

**TOWN OF NEWPORT, NH**  
**Minutes of the Planning Board Meeting**  
**September 22, 2020 – 6:00 P.M.**  
**Board of Selectmen's Room**  
**15 Sunapee Street**  
**Regular Meeting and Public Hearing**

**Remote Access:**

**Zoom.com - Meeting ID: 864 0119 6808    Password: 355738**

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**MEMBERS PRESENT:** David Burnham, Chairman; Ken Merrow, Vice Chairman; Ray Kibbey, Herbert Tellor, Jr.; BOS Representative Alternate

**MEMBERS ABSENT:** David Kibbey, Alternate; John Hooper II, BOS Representative

**VIDEOGRAPHER:** John Lunn, NCTV

**STAFF PRESENT:** Christina Donovan, Planning and Zoning Administrator

**COMMUNITY MEMBERS PRESENT:** Karen Arleo, Rosanne Gentes, Tom Gallagher, Lori Flewelling, Dale Flewelling, Ed Karr, Dick Wentzell, Robert Scott and Gina Anderson

**GUESTS PRESENT:** Chris Howe, Bar Harbor Bank and Trust; Thomas Duffield, PE, CPESC; Duffield Engineering and Consulting; Sharon Monahan, wetlands scientist, Site Succor Design, LLC; Bill Hutwelker, Advisor; SVN The Masiello Group(*in BOS Room*); Susan A. Manchester, Esquire, Sheehan Phinney (*via Zoom*)

**CALL TO ORDER:** Chairman Burnham called the meeting to order at 6:08 p.m. followed by a roll call. When asked, he stated that there was a sitting quorum of Planning Board members.

**AGENDA REVIEW:** Accepted as presented.

**NEW BUSINESS:**

**2020-ANFP--006: Bar Harbor Bank & Trust Wayne McCutcheon (Agent):** request final review of annexation property identified as Map 114 Lot 167 and Map 114 Lot 165 and is located on Depot Street in the Light Commercial (B1) Zoning District.

Chairman Burnham opened Case 2020-ANFP-006.

Mr. Kibbey made a motion *to accept the application as complete*. It was seconded by Mr. Tellor. Chairman Burnham called for a vote on the motion. *The motion passed 4-0-0.*

Mr. McCutcheon addressed the Board members and stated that the applicant was doing a minor annexation. Using a site plan, he explained the triangular area in question and the markings denoted on the plan. Mr. McCutcheon explained that the Emerson and Kendall Blocks are one building (on Main Street). The applicant, Bar Harbor Bank and Trust, owns the whole property. He explained the division of parking spaces in the back parking lot that would be done. Mr. McCutcheon addressed the Board and explained the applicant had come before the Planning Board and created a two lot subdivision for the depot and parking area (Case 2020-SDFP-002) on January 14, 2020. Continuing, he said that the parking area was contiguous. The only structure on the lot was a maintenance shed.

Chairman Burnham asked if the Board had questions.

Mr. Tellor asked if all the (employees of) buildings in the area would have use of the parking lot. Mr. McCutcheon said that all employees have their own parking spaces in the lot, there was plenty of parking. Mr. McCutcheon addressed Mr. Chris Howe and asked if there was any future agreement concerning the use of the parking lot. Mr. Howe stated that when sold, the (employees of the) EKG (Emerson, Kendall and Gamash) Building will have use of some of the parking lot.

Mr. Ray Kibbey asked if there was a written agreement. He was told not currently, the building had not been sold. Repeating his question, Mr. Kibbey asked if there will be a written maintenance agreement. Mr. Howe said yes, there will be.

Chairman Burnham opened the hearing to the public. There being no questions or comments from the public or additional questions from the Board, Chairman Burnham asked the pleasure of the Board.

