

PLANNING BOARD MINUTES

December 22, 2010

APPROVED as amended & clarified:

1/26/11_jrl_____

AGENDA: PUBLIC HEARING ON PROPOSED ZONING CHANGES
WORKSHOP

ATTENDING: Dan Paradis (Chairman), Phil Dion (Sel. Rep.), Murray Campbell, Janice DellaCroce, Denice DeStefano, Clay Dingman

ABSENT: Elizabeth Seeler (Vice Chair - away), Steve Favorite (Alternate)

OTHER: Michael Capone (Town Administrator), Paul Fraser, Marcia Morris (Enterprise)

The meeting opened at 7:00 p.m.

PROPOSED ZONING AMENDMENTS:

Amendment #1: Section 4.12,C,1,a and 4.12,C,3,a

Mr. Paradis mentioned that C1 is for repair or replacements to non-conforming structures and C3 is for new construction to non-conforming structures. Atty. Waugh, Town Attorney, asked if the intent is for all lots and Mr. Paradis said that he has no problem with that intent. He added that the whole section is dealing with non-conforming structures. He feels that the comment from Ms. Bonsteel, Land Use Officer, is not necessary due to the previous sentence in the amendment and that lots are addressed in another section. The height of Accessory Structures is all over and there is a problem when a subject is covered in more than one place when an amendment is made. Therefore, Mr. Paradis would like to delete the last sentence in the proposed C3a and place this under Accessory buildings.

Mr. Fraser commented that if you were to put a garage in place of a carport and it meets all setbacks and coverage requirements, you could not have a recreation room over the garage (he mentioned that this is what he would like to do and, with this amendment, he would only be allowed to do this if it was attached to the house. He would not be allowed to do this if the garage is free-standing. He questioned how much would have to be attached. Mr. Paradis stated that the concern was to keep from blocking views and for air circulation. This is why the Board made it only available by Special Exception. Mr. Paradis then mentioned that Ms. Bonsteel asked to consider barns as an accessory; attached or not, it is an accessory building. A discussion followed. Mr. Paradis read the definition of Accessory Buildings. The Board decided that they should change the height to 20'.

C. Dingman made a MOTION, second by D. DeStefano, to BRING AMENDMENT #1 TO A SECOND HEARING ON JANUARY 26, 2011. The motion CARRIED.

Planning Board Minutes
12/22/10

PROPOSED ZONING AMENDMENTS continued:

Amendment #2: Article 4.4, and 4.18

In 4.4, it was determined to insert “non-residential before “agricultural” and to delete “or non-residential”. In 4.18, change “fifteen (15) feet” to “twenty (20) feet” and add “except for those types of structures specifically exempted from building height restrictions in article 4.4.”

Mr. Paradis mentioned that Ms. Bonsteel was questioning partial agricultural and partial residential in 4.4. Mr. Dingman pointed out that the word “exclusively” in the last line would cover this. Ms. DellaCroce asked about a caretaker residence and whether or not that would be considered agricultural. Mr. Paradis felt that there will always be exceptions and Mr. Dingman mentioned inserting non-residential at this point and the Board agreed.

Mr. Campbell was concerned about people who change a barn into living space without getting a permit. Mr. Dion felt that this is a mute point as everyone is supposed to get a permit and some do not, try as we might to oversee this. Ms. DeStefano added that it is promulgated for people who follow the rules.

C. Dingman made a MOTION, second by J. DellaCroce, to BRING AMENDMENT #2 TO A SECOND PUBLIC HEARING ON JANUARY 26, 2011. The motion CARRIED.

Amendment #3: Article 4.11,D

Mr. Paradis noted that Atty. Waugh is okay with this.

C. Dingman made a MOTION, second by D. DeStefano, to BRING AMENDMENT #3 TO THE MARCH BALLOT. The motion CARRIED.

Amendment #4: Article 4.11,K

There is a questions about the word “facades” Mr. Paradis felt that this addresses businesses on a corner such as the bank and the buildings on the Square. He cannot imagine that it would be a big problem. Mr. Dion felt that it should be frontage instead of in view. The Board determined to place “abutting” in place of “clearly visible from”. Mr. Dingman asked if “façade” should be added to the definitions (it was a subject discussed in the HDC meeting). Mr. Paradis felt that it is in the dictionary for anyone who needed it.

