

## PLANNING BOARD

### TOWN OF PETERBOROUGH, NH

Minutes of April 27, 2016

**Members Present:** Chair Ivy Vann, Alan Zeller and Bob Holt

**Staff Present:** Peter Throop, Director, and Laura Norton, Administrative Assistant, Office of Community Development

Chair Vann called the public hearing to order at 6:00 p.m. She introduced the members and staff and noted “this is a public informational session of the Planning Board for an overview of the proposed 2016 amendments to the zoning ordinance.” As she turned the session over to Mr. Throop she reminded the audience “this is walk through of what the Planning Board has proposed on the zoning ballot in May. This is cooked, there will not be any changes and we cannot change anything at this juncture.”

Mr. Throop explained that he would review each amendment and what its effect will be. He also noted the Economic Development Authority (EDA) would make a presentation on their petition Warrant Article.

Mr. Throop began with the purpose of the session “which is to help residents understand the amendment, why it was created, what it seeks to accomplish and how it differs for the existing ordinance” he said. He also reiterated that public hearings were over and the proposals could not be changed in any way.

Mr. Throop showed a Table of Contents which included twelve amendments. He told the audience the first three were the more substantial proposals with the rest were essentially housekeeping items.

*Planning Board Amendment A: Shoreland Conservation Zone (245-12) and Article IX Conditional Use Permits (233)*

Mr. Throop noted “this will make the procedure for obtaining a Shoreland Conservation Zone approval consistent with the Wetland Protection Overlay Zone approval.” He told the audience the amendment maintained the same level of protection that exists today for the lands contained in the Shoreline Conservation Zone but simplified the process “making it more streamlined.” Projecting a graphic he showed an example of how a stream crossing could affect both the 100-foot Shoreland Conservation Zone buffer and the 50-foot wetland buffer. Currently an applicant would have to go to the ZBA for a special exception and the Planning

Boards for a Conditional Use Permit for the same crossing. This amendment shifts the Special Exception issued by the ZBA for the shoreland crossing to a Conditional Use Permit issued by the Planning Board and allows a combined conditional use permit for both. “Do it all as one” he said adding “because the process is the same for both.” “And it is less of a burden” interjected Ms. Miller. Mr. Zeller added “it is also a financial savings.” Mr. Throop agreed adding “the procedures will be the same including the requirement of obtaining a report from the Conservation Commission.”

From the audience Paula Fox asked for clarification in the difference between a Special Exception and a Conditional Use Permit. Chair Vann briefly explained the two noting “it is more of a process distinction.” Mr. Throop explained the difference in the appeal processes.

*Planning Board Amendment B: Amend 245-24.1 Accessory Dwelling Units*

Mr. Throop began with a brief history of the recent change in the state statute that would allow Accessory Dwelling Units (ADUs). He indicated that the amendment allows the ADU by right, subject to standards set forth in the ordinance, and eliminates the need to obtain for a Special Exception.

“Adu’s would be permitted in any district where a single-family home is permitted” said Mr. Throop. He then reviewed the specifics of the amendment and noted “this will bring the ordinance into compliance with the state statute, the purpose of which is to increase the supply of affordable housing opportunities with minimal impact.”

A brief discussion about the number of people allowed and parking followed. Chair Vann suspected the college cities of Keene, Plymouth and Durham may have seeded this change to a certain degree. The discussion concluded with questions about length of stay and the definition of *transient*.

*Planning Board Amendment C: Amend the definition of Bed & Breakfast Establishments and allow use by Conditional Use Permit in the Family (245-60, General Residence (245-7) and Rural (245-8) Districts*

Mr. Throop began with a review of the current ordinance. He then noted “the purpose of the amendment is to expand opportunities for lodging establishments and provide criteria and standards that provide appropriate protections for the existing neighborhoods. He went on to tell the audience. “The amendment also replaces the Agricultural Business Enterprise Bed & Breakfast use with an overnight guests use that includes three meals and is subject to the Ag Business Enterprise Conditional Use Permit.”