Mr. Merrow made a motion *to approve Case 2020-ANFP-006: Bar Harbor Bank & Trust Wayne McCutcheon (Agent) final review annexation as presented.* It was seconded by Mr. Kibbey. Chairman Burnham called for a vote on the motion. *The motion passed 5-0-0.*

Chairman Burnham congratulated the applicant.

Chairman Burnham signed the Notice of Decision. The sitting Board members signed the Mylar.

#### **CONTINUED BUSINESS:**

Mr. Karr asked a procedural question. He addressed Chairman Burnham and stated since he and Chairman Burnham spoke about the case if he would step down. Chairman Burnham agreed they had spoken about the case. Chairman Burnham was not stepping down; he said he would be able to listen to the applicant's information as a neutral Board member. The applicant had not asked him to step down.

**2020-SPFP-002: Avanru Development Group/Jack Franks;** request final review of a site plan for the property identified as Map 115 Lot 002 and Map 116 Lot 076. The proposal is a multi- unit housing project located on Spring Street in the Heavy Commercial (B2) Zoning District.

Chairman Burnham opened Case 2020-ANFP-006.

Chairman Burnham stated the application had already been accepted as complete. Ms. Donovan concurred, explaining Case 2020-ANFP-006 had been continued.

Attorney Susan A. Manchester (*via zoom*) introduced herself to the Board members and Ms. Donovan. She confirmed that Case 2020-ANFP-006 was a continuation from the August 18, 2020 Planning Board meeting. Mr. Franks had compiled the Board's questions and would make a presentation of the items the Board had requested be addressed. Attorney Manchester said that Avanru was seeking approval from the Planning Board at the meeting (September 22, 2020).

Mr. Jack Franks addressed Chairman Burnham and the Board and thanked them for meeting again and the opportunity to answer their questions. Mr. Franks said the Board members had had several items on their list. He went through them:

1. Electrical locations on the survey

Mr. Franks addressed the Board members and stated that the civil engineering plan notations had been revised as of September 1, 2020. He reviewed each item that had been changed, indicating its placement on the site plan.

Mr. Franks was asked about the Eversource poles and wires on his property. Mr. Franks explained that Eversource would be hired to move their poles off the property.

2. Locations for Snow storage

Mr. Franks stated there had been concerns about the storage of plowed snow from the parking lot. Using a site plan he indicated the locations it would be stored; a total of 12,100 square feet would be dedicated to snow removal storage.

3. A lit sign

The Board members had received an illustration of a proposed sign in their packets. The proposed sign would be placed in accordance to all Newport Ordinance specifications. Mr. Franks asked the Board members to decide if they would like the sign one sided or two sided. Later in the meeting the Board requested the sign be two sided.

Mrs. Arleo asked where the proposed sign would be in relation to the driveways across the street and the penetration of the lighting. Mr. Franks indicated on the plan where it would be located in relation to Mrs. Arleo's driveway. He stated the lighting will be very localized; the light would be downcast and shielded and would follow all Newport ordinances.

4. Fencing/guardrail on the barrier/retaining wall

The Board members had received a packet on the Redi-Rock retaining wall information as well as a letter from a soil scientist (would be engineering this part of the project). Both the company and soil scientist were local to the Newport area. Mr. Franks stated that he had to bid out the wall contract but he would prefer to do business locally. He ensured the Board that it would be an engineer stamped wall and certified by the soil engineer. Indicating the illustrations in the Board packets, he said that in addition to working with the Newport DPW, the wall would comply with all of Newport's Zoning Ordinances.

Board member Kibbey asked Mr. Franks if the wall would push pedestrian traffic onto Spring Street. Mr. Merrow addressed Mr. Kibbey and explained the wall illustrations. In addition, Mr. Franks explained the area needed for winter snow plowing. Mr. Merrow asked if Mr. Franks would entertain putting in a sidewalk. Mr. Franks told Mr. Merrow he would entertain putting in a sidewalk. There was a short discussion on putting in a sidewalk. Ms. Donovan stated that a sidewalk had been discussed at the August 18, 2020 meeting. She had checked with Town Manager Rieseberg. Once a sidewalk was built to specifications, it would be turned over to the Town. If put in, the Town would be responsible for its maintenance.

