

PLANNING BOARD
TOWN OF PETERBOROUGH, New Hampshire
Minutes of January 13, 2014

Members Present: Chair Ivy Vann, Tom Weeks, Jerry Galus, Alan Zeller, Rick Clark, Barbara Miller and Audrey Cass.

Staff Present: Peter Throop, Director Office of Community Development and Laura Norton, OCD Administrative Assistant and Dario Carrara, Code Enforcement Officer.

Chair Vann called the meeting to order at 6:30 p.m. She introduced the Board members and Staff.

Minutes

A motion was made/seconded (Zeller/Clark) to approve the Minutes of December 23, 2013. Chair Vann abstained with all others in favor.

Proposed Zoning Amendments

Chair Vann then noted the purpose of the meeting was to review the proposed amendments to the zoning ordinance prior to scheduling formal public hearing dates.

The members reviewed the amendments beginning with Definitions which was explained as adding new definitions and/or modifying existing definitions for the purpose of better clarity to the zoning ordinance. Mr. Throop noted “specifically we added *Church, Cultural Facility, Educational Facility, Religious Institution or Facility and Transient Use.*” He added “definitions proposed to be modified include *Day Care Facility* (incorporating state licensure in the definition), *Lodging Establishment* (limiting length of stay to 90 days) and *Parking Facility* (inclusive of parking spaces and internal circulation lanes but not driveways giving access thereto).

Ms. Miller asked for clarification on the definition of Lodging Establishment. She noted the nature of the temporary occupancy of not more than 90 days. She noted “lodging has been approved for the Business/Industrial District” and asked “would a dormitory (related to a 12-week residential program) fit under the ordinance?” Mr. Throop replied “probably not as a lodging establishment. However a dormitory might be allowed as accessory to a use that is permitted.” Ms. Miller asked “so they would come here, to a Planning Board meeting?” Mr. Throop replied “they would probably come for site plan review, but the proposed use would be reviewed first by Staff.”

Mr. Throop noted the word “temporary” had replaced “transient” in the Lodging definition and a discussion as to whether or not the word should be kept in the definition followed. “Does it need to be in there?” asked Mr. Weeks. Adding “I know it is in the Building Code.” Mr. Carrara noted it would be good to have it in the definition section. The members went on to review the other definitions and changed “Such a facility may include a sanctuary...” to “such a facility may include but not be limited to a sanctuary...” in the definition of *Religious Institution or Facility*. Mr. Throop asked about the inclusion of the clergy house with Chair Vann replying “it is my sense that it is a common enough arrangement and that they are generally associated with a church, there is no reason not to allow it.”

The members moved on to Section 245-12 and Forestry and Tree Farming. Mr. Throop noted the need for a citation for best practices. He went on to note that forestry is a use regulated by the state subject to the best practices, and to his knowledge “the town does not have the authority to regulate forest activities and forestry conducted in violation of best practices is dealt with through the State.” Chair Vann asked if the Best Management Practices were readily available for review with Mr. Throop replying “yes, they are online.”

The members then discussed crossings within the Shoreland Conservation Zone and the need for a Special Exception from the ZBA. Mr. Weeks interjected he thought it was an over-site that this process was not included in the Conditional Use Permit process. Mr. Throop replied “I don’t know if it was an over-site or maybe a political challenge.” Chair Vann suggested they revisit this issue when considering zoning amendments for next year.

The members then agreed to change the language of this section from if so located and constructed as to minimize to and if so located and constructed to minimize.

The members moved on to Section 245-30 *Enlargement, Change or Replacement of Non-Conforming Uses*. Mr. Carrara pointed out natural but limited expansions of nonconforming uses are being permitted provided the Code Enforcement Officer determines that the expansion will not have a substantially different effect on the neighborhood. He told the members presently there was no criteria for what constituted what may create a substantially different effect on the neighborhood. Mr. Weeks suggested he use the criteria for a Special Exception with Chair Vann in agreement “it is the same language for nonconforming uses.” A general discussion of the language followed with Mr. Carrara concluding “it would give the applicant a better idea of what they need to apply and it would be helpful in providing a good summary of why a proposed expansion was approved or denied.”