C. Dingman made a MOTION, second by D. DeStefano, to BRING AMENDMENT #4 TO A SECOND PUBLIC HEARING ON JAN. 26, 2011. The motion CARRIED.

Planning Board Minutes
12/22/10

PROPOSED ZONING AMENDMENTS continued:

Amendment #5: Article 4.11,E

Atty. Waugh is okay with this amendment, as well. Mr. Dion felt that we need to replace “clearly visible from” with “abutting” as we did in the previous amendment. The Board agreed.

C. Dingman made a MOTION, second by D. DeStefano, to BRING AMENDMENT #5 TO A SECOND PUBLIC HEARING ON JANUARY 26, 2011. The motion CARRIED.

WORKSHOP:

Amendment #6: Article XIII map

Mr. Paradis explained that we removed “buffer” from a portion of the Article but forgot to include the captions under the map. This amendment will clear that up.

C. Dingman made a MOTION, second by J. DellaCroce, to BRING AMENDMENT #6 TO A PUBLIC HEARING ON JANUARY 26, 2011. The motion CARRIED.

Jeff Taylor & Associates Suggestions: Steep Slopes and Highly Erodible Soils

Mr. Paradis feels that the Board needs more time on this and would like to table it. He appreciates the suggestions but feels that the Board does not have enough time to thoroughly understand it. Ms. DeStefano felt that we should work on it over this next year and Mr. Dingman and Ms. DellaCroce agreed.

MINUTES OF DECEMBER 8, 2010:

The following amendments and clarifications were made:

Page 1, under Continued Site Plan: Maxton Technologies Inc., 2nd line, insert “RF Engineer’s” before “affidavit”. 5th line, delete “and GSM”. 7th line, insert “it” following “may want”.

Page 2, 4th paragraph, 9th line, delete “Board” and replace with “Commission”. 12th line, delete “this” and replace with “the Bristol Hill”. 5th paragraph, 6th line, replace “is very broad” with “of the search was specified very broadly”. 6th paragraph, 2nd line, replace “for the RF as well” with “whether this site would support Bristol’s services need.”

Page 3, 3rd paragraph, 1st line, replace “read” with “summarized”. 6th paragraph, 6th line, following “landscape” insert “is in the eye of the beholder.”

Page 5, 4th paragraph, 8th line, delete “the 90 sq. ft.” and replace with “90 sq. ft. of the required area for four units”.

Page 6, 3rd paragraph, 2nd line, following “#12” insert “THE MINIMUM” and replace “HEIGHT” with “AREA”.

D. DeStefano made a motion, second by M. Campbell, to approve the minutes of Dec. 8, 2010 as amended. The motion carried.

Planning Board Minutes
12/22/10

REPORTS:

Historic District Commission: Mr. Dingman explained that they met last week and worked on design standards on signage. They are about ready for the CLG (Certified Local Government) status. The application will probably be sent out this week.

Selectmen: Mr. Dion reported that they presented their budget to the Budget Committee this week. He thought that Mr. Capone could explain. Mr. Capone stated that the Planning Board, Zoning Board, and Historic District Commission budgets were left intact as the Boards/Commission presented. Mr. Dion assured the Board that he will have a substitute to fill in for him at the next meeting.

Capital Improvements Program: Mr. Campbell had nothing new to present.

NEXT MEETING:

The next meeting will be held January 12, 2011 at the Old Town Hall at 7:00 p.m. On the agenda are: a PCC with the Minot Sleeper Library, Cont. Compliance for the Zareas', Cont. Site Plan for Maxton Technologies Inc., Cont. Subdivision/Merger for Pemi-Valley Habitat for Humanity, and Compliance for Crail Holdings LLC.

OTHER:

Ms. DellaCroce felt that the Zareas' not showing up and not sending in a note needs to be addressed. Mr. Paradis stated that it is only delaying their project. Ms. DellaCroce feels that it is not fair to the public/abutters and she sees a trend developing. Mr. Paradis suggested that a letter be sent to remind them. Ms. DeStefano agreed and felt that it should say that we have continued their compliance twice and will not do it again without hearing from them. This was agreed to.

With no other business, D. DeStefano made a motion, second by C. Dingman, to adjourn at 8:22 p.m.

Respectfully submitted,
Jan Laferriere, secretary