When asked, Mr. Duffield explained the retaining wall and the visual seen if on Spring Street.

5. Types of trees that will be planted

Mr. Franks stated that as had been discussed at the August 18, 2020 meeting, red maple trees were proposed. Their location was noted on the site plan.

6. Lighting on the property

The Board members had received an illustration and description of proposed lighting fixtures and poles in their packets. Mr. Franks proposed 17" downcast stationary gooseneck lights on poles. The height of the poles would be adjusted on the property as necessary (for aesthetics, safety and to comply with Zoning Regulations).

Board member Merrow said the Town ordinance stated that light should not spill off the property. If the Avanru Company built a sidewalk, there could be some leeway as to the lighting for the dual purpose. There was a discussion on the property lighting between the Board, Mr. Franks and community members.

Mr. Duffield answered questions from the public concerning electricity and power lines.



Ms. Roseanne Gentes asked if there would be parking in the back on the land abutting the Plaza down the hill. Mr. Merrow explained there were wetlands there. The Avanru Company had created two separate parcels (Case 2020-ANFP-005 on August 18, 2020). Only the Spring Street parcel would have construction. All wetland concerns had been voiced and answered at the August 18, 2020 meeting.

#### 7. Fence for the dumpster

Mr. Franks provided two options of fencing. Illustrations were in the Board members packets. The Board members concurred that the option of a solid vinyl fence surrounding the dumpster would be most aesthetically pleasing. They requested that Mr. Franks use that one, with the color to compliment the building.

The Board had been sent a report from the surveyor on the boundary line adjustment.

#### 8. Stormwater report (Hydro-CAD report) / Stormwater inspection/ Maintenance agreements

Mr. Duffield, PE addressed the Board members and stated the applicant had updated the requirements in their packets. He explained that prior and during construction there needed to be inspections concerning the stormwater prevention pollution plan (He explained the plan).

Chairman Burnham asked about the drainage calculations. He read aloud percentage drainage information given to the Board. Mr. Duffield said that because of the size of the retention basins and surge basins they were using they would exceed what was needed.

#### 9. Natural Heritage Bureau

Mr. Duffield told the Board that they (applicant) filed with the Natural Heritage Bureau. They were told:

- a) There would be no impact on historic lands
- b) Although there were endangered species in the Newport area, the proposed project would not impact any of them. He had the report for the Board members, if they would like to view it. Mr. Duffield was asked to forward a copy of the report to Ms. Donovan for the case file.

Mr. Franks stated there was a report from the State of NH concerning historical landmarks he had received on September 22, 2020.

- a) No historic properties will be affected. Mr. Franks said he would forward the report to Ms. Donovan for the case file.

Mr. Gallagher asked about the civil engineer report. Mr. Duffield stated the information came from the Natural Heritage Bureau. Contractors file with the Bureau. Mr. Gallagher asked if they had an environmental impact study done. Mr. Duffield said no, there was no reason to. It was found that none was required. He listed the Bureaus and commissions that might become involved if they were needed.

Mr. Franks explained that at the last meeting they had done a boundary line adjustment and created two parcels. The one with wetlands would not be used and would not be impacted. 2.4 acres of clean area would be the land constructed on. No environmental impact study was required.

#### 10. Water/Sewer Lines

Mr. Duffield addressed the Board and stated they had added additional information on the sewer pipes to the site plan. The contractor will be ready to work with the Newport Department of Public Works (DPW) for hook up and a driveway permit.

Mr. Kibbey and Mr. Franks discussed the water and sewer lines. Mr. Kibbey questioned the size of the sewer lines. *Ms. Donovan stated that would be followed up at connection.* Mr. Kibbey continued, asking if it was large enough and gave worst case scenarios. He then asked the size of the Town line. He was assured it was large enough for the project.

