



OLD VALUES - NEW HORIZONS
COMMUNITY DEVELOPMENT

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Planning Board Public Meeting Minutes
May 11, 2022
7:00 pm at Community Development Meeting Room
3 North Lowell Road

Attendance:

- Chair Tom Earley, Present
- Vice Chair Jennean Mason, Present
- Derek Monson, Present
- Jacob Cross, Present
- Matt Rounds, Present
- Alan Carpenter, Present
- Dave Curto, (alternate), Present, seated for Mr. Cross for the beginning of the meeting
- Roger Hohenberger, sitting in for Board of Selectmen ex Officio member Bruce Breton, Present
- Alex Mello- Planning Director, Community Development
- Shannon Ulery- Vice Chair Windham School Board, Present
- Renee Mallett- Minute Taker, via video

The meeting opened at 7:00pm with the pledge of allegiance and the introduction of members.

Mr. Curto was seated for Mr. Cross until he arrived to the meeting.

The Board interviewed a candidate for one of the open alternate positions. Over the past year Pam McCarthy has been a CIP member and is looking for other ways to be involved in the town.

The Public Hearing portion of the meeting began with Chair Earley reading the public notice as follows:

Public Hearing on update to School Impact Fee Schedule

Notice is hereby given that the Windham Planning Board will hold a public hearing at 7:00 PM in the Community Development Department on Wednesday, May 11, 2022, regarding a proposed update to the School Impact Fee Assessment Schedule, pursuant to Section 715.6 of the Windham Zoning Ordinance. The fee schedule has not been updated since 2015. The proposed schedule is to increase the amount from \$6,357.87 to \$11,246.05 for new single-family dwellings and conversions to year-round dwellings and from \$3,617.00 to \$3,910.18 for other dwellings (excluding 55+ age-restricted units).

Mr. Monson made a motion to open the public hearing. Mr. Rounds seconded the motion. The motion passed, 7-0, with the following vote:
Chair Earley, aye

44 **Vice Chair Mason, aye**
45 **Mr. Monson, aye**
46 **Mr. Rounds, aye**
47 **Mr. Carpenter, aye**
48 **Mr. Curto, aye**
49 **Mr. Hohenberger, aye**

50
51 Mr. Hohenberger reviewed his previous experience with calculating impact fees and thanked the
52 School Board for the access they had granted to the impact fee sub-committee, so they could create a data-
53 driven increase. Mr. Hohenberger discussed the renovation and expansion of Golden Brook School and how
54 that changed the number of students and capacity at all of the district schools, in order to create space for
55 growth in town and in the school population without overcrowding. He explained how the restructuring
56 had created more classroom space in Windham Middle School and created different kinds of learning space
57 even though the square footage had remained the same.

58
59 **Mr. Cross was seated for the duration of the meeting.**

60
61 Mr. Hohenberger went through the numbers used in the calculation, and explained how recently
62 the data used had been compiled. He reviewed how different kinds of housing contributed different
63 amounts of students into the school population. Mr. Rounds asked how a future high school project would
64 impact these numbers. Ms. Ulery addressed the board and said the School Board did not yet have a firm
65 idea of how capacity would be increased at the high school, whether by renovations or an expansion, so
66 they did not have the data to share on that. She said they always looked at balancing the needs of the
67 students, the needs of the taxpayers, and a desire to not price new residents from moving into town.

68 Mr. Rounds asked about updating the numbers to reflect the increased building costs and prices
69 homes were currently selling for due to Covid. Mr. Hohenberger said everything in the calculations were
70 based on long term data and he did not think it was prudent to use anecdotal and possibly temporary
71 information. Ms. Ulery said she was confident in the legality of being conservative with the calculation
72 based on recent and defensible data.

73 Discussion followed on the best time of year to look at impact fees as part of an annual review.

74
75 **Chair Earley opened the session to public comment.**

76
77 Tom Case asked about the reasoning of a recent warrant article when the board knew this impact
78 fee was being researched. Mr. Monson said the fees had not been increased in five years and they needed
79 to be reviewed. Mr. Carpenter explained that impact fees previously had been looked at every five years,
80 which resulted in single large increases. He said the warrant article in question gave the Planning Board the
81 ability to increase the fees, nominally, based on the CPI every year so that the five-year process did not
82 result in such a large increase. There was some disagreement between the board members and Mr. Case on
83 the extent of the warrant article language. Mr. Hohenberger said in this instance the process of increasing
84 the impact fee had begun before the passage of the warrant article, so it was exempt from that
85 interpretation of the warrant article. Mr. Mello was directed to have Attorney Campbell review the
86 question raised by Mr. Case.

