

1 **Planning Board Meeting**

2 **October 24, 2023, Meeting House**

3 **Final Minutes**

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5 **Members Present:**

6 Greg Meeh (Chair), John Schneider (Vice Chair), Anne Dowling, Rich Marcou,  
7 Joshua Gordon, Logan Snyder, Kent Ruesswick (BOS rep), Hillary Nelson  
8 (alternate) and Ben Stonebraker (alternate).

9  
10 **Others present:**

11 Michael Tardiff, executive director of the Central New Hampshire Regional  
12 Planning Commission (CNHRPC); Clifton Mathieu; Deputy Fire Chief Scott  
13 Doherty; Secretary Lois Scribner; and Recording Secretary Ray Carbone.

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15 **Agenda**

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17 **1. Call to Order**

18 Chair Greg Meeh called the meeting to order at 7:01 p.m.

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20 **2. Previous Minutes**

21 Greg brought the Board's attention to the Oct. 10 meeting minutes. Kent  
22 Ruesswick made a motion to approve the minutes; Rich Marcou seconded.  
23 Vice-Chair John Schneider asked for two minor changes. There was also a  
24 change made to the list of members, in attendance/absent. Greg asked if the  
25 Board approved the motion to approve the minutes as amended. In a voice vote,  
26 the members unanimously approved the motion.

27  
28 Greg brought the Board's attention to the Sept. 26 meeting minutes. After some  
29 discussion, it was suggested that the Board table the minutes until after some  
30 problems were addressed; not all Board members have been able to review the  
31 latest version. Rich made a motion to table the Sept. 26 minutes pending further  
32 review; Hillary Nelson seconded. In a voice vote, the Board unanimously  
33 approved the motion.

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35 **3. Continuing Work with CNHRPC**

36 Greg welcomed back Michael Tardiff, executive director of the Central New  
37 Hampshire Regional Planning Commission (CNHRPC), as his organization  
38 continues working with the Board on possible amendments to the zoning  
39 ordinance, and the "Plan for Tomorrow" (i.e., Master Plan update).

40  
41 Tardiff began by presenting a draft of the Cluster Neighborhoods section of the  
42 Town's zoning ordinance, which was drafted by the CNHRPC staff. It attempts to

43 bring together issues the Board raised at earlier meetings as well as residents'  
44 concerns discussed at recent public meetings.

45  
46 The draft also deals with issues raised by the NH Office of Planning and  
47 Development and brings the ordinance into compliance with state and federal  
48 regulations. The latter changes are related to flood plain issues, and the need for  
49 private landowners to purchase property insurance. After some discussion, Greg  
50 asked Tardiff to bring Katie Paight, CNHRPC's Floodplain Management Program  
51 Coordinator, to a Nov. 7 Board subcommittee meeting to further address the  
52 floodplain issues.

53  
54 The meeting also addressed:

- 55  
56 • The idea proposed in the proposed language that would allow Accessory  
57 Dwelling Unit (ADUs) to be built in all zones, changing it to a permitted  
58 use. That would remove the current need to go before the Zoning Board of  
59 Adjustment (ZBA) for a special exception.  
60
- 61 • Greg reminded the Board that they are looking for small, incremental  
62 changes to the zoning ordinance that would encourage development for  
63 some young families and senior residents who want to stay in town. The  
64 goal of changing the Cluster Neighborhoods section should be on  
65 encouraging smaller developers, rather than larger projects for a major  
66 housing project.  
67
- 68 • The Board discussed how changes to Cluster Neighborhood portion of the  
69 zoning ordinance could increase the number of dwelling units. The Town  
70 has a Building Permit Cap, which restricts new building permits issued  
71 annually to no higher than 3% of the existing housing stock. Joshua  
72 Gordon said it was instituted in the 1970s specifically to tamp down  
73 housing growth. But Board members noted that, over the last 20 years,  
74 the number of building permits issued has never approached the cap  
75 number (estimated to be 30). It was noted that a number that low – if  
76 divided by five or six housing projects – might be ~~cost-prohibitively~~ low for  
77 someone looking to do even a small development.  
78
- 79 • There was also some question about what exactly the Building Permit Cap  
80 relates to: Is it specifically for the number of housing structures or for  
81 individual housing units? The members want to have a better handle on  
82 those questions, and the relevant numbers, as well as any other possible  
83 issues that could arise before moving forward with the proposed changes  
84 to the Cluster Neighborhoods section.  
85
- 86 • Tardiff noted that the current zoning ordinance also has a minimum on  
87 residential lot acreage size (3-5 acres) as well as a 300-foot road frontage  
88 requirement. This is not uncommon in New Hampshire, he said, but there

89 have been some discussions at the state level that these restrictions may  
90 no longer be legally defensible. Joshua said there was an important case  
91 in the 90s confirming that these kinds of limitations are constitutional, but  
92 Tardiff noted that the issue might be reevaluated soon. Rich suggested  
93 that, for any large developer, it would likely be profitable to mount a legal  
94 challenge, but that would likely prove daunting for a smaller project, which  
95 is exactly the kind that the Board wants to be able to consider. Greg asked  
96 if there was a way to draft something that would allow for smaller cluster  
97 developments without encouraging a large project that the town is not  
98 looking for ~~right now~~. Tardiff suggested that it would be a good idea for the  
99 Board to do a study that would shore up any argument for the reasons for  
100 limitations, e.g., the cost of public safety services, school capability, road  
101 infrastructure, etc. He will supply the Board with the outline of a “finding of  
102 facts” that could be used to draw together the needed information.