Mr. Throop reviewed the criteria to be evaluated in issuing a Conditional Use Permit which included compatibility, aesthetic character and nuisances and indicated that the ordinance expressly provides the authority to limit the number of rooms based on evaluation of the criteria. Chair Vann interjected “the maximum number of rooms is not guaranteed, ever.” Mr. Throop reviewed the standards to be applied to all Bed & Breakfast Establishments including owner-occupied, maximum of twelve guest rooms, adequate water, sewer and parking, complying with all building and life-safety codes, visibility of parking to be minimized, a morning meal may be provided to guests, the establishment complies with all State regulations and permits and Site Plan Review had been completed by the Planning Board.

From the audience Tyler Ward asked about the parking limits. “It is a relic” replied Chair Vann. Also from the audience Rob Fox interjected “it is a NFPA Standard or has been since 2002.”

A brief discussion about compliance in relation to Air B&Bs followed. Mr. Throop indicated “we do not have the staffing to proactively seek out those without a Conditional Use Permit” adding those not in compliance are sometimes identified by a complaint from a neighbor.

*Planning Board Amendment D: Applicability (245-2)*

“This is to amend the RSA by adding a paragraph addressing severability” said Mr. Throop adding “its purpose is to make it clear that if any provision of the ordinance is declared to be invalid by a court decision, the validity of the ordinance as a whole will not be affected.”

*Planning Board Amendment E: Definitions (245-4)*

“This is to add and modify definitions for *Dwelling, two-Family, Impervious Surface, Impervious Cover* and *Subdivision* for clarity” said Mr. Throop.

*Planning Board Amendment F: Districts Established (245-5)*

Mr. Throop explained the amendment would add a paragraph to clarify the regulatory requirements for new condominium developments as well as condominium conversion of existing buildings.

*Planning Board Amendment G: Family District (245-6)*

“This will add language to clarify that the existing minimum lot size standard of 50,000 square feet for siting a new two-family home also applies to the conversion of an existing single-family home into the a two-family home.”

*Planning Board Amendment H: Ground Water Protection District (245-14)*

This amendment will add examples of impervious surfaces to the definition section” said Mr. Throop

*Planning Board Amendment I: Wetland Protection Overlay Zone (245-15)*

“The Planning Board had added restoration of a previously disturbed area within the District as a permitted use (subject to Conditional Use Permit)” said Mr. Throop adding “this will allow restoration activities in the Wetlands Protection Overlay District without needing to obtain a Variance.”

*Planning Board Amendment J: Wireless Communications Regulations (245-24.3)*

“This is a correction of a State statute citation related to regional notification requirements” explained Mr. Throop.

*Planning Board Amendment K: Pollution and Disturbance: Lighting (245-33)*

“Here we are adding LED as a permitted type of light source for exterior lighting” said Mr. Throop.

*Planning Board Amendment L: Citizen’s Petition to rezone a parcel of land to Business/Industrial District*

Mr. Throop noted the petition was to rezone a parcel of land (R003-024-000) located in the General Residence District to Business/Industrial District. He told the members of the audience “this parcel was originally with in the Business/Industrial District but was rezoned to the General Residence District via a Citizen’s Petition in 2012.” He Continued, “The Planning Board voted to support this Petition Amendment”

*EDA Warrant Petition:*

Ms. Dietsch began by telling the audience that when she moved to Peterborough in the 1980s things were thriving. She cited businesses and store fronts (Brookstone, SDE, New England Business Services, EMS and numerous publishing firms). She went on to say “but look at the upper floors of many buildings now and it is

echoing, you can barely find a soul.” She cited a 38% commercial vacancy rate in town adding “15% is healthy, we need to make changes.”

Ms. Dietsch began with a series of slides depicting the components of Peterborough employment including technical manufacturing, IT/software web marketing, arts, tourism, recreations and local retail, services and government. She gave a brief example of the Bennington Paper Mill, although not in Peterborough she pointed out their resiliency to adapt to economic changes by developing a niche in specialized paper for medical applications.

She cited the (large) amount of small and home businesses and the need to attract skilled employees and entrepreneurs. “We are competing with the rest of the world for companies” she said adding “and if we help employers grow, Peterborough has more jobs.” She noted the need for a system to track occupancies and vacancies as well as a system to identify threats of job loss and buildings. “It is called stickiness” she said adding “the home business and entrepreneurs are mobile and can go anywhere, we need to develop relationships as well as friendships with them by creating places to interact with them, a place to “hang out” and share ideas and office equipment.”