87
88 **Chair Earley closed the session to public comment.**

89
90 **Mr. Cross made a motion to increase impact fees, pursuant to Section 715.6 of the Windham**
91 **Zoning Ordinance, in the amount of \$11,246.05, from \$6,357.87, for new single-family dwellings and**

92 conversions to year-round dwellings and from \$3,617.00 to \$3,910.18 for other dwellings (excluding 55+
93 age-restricted units). Mr. Rounds seconded the motion but asked that the motion be amended to include
94 an annual review of the fees. Mr. Cross declined to add the amendment. Mr. Rounds revoked his second,
95 but the motion was then seconded by Mr. Monson. The motion passed 5-1-1, with Mr. Rounds opposed
96 as the motion did not include the stipulation that reviewing the fees should be mandated yearly. The
97 motion passed with the following vote:

- 98 Chair Earley, aye
- 99 Vice Chair Mason, aye
- 100 Mr. Monson, aye
- 101 Mr. Rounds, opposed
- 102 Mr. Carpenter, aye
- 103 Mr. Cross, aye
- 104 Mr. Hohenberger, abstain

105
106 The board asked Mr. Mello to add discussion of an annual review schedule to the agenda of the
107 next board workshop. The board thanked everyone who compiled the data for the impact fee increases for
108 their time and effort.

109
110 Mr. Cross made a motion to instruct Mr. Mello to check the CPI and to schedule a public hearing
111 for the next possible date, which is June 8, to increase the police and fire impact fees based on that
112 number. Mr. Monson seconded for discussion. Mr. Carpenter asked how out of date the fire and police
113 impact fee was. Mr. Hohenberger said it was possibly six or seven years old. He said, in light of the age of
114 the calculation, he would like a deeper look at the data. Mr. Cross called that timid to the point of
115 financial recklessness and said it would take too long. Mr. Monson and Mr. Carpenter thought it could be
116 looked at in a matter of weeks. Chair Earley said in that case the June 8th date would give members time
117 to source the data they needed. Mr. Monson said a July public hearing did not put the change off too
118 much further but would give time for the board to meet with fire and police. Mr. Cross amended his
119 motion to remove the public hearing date of June 8, but to ask Mr. Mello to invite police and fire to that
120 date. Mr. Monson said his second still stood. 7-0 the motion passed with the following vote:

- 121 Chair Earley, aye
- 122 Vice Chair Mason, aye
- 123 Mr. Monson, aye
- 124 Mr. Rounds, aye
- 125 Mr. Carpenter, aye
- 126 Mr. Cross, aye
- 127 Mr. Hohenberger, aye

128 129 Old/New Business

130
131 Mr. Rounds made a motion to approve the minutes of 4-13-22 as presented. Mr. Monson
132 seconded the motion. 4-0-1, the motion passed with Mr. Cross abstaining as he was not present for the
133 meeting and Mr. Hohenberger refraining from voting as he was not seated as an ex officio BOS member
134 at that time:

- 135 Chair Earley, aye
- 136 Vice Chair Mason, aye
- 137 Mr. Monson, aye
- 138 Mr. Rounds, aye
- 139 Mr. Carpenter, aye

140 **Mr. Cross, abstain**
141 CIP members was discussed. Vice Chair Mason and Mr. Rounds are Planning Board liaisons until the
142 end of June. The minutes of 4-20-22 were tabled.
143

144 Mr. Rounds asked for clarification on a motion that had been made at a previous meeting regarding
145 a sub-committee created for the Master Plan. Mr. Mello believed that what was approved was a steering
146 committee to create the process by which the Master Plan would be created. Mr. Rounds thought he had
147 been tasked to create a committee to come up with the process and then to see it through to completion.
148 Mr. Monson also believed it created was for process only. Mr. Carpenter said, as the maker of the motion in
149 question, his intent was that the committee created the process and then would see it through completion.

150 Mr. Hohenberger said he did not think the four-person committee, of which he was a member,
151 would be writing the master plan. Mr. Rounds asked him not to bring the discussion "into the weeds," as
152 Mr. Carpenter had just confirmed that his motion was in support of what Mr. Rounds had believed the
153 intent of the committee he formed would be. Chair Earley said the first deliverable of the committee to the
154 Planning Board should be the process they would follow when writing the Master Plan.
155

156 **Mr. Carpenter made a motion for the board to go into a non-public session per RSA 91-A:3(A).**

157 **Mr. Rounds seconded the motion. 6-0, the motion passed with the following vote:**

158 **Chair Earley, aye**
159 **Vice Chair Mason, aye**
160 **Mr. Monson, aye**
161 **Mr. Rounds, aye**
162 **Mr. Carpenter, aye**
163 **Mr. Cross, aye**
164

165 The board then reconvened to confirm the appointment of Mr. Bradley, Mr. Spalinger, and Ms.
166 McCarthy as alternates.
167

168 **Mr. Cross made a motion to adjourn. Mr. Rounds seconded the motion. 6-0, the motion passed**
169 **with the following vote:**

170 **Chair Earley, aye**
171 **Vice Chair Mason, aye**
172 **Mr. Monson, aye**
173 **Mr. Rounds, aye**
174 **Mr. Carpenter, aye**
175 **Mr. Cross, aye**
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