The members then reviewed Section 245-32 *Off Street Parking* and the attached schedule of minimum parking requirements (which is driven by gross floor area). It was noted that accessory apartments and Home-based businesses require one space each. Once finished Chair Vann asked “all done?” adding “this is really a tidy-up, we are not changing anything significant.”

A motion was made/seconded (Zeller/Weeks) to approve the revised Proposed Zoning Amendments as discussed. Chair Vann interjected “and” with another member adding “and move them to Public Hearing.” Mr. Galus made the motion they accept the original as amended be voted on (seconded by Mr. Weeks) with all in favor.

Mr. Throop noted the Public Hearing for the zoning amendments would be February 10, 2014 at 6:30 p.m.

Outreach regarding proposed amendments to the Zoning Ordinance

Mr. Throop noted there may be some additional grant funds available to do some sort of meeting or presentation and suggested they think about bringing Caroline Radisch (and perhaps Carol Ogilvie) for an innovative, informational meeting.

Mr. Weeks questioned how to get the information out adding “those who come are already informed.” Chair Vann suggested a postcard mailing much like the one the Office of Community Development did for the Traditional Neighborhood Overlay District Ordinance. She also noted the timing of such a mailing and event was crucial “not too involved too early” she said. The members discussed timing and potential dates and agreed something sent in late-March would be the best time. Mr. Weeks interjected “I think we have met our obligation” with Chair Vann replying “me too, but it would be nice to have these things passed.” Mr. Weeks noted it was difficult, “it is never clear how to address this and take it to the people.” Mr. Clark interjected “it comes down to the votes” adding “talk to your friends and neighbor. I want them to vote, I want their opinions.”

Updates From Board Members Serving on other Committees

Mr. Zeller gave a brief review of the progress of a Vision Statement and Goals Forum for the Master Plan scheduled for April 11 and 12, 2014 at the High School. He noted the formation of a Planning Committee and that a Task List and Timeline had been established, noting categories including marketing, program development, logistics and participant recruitment. Chair Vann (Planning Board Liaison to the Master Plan Steering Committee) added a bit of background noting the Master Plan Steering Committee is charged by the State to have its Vision

Chapter up to date. “It takes the temperature of the town” she said adding “and helps us see where we *were*, where we *are* and where we want *to go*.”

Mr. Throop gave a brief review of the structure of the Forum with Chair Vann reiterating the importance of reaching all demographics of the town. “This Chapter is the backbone to us for master plan updates and changes in zoning” she said.

Ms. Miller told the members about a method used by Annie Kuster during her campaign where people could participate in real time via the telephone. The members also briefly discussed a survey that is planned as well.

Other Business

None

General

Mr. Throop gave a brief synopsis of what was on the horizon including Site Plan review for the Divine Mercy Church and possible amendments to Scott Farrar Home. He briefly updated the members on the utility plan for the condominiums to be located at the church site and the potential for several zoning petitions coming in. After a brief discussion about upcoming meetings Mr. Throop noted he would research the date of the last day (deadline/statutory limit) to have a public hearing on the petitions and get back to them so they could finalize the meeting schedule. Chair Vann interjected “I sense we should do this sooner than later” but agreed to Mr. Throop’s offer. She then asked “any head’s up on what you have seen so far for petitions?” Mr. Throop replied “one maybe submitted to replace the Open Space Residential Subdivision ordinance with an Innovative Subdivision Ordinance that is *voluntary*.” He went on to note “there is one from MCH to include a parcel in the Healthcare District, one relating to agritourism uses, and I received an inquiry from Craig Hicks.”

The meeting adjourned at 7:28 p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant