

MONT VERNON PLANNING BOARD
Mont Vernon, NH 03057
MEETING MINUTES –Tuesday, July 26, 2016

AGENDA

7:00PM NRPC Town Center District

7:45PM Rules of Procedure

8:15PM Mail & Announcements
Review of minutes from 7/12/16

8:45PM Other Business

9:00PM Adjournment

Seated: Bill McKinney, Chairman, John Quinlan, Annette Immorlica, Bill Johnson, Chip Spalding (seated at 8:12pm) Absent: Jim Bird

7:02 PM

McKinney called the meeting to order, and asked everyone to stand for the Pledge of Allegiance. Jen Czynsz was present from NRPC to work on the Town Center District Zoning. Czynsz handed out copies of the current draft of the Town Center zoning regulations. Immorlica asked about setbacks; Czynsz explained setbacks are mentioned twice because the first is an overview, and the second is more specific. Czynsz asked if the board wants something included so that the board would have the ability to modify setbacks for new structures that might be further back than their neighbors, as a conditional use permit rather than a variance. Immorlica stated she felt that if the board were to be flexible with setbacks that it is important to include language stating no parking would be allowed in front of buildings. McKinney noted the board would need to be very careful of wording, because there are some spots where parking is already allowed. Johnson asked why Immorlica would want to limit parking. Immorlica explained it would not be attractive for Mont Vernon to have lots of parking lots along route 13, and that the board wants to be careful to maintain town character otherwise town residents will vote against it. Johnson agreed to be careful on the wording, and suggested adding language that the current places with parking in front would be grandfathered. McKinney suggested adding that any new on-site parking must be provided at the side or rear of the property. Immorlica asked about parking along the side of Route 13. Quinlan stated the board will need a mechanism in place for people who want to have a bump-out created for parking along-side route 13 similar to what's across the street from the general store. Quinlan noted that type of parking also needs approval from the state as well as the Selectmen. Czynsz provided the board with the Right-of-way (ROW) information for Route 13, which was hand drawn in 1975. McKinney used the ROW map to determine that 6 feet from the curb line is the right of way, and that from the centerline the state owns 22 feet in each direction.

Czynsz moved on to the Purpose and Intent section. Immorlica asked if definitions would be needed. Czynsz noted there are definitions included at the end. Czynsz asked if Mont Vernon's zoning ordinance has definitions in one place. The Administrative Assistant (AA) noted the zoning regulations have a glossary at the back. Czynsz suggested any new definitions be added to the existing glossary. Immorlica commended Czynsz for the work she's done on the Town Center district, as she's stepped in when Camille Pattison left.

Czynsz moved on to permitted uses. McKinney noted he liked the addition of banks.

The board looked at Building and Site Coverage next; McKinney asked to hold off on reviewing that section because he still needed to get square footage of the houses on Main Street. Immorlica offered to help McKinney go through the files and get the information. The AA offered to look up the square footages on the tax cards the next day. Czynsz stated she might also be able to get to the information through NRPC, and said she would follow up with the AA by email.

The board next addressed setbacks. McKinney stated that based on the site walk and right of way info, he is comfortable with a 30 foot front setback (from the right of way). Johnson asked what the typical setback is; Immorlica stated standard 2 acre zoning calls for a 50 foot setback. Quinlan pointed out that almost none of the houses in the town center meet the 50 foot setback. Quinlan stated that a 30 foot setback would be fine in the Town Center District, including roads other than Route 13. McKinney pointed out the 30 feet is a minimum setback. Johnson asked if someone had an existing house that was further back than the 30 feet, would they be able to rebuild and expand up to the 30 foot setback? Johnson stated he felt they should be required to stay within the existing footprint. Johnson stated he felt it was more important for houses to be consistent with existing setbacks rather than adjacent setbacks. Immorlica stated there aren't empty lots in town where someone is building something new, and any reconstruction would be limited to working within the existing footprint of the current buildings. Czysz suggested changing the title of I 408-3 to Dimensional Requirements to cover the two sub sections. Immorlica asked again if a building were removed, would they be allowed to come up to the setback of 30 feet. McKinney stated he did not have a problem with it. Johnson stated he didn't see why the board would limit someone to the existing footprint, as long as they meet the setback requirements. Immorlica stated the board wouldn't want to create a situation where a small building would be replaced with something very large. Quinlan reminded the board most of these lots are non-conforming, and they can't make something that's already non-conforming more non-conforming. Czysz asked how many lots are smaller than 2 acres vs. how many are larger than 2 acres? Czysz suggested possibly reducing lot size in the village to make more/most lots conforming. Czysz did say the caution with reducing lot size is to consider that may put larger lots in a position where they could then subdivide. Quinlan stated the board should identify everything in the new zone that is 2 acres or larger. Johnson stated the limitation of reconstructing within an existing footprint should be in place for structures that are already encroached within the minimum setbacks, and that others should be limited by the 30 foot setback. McKinney noted he wanted language added that redevelopment after fire, natural disaster, ect. needs to happen within one year. (McKinney found the reference later in the meeting, I-407.1 (b))

