

**PLANNING BOARD
TOWN OF PETERBOROUGH, New Hampshire**

Workshop Minutes of December 6, 2010

The Peterborough Planning Board held a workshop on Monday, December 6, 2010 at 5:30 p.m. in the Selectmen's Meeting Room of the Town House.

Members Present: Chair Leandra MacDonald, Rick Monahan, and Bill Groff

Staff Present: Carol Ogilvie, Director; Laura Norton, Administrative Assistant, Office of Community Development.

Status Report on Wetlands: Chair MacDonald called the workshop to order at 5:30 p.m. With no quorum needed for a Workshop, Chair MacDonald noted she wanted to clarify two things on the wetlands ordinance. She went on to note "I want to make sure of the language." She explained by noting "I want to make sure that if you have an existing lot with no wetlands on it you cannot be required to delineate wetlands on someone else's lot." She noted "there may be a wetland within 100 feet of your land but not on your land." Chair MacDonald read from the ordinance "boundaries of the Wetland Protection Overlay Zone are to be delineated on the subject lot(s) for all subdivisions and site plan reviews; and for any driveway or building permit application for development within 100 feet of a wetland." She asked "how can you be required to delineate wetlands that are not on your property?" The brief discussion that followed included the fact that an applicant cannot be required to delineate wetlands on abutting properties, and that the use of mapping and field observations would come into play. Mr. Monahan noted this type of situation would most likely be a rare occurrence but should be acknowledged. Chair MacDonald noted several examples (including the Basket Company, private residences and the NEBS Industrial Park) of how the problem may exist. Chair MacDonald asked "but how does an applicant get a reduction on the points if the wetland can't be evaluated? The members discussed the impacts of adjacent wetlands and the role of the Code Enforcement Officer in the process. Mr. Groff asked if the town would have the authority to go on the adjacent property and assess the wetland with Ms. Ogilvie replying "no." Chair MacDonald interjected "OK, but let's put it in the rules that is access to wetlands on an adjacent property are denied the use of mapping and whatever field observations available will be used." A brief discussion about property rights and the property rights protectors followed. The members then reviewed the increased flexibility of the proposed ordinance for the expansion of nonconforming structures as long as they do not encroach any further than the original structure.

Chair MacDonald's second point of clarification regarded the 50% Rule and "how it applies to this and what triggers it." Ms. Ogilvie noted that no more than 50% of any wetland may be used to satisfy the minimum lot requirements of the underlying zoning district but added "this is in regards to what is happening and not the value of it" adding "it is the physical thing that is on the ground. Anything new regardless of size is subject to this."

Chair MacDonald concluded by asking "anything else?" adding "next meeting we will have the vote whether or not to move this forward to public hearing." She noted "then we can have a

public hearing in January and perhaps a second public hearing in February.” Chair MacDonald also suggested they go through and highlight all the things that are the same as the current ordinance. She went on to note “we have a four page ordinance with one and a half pages of new definitions. Many of the permitted uses are the same as the current regulation.” Ms. Ogilvie interjected “the biggest difference here are the added uses *not* in the current ordinance.”

Review Traditional Neighborhood Development (Infill) Draft: The members went on to discuss the proposed infill overlay. Mr. Monahon noted “except for our current zoning a whole bunch of properties are not subject to it at all” adding “and that is where the imposition comes from.” Chair MacDonald acknowledged a gentleman who was in the audience. Ray Christensen noted he was present to listen to the infill discussion. Chair MacDonald replied “I really doubt that this is going to the voters this year, it needs more analysis.” She added “it was brought up last year but we did not have time to embrace it and the same thing is happening this year, no time.” Chair MacDonald encouraged the Mr. Christensen to put his thoughts in writing and submit them to the Board for review at a meeting. She noted her home was located in the Family District and only three houses on the street meet the underlying truth on the ground of the district. The members briefly discussed the Jaffrey New Hampshire model and the concept of a traditional house overlay. Chair MacDonald pointed out several examples of how and where a subdivision and new construction could be successful and still maintain the character of the neighborhood. She noted that many of the larger homes that had been made in to apartments were going back to being single family homes because they are within walking distance to town. “Life changes back and forth and that is not necessarily bad” she said. Mr. Monahon noted “the thinking behind the (infill) draft is to celebrate these neighborhoods.” The members briefly discussed the West Peterborough District with a member noting “when the economy turns around it will be very interesting to see what might happen up there.” Chair MacDonald noted an ordinance passed a few years ago that allowed for an (up to) 600 square foot apartment “anywhere in town and no one came out and said that was a bad idea.” She noted and each member agreed “our attraction is the character of the town.” She noted the slim chances of building another commercial node “half-way up Temple Mountain” adding “we have to take what we have and renew it.”

Mr. Christensen warned against too much infill noting the problems with traffic and parking the town has now. He noted “if there is too much congestion just to get downtown people will go somewhere else.” Another member added “space for retail store fronts is pretty well filled up but the upper floors are available for small businesses.” Chair MacDonald mentioned the public parking “flip” at the Fire Station as being a good thing and concluded by noting “I would not worry unduly about this going through this year.” Ms. Ogilvie agreed noting “it is looking extremely unlikely.”

Review Regional Concerns Master Plan Chapter: Ms. Ogilvie distributed a copy of the draft chapter. She told the members she was still waiting for the Cultural Resources draft but felt it was imminent. Mr. Monahon replied “I am a member of that committee and we have not met for a while.” Chair MacDonald suggested the members review the draft and be ready to discuss it at an upcoming meeting. She also suggested the members begin to review all the chapters of the Master Plan. “We can take a chapter a month” she said adding “we can start in February as part of our regular review; after all it has been 7 years since we did the Master Plan.” Ms. Ogilvie

noted that after the current two new chapters are adopted the Master Plan Steering Committee will most likely ask the Board of Selectmen for a hiatus. “They are looking for some down time” she said. In closing Chair MacDonald reviewed the available seats on the Board noting “there could be as many as three.”

The workshop adjourned at 6:30 p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant