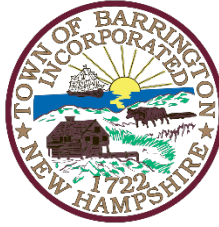


TOWN OF BARRINGTON, NH
LAND USE DEPARTMENT
Vanessa Price, Town Planner
Barbara Irvine, Planning &
Land Use Administrative Assistant



Planning Board Members
John Driscoll, Chair
Ron Allard, Vice Chair
Buddy Hackett
Andy Knapp
Bob Tessier
Donna Massucci
Joyce Cappiello (Ex-Officio)

Meeting Minutes
Town of Barrington Planning Board
Public Hearing
November 14, 2023, at 6:30p.m.
(Approved December 5, 2023)

1. CALL TO ORDER

J. Driscoll called the meeting to order at 6:30 p.m.

2. ROLL CALL

Members Present: John Driscoll, Andy Knapp, Bob Tessier, Joyce Cappiello

Members Absent: Ron Allard, Buddy Hackett, Donna Massucci

Staff Present: Town Planner: Vanessa Price, Code Enforcement Officer: John Huckins, Planning & Land Use Administrative Assistant: Barbara Irvine

3. REVIEW AND APPROVAL OF MINUTES

A. Review and approve minutes of the November 7, 2023, meeting minutes.

A motion was made by B. Tessier and seconded by J. Cappiello to approve the meeting minutes of November 7, 2023, as written. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

4. STAFF UPDATES -TOWN PLANNER

V. Price no updates.

5. DISCUSSION WITH BOARD FOR A PRELIMINARY CONCEPTUAL SITE PLAN

A. Ayers Lake Campground Subdivision

J. Driscoll explained to the Board that Ayers Lake Campground would like to come back to the Board on December 5, 2023.

B. Coot Farm Conservation Subdivision

J. Driscoll gave a brief description of the conceptual plan for Coot Farm.

Mitchell Rasor for Clear Summitt Investments also with partner Zander Kempf remotely. Mitchell explained that they are before the Board for the Coot Farm at 84 Canaan Back Road.

Mitchell explained that he has met with staff and Fire Chief Walker also met with Southeast Land Trust. Mitchell explained that the project is about 560 acres comprising of nine different parcels. Mitchell explained that the property was zoned General Residential the initial analysis of the site of a traditional subdivision. Mitchell explained that they are looking at the conservation subdivision approach to consolidate the growth in a way and sort of a smart growth

manner and maintaining the amount of open space. Mitchell showed the Board on the plan the outline of white that was the larger parcel and showed the green color would be potentially the conserved lands which was quite contiguous to each other. Mitchell showed two small areas, one that was a smaller area up front that would potentially become sort of the focused development area.

Mitchell showed a plan with the 405 acres of the forest to the north of Stonehouse Pond and how this can sort of began to help create some better connectivity maintain that sort of unfragmented habitat in that area while carefully placing housing sort of right off Route 202. Mitchell explained that you would come out of Canaan Back Road to be able to access the housing of the time to travel to that road.

Mitchell explained in their concept plan, they are trying to maintain as much of the existing special habitat and keeping that as a contiguous unfragmented habitat because almost all the wetlands have special significance streams, and they are trying not to have any impact of those streams.

Mitchell explained proposing just off Route 202 there was about 20-acre piece where they envision doing some duplexes. Into the property single family lots maintaining the existing home with approximately 30-acres then coming back across along the existing road. Mitchell explained that this cuts up in between two wetlands and special significance. Mitchell explained that they would be utilizing the existing road and culvert crossing to some more single- family lots, and then to a trailhead in this area.

Mitchell explained that he met with SELT they talked about some greater connectivity issues that are being looked at throughout Southern New Hampshire. Mitchell explained that SELT suggested maybe moving some of the lots to allow for connectivity. Mitchell explained that they are before the Board to get some feedback. Mitchell explained that there are two areas that they are looking for feedback are looking to cross through a buffer not an impact on the direct wetlands but a buffer and require a 9.6 special permit.

Mitchell explained that they would like to make some duplexes and some single-family to try to bring a range of housing types to the sort of market. Mitchell explained that the way the ordinance reads you can do single family you can do multi-family, but you can't mix the two unless. Mitchell expressed that he thought he could mix the two if it was like a condo type project with no individual lots. Mitchell explained that they are not sure if there was a technical reason why they can't do both types of housing. Mitchell explained that they would like some guidance on this. Mitchell explained that if they are willing if needed to basically treat the duplex development as one conservation application and sort of conceptually provide tons of open space. Mitchell explained then another application for the single-family homes to meet the ordinance that doesn't allow to mix housing types. Mitchell expressed that he doesn't know why you can't mix housing types.

John Huckins explained that if you read what it says, you can't do individualized and you can't do cluster groups. John explained that these are the ones that you can't mix. John explained that if they did all individual detached housing, they could do all of that or a cluster group could be one or two units this would still be a cluster. John explained that it's not that you can't have single family and duplexes. John explained that they can't mix those three types of units here

and the 30-acres that they wanted to take off the farmhouse. John explained that was a conventional subdivision they can't do that with your cluster so you would have to do a subdivision and break that off. Then you would need to come back and larger piece and do the conservation subdivision.

Mitchell explained that they want to do what the ordinance requires.

John Huckins explained that you can't mix these groups.

Mitchell explained that they still would need to do two conservation subdivisions and one normal subdivision would it be three different subdivision submittals.

John Huckins explained that it would be, and each subdivision would stand alone on its own merits and a yield plan for each one separately on their own merit. John suggested going over the conventional one and going over it because that's going to be what you really would get for density.