Mr. Duffield said if adjustments were necessary they would make them when they got their service connection



permit. That was the time they usually took care of those things. There was general discussion on the water and sewer lines. Mr. Merrow read aloud from a report in the members packets which stated the size of the water and sewer lines. Both were reported to be sufficient to handle the water and sewer. When asked, Mr. Duffield stated that water pressure in the area would not be affected by the project.

Ms. Gentes addressed Mr. Franks and asked if all his other projects (Walpole) had gone through. She asked if there had been problems, concerns. She asked if Newport could be given a list of the properties he developed. Mr. Franks listed Avanru's five developments: two in Walpole, NH; one in Swanzey, NH one in Jaffrey, NH (pre design phase) and the one in Newport, NH. Construction had gone smoothly in each one. The original development in Walpole had been met with resistance by the townspeople. After it was constructed, townspeople were impressed and asked him to build another. He understood the anxiety of the local residents with the unknown.

Mr. Tellor said there had been a request made a while ago about a traffic study. Questions raised by the residents such as signage, sidewalks, intersections would be answered by a traffic survey. Mr. Tellor would like to see a formal traffic study for that area done. He said Mr. Franks had listed other sites that were built. Mr. Tellor continued, listing concerns from previous Newport meetings: DOT has written a letter but it does not answer the questions of Elm, Spring and Pine Streets intersections, sidewalks, increased people and vehicles. Mr. Franks stated that the roads are walked and biked a lot now. Mitigation talked about people walking on Elm Street now. He had seen them when he was at the Spring Street site.

Mr. Duffield asked, for clarification, if the Fire Chief and DPW Director had given input on the project. Mr. Tellor said that they had discussed access for fire and emergency vehicles (Fire Chief). He reiterated his request for a traffic study.

Mr. Franks stated they had presented letters from the Department of Transportation (DOT) and NH Housing Finance Authority. He stated that numbers were given for vehicles during the peak traffic hours. DOT had said the area was not at 50% traffic capacity on the road. Mr. Franks reiterated information on vehicle numbers given at other Board meetings and said there were ample ways in and out. Mr. Tellor agreed, also reiterating information that needed to go to the Board of Selectmen.

There was a general discussion among community members requesting a traffic study, resubmitting petitions by community members and a collection of traffic accident reports in the area's intersections.

Mr. Duffield addressed the Board and explained that DOT does traffic analysis studies and counts on an ongoing basis. Many times they do the traffic analysis without the public being aware of it. Several Public Works do, too (he was not aware of Newport). *Ms. Donovan said there were numbers for Spring Street online. There are some for all little streets in Newport.*

Ms. Donovan stated (the concern had been expressed to the Zoning Board of Adjustment) there are small residential streets in Newport where the numbers are significantly higher than on Spring Street. She said the numbers were taken from online by Mr. Jeff Kessler (BOS Representative to the ZBA). There was further discussion by the community members on traffic on the area streets.

Mr. Tellor stated his concern was not numbers, but safety for vehicles and individuals.

Mr. Franks said he could assist with safety on his property i.e. put in 500 feet of sidewalk. That is the area Avanru Company is responsible for. Mr. Kibbey said that maintenance would then be the responsibility of the Town of Newport. Mr. Franks agreed. Mr. Merrow said that the addition of a sidewalk is in the interest of future planning. Mr. Franks was prepared to help, make a positive impact. There was a general discussion on safety improvements on the street by Avanru as well as the Town of Newport.

Mr. Franks stated he had reached out to the municipal departments for input and concerns with the project. Any concerns, such as placement of the driveways had been changed to their specifications. There were no further concerns. When asked, Ms. Donovan stated there were no concerns by Fire Chief Yannuzzi or PWD Director Todd Cartier in accordance to their purviews. There were no concerns by Chief Yannuzzi (Newport safety officer) or Mr. Cartier on traffic or safety to residents.

