

**Planning Board
Zoning Review and Revision Committee
September 27, 2006**

In Attendance: Mary Girard, Chairperson; Carla Penfield, Joe Duarte, Fred Kelley, Susi Nord, Kim Byrd, Judi Lindsey, Ingrid Byrd, Rudi Cartier

Meeting called to order at 7:00 PM

**Review of Minutes
August 30**

- Under item 2, an error is noted the paved travel surface should be 22 feet, not inches.
- Colon missing item two the fifth paragraph down 15:16 needs a colon.

**Motion by Judi Lindsey to accept with recommended corrections.
Second by Fred Kelley**

Ingrid Byrd quotes from a letter from Heritage Commission about recommendations. Discussion about review of letter ensues. Mary recommends change the minutes to read that there are no changes to any existing articles. Judi indicates they did not recommend any specific changes.

**All in favor.
Unanimous
Motion Carries**

Mary poses a question to Rudy Cartier about fees.

7:00 PM Continue discussion on revisions to subdivision regulation and site plan regulations.

Zoning discussion changes under multi family 13.04 C on Page 39 in the Zoning. Two Family and Multi Family dwellings. Discussion about buildable acreage which needs to be contiguous. Mary reads from the current Zoning. Discussion follows. Kim suggests that there is no limit, and rather than set an arbitrary number, to take into account the size and shape of each. Rationale put forth is that you don't want multifamily units too far off arterial ways. Rudi notes building codes are different for multifamily buildings. Rudi points of from a fire protection standpoint if they are going to do multifamily they will be required to use sprinklers. Susi notes the size for a unit in the ordinance is 600 sf for a one bedroom unit and 800 sf for a two bedroom. Some discussion follows about the size of units per lot. Unit would be an apartment. Ingrid contributes some of the rationale for the concept of not limiting the acreage or favoring the first unit and penalizing the remainder. Rudi notes you can do three stories. Ingrid notes acreage needs to be set aside for parking and septic. Rudi points out a problem might come in with cul de sacs

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being allowed more than 800 feet. Ingrid discusses private ownership, lot size. Fred points out going back to the 800 feet and driveways. Rudi recommends running things by Bart.

Kim will draft something.

2.02 B. To clarify conforming and conforming use. Mary would like to add that a non conforming lot may be made less non conforming. They cannot make it smaller, but they can make it less non conforming.

Some discussion occurs. Kim suggests making it changed to be enlarged to make it conforming from non-conforming. Rudi asks if there is a method for a variance. Ingrid and Fred point out there are five criteria. If they cannot, there is still a method of appeal. Mary notes you can use a lot that has 60 feet of frontage..... if it is a non- conforming lot, and a lot of record. Carla points out if you let it happen; you are encouraging people to have non conforming lots.

Mary suggests that a non conforming lot may be enlarged to become a conforming lot. Susi adds that a lot may not be enlarged to only become conforming. Ingrid questions if the non conformity is not acreage, but frontage, are you keeping people from building because it has no frontage. Ingrid points out that it would have to be added. Carla suggests addressing conformance of lots and then to go on to discuss frontage.

Fred uses an example of a grandfathered acre lot. Mary notes with 60 feet of frontage. A person can build on it, but they can't add. The case in an example ended up being 8/10th of an acre. It is noted that there are conforming lots and non conforming lots. Rudi notes a grandfathered lot could be a conforming lot. Fred – notes a home on a ½ acre lot.

Carla asks if you want to add to a non conforming lot, you must make it conforming.? Rudi notes there are existing grandfathered lot. Discussion that grandfathered lot and conforming lot is the difference. More discussion about another case with 57 feet of frontage.

Mary noted that with a non conforming lot change where the intent is to add to a non conforming lot to become conforming. Joe reads from existing zoning on non conforming lots. Kim notes Section E which is the use of a non conforming lot #5. Kim puts for that existing non conforming lot may be enlarged only if it becomes a conforming lot.”

Mary on L-1 district discusses adding buffers. Kim and Fred – note L-2. Kim notes that we put a buffer in the commercial district, on page 15. Mary notes we need to do that in the Light Industrial. Kim suggests moving the whole paragraph to L-2 striking the part about the branch of the river. It would be the first sentence, changing the word commercial to L-2 district. A vegetation buffer of trees and shrubs.....along the boundary in the L-2 district. Carla – leave off the eastern boundary part.

