

1 FINAL

2 Minutes of the Planning Board Hearing

3 November 9, 2021, at the

4 Meeting House

5 Members Present

6 Kent Ruesswick (Chair), Anne Dowling, Greg Meeh, Joshua Gordon, Lucy Nichols,  
7 Cheryl Gordon (BOS rep)

8 Members absent

9 Scott Doherty (Vice Chair), Hillary Nelson (alternate)

10 Others Present

11 Bryan Bailey LLS, Donald Pare, David Pollack, James and Mickey Chandler and  
12 children Kayla and Tyler, Kevin Pooler and Susanna Patterson

13 Meg and Tyson Miller, John Schneider, Harry Kinter, Bob Steenson

14 AGENDA

15 1. Call meeting to order

16 Kent Ruesswick called the meeting to order at 7 pm.

17 2. Minutes of October 26, 2021

18 Greg Meeh moved the Minutes of October 26. Joshua Gordon seconded. There  
19 being no discussion, all members present voted aye to approve those Minutes.

20  
21 3. Lot Line Adjustment, Donald Pare, 19-21 Old Gilmanton Road, and 120  
22 Canterbury Shore Drive

23 Kent introduced the applicants and explained the way the hearing would be  
24 conducted. Bryan Bailey, Licensed surveyor then introduced himself and the  
25 applicant Donald Pare and recipients of proposed land, David Pollack (120,  
26 Canterbury Shore Rd) and the Chandler family (21, Old Gilmanton Rd).

Mr. Bailey spoke to the proposed Lot Line Adjustment using the three maps he had prepared as the surveyor on the project. These pertained to Lots 47, 48, and 49 on the tax maps and also Lot 34. Essentially Mr. Pare is selling some parts of the land he now owns to David Pollack and the Chandlers to bring all their properties into more conformance with zoning regulations and property usage. While Mr. Pare maintains access round New Pond, he will no longer have structures or a leach field that belong to other owners. It is a one-way transfer so Mr. Pare is technically the only applicant. The final acreage of Mr. Pare's Lot 49 will be approximately 16.9 acres.

The previous owner that Mr. Pare purchased from was Louis Pichette and he had previously purchased from Florence Hawkins.

Members of the Board had made a site visit on Saturday to see the proposed land adjustments. There were no further questions from members. The consensus had been that the proposed Lot Line Adjustment was very rational.

One abutter, Kevin Pooler, said he was not sure what this was about.

Kent Ruesswick explained it was not a subdivision of land, but an adjustment of land ownership, with no new lots being created or deleted.

**Joshua Gordon made a motion to accept the Lot Line Adjustment. Greg Meeh seconded. There were no further comments. All members present voted 'aye'.**

Those involved in this hearing then left the Meeting House.

#### 4. Campground Ordinance draft change

Kent Ruesswick introduced the issue. He had talked to people round town and was proposing they make a change in the ordinance to allow winter camping but keep the spirit of the ordinance alive by not allowing year-round residence.

Tyson Miller then spoke about his draft amendment and the rationale. When he was Chair last year, the Board had agreed that the campground ordinance would be looked at again. Some owners were not happy with closure over winter, at least two owners would like to have that option. Tyson had taken language from the state RSA's in drafting the amendment. The RSA's were explicit in determining that campgrounds were for recreational use only. That point is included in the draft – year-round residency is not allowed. Recreational vehicles that become

“junker RVs” are also covered in the state RSA’s in that campground owners can be fined so it would be up to the owner to see that none of these are left around.

Members discussed one alteration, substituting ‘shall be’ for ‘intended for’, so that the sentence would read “campsites shall be for temporary occupancy for recreational purposes only”. The issue of adding a time limit to stays was also raised but ultimately it was argued that people might want to rent for a few weeks over the summer so having a 30-day limit was not helpful. And the town is already well protected in the campground ordinance from campers using these grounds for year-round residency.

