

PLANNING BOARD MINUTES
November 30, 2011

APPROVED as AMENDED & CLARIFIED:
12/14/11_jrl_____

AGENDA: PCC: AMY JACQUES & DANIEL MOORE
PUBLIC HEARING ON 2012 PROPOSED ZONING AMENDMENTS

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

ABSENT: Phil Dion (Sel. Rep.), Steve Favorite (alternate – FEMA)

OTHER: Michael Capone (Town Administrator), one lady from the public

The meeting opened at 7:00 p.m.

PCC: AMY JACQUES/DANIEL MOORE

Mr. Moore stated that they wish to open a store at 11A Pleasant St. (where the Dollar Store was). They will sell only American made items. Doug Norton owns the building and they want to know what they must do in order to open. As it is one allowed use to another, the Board felt that, unless they had specific things, there would be no need of them to come before Planning. Mr. Capone added that they would need a sign permit. Mr. Moore stated that their intended sign would be smaller than what is required as a maximum. Mr. Paradis explained that Mr. Dingman is also the Chairman of the Historic District Commission and he could answer any of those issues. Mr. Dingman asked what they want to do. Mr. Moore stated that they would be looking to do window dressing (posters, displays, etc.). Mr. Paradis said that the only issue he could see is the sign permit and he suggested that they look at the Zoning Ordinance on signs (Section 4.11) which is on line. Mr. Dingman added that neon signs are not allowed and referred them to the Historic District section of the Zoning Ordinance, as well.

Ms. DellaCroce asked about hours of business and Mr. Moore answered that they would be looking at 10:00 to 7:00 except Friday, which would be 10:00 to 8:00 they expect. They will play music inside but not too loudly.

Again, Mr. Paradis stated that this is one allowed use to another and, in this District, there are no parking requirements. Mr. Dingman mentioned that they should look at the Design Guidelines of the Historic District, as well. As to the sign, the land use officer (at present, Mr. Capone) can approve a sign if it is within the Zoning Ordinance regulations and Guidelines. If not, they would need to come in for a hearing. Ms. Jacques mentioned that the sign can be on two sides and Mr. Dingman said that signs come under Planning Board. Mr. Paradis read the regulations regarding hanging signs and added that the Historic District of the Zoning Ordinance is in Article 13. Mr. Moore mentioned that there is an electrical outlet on the front of the building.

Planning Board Meeting
11/30/11

JACQUES/MOORE PCC continued:

Mr. Moore asked about having a flag and/or open sign and the Board had no problem with this. Ms. DellaCroce asked if there will be any exterior changes and was told that there will not be. Mr. Moore and Ms. Jacques are from Grafton. The Board spoke a bit about the coming Town Square changes that we hope will add to business. Mr. Moore said that they hope to open January 8th and have an Elvis sale.

MINUTES OF NOVEMBER 9, 2011:

The following amendments and clarifications were made:

Page 2, Under Minutes, 1st paragraph, last line, replace “key” with “keyed”.

Page 3, 4th paragraph, 1st line, replace “that he put up to 20%” with “that he specified up to 20% of the prescribed spaces”. Also, in the 4.17E title, add “Steep Slope/Parking Lot Provision” following “Performance Standards”.

Page 4, 1st paragraph, External Lighting, 1st line, replace “mentions” with “defines”. Under Site Plan Regulations, 1st paragraph, 2nd line, delete “he has put” and “this in Site Plan and only 2 sections in the Zoning Ordinance.” Beginning with “90% of” replace the rest of the sentence with “the sample Architectural Standards were addressed through Site Plan.”

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

PUBLIC HEARING:

Amendment #1. Section 10.7.3 Cell Tower Heights = The Board determined to use the language suggested by Attorney Waugh (town attorney). Section 10.3.3 is to remain the same.

D. DeStefano made a MOTION, second by C. Dingman, to BRING AMENDMENT #1 AS AMENDED TO A SECOND PUBLIC HEARING TO BE HELD DECEMBER 28, 2011. The motion CARRIED.

Amendment #2. Section 10.8.7 Cell Tower Driveways = Ms. DeStefano suggested that the word “NEW” be dropped and the Board agreed. The Board then determined to insert the suggestion from Attorney Waugh.

D. DeStefano made a MOTION, second by C. Dingman, to BRING AMENDMENT #2 AS AMENDED TO A SECOND PUBLIC HEARING ON DECEMBER 28, 2011. The motion CARRIED.

-2-
Planning Board Minutes
11/30/11

PUBLIC HEARING continued:

Amendment #3. Section 6.4 Building Permits = This was acceptable as is by Attorney Waugh.

D. DeStefano made a MOTION, second by C. Dingman, to BRING AMENDMENT #3, AS READ, TO THE BALLOT FOR A VOTE IN MARCH. The motion CARRIED.

At this point, the only public in attendance left.

Amendment #4. Section 4.20 Dark Skies = Mr. Dingman had e-mailed a new version after reading Attorney Waugh's suggestion. The Board looked over both. Ms. DeStefano questioned D4. the definition for Light pollution in the case of a hanging sign. It was determined to eliminate "mounted on top of the sign structure". Ms. DellaCroce questioned B1 when lighting a flag. It was felt that a flag is an exception and, under E, the following was added:

"2. Lighting of American flags is exempt from the use of full cut-off luminaries. Such lighting will not create light trespass or glare."