- 103  
104 • Greg asked the Board if it would like to allow Cluster Neighborhoods in the  
105 Agricultural/Conservation zone, which is a significant portion of the Town.  
106 Hillary said that she would favor that approach because it would allow  
107 smaller business owners like farmers to develop portions for their  
108 properties into something like a “multigenerational agricultural village.”  
109 She said that arguments against such an idea, i.e., that wildlife corridors  
110 would be disturbed, are ill-founded.
- 111  
112 • The Board also discussed its obligation to, not only update the Master  
113 Plan every 10 years, but also to develop and update a six-year Capital  
114 Improvement Program (CIP). Tardiff explained that the process involves  
115 meeting annually with department heads as they try to forecast future  
116 needs for equipment, staff, projects, etc.

117  
118 **4. Planning for Nov. 14 Public Meeting/s –**  
119 **- parents’ session and general session**  
120 Greg noted that the Board’s next public meeting that will address the Plan for  
121 Tomorrow is Tuesday, Nov. 14. In addition to the regular public meeting starting  
122 at 7 p.m., there will be a Parents Session scheduled for 6-7 p.m., with the focus  
123 on issues that might be of specific concern to parents. He asked Tardiff if he  
124 could attend and prepare for both those issues. Tardiff agreed.  
125 Board Secretary Lois Scribner said that she’s been unable to secure any  
126 babysitting service for the Parents Session.

127  
128 **5. Flag Poles and Proposed Height Ordinance**  
129 Joshua presented a proposed ordinance that limits a flagpole to no higher than  
130 30-feet, a maximum flag size 5-by-8 feet.  
131 Rich objected, saying that the flag size is arbitrary and shouldn’t be included in  
132 the ordinance. After some discussion, Hillary made a motion to change the  
133 proposed ordinance to remove the flag size; Kent seconded. In a voice vote, the

134 Board unanimously approved the motion. The line referring to size should be  
135 deleted.

136  
137 The text regarding the maximum height of buildings was read. Logan made a  
138 motion to accept the draft text of the Proposed Height Ordinances amendment as  
139 written. Joshua seconded and all voted in favor.

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141 The text of the slightly revised draft amendment would be as follows.

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143 **“PROPOSED HEIGHT ORDINANCES**

144 **FLAGS**

145 Regarding flags, this proposal would add a section to article 2, which would  
146 appear after §2.6, which is the signs ordinance. The new §2.61 would say:

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148 **“In all zones no flagpole shall be greater than 30 feet in height from**  
149 **grade.**

150  
151 **BUILDING HEIGHT1**

152 Regarding building height, this proposal would amend section 5.2 of the  
153 ordinance. This proposal would add a subsection “G” after current subsection “F.”  
154 The new subsection “G” would say:

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156 **“In all zones, no dwelling or other structure may be**  
157 **greater than 40 feet in height, measured from the average finish grade adjoining**  
158 **the foundation to the highest point of any roof or parapet (excluding chimneys,**  
159 **ventilators, silos, and other accessory features required above the roof). In the**  
160 **commercial and industrial zones, building heights may be greater, if allowed by a**  
161 **conditional use permit.”**

162  
163 **6. Agricultural Bunkhouse**

164 The Board reviewed a proposed “Bunkhouse” section for the zoning ordinance,  
165 which Greg said was submitted for consideration by the Conservation  
166 Commission.

167 It was noted that many US migrant workers now use travel trailers, but the  
168 consensus was that change should not present any significant challenges to the  
169 ordinance.

170 There was discussion about whether three-season agricultural workers would be  
171 considered town residents. Tardiff said he would look into the question and  
172 suggested that the Board raise it with the town attorney.

173  
174 **7. Procedures Update**

175 The Board reviewed proposed changes to its procedures related to submitting an  
176 application. The language changes related to the number of days that an  
177 application can be available prior to a first hearing before the Board needs to  
178 revert back to “21 days” to stay in compliance with the zoning ordinance. John

179 made a motion to approve the proposed changes; Anne Dowling seconded. In a  
180 voice vote, the Board unanimously approved the motion.

181

182 Greg asked Tardiff if the latest version of the “Plan for Tomorrow” would be  
183 available for posting on the Town website. Tardiff said it would be done by Nov.  
184 1, with the possible exception of the Community Facilities section. Greg said that  
185 section could be noted as being “still in progress.”

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187

#### 6. **Other Business**

188 Greg said that the Board had recently received an email from a resident related  
189 to the recently posted unapproved meeting minutes of the Oct. 10 public  
190 meeting. In it, the resident said that the Board appeared to agree with the idea  
191 that more development would lower the property tax rate, which is inaccurate.  
192 Joshua agreed, saying that there’s 70 years of evidence indicating the idea is ill  
193 found. Greg said that the Board should be careful about giving residents a false  
194 impression as it moves toward the annual Town Meeting.

195

196

#### 8. **Adjourn**

197 At 9:15 p.m., Greg made a motion to adjourn the meeting; Hillary seconded. In a  
198 voice vote, the Board unanimously approved the motion.