Next the board discussed side and rear setbacks. Currently side and rear setbacks are 30 feet. Immorlica pointed out most buildings don't have 30 feet right now anyway. McKinney stated less than 20 would be difficult because of the need to allow driveways to the back of lots. Czysz asked if driveways would be allowed in the setbacks, and McKinney stated yes. Immorlica agreed with 20 feet. Czysz noted that some properties that abut the residential district could have a larger setback on those sides. McKinney suggested 20 foot side setbacks where a property abuts another property in the Town Center District, and 30 foot side setbacks for property that abuts the residential district. Johnson asked about greenscape requirements; he stated the board wouldn't want to see a building surrounded by a lot of asphalt. McKinney stated it is discussed in I-405.3 (b) III, which mentions a 70% limit for development, meaning there is a 30% green space requirement. Czysz asked about adding qualifications for the 30% green space. Immorlica asked about landscaping barriers along driveways. Czysz stated I-405.3 (c) could be modified to add a paragraph to address driveways. Johnson stated it could prove difficult to squeeze in green space along a driveway if the driveway is already in the setback. Immorlica stated she was concerned about the amount of greenery between houses. McKinney stated requiring parking in the rear means there needs to be driveways to access that rear space. Czysz recommended picking a few properties in the district and running a test on the regulations once the draft is complete; Czysz suggested picking one large property and one small one. Czysz also mentioned the public comment session, to get the draft out there and get some input, and suggested September/October as an appropriate time. McKinney agreed on the timing. The AA noted the 4th Tuesday planning board meeting in September (9/27) is the Tuesday after Lamson farm day, which would provide a good publicizing opportunity. Czysz stated NRPC would create a flyer that could be passed out at Lamson farm day.

Czysz moved on to the parking and loading. Immorlica stated she doesn't want to see that in the front of a building, and Czysz noted she would change it to state it needs to be in the back or side.

8:12PM- Chip Spalding seated

Next the board discussed signs & lighting. McKinney noted the sign ordinance within the non-residential site plan review allows for a small sign. While looking up the sign ordinance, Immorlica found a line in the non-residential site plan review (IV 301.4) which mentioned landscaping and screening to be provided in regard with adjacent properties. Czysz stated she would make the Town Center district regulations consistent with what already exists in the non-residential site plan review. Immorlica asked about dark sky lighting, where lighting is

pointed down. Johnson stated that is a fairly standard requirement now. Czysz stated she would make note of that to be added. Spalding stated that signage is addressed in non-residential site plan review IV-302. McKinney stated he wondered if the non-residential site plan review regulations would need to be amended, or have something specific added for the Town Center district because he didn't think the board would want to allow 30 square foot signs in the Town Center district. Czysz stated the zone can be called out in the site plan regulations. Spalding noted traffic is mentioned in section IV-301. Signal devices were mentioned. Johnson asked what the requirements are that could trigger a signal device. Spalding stated a new curb cut would have to go through the DOT because Route 13 is a state maintained road. Johnson asked about an existing curb cut which could possibly trigger more traffic, at whose discretion would a signal device be required. McKinney stated it would be up to the state, but that the Planning Board reserves the right to require a traffic study. Czysz stated anything that's already written in the non-residential site plan requirements only needs a note in the Town Center district regulations pointing to the existing requirements.

8:24PM – Map of Town Center District

Spalding stated he liked the new proposed maps; keeping things simple is better. McKinney stated he was fine with keeping the historic district as-is for now. Spalding stated he has no issues with expanding it out if there are properties that have value and should be added, but that it can wait for a later date. Czysz noted that if a zoning change will affect a certain number of parcels in an area, a letter must be sent to the residents in the district. Czysz stated she couldn't remember the number that triggers sending a letter but she would look it up. Czysz stated that if the town is close to the number she would recommend sending the letters anyway. The board discussed which lots they'd like to run the test on; McKinney suggested 9-41 for a large lot, and 9-44 as a small lot. Immorlica asked about possibly finding a smaller test lot for a small lot. McKinney then suggested 9-11 as a smaller lot.

Czysz briefly discussed the Historic District Commission. Czysz stated there are architectural change guidelines, and noted the commission meets on an as-needed basis. Quinlan stated the Commission needs to be re-vamped. Czysz noted that the Historic District Commission could not be a sub-committee of the Planning Board.