Mitchell explained that they thought they were not allowed to mix duplexes and single families. They would do two different open space Conservation Subdivisions. Mitchell explained that he doesn't know why they can't have duplexes here and single families there.

John Huckins explained that was not what that says what it says was that you can't have individual house lots mixed with a cluster group or and mixed as we would have no boundaries. John explained that you could do all single lots and if all of them are single lots whether you want a duplex on those single lots or single home or a duplex in a cluster in a single home in a cluster doesn't matter. John explained that you just can't do cluster in all one open space so those are the three things that describe it. John explained that it's not describing single family homes and duplexes.

Mitchell explained that they would do one submittal.

John Huckins explained that the farmhouse would still need to be broken off because that's not part of the Conservation Subdivision.

Mitchell explained that they would do one conservation plan which he thought would be much cleaner for them in terms of the math. Mitchell explained that SELT agreed that this was the best way to proceed with if there's going to do some development it really maintains the maximum open space and then allows them to sort of transfer that development in a smarter growth manner up front.

Zander Kempf (remotely) gave a brief description of himself. Zander explained that they focus on residential and multifamily housing across the State. Zander explained that they have done a lot of value add multifamily taking old, distressed buildings and renovating and improving got into new construction within all affordable housing. Zander explained that this was right along the lines of the type of projects that they've been doing. Zander explained that Mitchell has a couple decades of site planning and land use planning experience and so it in twofold.

Zander explained one they have a company goal of creating as much housing as possible but also wanting to address the housing needs of the State. Knowing that they do have a housing shortage statewide so not only was this project good for them to do and something they can take pride in. Zander explained it's also something that would help the community and the State because they are creating housing stock. Zander explained that this would give more places for people to live more housing to support local employers.

Mitchell explained that they are looking forward to bringing forward these preliminary ideas. Mitchell outlined what they talked about with the 500 to 560 acres their approach would preserve about and conserve about 450 acres and a good amount of the project would be maintained in perpetuity as open space.

J. Driscoll asked about the main part of the high height area that was logged in the last couple of years.

Mitchell stated that SELT did tell him that.

J. Driscoll asked if they intended to use the path that they used to get into that area through the prime wetlands.

Mitchell explained that between the two prime wetlands and that there was an established road that was not a logging road. Mitchell explained that the road was almost a gravel type row with a culvert. Mitchell also showed another road that crossed where there's a chain of ponds, they are not proposing to maintain that crossing this was right in the middle of the wetlands. Mitchell explained that they would need a 9.6 permit for the buffer area only.

J. Driscoll explained that he didn't believe that they ever granted a 9.6 permit for a prime wetland.

Mitchell explained that the 9.6 permit would be for the buffer.

J. Driscoll explained that the buffer was 100' on either side.

Zander asked the Board if he understood this was preliminary but was this something they would consider for this plan.

A. Knapp expressed that he felt couldn't be answered at this point.

J. Driscoll explained that they would need to see all the specifications and engineering.

A. Knapp explained that there wasn't enough data.

J. Driscoll explained that they need wetlands delineation.

Mitchell explained that right now they are working with what data from the State, Town, and Fire Chief. Mitchell explained that they met with the Fire Chief met with wetlands from the NHDES with the State. Mitchell explained that he has already walked the site and he has decades of wetlands experience.

J. Driscoll asked if they had met with the Road Agent.

Mitchell stated that they had not met with the Road Agent.

J. Driscoll asked about the two 80,000 s.f. lot on Old Settlers which was a conventional layout and after doing Mallego the Board decided that they shouldn't be together on a conservation subdivision.

John Huckins explained that they went to the Zoning Board of Adjustment for a variance.

Mitchell explained that they could make it so that they are all conservation size lots of 2K.

John Huckins explained that they don't all have to be 20K, that was the minimum size. John explained that some are larger because they are trying to fit the well and septic on the same lot. John explained that if they look at the regulations some of the wells and other things are in open space.

Mitchell explained that they are not at the engineering phase, yet they are still in the early stages gathering information. Mitchell explained that they have not completed any official boundary surveys or wetland surveys.

John Huckins explained that if you do lots you can only have one, that's where 20,000 with lots because if single family homes that's option one. John explained that if you go that route, they can't do duplexes. John explained that if you do the one where it says the land without boundaries that where you have your attached and detached. John explained that if they wanted to do duplexes and they wanted to do them as the watch without boundaries for part of it and the other ones with lots. John explained that you would need to do 2 of them because it's not because they're single family and multifamily it's because they are lots without boundaries or cluster groups this was the three things that divides them up. John explained that each one of them was allowed to do different things.

Mitchell explained that it's more about the type of land ownership than housing type. Mitchell asked so that they understand that then they can condomize the whole project there would be no individual lots. Mitchell explained that way some could be attached, and some could be detached.

John Huckins explained that would be a condominium area for each one of them and show what was going to be left for open space.

Mitchell explained that the open space and the density always must. Mitchell explained that they would like to market lots. Now that they understand that they know that they need to do two separate applications.

John Huckins explained that the duplexes couldn't be one of them.

Mitchell asked if the duplexes needed to be condomize right?

John Huckins explained that it would be a lot without boundaries this was option c where it says land with or without lots you can do attached or detached.

Zander explained that none of the individual lots are looking for duplex in the corner closest to Route 202. Zander explained that the clustered down there was where there proposing duplex and the condominium manner. Zander explained that all the individual lots we're looking at for a single family.

John Huckins explained that they would need to be set up as two different setups not because they're single family and duplexes. John explained that it's because one is done with lots and one without boundaries.

Mitchell explained that they understand that they would need to do 2 or 3 applications for the house, conservation subdivision and or condomize everything. Mitchell explained that he also had a conceptual yield plan to show the Board.

