

PLANNING BOARD MINUTES
November 22, 2010

APPROVED:

AGENDA: WORKSHOP: PROPOSED ZONING AMENDMENTS
 STEEP SLOPES ASSISTANCE FROM STEVE WHITMAN,

ATTENDING: Dan Paradis (Chairman), Elizabeth Seeler (Vice Chairman), Murray Campbell,
 Janice DellaCroce, Clay Dingman

ABSENT: Phil Dion (Selectman Rep. – conflict), Denice DeStefano (work), Steve Favorite
 (Alternate - away)

OTHER: Steve Whitman (Jeffrey Taylor Associates), Boyd Smith (Newfound Lake
 Region Commission/NLRC)

The meeting opened at 7:00 p.m. Mr. Paradis introduced Mr. Whitman to the Board.

Mr. Whitman stated that he has been visiting the NLRC towns dealing with Steep Slopes and Erosion Issues. He has already met with Hebron and Bridgewater and is to see Alexandria and Groton. Mr. Whitman then presented two draft maps: one on Steep Slopes and one highlighting Highly Erodible Soils. These were looked at and found to be very useful. Mr. Whitman then gave them to the Board for their use.

Bristol's Steep Slopes Ordinance was then addressed. Mr. Whitman asked if we have had any cases or feedback on it. Mr. Paradis stated that we have had no cases but Alan Barnard, surveyor, expressed concern that it is cumbersome for the town and difficult for an applicant. Mr. Whitman stated that he finds that it covers most issues well. He only had minor suggestions for the Board to look at:

 B. Applicability (Article IV, Section 4.17, page 29).

Mr. Whitman suggested that the Board look at something for highly erodible soils. He stated that we do it by percentage, by acreage, erodible soils, or all three. He suggested that the Board could use the web soil survey to determine. This shows soils on individual lots.

Mr. Smith asked if Bristol Boards see test pit data. Mr. Paradis answered that we leave that to the State. Mr. Whitman said that the Board can ask for an Order One Soil Survey for all Site Plans and Subdivisions and, if there are highly erodible soils, they can request the use of best management procedures (silt fencing, hay bales, etc.).

Mr. Whitman also suggested that the Board define Steep Slopes and added that Hebron has a very good definition that we might want to look at. He continued by saying that we should also put something about the Order One Soil Survey in the Zoning Ordinance as well as in Site Plan/Subdivision Regulations.

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STEVE WHITMAN ASSISTANCE continued:

Mr. Whitman asked why the Board had erosion siltation for the Pemi-Overlay only. Mr. Paradis explained that we created the Pemi-Overlay as that river was not included in Shoreland Protection at the time. Mr. Whitman feels that erosion siltation should be addressed for the Lake District, as well. Also, put best management practices in the Site Plan/Subdivision Regulations.

Mr. Paradis mentioned that Mr. Barnard did not like our regulations for 10% driveways. Mr. Whitman disagreed with Mr. Barnard's objection, stating that this is good to keep. Mr. Campbell asked how Bristol can control the Ordinance (without codes or occupation permits). Mr. Whitman answered that questions on steep slopes and erodible soils could be included on the building permit. He will send the Board a memo on tonight's advise and questions raised and will also include some language suggestions for the Board to look at.

Mr. Whitman stated that he likes our 10,000 sq. ft. trigger and the related envelope. 25% grade with no structures is great, he added. Mr. Paradis mentioned Corey Johnston's project on Route 104 East and Ms. DellaCroce mentioned the area above Red Fox. Mr. Campbell spoke of one property in which they have put in 21' of fill and then planted junipers to hold the soil. Mr. Whitman suggested asking for existing soils and also proposed soils to cover situations like this. Mr. Campbell then mentioned another property where they blasted so as to create a level plateau. Mr. Whitman felt that, in a case like that, we should get the applicant in before blasting and have them supply a performance formation. Mr. Smith added that it is typical of Boards to ask for a Soil Surveyor, etc. Mr. Paradis stated that we have but that is if they come to the Board. We only deal with Site Plans and Subdivisions, not individual residences. Mr. Whitman suggested that this be on the building permit also and the Land Use Officer could send any that fall into this category to the Board. Mr. Paradis questioned an example where the Site work was done before they apply for a permit.

Mr. Smith stated that the NLRC's charter is for protecting the lake water, including the water shed. It is always a good argument for protecting the lake. He added that siltation causes abating properties, which increases taxes.

Mr. Whitman stated that he is working with a couple of people on a one page document on erodible soils. He added that, if the Board has further questions he is willing to come back and speak with us. Mr. Dingman asked about a contrast map with property lines shown. Mr. Whitman will ask about the possibility of getting this. Mr. Paradis thanked Mr. Whitman for coming in to speak with us.

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PROPOSED AMENDMENTS:

There are 5 proposed amendments of which the Board discussed changes to 2 of them at our last meeting.

Amendment #2. Ms. DellaCroce had questioned building height as a problem. Mr. Paradis mentioned that this is in the Lake District. Ms. DellaCroce felt that the removal of “or non-residential use” would be sufficient (Article IV, Section 4.4 Building Height). Mr. Paradis felt that this makes sense and the Board agreed. Next, Mr. Paradis distributed rewording proposed for a new Article IV, Section 4.18: “Accessory buildings are permitted provided setback and lot coverage by structure requirements are met and are exempt from minimum lot size requirements.” The Board agreed with this change.