Ms. Gentes addressed Chairman Burnham and suggested that the two schools-Orion House and Montessori be asked about traffic during school hours.

She asked if the Board members and staff could state their names: she did not know them. Ms. Gentes reiterated concerns from previous meetings dealing with the area roads and security. Chairman Burnham told Ms. Gentes that security concerns had been brought up and answered at previous meetings (both Zoning and Planning Boards). The company would have surveillance cameras. Strict codes would be enforced on tenants. There was an onsite management company. If anything happened, there would be a record.

She again asked the Board members and staff to state their names. They complied with her request.

Mr. Robert Scott spoke at length about the school system not being made aware of the project, of the number of potential students that might move in to the district and the monetary impact on the schools. *Ms. Donovan addressed Mr. Scott and stated the Board could not base their decision on who might move into the building.*

Mr. Scott reiterated to the Board his concerns on the monetary impact on the Newport school system. Mr. Merrow addressed Mr. Scott and stated as a Board member it was discriminatory to go down that avenue of prohibiting growth in Town because it might bring kids into the school system. He said the idea is very discriminatory; we (the Board) can't go there. The Planning Board is to look at the merits of the project.

Mr. Scott refuted Mr. Merrow's statements.

Chairman Burnham addressed Mr. Scott and stated the Planning Board could not stop the project. It had been passed by the ZBA. The Planning Board could make recommendations on safety. Mr. Franks has the right to build. The people that come and rent might be retirees; it is supposed to be workforce housing. Newport does not currently have workforce housing. The Avanru Company will be paying a lot of taxes on the building. Mr. Scott thanked Chairman Burnham for being allowed to speak.

Mr. Wentzell addressed the Board and showed them a site plan of land he owned. He said that he was proposing to plan to build a solid fence on his property line. It would create a safety hazard and block the line of sight onto JSH. Mr. Wentzell stated he had a letter for the Planning Board and Board of Selectmen. He asked that an excerpt be read aloud into the record (by Selectman Teller). Chairman Burnham stated it had to go through proper channels (TOPAZ). If Mr. Wentzell wanted to read aloud a NH RSA, he could. Mr. Wentzell declined Chairman Burnham's offer.

Chairman Burnham stated that New Hampshire Housing Finance Authority (NHHFA) got traffic study information from a recent project. They stated the numbers were similar to those in the Newport project plan. He read aloud from the NHHFA report and compared information with Spring Street. He briefly reviewed, for the public, aspects of the proposed apartment building and the number of residents allowed in each.

Mr. Franks stated there were specific federal statutes (laws) pertaining to the building and number of residents in each apartment. He could not talk to the number of residents or residents who were school aged children because it is against the law (discrimination). Attorney Manchester, Board members and Ms. Donovan concurred with Mr. Franks' statement.

The Board members, Mr. Franks, Attorney Manchester and community members reiterated discussions on many aspects of the project: capacity/impact of the housing unit, street intersections, expenses to the Town, tax revenue, positive impact of housing for the work force, covenants of the land (apartments remain workforce housing), maintenance and management.

Mrs. Gentes again asked about the permanence of the apartments being workforce housing. Attorney Manchester again stated that there would be restrictive covenants due to the financing of the project. It must remain as it is forever (99 years). Continuing, Attorney Manchester said that it did not matter who owned it, it was 99 years.

Mr. Kibbey said that the discussion on rentals and landlords put him in a difficult position. He is a major landlord in Newport. He did not know if he should step down (from the case). Mr. Franks said no, because his (Franks) clients would be in a narrow income group of people. Chairman Burnham and Mr. Merrow said that costs had nothing to do with the Board's decision.

Mrs. Arleo again asked about the permanence of the apartments being workforce housing. Attorney Manchester again stated that there would be restrictive covenants due to the financing of the project. It must remain as it is forever (99 years). Continuing, Attorney Manchester said that it did not matter who owned it, it was 99 years.

