

Planning Board Meeting Minutes

November 15, 2016

6:30 PM

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Chairman Scott Burns called the meeting to order at 6:30 PM.

Members Present: Frank Lombardi, Alan Theodhor – Alternate, Scott Burns – Chairman, Peter Corey – Selectmen Rep., Everett Kennedy and Joyce McGee – Secretary.

Members Absent: Michael Carifio – Alternate and John Tholl Jr.

Public Present: Richard Harris Sr. and Jr.

Chairman Burns appointed alternate Alan Theodhor as a voting member in the absence of John Tholl Jr.

Minutes: A motion was made by Frank Lombardi to accept the minutes of November 1, 2106 as written, seconded by Alan Theodhor. All in favor, with Peter Corey abstaining as he was not at that meeting. Motion carries.

Other Business:

Driveway Permit(s): Harris Sr., Richard – Hall Road, Tax Map 218 Lot 50: Conditional approval was given at the August 23, 2016 meeting contingent upon the Director of Public Works approving new location of driveway which complies with the 25' setbacks. The Director of Public Works reviewed the new location and had no issues. A motion was made by Peter Corey to accept the driveway permit as submitted, seconded by Alan Theodhor. No further discussion. All in favor, motion carries.

Development Permit(s): Sackett, Joseph & Marguerite – 33 Spring Street, Tax Map 101 Lot 039: Demolish a 30'x34' Shed and construct a 12'x 16' shed for wood storage. A motion was made by Peter Corey to approve the application as submitted, seconded by Everett Kennedy. All in favor, motion carries.

Soukup, Robert & Deborah – 726 West Side Road, Tax Map 243 Lot 019: To construct an 8'x8' shed on said property. A motion was made by Peter Corey to approve the application as submitted, seconded by Everett Kennedy. All in favor, motion carries.

Robert Stiles Enterprises – 36 King Square, Tax Map 103 Lot 048: To convert Art Gallery into a Bakery/Snack Shop. The Board would like to see a floor plan of seating, bathrooms, egress, bakery area etc. How many parking spaces; Hours of operation; Fire Safety Codes, need to have Fire Chief advise on this. The Board advised that the applicant needs to fill out Change of Use/Site Plan Review Application and have a hearing, Secretary McGee will contact applicant and explain what is needed for criteria.

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Updates to CDG: Board had a telephone conference with Tow Counsel to go over the list of pressing items that were suggested.

Time Frame for Public Hearing(s) for changes to Comprehensive Development Guide: January 12, 2017 – January 23, 2017.

1. Need to take out anything that pertains to Occupancy Permits as Town does not issue these. Development Permits are issued by the Planning Board – make change. Selectmen do enforcement – need to update RSA.
2. Appealing Decisions need to change to ZBA and then Superior Court.
3. What triggers a Development Permit or a Change of Use? Need to look at other communities for help.
4. Process of what review/plans are, not defined on when they are needed and the terms don't match the RSA's. Look at 676:4. Needs to read and look more like the statute.
5. The term "Master Plan" is used as a land concept, need to look at what other towns do.
6. ZBA role – need to define (see NCC 2011 recommendation).
7. Definitions of which uses are and are not permitted - Need to determine if the uses are listed then they are allowed or vice versa. Board needs to think about this. Peter Corey said the guide was written to be permissive as long as it can be neighborly. It's just too vague and difficult for good development without having zones and districts, looking like zoning. Need to look back to see what has caused problems in the past. The current guide was taken from what Brekenridge, CO did years ago. The Town of Whitefield's guide looks nothing like their current guide as they have evolved and Whitefield hasn't.
8. Definitions need to be cleaned-up.
9. Duplicate of 4.
10. Open Space – What type of development does it apply to and who gets to decide? Need to spell out.
11. Non-conforming uses: Find options to choose from.
12. Reorganize guide.
13. Change Guide to Code.

All changes to CDG need a public hearing and town meeting approval. Regulations don't need town meeting approval but need a public hearing.

Need to address new statute on Accessory Dwelling Units.

Peter Corey – In 1992 citizens were opposed to zoning but times has shown us that the CDG is an unworkable document.

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Meeting went into non-public at 7:30 PM out at 7:44 PM.

Work on changes at the December 6th & 13th meetings, start time 6:00 PM.

Secretary McGee will make copies of NCC recommendations for next meeting.

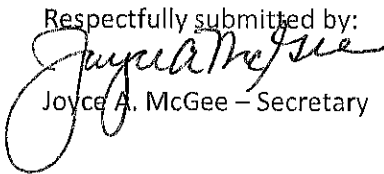
Fee Schedule: Peter Corey wondered if Board still wanted to consider this, but need to see what the process is. Frank Lombardi was wondering about enforcement issues. Mr. Corey said that these fees will help with enforcement, administration and attorney fees. It makes the people who generate these services help pay for them. Mr. Lombardi was fine with generating a penalty if someone doesn't file a permit, after the fact.


Mr. Corey said a committee looked at other towns to see what they charged. Mr. Lombardi stated that it certainly will not cover some ones salary. Everett Kennedy – it certainly will help. Mr. Lombardi wondered about major enforcement. Alan Theodhor – times have changed, fees will help so you and me don't have to pay for it totally. Mr. Corey – Taxes are too high, we need to make the users pay for what they are using. Mr. Theodhor – it's a start. Mr. Corey – even if it's \$5,000.00 it helps.

Mr. Lombardi is worried about each category and defining them. Chairman Burns – At least it's a start, the after the fact penalty should be higher, people get lacks on getting permits.

Adjournment: A motion was made by Frank Lombardi to adjourn at 8:40 PM, seconded by Everett Kennedy. All in favor, motion carries.

Respectfully submitted by:


Joyce A. McGee – Secretary


Scott Burns - Chairman