

PLANNING BOARD MINUTES

July 8, 2020

APPROVED: Approved 8/12/20

AGENDA: ZONING ORDINANCE: MULTI-USE AND STABLES

ATTENDING: Denice DeStefano (Chairman), Jackie Elliott (Vice Chairman), Don Milbrand (Sel. Rep.)
Betty Seeler, Bruce Beaurivage (Alternate, via phone)

ABSENT: Paul Barnett, Evan Hickey (Alternate)

OTHER: Christina Goodwin (Land Use Manager), Tyler Simonds (Planner)

Ms. DeStefano appointed Mr. Beaurivage to sit in for Mr. Barnett.

The meeting opened at 7:00 pm with alternate Bruce Beaurivage being moved to a member to replace a missing Planning Board member and to provide the Board with a quorum.

Ms. DeStefano stated that there is still an emergency order issued by the Governor that allows for meetings to be held electronically due to the pandemic. Members are attending via video and telephone conference and the meeting is open to the public via the Zoom platform and regular phone access. The meeting continued by roll-call vote 5-0.

MINUTES OF MAY 13, 2020:

The minutes of May 13, 2020 were reviewed. D. DeStefano made a motion, second by Betty Seeler, to approve the minutes as amended. The motion carried.

MINUTES OF MAY 27, 2020:

The minutes of May 27, 2020 were reviewed. D. DeStefano made a motion, second by J. Elliott, to approve the minutes as amended. The motion carried.

MINUTES OF JUNE 10, 2020:

The minutes of June 10, 2020 were reviewed. D. DeStefano made a motion, second by B. Seeler, to approve the minutes as amended. The motion carried.

MINUTES FOR JUNE 24, 2020:

The minutes of June 24, 2020 are in progress. Jan Laferriere (Land Use Admin. Assistant) is working on them now.

ZONING ORDINANCE:

Multiple Uses on a lot: Mr. Simonds read the proposed update for the definition. Ms. DeStefano asked what regulations he is referring to in the proposed language. Mr. Simonds answered Town, State, Zoning. Ms. Goodwin questioned Zoning Ordinance and Mr. Simonds agreed to remove that. Ms. DeStefano stated that it should include the Corridor Commercial district. Ms. Goodwin read what had been recommended here.

B. Seeler made a MOTION, second by D. Milbrand, to move the amended copy to public hearing on

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August 12. The motion CARRIED by roll-call vote 5-0.

Stables: Mr. Simonds read the proposed updated. The Board discussed non-commercial vs. commercial and compared the Agriculture definition. Ms. DeStefano also mentioned Keeping of Farm Animals, siting keeping a cow, horse, or goat, etc. anywhere we want. Mr. Milbrand added that they must have at least an acre of land and are 100 feet from a waterway. Ms. DeStefano said that we could potentially eliminate Stable, however we need to review the definitions more. Ms. Goodwin asked if they want just commercial, all, or not at all. Mr. Simonds mentioned that there were a couple cases that were made Accessory Use. Ms. Goodwin stated that the issue we have had allowed up to three (3) horses and she is now down to two (2) and we really need to think about this. Ms. Elliott thought we should eliminate it. Mr. Milbrand stated that Stables covers more of the building. Ms. Goodwin suggested combining all definitions into one document for the next meeting for the Board to review. This was agreed to and the Board will revisit it at the next meeting.

Other: Accessible forms of Security for removal of a Cell Tower: Mr. Simonds stated that the recommended changes came from Mr. Barnett and he made some additions. Ms. DeStefano felt that, in the last sentence, it should use "the facility owner" as it had been used in the paragraph above. Vertex Towers was discussed and noted that the Board approved a bond instead of the required letter of credit.

D. Milbrand made a MOTION, second by D. DeStefano, to BRING THIS AMENDMENT TO PUBLIC HEARING ON AUGUST 12. The motion CARRIED by roll-call vote 5-0.

Impervious Cover: Mr. Simonds stated that we have a phrase in the Zoning Ordinance, lot coverage by structures, which does not include decks, patios, paved driveways or walks. He has looked at other towns for what they do for this section and the numbers range quite a bit and he has proposed some numbers for the Boards consideration. Mr. Beaurivage asked where the new numbers came from and what was wrong with the old numbers. Mr. Simonds answered that the current percentage is in regard to lot coverage by structures and it seems more clear to say lets regulate maximum impervious cover and this will help address run-off issues and that properties can pave what they want under the current definition. Mr. Beaurivage thought that in the Lake District, the State regulates this. Mr. Simonds stated that they do some within 250' of the water. Ms. Goodwin explained that it is regulated by the State and the Town. Ms. DeStefano felt that they can meet our regulations first and then go to the State to meet theirs or vice versa.