Mrs. Arleo asked where the construction staging area would be. Mr. Franks showed an area on the site plan. He said that the (building) sections would come in boxes and assembled (prefabricated building). Workers would park in the already constructed parking area on-site. When asked, he said she would be seeing construction vehicles on the road. Mr. Merrow, a professional construction consultant, answered many questions from the community members. When asked about local contractors and possible conflicts of interest by Municipal Representatives, Mr. Franks explained the company's bidding process for construction firms and subcontractors. He also explained that 75% of the building will be made at an off-site facility (prefabricated).

Mr. Karr asked if Mr. Kibbey would be stepping down. Mr. Kibbey said no.

Mr. Karr addressed the Board with criticism on previous minutes. He asked if they could be more specific. He read aloud from the purview of the Board, the written minutes and what had been omitted. Chairman Burnham stated that motions that were voted on were in the minutes. Mr. Karr then argued with Chairman Burnham on the safety aspects of the case. Ms. Donovan addressed Mr. Karr, agreed with him on the minutes and stated there were different ideologies on transcribing minutes. She would talk to the Board in Administration about it.

After a discussion with Chairman Burnham stating that all information would be in the purview of safety, Mr. Karr was given the floor. Before he began he stated he was representing several people. He then read aloud comments on a petition from 21 people (residents on First, Second, Third and Knoll Streets). He stated he had copies of 50 traffic accident reports (from the past ten years).

There were several comments on traffic in the Spring Street and Knoll Street area.

Attorney Manchester addressed Planning Board Chairman Burnham and stated that the choice at the meeting was not (if there would be) any development. She listed potential development that did not need approval by the Board. She stated that people are losing sight of the fact that the lot will not be vacant forever. The Board has heard a lot of testimony about traffic. The bottom line is there will be an increase in traffic with any (type of) development. It will not be an increase that impacts safety. Chairman Burnham thanked Attorney Manchester for her input.

After discussion on Board members making decisions, Mr. Merrow stated that part of sitting on a public



Board was an individual has to stick to the rules of the Planning Board; a member has to separate decisions from personal opinion. Mr. Karr was told the applicant did not object to his sitting. Mr. Kibbey asked that additional statements on rents not be brought up.

Chairman Burnham read aloud information submitted on suggested changes to streets in the area. He said they could not be acted upon at this time. There was a discussion among Board and community members concerning traffic studies done by the New Hampshire Department of Transportation (DOT) and New Hampshire Housing Finance Authority (NHHFA). Mr. Tellor said that approval could be conditional on a traffic study (he had read up on traffic studies).

Mr. Franks asked that instead of conditional approval, if the Board approved his case they could request an independent company to do a traffic study be done. He proposed the procedure.

Attorney Manchester stated she appreciated the Board wanting to be fair to the abutters. She hoped the Board would be equally fair to the applicant in all of the work he has done and the Board questions he has answered. The way that Attorney Manchester understood it, the site plan would be approved subject to compliance with the recommendations contained in a traffic study. Mr. Merrow said his opinion was that would be the correct language, and any rights and obligations that have to be put in to meet the traffic study are met by the applicant. Attorney Manchester agreed. Continuing, Attorney Manchester stated that Mr. Franks would receive approval September 22, 2020 and if the costs in the traffic study were exorbitant; we would return to the Planning Board.

Ms. Gentes addressed Attorney Manchester and disagreed with adding contingency language into the final motion. Chairman Burnham addressed Ms. Gentes and explained Mr. Franks was offering to pay for the traffic study. Mr. Merrow gave an additional explanation of the contingency language. There was further discussion concerning a traffic study.

Attorney Manchester said, from listening, that the Board has heard testimony and was reasonably comfortable with the traffic. It is the abutters who have issues. In order to ameliorate the abutters, the Board is offering a conditional approval with a traffic study. Mr. Merrow stated that Board members have brought up, prior to the public meeting, the traffic study issue.

