

PLANNING BOARD
TOWN OF PETERBOROUGH, New Hampshire
Minutes of May 28, 2014

Members Present: Ivy Vann, Tom Weeks, Alan Zeller, and Barbara Miller

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

Chair Vann called the meeting to order at 6:32 p.m.

Minutes

A motion was made/seconded (Zeller/Miller) to approve the Minutes of May 12 2014 with all in favor.

Minutes for the Minor Site Plan Review conducted May 19, 2014 were also available for review with Mr. Throop noting they did not need to be approved by the Board. He reported that Minor Site Plan Review Committee had met and approved an approximately 6700 square foot addition with an additional 22 parking spaces at MicroSpec Corporation. He went on to tell the Board that they had come back in with another increase in square footage after the architect had met with the applicant. He noted the increase was reviewed and approved and Chair Vann had signed it. It was noted that Rick Clark was the Planning Board representative and Chairman of the Minor Site Plan Review Committee. Mr. Zeller noted he was available as a back-up member for Minor Site Plan Reviews if needed.

Board Elections and Appointments

A nomination was made/seconded (Miller/Zeller) to re-elect Ivy Vann as Chairman. Ms. Vann asked "any other nominations?" With none, a vote was taken with all in favor.

A nomination was made/seconded (Zeller/Vann) to re-elect Tom Weeks as Vice-Chairman of the Planning Board. Chair Vann asked "any other nominations?" With none, a vote was taken with all in favor except Mr. Weeks who was opposed. "I voted no the last time too" he said.

Alternate Consideration

The members briefly discussed several candidates they felt would be good as alternates to the Board. Ms. Miller noted the incredible amount of talent already sitting at the table and suggested the members think about "what talents we are missing." The members agreed with Mr. Throop when he noted "generally we want to bring on someone with a good common sense approach" adding "they will pick up the technical stuff. That is part of being an alternate." Ms. Miller interjected "what are we missing?" Mr. Throop replied "I think an architectural aspect is lacking" adding "but you want a balance." Ms. Miller suggested an environmentalist "to compliment the pro-business faction" with Chair Vann noting "I think we are pretty well covered by the public on that." Ms. Miller went on to say that with the process of development of the ordinances and the ongoing Master Plan updates "I think an

architect would be good.” The members briefly discussed architect Scott Swanson as being a very good candidate. Mr. Weeks asked how many alternates they were looking for with Mr. Throop replying “up to five.” Chair Vann replied “we don’t need that many, I think two or three will do it, we have to keep it manageable.” Ms. Miller cited the recent election of Planning Board members and pointed out “if Ivy were not elected we would have been in a tough position, who would have stepped up to become Chairman?” With it known that Mr. Weeks does *not* want to be Chairman, he said “I think I do more for the Board with technical support (offering the example of his role in aiding in crafting and reading the prepared motions at the last meeting) *without* being Chair.” Ms. Miller went on to say “I would not agonize over this if we could get a couple or three good people rather than see what comes along.” Chair Vann agreed adding “I would prefer to have two or three that show up at every meeting than seven wandering in and out.” Other candidates were Marketing Professional Carol Nelson and Matt Waitkins, former Chairman of the ZBA. Ms. Miller concluded “I work in succession planning, we don’t want to just let things happen.” Mr. Throop agreed reiterating “the level of qualification comes along by participating as an alternate.”

Mr. Weeks noted three past members that had been very complimentary to the Board were attorneys. The members briefly discussed this idea with Attorney Jim Callahan’s name coming up. “I think that is a great choice, we want to be selective and not just bring people on” concluded Ms. Miller.

Minor Site Plan Review Committee Representative

Continued to June 9, 2014

Work Plan for 2014

Chair Vann began with “did everybody get a chance to look at this?” adding “I think we need to take this home and take a good look at it and think about the what are the most logical things to work on in terms of regulations for next year.” She noted the OSRD was worth revisiting as well as the Agri-tourism Ordinance. She told the members “the agricultural petition passed but it is not workable” adding “we need to set up Conditional Use Permit standards and a process for it.” The discussion that followed included the potential for tiers in the ordinance and what may be allowed *by right*. Chair Vann noted the urgency as the petition had passed but could not be applied. She noted that she, Mr. Weeks and Mr. Throop would be meeting to do an initial draft. “We will bring it to the Board in June, get input, make changes and then adopt it as soon as possible” she said adding “we are going to work expeditiously to set these standards up.”

