

Candia Zoning Review Committee
Minutes of November 7, 2012
APPROVED

Present: Sean James; Albert Hall III; Ginny Clifford; Steve Bradley

Meeting came to order at 8:00pm. The purpose of this volunteer committee is to review potential changes to the Town of Candia Zoning, Subdivision and Site Plan regulations and make recommendations for changes or additions to the Planning Committee. The meeting is open to anyone that wants to participate.

Storm Water Improvements

S. James passed out a draft he had done. He said currently there are no storm water controls in the regulations for when a construction site is open and the earth is excavated and trees are cut down. He gave the example of Exit 3, when their approval was running out they clear cut the lot and it was left for an extended period of time and there wasn't a plan in place to deal with the storm water control and erosion. He said the proposed subdivision change would address this. He said he has previously sent around regulations from other communities, one being from New Durham that was too extensive. He suggested the state's sediment and erosion control guide. S. James said the proposed change to the Subdivision Regulations only requires a publicly noticed meeting, not a town vote. He asked if anyone had any suggestions or changes to contact him. G. Clifford suggested "for" instead of "and" to clarify the first sentence in the second proposed change.

Subdivision proposed changes

Change #1 Amend Section 16.02 to add new letter h:

h. "New Hampshire Storm water Manual; Volume 3; Erosion and Sediment Controls During Construction" – latest edition, published by the New Hampshire Department of Environmental Services.

Change #2 - Amend Section 16.03 to read as follows:

Section 16.03 Sediment and Erosion Control Plan "The Board shall require the filing of an Erosion and Sediment Control Plan incorporating the standards outline in Article 16.02, ~~for and~~ the proposed facilities. *Plans developed as a requirement of State or Federal permits such as the Storm water Pollution Prevention Plan required for the NH Alteration of Terrain Permit or an Erosion and Sediment Control Plan developed as a requirement of the National Pollutant Discharge Elimination System may be acceptable for this purpose.*

Proposed Zoning Amendments

Sign Regulations

S. James brought up a potential change for signs in the Major and Minor site plans but found it does not match the Zoning Regulations. A. Hall asked about signs that are on trucks and sides of box trucks. S. Bradley said he saw a sign on a truck that said "Guns".

Use Regulations

Add under Article V Use Regulations, Section 5.02A Residential: "13. Home Shop" with "S" under residential District and "-" under all other Districts.

S. James said home shops are allowed but they are not listed in the table under Section 5.02A Residential and is just a housekeeping item. He said this was part of a warrant article last year tied in with the home contractor which did not pass. G. Clifford said it is a house keeping item but given the controversy last year it may not pass. A. Hall asked if there was a way to explain it. S. James said it allows accessory uses of a home shop but does not list what districts you are allowed to do it in. He said putting it in 5.02A would clarify what districts it would be allowed in. G. Clifford asked why a home shop couldn't be allowed in the Mixed Use. She said homes in Mixed Use District should be able to have a home shop and said that they should include the Mixed Use District in 5.02A. She said currently a home shop would be a special exception in any zone. She felt

it shouldn't be limited and should be left off the table. It was the general consensus to not go forward with this amendment.

S. James said the following 5 proposed Zoning changes were from the Building Inspector, D. Murray.

15.04 Special Exceptions

"15.04 Special Exception uses; E. Accessory dwelling Units. 3. There shall be a maximum of ~~600~~ 800 sq. ft. of heated living space in the accessory unit."

It was explained the Building Inspector's reasoning behind the increase is from experience of the difficulty of trying to get ADA compliant bathrooms and handicap living areas in 600 sq ft and that a lot of accessory units are for older relatives many whom have walkers or are in wheel chairs.