John Huckins explained that would show where the conservation subdivisions get started.

Mitchell explained the conceptual plan to the Board showing their plan.

John Huckins asked if there was no wetland delineation at this time and explained that even the Jurisdictional wetlands all running through it and then because of the regulation of the 40,000 of contiguous upland 60,000 free of exposed ledge and hydro A soils a lot of times the 80,000 s.f. lot that's what they did for math was not going to work. Because usually it comes out to two to three acres and then add your road losses and everything else to get lot count.

Mitchell explained that they have tried to keep most of the lots out of the wetlands.

John Huckins explained that the prime wetlands are not part of the lots, but they would find that there are a whole lot of jurisdictional wetlands that mix through there.

Mitchell explained that it would be all be fine tuned as they proceed.

J. Driscoll asked what the build-out plan was.

Mitchell explained that they are not that far ahead of the curve. Mitchell asked if there was a moratorium on building permits?

J. Driscoll stated there was no moratorium on building permits.

Zander explained that they would probably be doing a couple different exits for them they have not decided yet. Zander explained that there would be three different options. Zander explained that one would be to partner with a local builder who would come in and do all the vertical construction. Zander explained that would be coming in and building out the community. Zander explained that they would rely on their local expertise and guidance for market absorption and building that out and the other option would be a rental community. Zander explained that the other option would be more focused on the duplex side and build to rent for those and the third would be some combination. Zander explained as they progress, they would do market studies and move forward with what has market demand for it and in the past, they've done a lot of presale work. Zander explained that they are not waiting to get ahead of the curve and making sure there are buyers lined up for any inventory that their building.

Mitchell asked about the Board never granting a 9.6 permit.

J. Driscoll explained not for prime wetlands.

Zander asked the Board for the general feeling about this project, and they would like to develop in line with the community and what was desired by the local community. Zander asked the Board if 160 units was wanted and then any other specific things that the Board may want to see included as they move forward.

J. Driscoll expressed the 2 to 3 different plans that they are going to do. John asked about the 45 units that are furthest out if those would be the last that would be done.

Mitchell explained that they would want to provide access back there like some sort of trail heads.

J. Driscoll asked about the current road that would allow people to go in and allow people to go in and allow people to get back to their parking lots to be cleared.

Zander explained that they want to keep the rural nature of the local area and people like their privacy so they would leave as many trees as possible.

J. Driscoll explained that he was looking at the Fish and Game topo map of that area and they do show a lot of wetlands right in the middle of that now it's only when you get somebody in the delineated as John Huckins was saying can find wetlands anywhere.

A. Knapp explained that when he looks at the space, he looks at the placement of apartments are in line where apartments are in Barrington and how that space. A. Knapp explained that it was configured around our Town it's in the corridor off Route 4, Route 125 potentially Route 9 with the Town Center area.

Mitchell explained that it was allowed in this area by the zone.

A. Knapp explained that you can have mixed use development or not mixed-use development Multifamily development anywhere is in the General Residential if the lot size was large enough.

John Huckins explained that this was not multifamily housing if it's one and two family doesn't get site review it's all approved as part of the subdivision so its not the same thing.

A. Knapp explained that he was looking at placement of where that was in correlation to how the Town functions it's an outlier.

John Huckins explained that there was a high-density mobile home park right next door.

Mitchell explained that these are high end duplex lately.

John Huckins explained that duplex and multifamily are two different things.

J. Cappiello asked what would they be looking at for duplexes cost wise?

Zander explained that they have not gotten that far. Zander explained that they would be in the middle market workforce or median income housing.

J. Driscoll thanked Mitchell and Zander for the time closed meeting for Coot Farm.

6. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

A. Marc Jacobs presenting the Proposed Zoning Amendments to 9.6.

J. Driscoll gave a brief description of the Zoning Amendments for 9.6.

Marc E. Jacobs, Certified Wetland & Soil Scientist, explained to the Board he would begin with John Huckins comment or understanding, and that he didn't necessarily disagree with what John's point was about regulation having to apply across the Board, but he thinks you'll find the distinction there trying to make was that large project were excluded. Marc explained that they should be exercising what's called guidance and process that they set up. Marc explained that this was geared more towards people existing structures and that are already either in or very near the buffer and have able to demonstrate that they need to expand correction.

John Huckins explained that more than half the 9.6's in the past have come down to having nothing to do with existing structures are already there. John explained someone's trying to do something to use their property. John explained that even trying to stay away as much as they could, they could, they weren't able to.

Marc explained that they may have to go back and revisit this and for those types of instances where even though they have a large area, there's some characteristic of the property that require them to be in the buffer to make productive use of their land. Marc explained that there may be elements that may apply to that.

Marc explained to the Board that he was approached by members of the Conservation Commission asking If he would be interested in looking into this.

Marc presented the power point to the Board. Marc explained that Adele Mattson assisted him with this effort.

A. Knapp felt that it was well put together and put a lot of effort into it. A. Knapp explained that some of the key's things that stood out to him under the 9.6.1 (f) the completion was provided of the provided data form whatever, just making sure that did then like it references the ecological function and service data form. A. Knapp suggested then providing a form number or some way to reference that throughout the document. A. Knapp explained a couple points, that's where you get into Table 1 we talked about a few eco sensitive functions as per noted on the eco sensitive data it's things that should connect it together. A. Knapp explained that applies to requests for expansion of existing legal uses into the buffer and shall not be used for subdivision and site plan review, which ties back to what John Huckins had said. A. Knapp explained that similarly this procedure should not be used for large parcels with sufficient room and avoidance. A. Knapp explained that there needs to be an absolute there at where right now it just says similarly it should not be it has to be it to do that, he felt you'd have to make it an absolute.

