

MONT VERNON PLANNING BOARD  
Mont Vernon, NH 03057  
MEETING MINUTES –Tuesday, October 25, 2016

AGENDA

7:00PM Public Input Session  
Town Center District Zoning

7:30PM Rules of Procedure

8:00PM Mail and Announcements  
Review of Minutes from 10/11/16

8:30PM Other Business

9:00PM Adjournment

Seated: Bill McKinney, Chairman, John Quinlan, Annette Immorlica, Bill Johnson, Chip Spalding  
Present: Stephen Bennett, Jim Bird Absent: Chris Aiston, Dave Hall

7:06 PM – Town Center District Zoning.

McKinney called the meeting to order, and asked everyone to stand for the Pledge of Allegiance. There were approximately 40 members of the public present for the Public Input session. McKinney had the board introduce themselves, and began explaining the current draft of the Town Center District, which has the intent of possibly introducing some small business in the center of town. McKinney state the new district would create more options for existing properties in the center of town. McKinney noted the board's decision to have this new district fall within the Historic District is intentional, with the idea that the Historic District Commission will offer another layer of oversight for any business opening in the Town Center District. McKinney stressed the board's intent to stay within the character of Mont Vernon. Immorlica stated the board would like the downtown area to be a more user-friendly and viable downtown.. McKinney noted the intent was to have small scale businesses and mixed use structures. McKinney went into the proposed permitted uses for the district, which include farm stands, art galleries, bakeries, retail and personal services, professional offices such as lawyers and accountants, banks, coffee and sandwich shops, restaurants (excluding drive in and drive throughs), bed and breakfasts, and museums among other uses. McKinney noted the listed uses were the top picks from the survey which was circulated at the March 2016 Town Meeting. John Arrico of 2 Old Amherst Road, asked about telecommunication facilities. McKinney stated telecommunication facilities (cell towers) are required to be permitted in all districts per federal requirements, and the Town can only regulate how one could look. Quinlan pointed out there is a cell tower being located at the top of Town Hall very soon and it won't be seen at all. William Archibald of 7 Batchelder Road asked about multi family dwellings and wanted to know if they were currently permitted in other districts. McKinney stated no. Immorlica pointed out there were already some existing multi-family units in the center of town. Allyson Miller of Harwood Road asked about parking, stating extensive parking would completely change the character of town. Miller stated the Historic District has no say-so about whether a building could be torn down and replaced with a non-historic building and she feels this proposal puts historic buildings at risk. Quinlan stated right now there's no law to prevent knocking buildings down. Johnson stated the Town Center District will have leverage to impose architectural guidelines. Miller expressed concern over the inside of homes being gutted for businesses. John Zotcavage of 9 N. Main Street asked why this was being proposed now. Spalding stated the history goes back to a UNH Poll done about 10 years ago, a public forum about 6 years ago, and then the previously mentioned survey at 2016 Town Meeting. Tonight's meeting is another forum to get feedback from the town. Spalding stated each time there has been a general interest in pursuing commercial use. Immorlica mentioned the hotels and small businesses that used to be a part of the center of town. Spalding stated the board is looking for opportunities to make the center of town the core of the town and to give people a reason to go there, and also mentioned the village used to be a commercial hub for Mont Vernon. Spalding stated that the introduction of zoning in the 1970s limited the ability to have commercial uses in town. Zotcavage asked for an example of a town for what Mont Vernon's center