S. James said the Building Inspector questioned why 600 sq ft is the maximum for an accessory one bedroom unit and 600 sq ft is the minimum on a one bedroom unit under 15.04: B 2 d. S. Bradley said if he had his mother moving in he wouldn't want to limit her to 600 sq ft he would want to build her a larger one bedroom. He said he doesn't understand why there would be a problem if they keep it at one bedroom but made it larger. G. Clifford said it is limited because it will be separate unit with a kitchen. S. James said if you make it too large at some point you could add a wall and it would become a two bedroom and he understands why the size is limited. G. Clifford said the Building Inspector thinks 800 sq ft is better. S. James said he would check with the Boyd. G. Clifford they should encourage the handicap aspect.

5.02 C. Industrial and Transportation

"Article V 5.02.C. Industrial and Transportation .7 Storage for coal, fuel oil, bottle gas, and similar materials, provided that such use shall not be located ne are r than ~~300~~ 75 feet to any existing or permitted dwelling and that such use shall be subject to any state or local laws relating to the storage of such materials..." S. James said this only applies to industrial and transportation which are Light Industrial I & II. He said the Building Inspector said 300 feet is very extreme and suggested 75 feet from a dwelling would be more compatible with lot sizes and provides adequate safety for any occupants. S. James said they would check with the fire department.

5.02 E. Public and Institutional

Article V Section 5.02 E Public and Institutional .4 Golf course, country club, tennis club and the like." With "P" under Residential, Commercial, Light Industrial I & II and "- " under the Mixed District. The Building Inspector felt these items should only be permitted by special permission. After a brief discussion they were in consensus to not go forward with this suggestion.

5.03A Home Occupation

Article V Section 5.03A. Home Occupation: Customary home occupations such as barber and beauty shops... dressmaking; photography; teaching; art studio; home cooking; Justice of the Peace; Family Day Care Home; crafts; and the likeprovided such use is not carried on in a detached accessory building..." The Building Inspector questioned why a home occupation can't be done in an existing building. Discussion ensued. G. Clifford said there is a big difference between an art studio and a hair dresser in a detached unit. S. James suggested not going forward with this suggestion.

#6 Proposed change

Article V section 5:06.9 Minimum Lot Frontage. In the case of Elderly Housing not under a condominium form of ownership, minimum lot frontage shall be 100 feet." And 5:06.10 Minimum Setbacks. Minimum front, side and rear setback for buildings, internal roads and parking lots from all external property lines shall be fifty (50) feet." The Building Inspector questioned if these setbacks are used that leaves nothing to be used for a structure or anything else. He suggested 20 feet on the sides which will allow 60 feet of building space and 40 feet between structures.

Discussion ensued and it was the consensus that 5:06.9 & 5:06.10 are referring to different developments and 5:06.10 is the actual boundaries of the entire parcel not the individual lots.

Other Business

Master Plan Warrant Article

G. Clifford said she was thinking about putting a warrant article together. She said she will contact Jillian from SNHPC to get an estimate on what the scope of work would be and what they would recommend to do phase one of the Master Plan. Phase one would be collecting community input to assess what the town would like to see in the update. Data can be collected in a survey, a community meeting etc.

G. Clifford said for the warrant article they would need the cost of what phase one would be which can be done by putting it out to bid. S. James said they would need to hire someone to help put together a mailer, money for mailing and to have the results summarized. He felt \$10,000 might be a reasonable amount to do this. He said once this is done it can be presented to the Planning Board. A. Hall said that sounds like a reasonable approach. A. Hall suggested SNHPC because the town pays them dues. S. James said this would most likely be up and beyond the dues.

S. James said they could do a qualifications based selection then rank them. Once that is done, they can ask for costs and if the person selected is too high look at the second one. S. James said the problem issue that comes up is bidding services is harder than bidding on an item. S. James said SNHPC could bid as well.

G. Clifford said if we got the community input completed it would help to assess the scope of what would be required to complete the revision. She said if it turns out the community wants basically what is already written in the Master Plan then there will not be a lot of re-work and would be a smaller project but if the community wanted something dramatically different there would be more work involved and would cost more

S. James suggested have the warrant language by the next Planning Board meeting. He thanked everyone who stayed.

The meeting was adjourned at approximately 9:15pm.

Respectfully submitted,
Sharon Robichaud
Land Use Secretary