John Huckins explained that reading from a code enforcement point of view if it's a large parcel you're exempt the next section the way it's written. John explained that what this was saying was you don't use it for a large parcel.

Marc explained that the logic was because in theory if someone had a large parcel, they have the room to avoid and minimize and shouldn't and in theory shouldn't need to go into the buffer.

John Huckins explained that if you go to 9.6.1 that was already in place in zoning reads "after review of all reasonable alternative it is determined that could be infeasible to place the structure outside the buffer zone." John explained that this was already in place so if it can't if it's infeasible to stay out of the buffer zone you can't give them relief already have in the regulations. John explained the next paragraph where A. Knapp spoke it talks all the erosion control being in place prior and during construction, we have that in 1B. John explained that a lot of this was repeated information that was already in here that's already effective on how we're controlling this anyways.

A. Knapp explained that the only other item was the last paragraph 9.6.1 GA right below that it says it was recommended. A. Knapp explained that a recommendation was just that and the planning Board standpoint their job was to apply rule as written.

John Huckins explained that on 1E where it says loss of wetlands this was all about the buffer and if you read the Town existing regulations if they get a wetland crossing where they can go into the wetland, they are exempt from buffers anyways. John explained the whole thing about the Town of Barrington having no authority over what happens in wetland that was a State Regulation.

A. Knapp asked if it should say all issues regarding loss of a buffer.

John Huckins suggested putting wetland values just to make sure that you're looking at the wetland's values but it's not the loss of the wetlands. John explained your assessment was based on the wetland values more than the buffer value. John explained that he deals with the public on a regular basis, and he felt that he didn't know many people that could go through that and fill out.

Marc explained that his understanding was that for now the Conservation Commission's intent was to test out for the next year and they would be completing this.

John Huckins explained that was what the regulations should say.

J. Driscoll explained that the Conservation Commission should not be doing this for subdivisions and site reviews.

John Huckins explained that if you come in for a site plan or subdivision, they wouldn't need to go to all these other places to find the information. John explained that they are going to have data to where those wetlands and stuff are located. John explained that filling out that information would be more accurate plan that has all the delineation.

Marc explained that that they shouldn't conflate delineation with assessment of functions and values. Marc explained written in a way that addresses the vagaries or the lack of specificity of GIS resources. Marc explained that this was written in a better way to describe the scale and the lines on the map are plus or minus.

John Huckins explained that the GIS would not pick up the jurisdictional wetlands so when they do the survey would show the wetland. John explained that if the Conservation Commission was going to do it that needs to be in the regulation.

Paul Panish explained that the first thing was that they are proposing that this be on trial for the next year. Paul explained that they are not proposing any warrant articles for this.

John Huckins explained that if you adopt a regulation then it's a regulation not a trial.

V. Price explained that they are not looking to do that, and the purpose was to get this going to see how it shakes out.

Marc explained that he was willing to help on this trial for this.

Paul Panish explained that the wording was going to need to be changed based on what you are saying a Mechanism for reconciling this the case that you're doing where the wetland isn't even showing on the GIS.

A. Knapp asked if this was something where you would do it by saying you'll fall to the more stringent.

John Huckins explained that you would still need to apply the 50' buffer and when someone comes in for relief you can look at it like there's zero impact. John explained that they should still try to stay as far away as possible and stay with the regulations that you have.

J. Driscoll suggested on F this assessment or function should not apply to prime wetlands and this was in an earlier draft but has been deleted.

John Huckins suggested adding the prime wetlands otherwise it would be applied as right now.

J. Driscoll explained that he would like to see it as it is now.

V. Price explained that this would be tested for a year and come back to the Board in a year.

C. Zoning Amendments Review:

The Board discussed each item number and decided if each one would move forward for a proposed Zoning Amendment from the Planning Board.

1. Amending residential solar system to reflect current sizes.

21.3.1.....A fixed ground-mounted Residential Solar system shall not exceed 15 feet in height at any point. ~~All ground mounted systems located in the front yard shall be reasonably screened from abutting residential properties/roads.~~A tracking ground-mounted Residential Solar system shall not exceed ~~20 feet in height at any point. All ground mounted systems located in the front yard shall be reasonably screened from abutting residential properties/roads.~~ **height restrictions for the zoning district which they are placed when oriented at maximum tilt.**

The board discussed the proposed zoning article and decided as a majority that this will not be moving forward for a proposed zoning amendment.

2. Edited definition of the elderly assisted care home to remove permanently housing up to (15) elderly residents. In the table of uses for elderly housing, footnote 3 and 15 to be removed for TC, V, HCO; add CP to Regional Commercial Zoning.

Elderly Assisted Care Home means a residential facility ~~permanently housing up to (15) elderly residents~~ with common dining facilities and accessory Uses typically needed for elderly persons. ~~The Planning Board may increase the number of residents through the granting of a conditional use permit.~~ **Removing footnote #3 from V, TC, RC, HCO.**

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

3. Amending the Table of Uses:

Senior Housing: Amend table of uses for Senior Housing to remove note 6 on V, TC and keep (on HCO add note 6)