**Joshua Gordon moved the Board accept the suggested draft from Tyson, except for the third sentence and they replace the words “intended for” – with “shall be for”.**

There was further discussion about the logistics of preparing the amendment for public notice and public hearing. The Board will aim for the hearing to be December 13. Members also discussed the removal of the requirement to go to ZBA for a special exception, in the Ag and Rural zones. It was suggested that it be tabled until the next meeting. Tyson would work with the secretary to prepare this as a draft for the next PB meeting and if acceptable to the Board, for public hearing on December 13. **All members present voted in favor of that plan.**

#### 5. Chance Anderson – completeness of application

In order to expedite this application to hearing it was agreed:

- **Mandy Irving (PB Associate) and the secretary to talk about the materials already submitted and see how best to streamline these for the review hearing to be scheduled for December 13**
- **The secretary to show the Fire/Police the new maps that Chance Anderson had just produced that week**
- **The application for Site Plan Review needs a documented list of waiver requests.**

#### 6. Other Business

- (i) Harry Kinter – property to be added to Center Historic District

90 Harry Kinter of Kimball Pond Road shared a map and the proposed wording for a  
91 change in the Center Historic District that he had drafted. He said that he and his  
92 wife Sarah had wanted to protect their historic house in town. They abutted the  
93 Center Historic District and the house had a long history in town since the mid-  
94 1750s when it was built by Ephraim Hackett. One way to preserve it was to  
95 change the somewhat arbitrary boundary line of the Center Historic District to  
96 include their property.

97 The Historic District Commission had voted to approve this change in August. The  
98 Select Board had also looked at the proposal, approved it and said it should go to  
99 the Planning Board to get the paperwork done. Harry and Kent had spoken. Harry  
100 had drafted the change of wording and he was here tonight to answer any  
101 questions members might have.

102 There was discussion about the proposal, and it was agreed that if the map of the  
103 Center Historic District was amended and the language was acceptable to a  
104 surveyor, it could come to Town Meeting. The CNHRPC office could produce the  
105 updated map. No other part of the town's zones is described in the anachronistic  
106 way that the Center Historic District is described in the zoning ordinance. Perhaps  
107 that would be changed later after this amendment was heard. This is an instance  
108 where the property owner is requesting the change and the only downside would  
109 seem to be possible loss of house value in that HDC restrictions are not always  
110 popular to purchasers.

111 **Greg Meeh moved that the process be moved along – that the wording Harry**  
112 **had drafted come to public meeting and the map be altered and an amendment**  
113 **prepared for Town Meeting. Anne Dowling seconded. All members voted in**  
114 **favor. The secretary was to contact Mike Tardiff of CNHRPC to start their input.**

115 (ii) Loudon Green house light letter

116 The secretary gave Kent Ruesswick copies of the letter Joshua had prepared for  
117 the Chair to sign, following agreement at the last meeting to make this contact  
118 with the new company taking over from Lef.

119 It was noted that Hillary had looked up Loudon Planning Board minutes and  
120 discovered that there is concern in Loudon about the night light pollution from  
121 the Lef greenhouses. **The secretary is to send on the 6 copies to adjoining towns.**

(iii) Variance issue in Ordinance – draft amendment

Joshua had prepared a draft amendment relating to section 8.1 on the Variance issue. He had used language from Portsmouth city. It was also agreed that the ZBA should see this too as a courtesy even though the Planning Board has the authority to make these changes. It should be prepared and worked up to show to the town counsel. Joshua was complimented on the clarity of the draft he shared.

**Bob Steenson offered to help the secretary work on this amendment being inserted into the Word document version of the town Ordinance, to show the old wording and the new amendment.**

**Joshua Gordon moved to replace section 8.1 A with this new draft. Greg Meeh seconded. All members present voted in favor.**

7. New Business

The next meeting will be on Tuesday November 23, 7 pm, Meeting House.

**Joshua to make a recording. The secretary will be absent but will draft minutes in the days afterwards.**

8. Adjournment

**Greg Meeh moved to adjourn, and Joshua Gordon seconded. It was 8.44pm.**

Respectfully submitted,

Lois Scribner, secretary (from the recording of meeting).