could evolve into. Spalding mentioned both Hancock and New Boston. McKinney stressed creating livability in the community. Jill Weber of the Francestown Turnpike stated she was speaking for the Lynches who were not able to attend. Weber stated the Lynches live on Blood Road and that they are concerned that the current proposal is not very refined or defined. Weber stated Lynch is also concerned about the impact of cars and parking. Spalding mentioned that Route 13 is a state maintained road, and any development along 13 in need of a curb cut would have to go to the state for another level of scrutiny. Sheila Clegg of 12 N. Main street stated she did not come to Mont Vernon for the convenience of having commercial businesses close by, she came here to escape that atmosphere, and stated it is a way of life. Bernard Foster of 3 Blood Road stated he is not excited about the proposal, and stated he is concerned about water and sewage. Foster stated he was also concerned about lighting from businesses degrading his property value. Dorothy Ledner of 12 Smith Rd. stated she agreed there could be parking issues and pointed out parking was difficult for the Planning Board meeting that evening. She did state that she didn't think it would hurt to have a few businesses, but that parking would need to be addressed. Johnson stated parking will be required to be at the rear of a property, and McKinney stated if a business could not provide parking on the property, the business would not be allowed. Eileen Naber of Beech Hill Road also mentioned parking, and stated she would not like to see parking in front of homes on Main Street. McKinney stated that the parking will be restricted to the back. Anne Dodd from Mason Road asked if anyone from the ZBA was present to address their thoughts. Tony Immorlica was a ZBA member who was present but he stated he had not formed a public opinion on the matter and was present only as a member of the public to gather more information. Christine Rand of 4 Temple Street asked if the survey data was distinguishable between people who live in the proposed district and those who do not. McKinney stated there is no way to determine that information. McKinney moved forward with the review of the draft and stated that as part of the proposal, Residential Zoning would be repealed, and replaced with the Town Center District zoning, which allows for both residential and small business. McKinney stated the board chose to follow lot lines to determine the borders for the Town Center District to avoid split zoning. Bird explained there is a difference between the zoning section of the proposal, and the site plan review section of the proposal. Bird stated the Planning Board has flexibility during the site plan review process. McKinney reviewed setbacks. David Ledner of 12 Smith Road asked about setbacks, and if they meant someone could have a huge building. McKinney mentioned the buildings are restricted by size to a 3500 square foot footprint. McKinney stated the board had looked at 2 Smith Road, 2 Blood Road, and the Mont Vernon on N. Main St as some of the largest buildings in the village to get an idea for the square footage maximum. McKinney reminded the public that this is all still a work in progress and that if they feel the maximum is too large to please let the board know. McKinney suggested emailing comments to [planningboard@montvernonnh.us](mailto:planningboard@montvernonnh.us). McKinney mentioned the landscaping in the non-residential site plan review process, as well as exterior storage and display, noting the "clutter" typical of certain businesses would be screened. McKinney stressed again the board does not want to see parking in the front yards. Weber asked if a display window would be allowed. McKinney stated he didn't see where it wouldn't be allowed. Zotcavage asked about parking, if there would be a way of hiding the parking lots so pedestrians wouldn't be able to see the parking in the back of the building. McKinney stated there is flexibility during a non-residential site plan review process to ask for extra screening. Zotcavage stated that meant it would come down to whoever was on the board at that time, and McKinney stated yes, as well as public input during the hearings. Immorlica took the opportunity to stress it is nice to have town members volunteer to participate in town boards. Spalding stated this is all good feedback and that the board is looking for ways to make the zoning more robust. Next, Keegan O'Keefe and Jackson Hobbs of Chestnut circle came forward to read their written statements concerning the Town Center Zoning District. Both young men (6th graders at MVVS) spoke in favor of the Town Center District, stressing small local businesses. Complete copies of their statements may be found at the end of these minutes. Both young men received hearty applause. McKinney moved back to parking, stating on street parking would not be allowed, except by permit through NH DOT. McKinney stated the board does not want to see cars parked on the roadway. Next McKinney moved on to the sign ordinance. McKinney stated the current proposal for signs limits the size to 16 square feet, which is almost half of the 30 square feet currently allowed in the Limited Commercial District. McKinney again stressed this is all up for discussion. Dodd asked if interior illuminated signs would be prohibited. McKinney stated internally lit signs would be prohibited. Naber suggested adding wording to limit sandwich boards. Dorothy Ledner pointed out sandwich boards can serve a purpose, and mentioned there are appropriate uses for sandwich boards. McKinney stated sign regulations can be tricky, in that the town can regulate size and location, but not things like color or content. Bird proposed regulating using sandwich boards during open hours. Jen Czys, from NRPC, noted signage is already