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

TABLE 1: TABLE OF USES (Sheet 1 of 4)						
	General Residential (GR)	Neighborhood Residential (NR)	Village (V)	Town Center (TC)	Regional Commercial (RC)	Highway Commercial District Overlay (HCO)
USE RESIDENTIAL						
Conservation Subdivisions	P(5)	P(5)	P(5)	(-)	P(5)(8)	P
Manufactured Housing	P	P	P	(-)	P(8)	P
Multifamily Housing	CP(6)	CP(6)	CP(6)	P(6,13)	P(8)	P
Senior Housing	CP(6)	CP(6)	P(6)	P(6 ,13)	P(8)	P(6)
Single-Family Dwellings (Attached)	P(7)	P(7)	P	P(13)	P(8)	P
Single-Family Dwellings (Detached)	P	P	P	P(13)	P(8)	P
Two Family Dwellings	P	P	P	P(13)	P(8)	P
Accessory Dwelling Unit	P	P	P	P	P	P
USE AGRICULTURAL						
Agricultural Uses	P	P	P	P(16)	P	P
Farms	P	P	P	P(16)	P	P
Open Air Farmers Market	P	P	P	P	P	P
Keeping/Boarding of Horses	P	P	P	(-)	P	P
Orchards	P	P	P	(-)	P	P
USE COMMERCIAL						
Arts & Crafts	CP	CP	P	P	P	CP

Establishments						
Art Studios	CP	CP	P	P	P	CP
Assisted Living Facility	CP(15)	CP(15)	P(15)	P(15)	P(15)	CP(15)
Sale of Automobile Parts & Supplies	CP	CP	CP	P	P	CP
Automated Banking Facility (ATM)	CP	CP	P	P	P	CP
Banks	(-)	(-)	P	P	P	CP
Bed & Breakfasts	CP	CP	CP	CP	CP	CP
Billiard Parlors/ Pool Hall	(-)	(-)	(-)	P	P	CP
Bowling Alleys	(-)	(-)	(-)	P	P	CP
Business Support Services	CP	CP	P	P	P	CP
Business & Professional Offices	CP	CP	P	P	P	CP
Business & Professional Park	CP	CP	CP	CP	CP	CP
Commercial Recreation Facilities	CP	CP	CP	P	P	CP
Conference Centers	CP	CP	P	P	P	CP
Child Day Care Agency	CP	CP	P	P	P	CP
Distillery/Brewery with Retail	(-)	(-)	P	P	P	CP
Distillery without Retail	(-)	(-)	(-)	(-)	P	P
Drug Store	CP	CP	P	P	P	CP
Elderly Assisted Care Home	CP(3)(15))	CP(3)(15)	CP(3) (15)	CP(3)(15)	(-) CP	CP(3)(15)
Funeral Homes	(-)	(-)	P	P	P	CP
Gasoline Service Stations	CP	CP	P	P	P	CP
Convenience Stores w/Gas Pumps	CP	CP	P	P	P	CP

4. New definition of Health Care facility and in the table of uses, removing footnote 3

Health care facility Any facility, place, or building maintained and operated to provide medical care. Health care facilities include but are not limited to hospitals, nursing homes, intermediate care facilities, clinics, and home health agencies, all of which are licensed by the state department of health services and defined in the state health and safety code.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

5. Amending the Table of Uses:

Amend table of uses for Storage facilities with a new note. Note to read: **Limited to a single story.**

TABLE 1: TABLE OF USES (Sheet 2 of 4)						
	General Residential (GR)	Neighborhood Residential (NR)	Village (V)	Town Center (TC)	Regional Commercial (RC)	Highway Commercial District Overlay (HCO)
USE COMMERCIAL (Continued)						
Golf Courses	CP	CP	(-)	(-)	(-)	CP
Grocery Store	(-)	(-)	P	P	P	(-)
Hardware Stores	CP	CP	P	P	P	CP
Health Care Facilities	CP	CP	P	P	P (3)	CP
Health Clubs	CP	CP	P	P	P	CP
Home Business	CP(9)	CP(9)	CP(9)	CP(9)	CP(9)	CP(9)
Home Occupation	P(10)	P(10)	P(10)	P(10)	P(10)	P(10)
Hospitals	(-)	(-)	(-)	(-)	P	CP
Hotels	CP	CP	CP	P	P	CP
Inns	CP	CP	P	P	P	CP
Landscape Nurseries/Greenhouses	CP	CP	P	(-)	P	CP
Kennel	(-)	(-)	(-)	CP	P	CP
Medical/Dental	(-)	(-)	P	P	P	CP

Clinics						
Mixed Use Developments	(-)	(-)	P(2)	P(2)	P(2)	CP
Motels	(-)	(-)	CP	P	P	CP
Movie Theaters	(-)	(-)	P	P	P	CP
Museums	CP	CP	P	P	P	CP
Nursing Facility	CP	CP(15)	P(15)	P(15)	P(15)	CP(15)
Packaging & Delivery Services	CP	CP	P	P	P	CP
Personal Services Establishments	CP	CP	P	P	P	CP
Planned Unit Development (PUD)	(-)	(-)	CP(12)	P(12)	(-)	(-)
Publishing & Printing Establishments	CP	CP	P	P	P	CP
Repair Services	CP	CP	P	P	P	CP
Restaurants	CP	CP	P	P	P	CP
Restaurants, Drive-Through	(-)	(-)	P	P	P	CP
Retail Uses	CP	CP	P	P	P	CP
Self-Storage Facility	-	-	-	-	P(18)	-
Service for Autos and Trucks	CP	CP	CP	CP	P	CP
Social or Fraternal Organizations	CP	CP	P	P	P	CP
Veterinary Offices/Clinic	CP	CP	P	P	P	CP
Wireless Communication Facilities	P(4)	P(4)	(-)	(-)	P(4)	CP(4)

