as inter-connectivity with overhead wires?

**Old Business**

**a. Planning board housekeeping –** Selectman Ober noted that it is her last meeting and she has some suggestions for the Planning Board, including 91A training for members and possibly funding a clerk position that the PB once had. This clerk would be able to do mailing, posting notices and review applications so the Planning Assistant can do more planning-specific tasks. Dick Gardner stated that a general clerk would be a better use of funds. Selectman Ober also stated that there needs to be a procedure in place for making sure approved applications are in compliance. Dick Gardner stated that an online calendar could be used to help with this. Selectman Ober stated that it is important that there is a Planning Board Chair, and that if a current member does not want to do it then someone should step down to an alternate position and find someone outside the group to be the Chair.

**Meeting adjourned at 8:35 pm. The next meeting is scheduled for Thursday, April 5th.**

Respectfully submitted,

Audry Barriault