

MONT VERNON PLANNING BOARD

Public Meeting Via Zoom

August 11, 2020

AGENDA

Times are approximate and subject to change without notice.

7:00 pm Discussion on Legal Input on Proposed Wetlands Ordinance

8:30 pm Discussion on Detached ADU's to Existing Ordinance

8:45 pm Other Business

Beech Hill Road – 271 acres Schmitz

Mail & Announcements

Review Minutes from 7/28/20

9:00 pm Adjournment

Present: Bill McKinney, Steve Bennett, Tim Berry, Charles Baker, Chip Spalding, Dave Hall

Absent: Bill Johnson, Rebecca Schwarz, Eric Will, Jim Bird

7:02 PM – Discussion on Legal Input on Proposed Wetlands Ordinance

McKinney called the meeting to order and had everyone recite the Pledge of Allegiance. The Board continued with discussion on the Proposed Wetlands Ordinance. It was agreed that we need to be consistent with verbiage throughout. **Bennett** motioned to change the words 'regulation' to 'ordinance' throughout Chapter II, including the title, seconded by **Berry**. **Baker** feels both terms are necessary. **Bennett** noted that there are certain subdivision site plan regulations that can be changed by the Planning Board with a public hearing; an ordinance has to go to Town vote to make any change. **Spalding** thinks we should get legal clarification on the difference between 'regulation' and 'ordinance'. **Spalding** feels the Wetlands Ordinance is an overlay. It's not something you build separately; it's part of 2-acre or 5-acre soils in order to figure out the density when you build a subdivision. **McKinney** said we need to go back to looking at this and considering this an overlay of the entire community. **Bennett** discussed RSA 674:39 II regarding Substantial Improvements and Vested Rights. **Hall** feels this zoning ordinance is onerous in the sense that it is overly restrictive to already approved open space subdivisions. There is already conservation imbedded in there. Previously approved vacant lots should not fall under this ordinance. **Hall** questioned if the Planning Board can issue a Conditional Use Permit? If we are going to even contemplate adding to this ordinance, we have to first have the power to issue. **McKinney** questioned if the most sensible thing to do in 401.2 is to get rid of the conditional use permit requiring coming back to the Planning Board and instead say that any construction permitted within the buffer zone shall minimize harm to the wetland and surface water and use Best Management Practices? **Berry** feels that is a good idea. **McKinney** asked **Hall** and **Bird** to work on Article 4 and come back to us with recommendations so that we can get this figured out. **McKinney** suggests that we define vested rights as well as approved improved lots & unimproved lots. The Board discussed hiking and trail use within the buffer area. The

Board next discussed prohibited uses in the wetlands buffer such as septic systems and leach fields. Article 9 conflicts with Article 4 regarding variance vs conditional use permit. The Board will continue to work towards correcting and revising the proposed ordinance.

9:00 PM – Discussion on Detached ADU’s to Existing Ordinance

Berry motioned to table the discussion seconded by **Baker**. All in favor motion passed. Joan will send the approved ADU Ordinance to the Board for review.

9:10 PM – Other Business

The Board discussed the 271-acre parcel on Beech Hill Road. There has been activity going on and it has been made clear that they must come before the Planning Board for a subdivision before any portion of the parcel can be sold. There is some question as to what is being done on the land; the Fire Chief will be informed.

9:15 PM

The Board reviewed the minutes from July 28, 2020. **Berry** motioned to accept the minutes as amended seconded by **Bennett**. All in favor, motion passed.

9:20 PM

As there was no further business before the Board, **Bennett** motioned to adjourn seconded by **Berry**. **Spalding** abstained, the rest were in favor, motion passed.

Respectfully submitted,

Joan Cleary

Administrative Assistant