prohibited from interfering with sidewalks in the current regulations. McKinney stated there is a height limitation of 12 feet for the top height of sign, and that no signs are allowed on a roof. McKinney also addressed lighting and stated that all exterior commercial lighting must be downcast and conform with the IES dark sky standards and that no lighting may trespass beyond the property line- which is doable with LED lighting. Dodd asked if there is an existing ordinance regarding the hours for which lighting can be used. Spalding stated there is currently no such ordinance but that one can be considered. McKinney suggested only during hours of operation. Barbara Liscord of 21 Old Amherst road asked about sound levels. Johnson stated consideration would be taken concerning sound levels of equipment. Liscord stated something similar to Union Coffee in Milford would be great to have in Mont Vernon. Clegg mentioned delivery trucks, car doors slamming and people's voices as they are entering and leaving businesses as other sources of noise. Zotcavage stated he felt that maybe the town wasn't ready for this right now; he also felt that residents who live in the proposed Town Center district should have more say since they live there. Miller mentioned downtown Wilton and the constant business turnover there. Miller asked about plans if people are not paying taxes because a business has failed. Quinlan stated it is possible for the town to seize homes for non-payment of taxes, but that the Selectmen have never gone through that process. McKinney mentioned that once 101 stopped going through downtown Wilton, they lost their traffic to support a business district. McKinney stressed again the board is not looking at large businesses anyway. Miller stated she doesn't see why people would want to shop here regularly where its more expensive rather than go a few miles away where it's cheaper. McKinney stated the board is not looking to get a grocery store here, and understands that people will go to Milford or Nashua for their regular grocery trips. McKinney stated Mont Vernon already has the General Store, and that having other small businesses will help keep them all alive. Batchelder stated that he felt the list of proposed items needed to be scrubbed hard, and the list as currently proposed would be a major change that would destroy the image of Mont Vernon. Batchelder pointed out the hotels and businesses here long ago were tied to people who were coming here for vacation purposes, not people trying to live here. Cathy Marchocki of 93 Old Wilton Road thanked the board for the proposal and stated she felt this has been a long time coming. She agrees there is historical precedent and that the proposal is consistent with the historical character of the town. Marchocki stated that perhaps not everything on the list is appropriate, but that it could be regulated. She stated this could enrich the town and that town residents could benefit. Marchocki asked where this goes from here. Marchocki also asked if there is opportunity to expand the district. McKinney stated the board wants to keep the district condensed for now and that in the future the townspeople could choose to expand. Arrico, who mentioned he lives in the district, wanted to know what will happen from an assessing standpoint to homeowners in the district who choose not to run a business in their residence. Arrico wanted to know if they would have a larger tax bill with no property based income to offset it. Arrico also asked about the aerial photo which mentioned isolated redevelopment sites. McKinney stated the lots singled out on the aerial photo were just test sites, to see what could possibly be developed. The board chose a small lot, medium lot, and a large lot, to see what could happen. In addressing the previous question, McKinney stated there is no difference between residential and commercial tax rates. Arrico expressed concern that the assessor would think a property would be worth more simply because it is in the Town Center District, whether there's a business on it or not. McKinney stated he believes the Selectmen have some regulatory authority over the issue, and that it's something to consider. Joanne Draghetti of 69 Old Wilton Road asked about the current zoning process and why it is so expensive and difficult for a business just to go that route. Quinlan explained that businesses are currently only allowed by special exception. That is onerous because if someone is proposing something new, they have to put together a concept for land planning, business planning, and building planning (which can all cost thousands of dollars) before going to the zoning board, and then essentially rolling the dice to see if they get permission. This new proposal will allow someone to come to the Planning Board with a more nascent idea, and not have to make a huge initial investment prior to approval. Quinlan stated the Planning Board is meeting 2x a month, and has more expertise when it comes to making planning decisions. Draghetti asked if there was a way to make the Zoning Board process less expensive. Quinlan stated no, that it is governed by state law. Spalding added that he would leave a box by the door if anyone wanted to leave comments or mark up the copies of the draft that were handed out to leave more feedback. Ryan Bailey of 30 N. Main Street stated he had just moved to town recently and that he'd formerly lived in Biddeford, Maine where the town was looking to rejuvenate mill buildings. Bailey explained businesses interested in moving into the mill buildings would apply for a spot, and a town meeting would be held where the residents selected the top three choices each year for a number of years. Bailey wondered if there could be any sort of cap on the number of businesses in the area or if anyone could just open a business. McKinney stated the