Amendment #5. Mr. Paradis explained that the change proposed is as he had sent by e-mail: the addition of “the area of the illuminated portion of the sign shall not exceed two (2) square feet”. The Board agreed to this.

A discussion of heights of accessory buildings followed. Mr. Campbell likes a height of 13’. It was felt that this is needed more for the Lake District. Ms. DellaCroce stated that it is a fine line between someone’s view and owner rights. She used an example of the elderly housing building which could put up a 35’ accessory building as we have it now. Mr. Paradis felt that the reason for the Ordinance is for view and sense of scale. Ms. DellaCroce felt that it should be town-wide and it might bring in various thoughts. Following discussion, the Board determined to add “Accessory buildings are limited to a building height of 15 feet.” To the end of the new Section 4.18 and to change the last sentence of the proposed 4.12.C,3 by replacing it with “Accessory buildings are limited to a building height of 15 feet.”

The proposed amendments were then brought to a vote:

Amendment #1. Lake District Restrictions: C. Dingman made a MOTION, second by J. DellaCroce, to BRING THE REVISED AMENDMENT #1 TO A PUBLIC HEARING ON DECEMBER 22, 2010. The motion CARRIED.

Amendments #2. Accessory Buildings: C. Dingman made a MOTION, second by J. DellaCroce, to BRING THE REVISED AMENDMENT #2 TO A PUBLIC HEARING ON DECEMBER 22, 2010. The motion CARRIED.

Amendment #3. Signs/Time & Temperature: C. Dingman made a MOTION, second by E. Seeler, to BRING THE PROPOSED AMENDMENT #3 TO A PUBLIC HEARING ON DECEMBER 22, 2010. The motion CARRIED.

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AMENDMENT VOTES:

Amendment #4. Signs on facades: C. Dingman made a MOTION, second by E. Seeler, to BRING THE PROPOSED AMENDMENT #4 TO A PUBLIC HEARING ON DECEMBER 22, 2010. The motion CARRIED.

Amendment #5. Illuminated Signs: C. Dingman made a MOTION, second by E. Seeler, to BRING THE PROPOSED AMENDMENT #5 TO A PUBLIC HEARING ON DECEMBER 22, 2010. The motion CARRIED.

MINUTES OF NOVEMBER 10, 2010:

The following amendments and clarifications were made:

Page 1, under AGENDA, correct "Sneider" to "Schneider".

Page 2, to "Wireless Checklist" add "Based on the Zoning Ordinance". 4th paragraph, #1. add the sentence, "May be part of RF engineer's affidavit presented tonight." Between #6 and #9, add "#7. If proposing a new facility = Evident no existing structure within 2 miles of town borders is suitable. May be included in RF engineer's affidavit presented tonight."

Page 3, #36, at end add "Planning Board is empowered to regulate."

Page 4, 2nd paragraph, 1st line, delete "continue the hearing" and insert "conditionally deem the application to be complete." Line 2, delete "continue" and replace with "do so". 6th paragraph, correct "Gustasson" to "Gustafson".

Page 5, 2nd paragraph, correct "Gustasson" to "Gustafson". 4th paragraph, 1st line, insert "Vice" before "Chairman". 3rd line, change "DCS" to "PCS". 5th paragraph, 1st & 3rd line, fill blank spaces with "Tapply". 6th paragraph, 1st line, fill in blank space with "Tapply". 7th paragraph, 1st line, change "Ma." to "MA."

Page 6, 4th paragraph, 1st line, replace "Sally" with "Susie". 5th paragraph, 2nd line, replace "there is nothing to show that they have looked at other locations." and replace with "the information they provided shows that all other towers are less than 102'." 6th paragraph, last line, replace "done" with "down".

Page 7., 3rd paragraph, as well as the 6th paragraph, replace "Dec. 12, 2010" with "Dec. 8, 2010". 7th paragraph, correct "Sneider" to "Schneider".

Page 8, 5th paragraph, 3rd line, replace "non-conforming" with "conforming".

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MINUTES continued:

Page 9, under CIP, 2nd line, replace “moveable working room” and replace with “maneuverable attendant room.” 4th line, replace “would be able to contact the hospital early on.” With “will be able to contact doctors to perform procedures while enroute to the hospital.” Line 5, following “off” insert “inspect it, perform any necessary repairs and then place it on a new chassis.” Delete the last 2 sentences and replace with “Chief Yannuzzi has found that, though such a replacement is possible, it is not cost effective. The best replacement is a new ambulance at a cost of \$150,000.”

M. Campbell made a motion, second by C. Dingman, to approve the minutes as amended. The motion carried.

COMMUNICATIONS:

A request for Project Review by the NH Division of Historical Resources was received and thought to be just to share with the town. It has to do with a project being done by Freudenberg NOK at 450 Pleasant St. There was also a copy of a Notice of Violation for Arthur and Marsha Elder for an outside display of merchandise at 212 Summer St.

REPORTS:

HDC: No meeting as yet.

Selectmen: ----

CIP: Mr. Campbell reported that they have finished their video and it will be on the web shortly. They shall also have the booklet on the web soon.

NEXT MEETING: The next Planning Board meeting will be held Dec. 8th at the Old Town Hall at 7:00 pm. On the agenda to date are: Cont. Compliance for Zareas, Cont. Site Plan for Maxton Tech., Cont. Subdivision for Habitat, a Site Plan for Crail Holdings, and a PCC for the Library.

With no other business, E. Seeler made a motion, second by M. Campbell, to adjourn at 8:55 p.m

Respectfully submitted,
Jan Laferriere, secretary