Mr. Throop told the members he was researching the types of problems people run into noting “there can be some pretty severe land use problems if all of a sudden there are large numbers of people gathering in rural sites” adding “the roads are not prepared and the people in the rural district are not prepared.” He reviewed examples of commercial uses in the district and the importance of them being “the appropriate scale of use while protecting the rural character of the community.” He also noted that with congregate spaces “building code issues may kick in.” He noted parking and lighting are essential “that must be appropriate to the district.” He mentioned Alyson’s Orchards, an orchard and events center in Walpole, N.H. “It is rustic and

rural but also has direct access to a major route so that it does not disrupt the neighborhood in the rural area” he said. The members then briefly discussed New Hampshire Land Use Regulation 21:34-a. (the state definitions of Farm, Agriculture and Farming). Contrary to a member’s belief Mr. Throop noted “21:34-a did not change, a Senate bill was proposed but it did not get out of Committee.” Mr. Weeks noted §245-5 C. (Agricultural Uses) and agriculture as defined by RSA 21:34-a “when conducted for commercial purposes is permitted only in the Rural District subject to site plan review and approval by the Planning Board.” Mr. Throop interjected “traditionally site plan review is applied to agricultural uses adding “but Conditional Use Permits is the appropriate method here.” Mr. Throop then noted the permitted uses of farm, forestry, agriculture and garden and nursery as well as the retail of products there from noting “but there are a lot of complexities” he said adding “there are no regulations or standards on things like overnight stays. We have to create the standards before we can issue Conditional Use Permits.”

Mr. Throop also reiterated that the regulation would apply to all parcels of land 50 acres and larger. “We are not writing this for just one farm, we are not writing this for one applicant, we are writing this for the large parcels in town.” Chair Vann agreed adding “with standards in place.”

Mr. Throop reviewed the agenda for the June 9th meeting. “It will be a workshop setting to hear what people have to say” he said adding “and then we will have a draft to the Planning Board to review after any cases at the July 14th meeting. Ideally we will have a public hearing on this in July.” He noted the Work Plan review meeting and discussion would take place on June 16, 2014.

In conclusion Mr. Throop asked the Board for a sense of where the petition amendment should be place in the ordinance. “It did not amend an existing section of our zoning ordinance so we have to add it and I suggest we add it to the Rural District.” Mr. Throop picked up the amendment and held in front of him. He said “this is what passes, I need a place to put it.”

Chair Vann replied “I would put it in with the Rural” with the members in agreement. A motion was made/seconded (Zeller/Miller) to add the uses by Conditional Use Permit as detailed in the Citizen Petition Amendment M as Item E (“*E Conditional Uses*”) as the regulation goes through Item D (“*D.*”)

Mr. Weeks asked “do we have to move forward with it?” Chair Vann replied “yes, we have to Tom, it passed.” Mr. Throop reminded the members the town Attorney has recommended the Board develop standards to accommodate this petition’s uses as quickly as possible.

The motion was re-stated with all in favor. Chair Vann reminded the members “this is applicable to every piece of land 50 acres or more whether it has a cow on it now or not since 1905.” Mr. Throop noted he was working on preparing a map of those parcels. Mr. Weeks asked how the Board would create the standards for the ordinance Mr. Throop referred to RSAQ 674:21 II adding “it provides and requires us to create the standards” adding “and if we do it right it will stand on its own when this is finally cleaned up.” Mr. Throop also noted he had been researching language from other states. “I have downloaded a number of

examples already” he said. Chair Vann mentioned looking into the Hill Top Farm case in Wilton, New Hampshire “as they just got the OK to get larger.” Mr. Throop agreed also noting East Hill Farm and other similar kinds of activities on old agricultural lands.

Other Business

Regarding the Work Plan Ms. Miller told the Board that many people were overwhelmed at the ballot by all of the amendments that were presented for voting this year and suggested the Board go a little bit slower for next year. Chair Vann interjected “there were two big ordinances and several smaller housekeeping ones” adding “I realize there was a lot but we need to get the conversation going and sometimes to do that you have to put it on the ballot.” Ms. Miller replied “well I stood there for a while and I can tell you some people were upset.”

Mr. Throop brought up the general organization of Chapters 245 (Zoning) 233 (Site Plan Review) and 237 (Subdivision Regulations). “The order of things is convoluted” he said adding “it is not in a logical sequence and the way it is spread out is really challenging.” He told the members he had asked the Town Attorney if a vote at town meeting was needed to change the order with the reply being it was not. He went on to suggest they pursue that task in an effort to make them more user friendly. He went on to suggest areas like the wind regulations and other not frequently referenced items be moved to the back with other items moved forward. The members acknowledged his suggestion with the agreement that the all the chapters be organized in the same manner (all laid out the same with the same wording as applicable).

In conclusion, Mr. Throop reviewed the meeting dates for the remainder of June and July. He also noted he would be inviting the Heritage and Conservation Commission members as well as all the other Board members to the June 9th meeting *and* advertising it in the newspaper, “as well as the word-of-mouth thing for all the input we can get.”

The meeting adjourned at 7:38p.m.

Respectfully submitted,

Laura Norton
Administrative Assistant