board could further limit the list, but also noted that any business not on the permitted list could still go before the ZBA. Spalding stated the proposed permitted uses are just a first pass. Foster mentioned the plan years ago to build a new general store down by the Frankestown Turnpike and expressed concern that there would be no process to stop a store from coming there now because it could meet all the requirements. Quinlan stated the restrictions in the regulations are stricter than what was proposed. Immorlica asked town residents to have an open mind and consider doing what's best for the whole town. Foster suggested the board allow the Town Center district all over Mont Vernon. Residents in the Village have already expressed they don't want it; it could be allowed everywhere so all town residents would have to bear the burden of businesses being acceptable in their neighborhoods, not just in the Village. Kelsey Troy, of 30 N. Main asked if Mont Vernon had established town quiet hours, or if that's something that could be addressed. Bird stated that is typically addressed as part of the site plan review process. Bird explained the process for the Planning Board's procedure to change zoning regulations. Bird stated the Planning Board will hold hearings on any proposed changes to the zoning regulations; the board can hold as many hearings as necessary, but once the text is published for the final hearing it cannot be changed. The board will vote to include the proposal on the warrant; it goes on the warrant and is addressed at town meeting. Town residents then vote on it. McKinney stated there are many meetings to go, and the board wants input and feedback to craft a well thought out document. McKinney thanked the public for attending and ended the Public Input session.

8:36 PM

The board discussed further plans for the Town Center District zoning with Czysz. The board agreed it would be important to identify the points which seem to have the greatest degree of discomfort. Czysz stated the room was mixed. Czysz suggested the board look through all the written feedback that will come in to look at what specifically people don't like. There was only one written comment left that evening, which was in support, but did suggest limiting childcare facilities. Czysz stated she would check with Litchfield on the assessing/tax impact question. Immorlica asked if the Administrative Assistant (AA) would assemble all the emails received and send them to Czysz and the board. McKinney stated the board needs to finalize the size limit of signs. The board discussed briefly what other towns do regarding signage; Immorlica stated she felt the board should keep it simple and have a size limit. McKinney stated the board also needs to address facia signage, projecting/mounted signage, as what they've discussed so far only covers freestanding signage. Spalding mentioned the existing signage ordinance; McKinney stated he would like to see that referenced in the Town Center district, but then be more restrictive with the sections they want for the Town Center District. Czysz suggested creating a one page Frequently Asked Questions to accompany the proposal, to help with public education. Immorlica stated for signs she would like to see no exterior tubular signage allowed. McKinney stated the existing IV-302 already dictates certain sign restrictions, and the board will add further restrictions for the Town Center District. Czysz pointed out sign regulations which regulate based on use, not on district, are not legal; if you need to read it (the sign) to regulate it, it's not legal. The board discussed sign size. Bird asked if anyone knew the size of the General Store sign. Immorlica states she felt 16 square feet was too large. Spalding took a tape measure outside to measure the Town Hall sign, it is 2 feet wide by 3 feet long; 6 square feet. Immorlica stated she felt 16 was too big and 6 was too small. Bird suggested 12 square feet. Quinlan suggested the board doing more research on sign size ordinances. Spalding asked about getting the draft of the Town Center District on the town website. The AA stated she would take care of that. Czysz stated she would start the outline for the FAQ. The board discussed scheduling for next meeting to discuss the Town Center District; McKinney stated the next work session is 11/22. Czysz stated she would plan to come that evening. McKinney stated they would have potential revisions ready for that night. Czysz suggested holding the first hearing in December. McKinney reminded the board they will also have to schedule the public hearing for Accessory Dwelling Units as well as the Scenic Road and Structure definitions hearings that were left off last year.