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

6. Edited footnote #15, information is not in line with DES.

Footnotes to Table 1 (Meaning of numbers given in parentheses in the table.) Page 4 of 4	
(1)	All excavation operations shall conform to the Performance Standards specified in Section 7.1 of this Ordinance, as well as the requirements specified in the town's Site Plan Review Regulations. The Planning Board may require an undisturbed and/or vegetated buffer of suitable size to be maintained between an excavation site and any adjoining properties if said properties would be adversely impacted by such an operation
(2)	Provided that such use complies with Section 3.3 of this Ordinance as well as all other applicable regulations.
(3)	Such facilities may have no more than fifteen (15) patient/client beds
(4)	Provided that such use complies with Article 10 of this Ordinance entitled Wireless Communication Facilities Overlay
(5)	Provided that such use complies with Article 6 of this Ordinance entitled Conservation Subdivision Regulations.
(6)	No structure may contain more than eight (8) dwelling units.
(7)	Permitted within Conservation Subdivisions as specified in Article 6.
(8)	No residential structures are permitted within five hundred (500) feet of the centerline of Route 125 and Route 4 for properties located in the RC District.
(9)	Provided that such use complies with Section 7.4 of this Ordinance entitled Home Businesses.
(10)	Provided that such use complies with Section 7.3 of this Ordinance entitled Home Occupations.
(11)	For the sale of agricultural products, or any other goods, which are produced substantially as a home occupation or from agricultural activities on the premises, other than forestry related activities, as an accessory use to a principal residential use; one structure of 200 sq. ft. or less may be utilized without site review, after review by the Zoning Administrator for compliance with section 7.3 of this ordinance and consultation with appropriate department heads for review of access and safety concerns.
(12)	Planned Unit Developments (PUD) must comply with the provisions of Article 16 of this Ordinance as well as other applicable regulations
(13)	These uses shall only be permitted as part of a PUD in accordance with Article 16 of this ordinance.
(14)	In the absence of a primary use, a Recreational Vehicle may be utilized as a primary use for up to 180 days per year. Sewage disposal and other applicable codes requirements shall apply.
(15)	Maximum density per NHDES Subsurface Disposal Regulations. or no more than one bedroom per ten thousand (10,000) square feet of upland soil, and the most restrictive shall apply.
(16)	For the growing and harvesting of crops and not for the raising of farm animals.
(17)	Conditional Use Permit required if Solar Land Coverage exceeds 20 acres.
(18)	Limited to a single story.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

7. New definition for machine shop and add CUP to the TC/V districts.

Machine shop is a facility where [machining](#), a form of subtractive manufacturing, is done. In a machine shop, [machinists](#) equipment and supplies for machining, a process where parts are cut, fabricated, and finished to prepare them for use. Machine shops are used in the creation of new parts, as well as repairs of existing equipment and parts.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

8. New definition for truck terminal and add in the table of uses as a CUP to the RC district.

Truck Terminals Any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

9. New definition for Warehouse Operations and update table of uses for CUP in RC and HCO, not permitted in GR, NR, V, TC.

Warehouse Operations A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

	General Residential (GR)	Neighborhood Residential (NR)	Village (V)	Town Center (TC)	Regional Commercial (RC)	Highway Commercial District Overlay (HCO)
USE INDUSTRIAL						
Contractor's Storage & Equipment Yards	CP	CP	(-)	(-)	P	CP
Excavation Operations	CP(1)	CP(1)	CP(1)	(-)	P(1)	P(1)
Light Manufacturing Facilities	CP	CP	CP	(-)	P	CP

Machine Shops	CP	CP	(-)-CP	(-)-CP	P	CP
Research & Development Facilities	CP	CP	P	CP	P	CP
Sawmills	CP	CP	(-)	(-)	P	CP
Truck Terminals	(-)	(-)	(-)	(-)	P-CP	CP
Wholesale Uses	CP	CP	P	(-)	P	CP
Warehouse Operations	CP(-)	CP(-)	P(-)	(-)	P CP	CP

10. Lot Frontage to be consistent in the Zoning Ordinance.

Section 4.1.2 to match definitions in the Zoning ordinance. Removal of Frontage from definitions and have the same definition for Lot Frontage.

~~Frontage.~~ ~~The length of a lot line abutting a Class V highway or other road upon which buildings may be built lawfully.~~ **Remove definition in its entirety.**

~~Lot Frontage~~ ~~The horizontal distance measured along a front lot line between the points of intersection of the side lot lines with the front lot line.~~ **The side of a parcel used to satisfy the frontage requirement specified in the Table of Dimensional Standards, or other alternative standards, must be the side of the parcel used to provide vehicular access to the property. The Zoning Board of Adjustment may permit, by grant of a Special Exception, that a different side of the property be used for access because site constraints make using the otherwise required frontage inconsistent with protecting the safety, health and welfare of the public.**

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

11. No definitions for table of uses. The board went through the Table of uses and rectified definitions.

New definitions to accompany table of uses.

- Arts & Crafts Establishments** Workspace for artists or artisans, including individuals practicing one of the fine arts or skilled in an applied art or craft.
- Automobile parts/supply retail establishment** A building for display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.
- Bank** A freestanding building, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds.
- Bed & Breakfast bed-and-breakfast (B&B)** A single-family dwelling with owner-occupied establishment, has an equally mixed use as home and lodging with lodging superseding home more often than not.
- Billiard Parlors/ Pool Hall** A business establishment containing more than two pool or billiard tables for the use of patrons.

- f. **Bowling Alley** An establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment, and playing area.
- g. **Educational Institution** A public, parochial, or private institution that provides educational instruction. Any public, parochial, private, charitable, or nonprofit school, junior college, or university, other than trade or business schools, including instructional and recreational uses.
- h. **Farm stand** Please see RSA 21:34a(III) as amended.
- i. **Funeral homes** A building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming, and the performance of other services used in the preparation of the dead for burial; (b) the storage of caskets, funeral urns, and other related funeral supplies; (c) the storage of funeral vehicles; and (d) facilities for cremation.
- j. **Golf course** A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards, and may include a clubhouse and shelters as accessory uses
- k. **Health club** A facility where people use for the purpose of physical exercise.
- l. **Landscape nurseries/Greenhouses** An establishment for the growth, display, and sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.
- m. **Movie theater** A specialized theater for showing movies or motion pictures.
- n. **Social or fraternal organizations** A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for proposed zoning amendment.