On building tourism she told the members “this is a chicken and egg problem” adding “to build tourism you need a hotel and to justify a hotel you need tourism.” In conclusion Ms. Dietsch reviewed the EDA’s 3-year Goals which included *creating new jobs while retaining existing jobs, lowering the vacancy rate of the commercial and industrial properties in town, attracting a skilled and talented workforce, maintaining our vibrant home business and telecommuter population, increase tourism revenues and retain the aesthetics, culture, natural environment and village life of the town.*

Lastly she reviewed the 2-year EDA Support Contract Outcomes which included *raising the visibility of our online presence which is designed to attract businesses, entrepreneurs and workforce, create a system for tracking commercial vacancies, identification of complementary business targets, identify a community space to support entrepreneurs while Library renovations are completed, provide consultation to increase overall business revenues through collaboration, mentoring and cross-marketing, develop metrics for these goals, identify opportunities for state assistance as well as liaising with other local and federal agencies to meet PEDAs goals and lastly to regularly prepare reports, drafts, and policies and procedures, make presentations and communicate with the EDA on progress and any concerns so that outcomes may be met.*

Chair Sterling looked around the room and said “now is the time to write letters to the Editor of the newspaper.” He quickly reviewed the letters policy of a 300-word maximum from a personal e-mail so it can be verified. He added he had sent out a list of titles (letter topics) to think about and that Mr. Carpenter had already written a letter. Mr. Kelly inquired about the status of a letter he had written with Mr. Throop noting he would follow up on it. He also reminded the members “Economic Development Contractor is the important term here, we fund as we go and at best it is a 2-year project.”

Ms. Dietsch reiterated the goals of stickiness for the telecommuters and entrepreneurs and forms of assistance and motivation for the local businesses. “A what can we do for you sort of approach” she said adding “looking at the talent just in this room it can be a big brother/big sister type of thing to offer suggestions on strategy, positions, whatever they may need.”

Loretta Laurenitis introduced herself and asked if this petition had been through the public hearing process. Ms. Dietsch replied it had about a month ago, that has all passed.” Ms. Laurenitis asked about the amount the petition was asking for with Ms. Dietsch replying “\$48,000.00, it is a contract, one lump sum with no benefits.” Ms. Miller interjected “the Board of Selectmen support this.” Mr. Holt asked “is that adequate? Was anyone consulted? Mr. Throop noted a request for qualifications would be sent out. “We hope a number of contractors will be interested” he said.

Ms. Dietsch reiterated the huge amounts of volunteer time that has been put in already noting “that will continue for only so long.” She went on to say “we have created a momentum that will disintegrate without someone stepping in.” Ms. Laurenitis asked “will you provide a plan? Will the Contractor enact tasks already in mind?” Mr. Throop noted the strategic plan for the EDA goals and tasks had been created. “Who will the contractor be working with?” asked Ms. Laurenitis with Mr. Throop replying “Jeanne (Dietsch), George (Sterling), myself, the Board of Selectmen and Rodney (Bartlett).” He briefly reviewed the EDA’s working groups (Outreach, Strategic Planning, Broadband and Marketing) noting the EDA is made up of the faces of the community.

George Sterling spoke briefly about the history of a Contractor and the coincidental increase in economic vitality while they were here. He mentioned Peterborough Industrial Development Corporation which brought big companies “and jobs, money and kids all increased” he said. He then mentioned Monadnock Business Ventures “that brought in Micro Bend and started to refill the Brookstone building.” “The Chamber of Commerce supports it” he said adding “we have been through a recession, we need to get our ducks in a row and figure out how to restart

our economic engines.” Mr. Sterling concluded by noting the EDA’s new website [www.peterboroughworks.com](http://www.peterboroughworks.com)

Ms. Dietsch reiterated “we are not chasing 200 employee employers, we are recruiting smaller high technology and improving industries already existing in town.”

Ms. Miller asked if Mr. Sterling and Ms. Dietsch were planning to speak at Town Meeting (they are). Chair Vann reiterated the concept of incremental development “and not looking for the big developer, the big employer.” Mr. Throop interjected “some (big companies) did come and grow and contribute, but they did not last, that is the stickiness we are talking about.”

**Next Meeting:** May 9, 2016 at 6:30 p.m.

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Laura Norton

Administrative Assistant