Action Item: AA Collect feedback emails, share with Czysz and board.

Action Item: Czysz to start outline for FAQ

Action Item: AA to add Town Center District ordinance to website.

Action Item: AA to add Czysz to agenda for 11/22.

9:06 PM – Orchard Hill Subdivision

The board briefly discussed their impressions from the site walk for the Orchard Hill subdivision which

happened 10/23. Johnson stated he had some drainage concerns, as well as upgrades to Purgatory Road. Johnson was also concerned about fire access as it relates to the width of Purgatory road and the length of some of the driveways. The board discussed the possibility of hiring an outside engineer to review the plan and drainage calculations. Immorlica asked if a drainage study could be done to see if the culverts would be sufficient if 50% of the trees were removed. Spalding stated the culverts would be included, but in an existing vs. proposed capacity. Johnson asked if a bond could be imposed for the improvements to Purgatory Road; Spalding stated yes. McKinney took out the approved subdivision plans for the 4 lots on the south side of Purgatory Road, also owned by Vaughn, to check to see if the drainage easements matched on the Orchard Hill subdivision. McKinney stated everything seemed to be properly illustrated on the Orchard Hill plan.

#### 9:27 PM – Mail and Announcements

The AA stated the only mail was related to an email question on the open space lot on the Mystic Brook subdivision. This subdivision was approved back in 2007 and someone is looking to buy the subdivision. There is no record in the tax assessing system of 1-57, one of the open space lots in the subdivision. The AA had been talking with Laurie Brown about the issue, and Laurie believes it was an error when the subdivision was entered. Laurie plans to contact the assessor and explain the issue and Laurie will also provide more details to Caroline Owen, the attorney who originally posed the question.

The AA, Amy Wyman, announced she plans to resign as Administrative Assistant; she stated it is not effective immediately, but that she needs to know that there is an end. The AA plans to stay until a new person can be hired and trained and will be available for questions after the new person takes over. The AA also mentioned she knows someone who is interested in the Administrative Assistant position. Quinlan stated the position should be posted since it is a paid position. The AA stated she will also contact Sheila Sturm, the Zoning Board chair, to let her know about the plans to resign. The AA stated her hours can vary from a slow week of 2-4 hours to a busy week of 8-10 hours. She also stated this is the busiest the board has been in the 3 years she's been involved. Spalding expressed his thanks to the AA for her willingness to help with the transition to the new person. Immorlica stated she appreciates the way the AA does her minutes. McKinney thanked the AA for everything she does.

Quinlan shared a letter from Joanne Draghetti that she sent to the Board of Selectmen stating her concerns about the Orchard Hill Subdivision. The letter mentioned Draghetti's concern with flooding on properties downhill from the Orchard Hill subdivision, due to water possibly being diverted south by new and larger culverts. McKinney stated he has noted the concerns and they align with some of the notes he made from the site walk. McKinney asked the AA to contact department heads (Police, Fire and DPW) for feedback on subdivision and ask if a representative could attend on 11/1 hearing date. Bennett asked who could review whether a school bus would travel safely up Purgatory Road, and where and how a bus could turn around. McKinney asked the AA to include a running list of items that have been tabled on the bottom of the agendas, to help keep track. McKinney also asked the AA to find the scenic road information as well as the structure definition so those could be prepared for hearing for this year's town meeting. Johnson asked if the plans were available electronically and the AA stated she didn't believe she had them electronically and ask Chad Branon if she doesn't already see them. Spalding asked if there were drainage studies for the subdivision. McKinney stated that pre- and post-drainage studies do need to be done. McKinney was interested in seeing the possible impact downstream from the wetlands crossing where the fieldstones are currently located, because when a culvert is installed the water flow could increase. Spalding recommended an engineering design review for the plan. Johnson asked about possible companies; the AA stated the companies she had previously contacted were Monadnock Survey, Sandford, and Keach Nordstrom.