12. New Definitions in Article 19 (There are not in the table of uses or have definitions; but want to have these defined in our Zoning Ordinance.)

- a. **Community care facility** Any facility, place, or building which is maintained and operated to provide nonmedical residential care, child and adult care, and home finding services for children, adults, or children and adults, including but not limited to the physically handicapped, mentally impaired, or incompetent persons, developmentally disabled, mentally disordered children and adults, court wards and dependents, neglected or emotionally disturbed children, alcohol or drug-addicted children or adults, battered adults or children, and aged persons.

The board discussed the proposed zoning article and decided as a majority that this will not be moving forward for a proposed zoning amendment.

- b. **Community center** A building to be used as a place of meeting, recreation, or social activity and not operated for profit and in which neither alcoholic beverages or meals are normally dispensed or consumed. A place, structure, area, or other facility used for and providing religious, fraternal, social, or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community. May also be referred to as a convention center or civic center.

The board discussed the proposed zoning article and decided as a majority that this will not be moving forward for a proposed zoning amendment.

- c. **Funeral chapel** A building used primarily for human funeral services, provided that such building shall not contain facilities for (a) embalming; (b) performance of autopsies or other similar surgical procedures; (c) cremation; or (d) storage of funeral caskets and funeral urns, except those on display on the premises; and (e) that funeral vehicles shall not be stored on the premises except in a garage or other accessory building with no direct public street frontage; and (f) that the garage or other accessory building shall not be used for other purposes.

The board discussed the proposed zoning article and decided as a majority that this will not be moving forward for a proposed zoning amendment.

- d. **Restaurant, outdoor customer dining area** A dining area with seats and/or tables located outdoors of a restaurant, coffee shop, or other food service establishment, and which is (a) located entirely outside the walls of the subject building, (b) enclosed on two sides or less by the walls of the building with or without a solid roof cover, or (c) enclosed on three sides by the walls of the building without a solid roof cover. An area of designated size used as a seating area with tables and chairs for the contiguous restaurant. This seating may be in addition to the indoor seating, or it may be the only seating available for the restaurant.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

- e. **Temporary structure** non residential structure not on a permanent foundation nor permanently attached to a fixed location in any manner. Said structure to be used for a specified period of time, not to exceed 180 Calander days.

The board discussed the proposed zoning article and decided as a majority that this will not be moving forward for a proposed zoning amendment.

13. New definition and added in the Residential zoning districts. Amend Article 4.1 to add 4.1.4 Sheds

- 4.1.4 Sheds A subordinate structure or building used primarily for storage purposes.
 - 1. If the floor area of the shed does not exceed 200 square feet, no building permit is required, and the setback requirements (wetland and property line) are relaxed.
 - 2. If the floor area is larger than 200 square feet, a building permit is required, and setbacks are applicable.
 - 3. In the GR,NR,V zoning districts the limit is two per property for a lot size up to 80,000 SF, and one is permitted per additional acre over 80,000 SF.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

14. Amend the definition of a structure to add storage containers.

(f) One story detached accessory structures used as tool and storage sheds, playhouses, **storage containers**, and similar uses, providing the floor area does not exceed 200 square feet.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

15. Amend the definition of a structure to add a new subsection

(s) generators (To be placed as close to the building as possible.)

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

16. Amend Section 6.3.2

6.3.2 Site Inventory ~~and~~ Conceptual **Design Development Plan ~~and~~ **Yield** Required**

6.3.2(1).....All applications to the Planning Board for a Conservation Subdivision shall be accompanied by a Site Inventory that identifies existing natural and man-made features that represent the landscape character of the tract. This inventory shall be used by the developer and the Planning Board in determining which features of the site are most important to preserve as part of the proposed development. The specific information that must be presented in the Site Inventory is contained in the town's development regulations (subdivision and site review).

6.3.2(2).....Prior to submission of an engineered/surveyed plat plan for a Conservation Subdivision, as required in the town's Subdivision and/or Site Plan Review Regulations, all applicants shall submit a Conceptual **Design** Development Plan for consideration by the Planning Board. Said Conceptual Development Plan shall show the general location of proposed roadways, lots, open space and buffers, as well as the significant features that have been identified as part of the Site Inventory. The purpose of this pre-application plan review is to insure that the development's proposed open space is shaped around the significant natural, cultural and historic features located on the site.

6.3.2(3).....For comparison purposes, the Planning Board may also require an applicant to submit a ~~second Conceptual Development~~ **Yield** Plan that illustrates a conventional subdivision layout, based on the town's zoning and subdivision standards, for a non-clustered development on the proposed site. The purpose of ~~this second~~ **the Yield plan** ~~Plan~~ would be to insure that the number of dwelling units proposed for the Conservation Subdivision does not exceed the maximum number of dwelling units allowed as specified in Subsection 6.4 of this Ordinance.

6.3.2(4).....Yield Plan A plan which demonstrates the maximum number of buildable lots achievable under conventional zoning, at the full density allowed in the district. The plan should be based upon maps showing the conservation areas consisting of wetlands, floodplains, and steep slopes. In addition to this information, lots should be laid out in the conventional format, taking into consideration a roadway network and the minimum lot size requirements, frontage and the contiguous upland areas. If the plan requires a waiver from these subdivision regulations, a preliminary public hearing shall be conducted by the Planning Board prior to an applicant's formal submittal application for major subdivision approval.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

17. Amend Section 20.2.4 Location of Signs

Propose the removal of 20.2.4(1) for the signs in the ROW; 20.2.4(2) will be renumbered due to public safety.

