

MONT VERNON PLANNING BOARD

Mont Vernon, NH 03057

MEETING MINUTES –Tuesday, September 13, 2016

AGENDA

7:00PM Accessory Dwelling Units

7:30PM Rules of Procedure

8:00PM Town Center District

8:30PM Mail & Announcements

Review of minutes from 7/12, 8/9 & 8/23/16

8:45PM Other Business

9:00PM Adjournment

Seated: Bill McKinney, Chairman, John Quinlan, Annette Immorlica, Chip Spalding (seated 7:04pm), Bill Johnson, Jim Bird

Present: Dave Hall, Stephen Bennett

Absent: none

7:01 PM – Accessory Dwelling Units

McKinney called the meeting to order, and asked everyone present to stand for the Pledge of Allegiance. McKinney reviewed ADU edit suggestions made by board members. Spalding had suggested striking I 308.1, but McKinney disagreed and stated he felt a clearly defined purpose was necessary for the ordinance. Immorlica agreed. Immorlica asked about the use of the word “relief” in that section, and suggested options might be a better word than relief. Bird mentioned ADUs cannot be limited to relatives. McKinney stated the town can still state they are intended for relatives or in home care. Immorlica pointed out a grammatical error. Immorlica asked about kitchens; McKinney stated the new law is strict on that subject and that an ADU must have a kitchen and a bathroom. Spalding argued that would add to the cost for an ADU. McKinney stated that if a homeowner wanted to save money they could add a bedroom to a house for an aging parent, but it wouldn’t be considered an ADU. Bird pointed to the wording in the new law which calls for “including provisions for sleeping, eating, cooking and sanitation.” Immorlica next pointed out the DES reference suggested by Spalding, and stated she liked its inclusion. Spalding mentioned he ran into the Building Inspector in the parking lot, and the Building Inspector pointed out the term “semi-independent” in the current draft should actually be “independent”. Bird stated it was important to not conflict with the State definition. Spalding also stated the Building Inspector mentioned not excluding an ADU being a rental. McKinney pointed out the language which states an ADU is not intended as a rental unit, which is okay because it is not a restriction. Immorlica motioned to accept the current draft of ADUs as amended, and to hold a public hearing on October 11th. Bird seconded. All were in favor, the motion passed.

Action Items:

McKinney to get final draft of ADU regulations to the Administrative Assistant

Administrative Assistant (AA) to complete notifications necessary for ADU hearing on Oct. 11

7:27 PM – Rules of Procedure

McKinney reviewed suggested edits from board members. Spalding argued that requirements for board members and alternates should be the same. McKinney stated alternates attendance is suggested but not required. McKinney agreed to shorten item 4 to state that all members are appointed by the Board of Selectmen. Hall asked about limiting the capacity of an alternate in paragraph 5. “Participate with the board in a limited capacity”. Bennett pointed out that means an alternate who is not seated cannot vote. Bird suggested that during a hearing that only seated board members be sitting up front. McKinney stated alternates have limited powers unless they are seated. Bennett suggested adding wording which stated there would be no less than 1 meeting per month, and that meetings may be rescheduled by the Chair in case of emergency. Immorlica mentioned that once

an alternate is seated during a hearing that the alternate continues sitting on that hearing at future sessions even if the previously absent board member is present in the future. Immorlica stated this provides continuity for the Board. Hall agreed. Spalding noted the language on subdivisions and site plans is similar to RSA 676.4, and offered to go through our regulations and 676.4 to compare the two to see if they conflict. McKinney suggested pointing to our zoning, to III 301.1 & III 301.2, rather than 676.4. McKinney continued reviewing suggested edits; on page 5 Bennett suggested adding a mention of rebuttal by applicant. Bennett also suggested striking "written" from the line mentioning the decision being made within 65 days. Bennett stated that the board can make its decision during a hearing but then the written copy of the decision can be completed in the days following a hearing. Bennett mentioned the rule concerning minutes being available within 144 hours of a meeting/hearing. The AA mentioned the Zoning Board's procedure for filling out and signing the Notice of Decision the same evening as the hearing, so that the applicant may leave with a signed copy, and stated she has never filled out a Notice of Decision form for the Planning Board. Bird stated that the decision is noted in the minutes. Quinlan stated there should be a formal written document from the Planning Board outlining the board's decision. Bennett suggested noting a copy of the written decision should be given to the applicant. Spalding stated the zoning regulations, IV 605.5, address Notice of Decision, and that it could be cross referenced in the Rules of Procedure. Immorlica asked if the board was ready to move forward on the Rules of Procedure. McKinney stated he wants Bennett to review the latest edits and come back to the next meeting with any recommendations and then the board can vote on a final draft.