Action Item: AA to send email to department heads to ask for feedback on Orchard Hill.

AA: Ask department heads (Police, Fire and DPW) for feedback on subdivision and ask if a representative could attend on 11/1 hearing date.

AA: find scenic road information and structure definition

AA: Check for electronic version of subdivision plans.

#### 9:54 PM – Review of Minutes

The board reviewed the minutes from 10/11. Quinlan motioned to accept the minutes as amended. Johnson

seconded. All were in favor, the motion passed. McKinney asked the AA to table Rules of Procedure until 2017 so the board could work on the Town Center District and the other necessary hearings.

Action Item: AA: Put Rules of Procedure on January 2017 work session agenda.

9:57 PM

Quinland motioned to adjourn the meeting. Johnson seconded. All were in favor, the motion passed.

Respectfully submitted,  
Amy Wyman  
Planning Board Administrative Assistant

Text From Letters of Keegan O'Keefe and Jackson Hobbs

Good evening everyone. I would like to begin by thanking the board for allowing me the opportunity to address you this evening. My name is Keegan O'Keefe and I live on Chestnut Circle here in town. I have lived in this area for my entire life and my dad has worked for the town of Mont Vernon for 17 years. I am proud to call Mont Vernon home.

I feel the opportunity this evening is exciting for members of our town to share their thoughts on the future of our small community. Some people in this room may share my vision of a successful rural community and others may not. All of our opinions matter.

I would like to share some ideas with you tonight of my thoughts for our small town.

I believe any community that prides itself as Mont Vernon does, should have a focus on improvements to its library. Any focus to improve our downtown area should center around the potential expansion of our library. With a Library expansion, it will allow our community to focus on the important things in life. Learning, mutual respect for each other and the development of ideas that allow our community to come together and thrive. Expansion of our library and relocation to property already owned by the library trustees could allow the use of the Daland building for a commercial purpose that will improve the quality of life in our small town. This will allow the introduction of a special commercial district in our Village area.

With the introduction of this new special village commercial district we can allow new businesses to provide goods and services to our residents. I think that these businesses should be limited to small local and family run businesses. We should also work to make sure these new businesses blend well with their neighbors so it does not ruin our small town.

Some in this room may ask why should we allow a new business district? Others may ask what benefits will this new business district offer?

I say the answer is simple. It will only improve our quality-of-life. Not only will it save fuel on our many trips to Milford, New Boston and Amherst but we will save a lot of time. It takes my parents 20 minutes just to get to the supermarket or a restaurant. Wouldn't it be nice to have a meal at a restaurant on Main Street.

Another benefit to our community would be the adding of new jobs for our teenagers as well as an opportunity for some of our residents to make some extra money and save for retirement.

In closing, I would like to thank everyone for listening to me. I think we have a very special town and I think Mont Vernon can only get better as we focus on the future while preserving our past.

Thank you for your time and please remember that everybody's opinion matters.

Hello my name is Jackson Hobbs and I too live on Chestnut Circle. I would also like to thank the board for allowing me the opportunity to speak.

I wanted to share with you that I feel Mont Vernon is great. I also think Mont Vernon would benefit from having small businesses in the center of our town as long as they remain small, local and family oriented. Mont Vernon is a special place and I have lived here all my life. Its rural nature is important and I feel its best asset. Any changes would have to be fit with that.

Thank you.