~~20.2.4(1).....No part of any sign shall be located in or over the public Right of Way, except
_____ for traffic control devices and directional signs authorized by the Town or State
_____ agencies. (Take out in its entirety.)~~

20.2.4(21).....No sign in a Non-Residential District shall be located within twenty-five (25) feet of a Residential boundary.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

18. Amend Section 20.2.5 Design and Safety

Propose the removal of language in 20.2.5(1) for the signs in the ROW; due to public safety.

~~20.2.5(1).....Signs shall not cause any traffic hazard or any nuisance and shall not be placed
_____ within a state or town right of way~~

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

19. Amend 4.2.1 Standards for the GR and NR District for the purpose to propose the language to be uniform and better regulation change for contiguous uplands.

4.2.1(1).....In the GR and NR districts the minimum lot size for Dwelling, Single-Family is 80,000 sq.ft. which must include at least 60,000 sq. ft. free of ~~Hydric A~~ **poorly or very poorly drained** soils, open water, bogs, marshes, rivers, streams, or exposed ledge. Additionally, the 60,000 sq. ft. must contain at least 35,000 sq. ft. of contiguous uplands.

4.2.1(2).....For each additional one (1) bedroom dwelling unit under a common roof, which does not qualify as an Accessory Dwelling Unit under this Ordinance, the minimum standards cited in Paragraph 1) above shall be increased in the following proportions. Minimum lot size shall be increased by 40,000 sq. ft., the area free of ~~Hydric A~~ **poorly or very poorly drained** soils, open water, bogs, marshes, rivers, streams, or exposed ledge shall be increased by 30,000 sq. ft. **of contiguous uplands** and the area of upland soils shall be increased by 15,000 sq. ft. Any dwelling unit created under this provision may contain a total of no more than two additional habitable rooms (such as a kitchen and living room), in addition to a bedroom. No additional habitable rooms may be created in said dwelling units at any time in the future.

4.2.1(3).....For each additional dwelling unit under a common roof containing two (2) or more bedrooms, which does not qualify as an Accessory Dwelling Unit under this Ordinance, the minimum standards cited in Paragraph 1) above shall be increased in the following proportions. Minimum lot size shall be increased by 80,000 sq. ft., the area free of ~~Hydric A~~ **poorly or very poorly drained** soils, open water, bogs, marshes, rivers, streams, or exposed ledge shall be increased by 60,000 sq. ft. and the area of upland soils shall be increased by 35,000 sq. ft **of contiguous uplands**.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

20. Amend standards for the RC

4.2.3(2) Minimum Lot Size, Residential

All new residential dwelling units constructed in the RC district shall comply with the minimum lot size standards contained in Subsection ~~4.2.1~~ **4.2.2** of this Ordinance, which are the same density requirements for constructing a residential dwelling in the ~~V GR and NR~~ districts, as well as all other applicable provisions.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

21. Revise existing definition of mixed use to remove commercial use.

Mixed Use Structure A building which contains dwelling units located above the ground floor of an institutional, civic, office, ~~commercial~~, or retail use building.

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

22. Remove the definition in its entirety: (Redundant to Accessory use)

~~**Accessory Building** A detached building, the use of which is customarily incidental and subordinate to that of the principal building, and that is located on the same lot as that occupied by the principal building.~~

The board discussed the proposed zoning article and decided as a majority that this will be moving forward for a proposed zoning amendment.

The board discussed a housekeeping item for the Zoning Ordinance, once updatd. (To be added in the definition section, but not needing Town meeting vote since the definition exists.)

- Agriculture Solar: Reference article 21
- Agriculture Accessory Solar: Reference article 21
- Community Solar: Reference article 21

- Commercial/Industrial Solar: Reference article 21
- Planned Unit Development (PUD): Reference article 16
- Residential Solar: Reference article 21
- Utility Solar: Reference article 21)

The next step is for legal counsel review by the Town Attorney to draft warrant articles.

A motion was made by J. Driscoll and seconded by B. Tessier to move the changes forward.

The motion carried unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

C. ADOPTION OF CAPITAL IMPROVEMENTS PROGRAM 2024-2034

A motion was B. Tessier and seconded by J. Driscoll to adopt the 2024-2034 Capital Improvements Program. Vote 3/1

Roll Call:

A. Knapp-Nay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

D. VOTE on ZONING AMENDMENTS PUBLIC HEARING DATES

1. FIRST PUBLIC HEARING DATE JANUARY 9, 2024, 6:30 PM. (In the case of inclement weather, the hearing will be held January 10, 2024.)

2. If needed, SECOND PUBLIC HEARING DATE JANUARY 16, 2024, 6:30 PM. (In the case of inclement weather, the hearing will be held January 18, 2024.)

3. If needed, THIRD PUBLIC HEARING DATE JANUARY 23, 2024, 6:30 PM. (In the case of inclement weather, the hearing will be held January 24, 2024.)

A motion was made by B. Tessier and seconded by J. Cappiello to approve the Public Hearing Dates as listed above. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

7. ADJOURN

- A. Adjourn the Planning Board Meeting. The next meeting date is December 5, 2023, at 6:30 PM.

The meeting was adjourned at 9:19 p.m.

A motion was made by J. Cappiello and seconded by B. Tessier to adjourn the meeting of November 14, 2023, at 9:19 p.m. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

****Please note that all votes that are taken during this meeting shall be done by Roll Call vote.****