Czysz asked about getting on the Planning Board agenda for August, to look at the draft again, and prepare for the public comment session.

Spalding asked whether the board wanted to consider adding the Town Center district as another subset of the table at I-304.2, where all the setbacks are included. Czysz stated the model used was what's currently in the limited commercial district, on page 43. Czysz mentioned adding a note there at I-304.2 which refers to the Town Center District for additional provisions. Czysz stated that there is conflict right now and made a note internally to look at the sections and figure out the best way to address straightening it out. Czysz stated that the warrant would ultimately include the new zoning plus any other necessary corrections to other sections. Spalding questioned taking the setbacks out of limited commercial and including them in the I-304.2 table. McKinney noted that from a construction point of view he can see the advantage of having the information in the ordinance rather than in a table at the front.

Immorlica noted she felt it was very important for the board to be ready to answer questions from the public.

Action Item: AA to look up square footages on Main Street houses.

Action Item: NRPC(?) to Identify lots in Town Center District that are 2 acres or larger.

Action Item: NRPC to create a flyer about Town Center District for Lamson Farm Day.

Action Item: AA to get Johnson a copy of the Zoning Regulations

Action Item: Czysz to look up threshold for number of parcels to require sending letter about zoning change.

Action Item: AA to add Czysz to August 23 Planning Board worksession meeting.

8:54 PM

McKinney asked if everyone had a chance to review Rules of Procedure. Spalding stated he still needs time to review. McKinney suggested tabling Rules of Procedure until the next meeting. The AA reviewed the mail; she was able to look up the wetlands permit application on the DES online search. The wetlands permit status is under technical review, so no decisions have been made yet. The hearing is still scheduled for August 9th, and

the AA will check the status prior to the hearing. The AA stated the Zoning Board had a hearing on July 19th concerning a resident on Boutwell Road who would like to build a garage that falls within both the side and front setbacks. The applicant ultimately withdrew the application in order to pursue the idea of a lot line adjustment to resolve the side setback issue. Both his lot and his abutting neighbor's lot are less than 2 acres. The AA stated the Zoning Board had a hearing in June for Rolf Bigger's variance request to build a garage at the Mont Vernon property. That variance was granted. The AA stated the Zoning Board had another hearing in June for a property owner on Batchelder road who also applied for a variance for a garage in a setback; that application was also approved. In other mail, Earl Rich dropped off a copy of a wetlands permit application for a dry hydrant at his property on Horton Road. No action is required on part of the Planning Board. McKinney noted the AA contacted the NHMA regarding the Mystic Brook subdivision. The Planning Board can't enact new regulations against them for 5 years after subdivision approval. McKinney stated the question is whether they've had active and substantial improvement at the site. Immorlica asked what defines substantial improvement; McKinney stated it's up to the board to define substantial completion. McKinney suggested having the Planning Board do a walk of the site to help determine what's been done (or not done). Immorlica stated she thought the original question was whether they needed to submit a new subdivision application, and the answer is no because they are lots of record. Quinlan noted there are some irregularities with the plan that should be reviewed. Immorlica noted it has a community well as well as community septic. Quinlan noted technology has changed since the subdivision was first reviewed. Immorlica stated that a site walk would require landowner permission. McKinney stated there is someone looking at buying the property, but they wanted to confirm the subdivision exists. Changes to the ordinance, past 5 years, would still apply, if the board determined substantial improvements have not been made. Johnson asked if it says substantial improvements or substantial completion. McKinney noted it says substantial completion of improvements. Johnson stated substantially complete means just about done. McKinney says that in his opinion, substantial completion has likely not been met. Immorlica stated that going forward the board needs to define substantial completion so there's not a problem with future subdivisions. McKinney motioned to table the 7/12 minutes until the next meeting; there is an incomplete sentence somewhere in there he needs to find again. Immorlica seconded. All were in favor, the motion passed. McKinney stated that he and Immorlica had met to create a plan for what the board will address over the course of the next year; a large focus will be the Master Plan. McKinney hopes to have Land Use ready for December and Population and Housing in May. McKinney stated the plan for the future is to handle one or two chapters each year. Other things the board will look at in the future will be driveway regulations and wetland buffers.

Action Item: AA to add Rules of Procedure to August 9 Planning Board meeting.

Action Item: AA to pull file on Mystic Brook subdivision for next meeting.

9:16 PM

Quinlan motioned to adjourn the meeting. Immorlica seconded. All were in favor, the motion passed.

Respectfully submitted,

Amy Wyman

Planning Board Administrative Assistant