Judi brings up Class 6 roads. Mary notes we have to do an aquifer. And steep slopes. Carla notes she would like to do a discussion about cul de sacs. Rudi asks if the Planning can put a moratorium on Class 6 roads.

Carla continues on cul de sacs and waivers. Carla would like to discuss that if a cul de sac were going to exceed 1000 feet then the developer should have a road in, and a road out, rather than a long cull de sac. Fred –agrees. One development example of the people on the end of Flint Road. If the road were blocked, there is no way to get in there; for instance, if a tree falls. Jane Road & Horizon drive is used as examples. Mary thinks this is on a case by case basis. Carla notes that there is nothing behind you (the planning board) that they need to build a road, no guidelines exist. Cost brought up but it is noted that developer cost is not a factor for the Planning Board. Ingrid brings up historical information about a paper road, that the land was there. Fred – notes that the one (cul de sac) he favors is the one off Podunk – because at 1000 feet is where the loop comes in. Carla

Carla points out that if you (the planning board) is forgetting that you need some support. However, it is noted Carla is talking about a zoning change if you are going to have a cul de sac more than 1000 feet; you have to have a loop road. Right now the burden is on you (the board) to make decisions. Conservation land might be used for that. Intersections might increase. Rudi points out it needs to be looked at holistically. Ingrid there might be a builder incentive. Mary notes Flint Road has a deeded right. Susi notes it sounds like what Carla is saying is some teeth.

Carla – notes she does not see why there can't be a loop road. Mary responds there is no flexibility because it is not in the zoning ordinance. Carla points out that if the road thing was written it would go to a vote – for Subdivision but not zoning.

Rudi asks can't you add some flexibility? It is pointed out that intent is if you have a cul de sac over 2000 feet, you are allowing it intrinsically. Flexibility for performance. Carla indicates there are some cases that could be made for a longer cul de sac. Carla adds we have land in town where a loop road would fit, but that it saves money not to do it. Carla speaks that she does not think development of the community should err on the side of the developer so that he can make more money. I think you can make a case for loop roads. Fred adds we have had some big battles on roads and cannot put it into the Zoning; it might be put it into the subdivision. Mary adds this might be trying to take away flexibility. Carla asks this group if they think it is reasonable. Fred, I think they are reasonable. Ingrid adds they are safer. Fred – 90% of the pieces of land that are smaller lots, 30 acres, 6 acre. Rudi observes that one of the problems if you try to go the zoning route, your might not get it by the voters. Ingrid adds that even if you have a perfectly ...one loose cannon...you know it happened on driveways. Ingrid adds the ZBA was talking about the apartments. Fred – has anyone heard anything? Mary notes there is a strange situation. Something sneaky. They asked Carolyn not to record the subdivision – they don't want the subdivision recorded. Mary indicates we have not seen the plan. Ingrid adds 35 apartments in two buildings. Mary finds something strange. Someone else is coming in who wants to build an elderly cluster. (High Street) across from Donovan road. Mary not sure if they should be doing the logging. Ingrid asks what is going on with the wetlands? Fred offers that conservation should set up and DES should be involved.

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Carla back to the Heritage Commission letter, asks do we want to write them back and ask them to be more specific? Ingrid asks can we “steal” Bedfords?

Mary – Southern NH. Fred notes that Kim is on it. Kim notes he can bring it up at the next meeting. Carla adds what they had to say about exit 3 was not very specific.

Kim indicates that in the Zoning something to be fixed. Page 2. Article 5 error bookmark (needs to be deleted). Mary adds we need to ask them to take it out. Mary notes there are a couple of other typos that the Building Inspector Found.

Kim finds a typo in the subdivision regs. Page 20. 14.06 – Street patterns The end of the first sentence refers to article 4.15 – there is no 4.15. In additional streets shall be arranged to provide for ...abutting land for future subdivisions. Kim thinks this might be an appropriate place to put something about cul de sacs. It could be added at the end of 14.06 – Street Patterns. Loop roads are preferred, but cul de sacs are allowed.

Presentation by Southern New Hampshire

Build out analysis Presentation

Southern New Hampshire Planning Commission.

Two scenarios

Assuming access to roads, and those with access to class 6 roads.

Reports shared

Other Business

Date for next meeting

Cannot be 10/25

October 26 if the room is available

7:00.

Meeting adjourns at 8:50 PM

For additional Information please call the Land Use Office at 483-8588.

Respectfully submitted: Kristina L. Ickes