Action Item: Spalding to cross reference RSA 676.4 & Mont Vernon Zoning to confirm compliance with the RSA.

Bennett to review the edited Rules of Procedure and come back with recommendations.

8:03 PM – Town Center District Flyer

McKinney asked if the board had reviewed the flyer design, and stated it will be inexpensive to print black and white; McKinney stated the cost would be 1000 pages (2000 flyers) for \$45. 500 pages (1000 flyers) would be \$25. Immorlica recommended printing it on bright colorful paper. Hall asked if only Main Street residents would get the mailing. Immorlica stated it should go to all town residences. Bennett asked which meetings would the Public Input sessions be happening. Spalding suggested having them at the work session meetings on the 4th Tuesdays. The board debated having the flyers at Lamson Farm Day. Quinlan stated he felt it would be more effective to have it be a mailing. The AA noted there is \$350 in the advertising and printing budget line. Quinlan stressed the importance of the mailing being visually interesting, otherwise it will go directly from the mailbox to the garbage can. Quinlan stated he felt the current design was poor. The AA offered to attempt a more visually interesting flyer. Johnson suggested adding a photo to help make it more interesting looking. The board discussed the budget and funding of a flyer. Immorlica suggested making a motion for the board to authorize McKinney to spend up to a certain amount on the flyer production and mailing. Bird suggested starting a discussion on the Town Center district on Mont Vernon Chatter. Johnson asked how many residences would be receiving the mailing. The AA stated she would check with Laurie Brown. Further discussion on the photograph and wording was held. Immorlica questioned how much the mailing would cost. Hall offered to take a photograph of Main Street and suggested #MVMainStreet as a hashtag to use on the promotional materials. Immorlica pointed out not all residents are tech savvy for hashtags. Quinlan noted he was concerned about residents getting confused with the Town Center Zoning and what the Building Committee is doing. McKinney stated he didn't feel the Building Committee will have any big initiatives for Town Meeting for this year. Bird suggested modeling the Planning Board's efforts on the Town Center district on what the Building Committee did last year at Town Meeting, as that was well presented. McKinney asked Spalding, Hall and Bird to work with the AA on re-creating the flyer. Bennett reminded the board that they can't vote on anything unless they are in a meeting. McKinney stated the board can authorize the spending limit at this evening's meeting, and then the flyer re-creation can happen outside the meeting and the final can be sent to McKinney. Immorlica motioned to authorize McKinney to spend up to \$500 for design, printing and distribution of the flyer. Quinlan seconded. All were in favor, the motion passed.

Action Item: AA to get number of residences from Laurie.

AA to work on re-design of flyer and get draft to Bird, Immorlica and Hall & final to McKinney.