Ms. Elliott asked if all structures include fences. Ms. Goodwin answered not under 6'. Mr. Simonds didn't feel that fences would cause many run-off issues. Ms. DeStefano stated that this would include asphalt, patios, walkways, etc. Mr. Milbrand stated that he likes this. Ms. DeStefano agreed but is not sure of the percentages. Ms. Elliott also likes it. Mr. Milbrand felt that we need to prepare it for the Zoning Ordinance. Ms. Goodwin will have Mr. Simonds do this for the next Planning Board meeting.

COMMUNICATIONS: Ms. Goodwin had received an e-mail today, which asks the Board to consider Agriculture in other Districts this person is interested in having a garden and farm stand in the Village Commercial District. Ms. Goodwin will share this with the Board for next meeting. This year, they have been allowed to have a pop-up tent outside their home like yard sales (2 or 3 times). Ms. DeStefano asked how much zucchini you can sell before it becomes a Commercial Enterprise. Ms. Goodwin stated that this one is located off of Pleasant Street.

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REPORTS:

Historic District Commission – Meet next week.

Select Board –

The Select Board is working on the reopening plan.

The Board is working with the Sustainable Committee to start recycling again next week.

Discussing the upcoming election.

The 4th of July fireworks went well. Ms. Goodwin added that there was only about 50% of the normal crowd in attendance. There were more around the Lake than on Shore Drive. Those that attended, loved it. Mr. Milbrand added that there were a ton of boats.

Capital Improvements Program Committee – Meet in August.

Land Use – Mr. Simonds mentioned West Shore Road where they want to allow camping, and potentially other businesses. This is the property across from the Town's second well. There were four (4) lots and two (2) of them were sold. They had mini golf there at one point many years ago. Currently there is one area where logs and a logging company's vehicles are stored. This piece also has three (3) campers and they want to add more. It is unclear what he is actually doing. Ms. DeStefano asked if he is a NH Attorney and was told that he is not; he is an agent for an LLC. Mr. Milbrand asked about sanitary facilities and was told that they have a rest room in the building as well as a porta-potty. Renovations are also being done to the barn. Mr. Simonds added that they need DES approvals because they are close to the wetlands. Ms. Goodwin feels that the owner needs to come in to the Board. Ms. Goodwin said that this lot is next to the storage container lot. Mr. Beaurivage asked what can and can't be done by the river and a discussion followed. The Land Use Office will set this person up for a Preliminary Conceptual Consultation (PCC).

Mr. Simonds mentioned someone who wants to do tiny houses. Ms. Goodwin said they would begin With two (2) and then add more. She thought this might come under cluster development. It was felt that they should come into the Board for a PCC.

Mr. Simonds stated that there is someone who wishes to put in a Spa (Eugene's property across from Aubuchon's (861 Lake St). The Board didn't see any issues with this proposal.

Ms. Goodwin has some issues with 866 Lake St. He needs a Variance for his steps (a 4 x 4 area in the right-of-way). He also wants boat storage. He still needs to come in to apply for the Variance, but seems to be hesitating. He wants to add storage in the outbuilding and the barn. It was felt that he needs to come in to talk with the Board. Mr. Beaurivage mentioned that he has a boat in his yard and Ms. Goodwin thought it was his own, but she will check.

Ms. Goodwin is having a concern with the proposed Mayhew projects. She had reached out to the Town's Attorney about determining the abutters. With the answer, it would mean \$900 to \$1,000 total for the cost, so she reached back out. She then read the second answer and felt it is up to the Board's discretion.

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She asked that they think about it and, perhaps, it would need only the abutters to the section of the island being worked on.

Another issue is on Beech Street (the brick Condo.). They are adding parking to the front and, illegally, to the other side. Ms. Goodwin is to look at this with the Highway Department. Originally, this was an apartment building and then turned to condos. The Town has a right-of-way access for the firetruck to get to the river there and they would like to adjust this. Ms. Goodwin questioned if this is considered Commercial or Residential. The Board agreed to a PCC. They need to see about drainage.

NEW BUSINESS:

Mr. Simonds stated that there is a non-profit organization that created a report showing 70% more at risk properties for flooding.

NEXT MEETING: The next Planning Board meeting will be held August 12, 2020. Applicants have until August 17 to apply. There is a Special Use permit with two issues: home 50' of a wetland and 25' for a septic. The Conservation Commission is scheduling a site visit and will discuss it at their meeting. Ms. Goodwin stated that they will continue to work on multiple uses and signs, etc.

With no other business before the Board, D. Milbrand moved to adjourn, second by J. Elliott. The motion carried by roll-call vote 5-0 and the meeting adjourned at 8:40 pm.

Respectfully submitted,
Jan Laferriere
Land Use Administrative Assistant