Attorney Manchester voiced her frustration; a traffic study was not on Mr. Frank's list of items to discuss with the Board (at the September 22, 2020 meeting.).

Mr. Franks addressed the Board and stated he thought traffic issues were done. He had seven or eight things he had to get done (for the Board). They had been completed and presented to them. He had believed the traffic information from DOT, FD, PD and NHHFA was enough. The proposed project is the least possible impact that could be built on the site.

Mr. Franks made closing comments, reminding the Board he had invested a lot of money, provided a lot of data to the Board and had been working in good faith in Newport for six months on the project. Mr. Franks stated that the Board's approval impacts his application. Without the Planning Board's site plan approval, the project would not be done. His application was due on Friday (September 25, 2020). If he did not get approval, he would have to walk away from the Newport project.

Chairman Burnham came back to the Board. He stated the applicant has agreed to a traffic study. Otherwise, he has done everything the Board has asked. Mr. Tellor was asked if a traffic study would take care of his concerns. Mr. Tellor stated yes. They discussed at length case approval:

- ❖ retaining wall be consistent with what was given to the Board tonight (September 22, 2020)
- ❖ sight lights (not casting light off property)
- ❖ sign (consistent with Zoning Regulations)
- ❖ during construction phase all parking and storage be 100% on site, not on the road
- ❖ independent traffic study. Applicant will undertake and agree to do improvements. He will return to the Planning Board if it costs too much.
- ❖ Sidewalk. There was discussion on the wording of installation of a sidewalk. Installation of sidewalk along the frontage of Spring Street pending acceptance by the Town.

Attorney Manchester suggested an amendment on the sidewalk installation to be: Inclusion of sidewalk, subject to Town approval if Town approval is required. Explaining, she said that Mr. Franks would do the sidewalk if the Town said he could do it.

Mr. Merrow made a motion *to approve Case 2020-SPFP-002: Avanru Development Group/Jack Franks final review of a site plan for the property. The following conditions will be met:*

1. *Installation of sidewalk along the frontage of Spring Street pending acceptance by the Town.*
2. *Redi-rock retaining wall is consistent with what was given to the Board on September 22, 2020 (including barrier wall/comply with Zoning Ordinance)*
3. *Sight lights (to comply with Zoning Ordinances)*
4. *Sign (to comply with Zoning Regulations)*
5. *All parking and storage to be (100%) on-site during construction phase*
6. *Independent Traffic Study (Applicant will undertake a traffic study at his expense approved by Public Works and will agree to do improvements required by the traffic study. Mr. Franks will return to the Planning Board if costs are exorbitant.)*

It was seconded by Mr. Tellor. Chairman Burnham called for a vote. *The motion passed 4-0-0.*

**MINUTES:** August 11, 2020; August 18, 2020

After a short discussion, *the Board concurred to table the minutes of the August 11, 2020 and August 18, 2020 until the next regular Planning Board meeting.*

**ADMINISTRATION:** None

#### **COMMUNICATIONS:**

- a) **Board**
- b) **Public:** Mr. Ed Karr asked Chairman Burnham what concurred meant. He asked that the minutes be written in more detail.

Mr. Kibbey addressed Mr. Karr and stated there were openings on the Planning Board. He asked him to consider joining it.

Mr. Karr then addressed Ms. Donovan and asked if he could have the financial information on the Town's attorney costs (for Case #2020-SPFP-002: Avanru Development Group/Jack Franks) per the RSA 91-A Right to Know law. Ms. Donovan stated she would get the financial information for Mr. Karr.

On a motion by Mr. Merrow, seconded by Mr. Tellor; *the Board voted to adjourn at 9:38 p.m. The motion passed 4-0-0.*

Respectfully submitted,

Maura Stetson  
Scribe

Approved: October XX, 2020

DRAFT