8:46 PM Town Center District draft

McKinney reviewed the latest changes to the draft of the Town Center District, including permitted uses, reconstruction of non-conforming structures, and change of use. The board had a discussion on a change of use. McKinney stated he didn't like that the ZBA approval is required, as that defeats the whole purpose of the Town Center District. Hall and Bird agreed. Bird suggested striking that paragraph. McKinney agreed. Bird suggested that paragraph 5 stated that newer expanded non-residential structures, in general, shall not exceed (to be determined) size. Bird suggested the size be determined by averaging the size of the largest 10% of the structures in the district. Immorlica reminded the board of a comment made at an earlier meeting where Bird mentioned to have the enabling part of the new zoning in the Zoning Regulations and the regulations in the site plan review so that the Planning Board would have the authority and responsibility to issue waivers. Immorlica asked if the board was too far along to consider making a split like that at this point. Immorlica suggested placing up through I 408.2 in the Zoning, and I 408.3 onward in Site Plan Review. Bird stated there's nothing wrong with creating a new section. Spalding agreed, and mentioned IV 1005.1 which gives the Planning Board the ability to waive requirements. Bird suggested adding a new section, IV 1200, which would be what had been I 408.3 and onward. Immorlica also pointed out the Zoning section would still have to go before Town Meeting, but the section placed in the site plan review would not, that it would just need a hearing. Bird stated it would be worth still sharing the information of what's being added in the Non-Residential Site Plan review at Town Meeting. McKinney stated that these suggested changes make sense. Spalding pointed out that setbacks are typically described in the zoning. Spalding cited Table I 304.2 which outlines all the specific lot and yard requirements and setbacks in the differently zoned areas in town. Spalding suggested adding the requirements for the Town Center District in that Table. Bird agreed, and suggested creating District 6, Town Center District, to create consistency. Bird mentioned changing District 5 to say Land Bordering Route 13, exclusive of Town Center District. Immorlica expressed concern that all these changes might be too confusing and that people wouldn't vote for it. Johnson stated he feels like it all makes sense. Immorlica's concern stems from all the different locations in the zoning where changes were being made. The AA pointed out that most residents have never looked at the Zoning Regulations Book, so it won't matter to them where the information is being placed. The Planning Board just needs to do a thorough job of explaining what all the new information means. McKinney mentioned that most people vote bottom to top: what's the tax impact, who supports it, and then what is it. Something with a zero dollar impact with board support is more likely to get voter support. Quinlan stated that the AA is right; it won't matter to have things split. Spalding stated the original draft of the Town Center district was modeled on the Limited Commercial District zoning, which is how it ended up all described together. McKinney summed up the discussion: Town Center District would still be I 408.1, covering purpose and intent, characteristics, permitted uses. Building, site coverage and setbacks would go into the Table I 304.2, as District 6. District 5 would also be amended to exclude the Town Center District. Immorlica expressed concern over the time remaining to hold Public Hearings. Bird stated there is still time to make changes, right up until the last hearing. The board next discussed usage on lots up to 5 acres. McKinney pointed out the 70% includes everything; the structure, parking lot, etc. Spalding stated some might, on first read, only think of structure size. Hall asked if the parking lot is included as part of the structure. McKinney stated the parking lot falls under impervious surface. Hall asked then if someone could build a building that is 2.5 acres in size on a 5 acre lot. McKinney stated no, the buildings would be limited by square footage. There could however, be more than one building that is up to the maximum size. Johnson stated it makes the most sense to establish a maximum square footage size. Bird stated basing the maximum on an average of what's already existing on Main Street makes sense, and pointed out the board would be able to waive the size if appropriate. McKinney looked up the sizes of some properties in the Main St. area; 2 Smith Road is 6368 square feet. 2 Blood Road is 4438 square feet. Immorlica suggested looking at the sizes of the largest and smallest and getting the median from that. Johnson stated the size should be based on footprint rather than living area square footage. Hall suggested a 4,000 square foot footprint as a maximum size. McKinney pointed out this limit would only apply to non-residential structures. Hall stated property cards could be looked at to see the footprint of houses on Main Street. McKinney suggested taking the 3 largest buildings and average it out; the Inn, 2 Smith and 2 Blood Road. McKinney asked Bird for a copy of his notes so McKinney could share these new proposed changes with Jen at NRPC. Immorlica asked if the board would be going with Option 1 or Option 2. McKinney stated that if the board is limiting the size of non-residential structures, Option 2 is not needed. Immorlica asked what the square footage of Town Hall is. Quinlan estimated around 4800 square feet. Immorlica stated a limit of 5000 total square footage seems like a reasonable limit, pointing out that the board could always waive it. Immorlica

stated that size would send the message that the Planning Board wants developments to be small scale. Johnson liked the idea of the average of the 3 largest buildings as a starting point.

9:48 PM Mail & Review of Minutes

The AA presented mail concerning a field day event from the Sustainable Forestry Initiative on Saturday September 23rd. The AA mentioned an email from Chad Branon asking about deadlines for the October meeting. The AA replied to Mr. Branon so he knows the deadline to submit a new abutter's list and any new plan materials is September 21. The Zoning Board is holding a hearing on Sept. 20 for a special exception to run a home daycare in a home on Kittredge.

The board reviewed minutes from previous meetings. McKinney noted the error from the 7/12 minutes has been found and fixed. McKinney motioned to accept the 7/12 minutes as amended, Immorlica seconded. All were in favor, the motion passed. The board next addressed the 8/9 minutes. Quinlan motioned to accept the minutes. Immorlica seconded. All were in favor, the motion passed. Spalding and Johnson abstained. The board next addressed the 8/23 minutes. McKinney had one edit. Quinlan motioned to accept the minutes. Spalding seconded. All were in favor, the motion passed. Johnson abstained.

9:54 PM

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

Respectfully submitted,
Amy Wyman
Planning Board Administrative Assistant