It was also felt that the word "light" should be written as "lighting" in two other places so as to be consistent. Ms. DeStefano felt that the modifications will be okay unless we have someone who comes in with a problem later on.

E. Seeler made a MOTION, second by M. Campbell, TO BRING AMENDMENT #4, MR. DINGMAN'S VERSION WITH MODIFICATIONS, And And AND TO A SECOND PUBLIC HEARING ON DECEMBER 28, 2011. The motion CARRIED.

Amendment #5. Section 4.19, 3.2H.5, and 8.130a Erosion and Sediment Control = The Board determined to include the suggestions made by Attorney Waugh.

C. Dingman made a MOTION, second by D. DeStefano, to BRING AMENDMENT #5, AS AMENDED, TO A SECOND PUBLIC HEARING ON DECEMBER 28, 2011. The motion CARRIED.

Amendment #6. Section 4.5 B Parking Requirement = The only comment by Attorney Waugh was in regard to the wording to be placed on the ballot.

C. Dingman made a MOTION, second by D. DeStefano, to BRING AMENDMENT #6 TO THE BALLOT FOR VOTE IN MARCH. The motion CARRIED.

As the Board felt that #7 will require much discussion, they moved to Amendment #8 first.

Planning Board Meeting
11/30/11

PUBLIC HEARING continued:

Amendment #8. Section 3.2H.3 Comprehensive Shoreland Protection Act = The State has changed this name to Shoreland Water Quality Protection Act and this is only to make the same change in our Ordinance.

Amendment #7. Section 4.17E Steep Slope Parking Lot Revision = Mr. Paradis explained that Attorney Waugh's office approved the original writing year's ago. As Attorney Waugh himself says that he is often more strict, he has sent several comments. Mr. Paradis asked the Board if they will want to work on this next year or have it ready for a public hearing by January. Mr. Dingman felt that the Board should work on it now as a lot of what Attorney Waugh says sounds like he doesn't understand. Mr. Paradis stated that it was done by the model ordinance. The Board agreed with Mr. Dingman and Mr. Paradis thought that we could talk with Attorney Waugh at the legal update meeting. Mr. Dingman suggested that the Board read through everything and discuss it at the next meeting.

A discussion began and it was determined that Attorney Waugh's first two bullets can be explained to him. As to the 3rd bullet, the Board determined to use Attorney Waugh's second sentence (to E.3). The last bullet, the Board is going to ignore as they felt that this shows a misunderstanding on Attorney Waugh's part.

D. DeStefano made a MOTION, second by C. Dingman, to BRING AMENDMENT #7 AS AMENDED TO A SECOND PUBLIC HEARING ON DECEMBER 28, 2011. The motion CARRIED.

COMMUNICATIONS: The Board looked at the 2 DES Notices: Cumberland Farms and the Musgrove Bridge triangle as well as a permit for Patricia Thurber. The Town & Country magazine will be in the office. Mr. Paradis received a letter from Dave Jeffers asking how we have used their book. He would like an answer by January 12th. Mr. Paradis will forward a sample answer to the Board and asks their help to finalize it.

OLD BUSINESS, REPORTS:

HDC – Mr. Dingman stated that they have not met. The next meeting is slated for Dec. 13th. They have received a signed letter for CLG.

Selectmen – No-one in attendance.

CIP – We are waiting for confirmation of our 2012 meeting dates. Mr. Paradis asked Mr. Campbell to write a short blurb for the town report.

Planning Board Minutes
11/30/11

NEW BUSINESS:

Mr. Capone had a couple of questions: In the Industrial zone, would a medical facility be allowed? If it is just offices, it would be. Medical Facilities, with x-rays and other procedures are allowed in the Village Commercial and Downtown Commercial Districts and by Special Exception in the Lake District.

Does the Zuramba Group need to go to the Conservation Commission? Mr. Paradis explained that the Steep Slope requirements apply and therefore needs the Conservation Commission.

Signs, one sign per lot? The Board answered one sign per side facing a road. Mr. Capone asked about a free standing sign. Mr. Paradis stated that, in that case, 1 sign for each business with a limit of size for each. Mr. Capone then asked if they can have a free standing sign at each exit and the Board said it is a maximum of 2 signs.

Mr. Capone then asked about Wicom Rd./Red Sun as he has an abutter that claims cutting is going on in the buffer zone. He asked if anyone knows of this buffer. The secretary answered that there is a buffer zone and she will research the subdivision for him.

Mr. Capone then asked the Board to let him know what date they would like him to schedule for Attorney Waugh's legal update meeting. He also mentioned RSA674AA on involuntarily merged properties. They have to appear before the Planning Board.

Ms. DellaCroce asked about the tax rate. Mr. Capone thought it to be around \$20.17 per thousand. They hope to get the bills out Friday. Though the town has not increased, it is the local school and County that have gone up.

NEXT MEETING: The next Planning Board meeting will be held on December 14, 2011 at 7:00 p.m. Scheduled is a Site Plan for Jonathan White Realty LLC.

With no other business, C. Dingman made a motion, second by E. Seeler, to adjourn at 8:50 p.m.

Respectfully submitted,
Jan Laferriere, recording secretary