

**MINUTES
GILFORD PLANNING BOARD
MONDAY
JUNE 5, 2017
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in work session on Monday, June 5, 2017, at 7:00 p.m. in Conference Room A of the Gilford Town Hall.

Chair Wayne Hall led the Pledge of Allegiance, welcomed everyone, and introduced Board members and staff.

Planning Board Members in attendance were Chair Wayne Hall; Vice Chair Carolyn Scattergood; Secretary Richard Vaillancourt; Selectmen's Representative Richard Grenier; Regular Members Richard Egan, William Johnson, and Jack Landow; and Alternate Members Isaac Howe and Emily Drake.

Also present was John Ayer, Director of Planning and Land Use, and Sandra Hart, Technical Assistant.

1. **Discussion** – Meadowbrook Farm – Discussion of urgent need for Homeland Security-related improvements.

W. Hall announced that this request had been withdrawn.

2. **Discussion** – Possible 2018 Zoning Ordinance amendments.

Special Exception Standards – Better define special exception review standards so uses are reviewed appropriately and not subject to full site plan review standards.
(§11.2, Specific Rules for Particular Special Exceptions)

J. Ayer handed out suggested amendment wording for Section 11.2, General Rules for Special Exceptions. He said it was a suggestion from David Andrade, Building Inspector, who said that because of the requirements in the ordinance; the Zoning Board of Adjustment often ends up doing what amounts to a site plan review which is a Planning Board function. The applicant often goes to the ZBA first for a special exception before spending money on a full, detailed site plan.

J. Ayer went over the proposed changes. He referred to Article 4, Table of Permitted Uses, and what is allowed by Special Exception. He said there may be other ways to address the issue, but removing paragraphs (b) and (e) were the initial thoughts on how to approach it.

C. Scattergood said that she doesn't understand why we would need to remove "the site is appropriate", because it should be appropriate. She said maybe the Board should just change the wording, but we shouldn't remove it.

I. Howe said wouldn't this be the opportunity for the applicant to see if it is an appropriate site before they have to go to another board.

Approved at the June 19, 2017 meeting

J. Ayer said that he was just asked to bring it up to eliminate the kinds of things that almost force the ZBA to have a full site plan review, because that is the job of the Planning Board. J. Ayer said the word "site" may be the problem. Maybe the area or location would be better, because knowing if the use fits in where it's going is really what is trying to be determined.

W. Hall said that there is a list of Special Exceptions which are defined. He said boat storage is getting to be one of those categories that may not be defined correctly. Should it be a Special Exception.

C. Scattergood said that she was looking at some of the uses that require a Special Exception and it doesn't matter if the land is appropriate, but it's whether the location is appropriate, so she would remove "site" and replace it with "location" in (b).

J. Ayer went over (e) and clearly that is something that is reviewed by the Planning Board.

The board went over some of the items that are allowed by Special Exception in the Zoning Ordinance, Table of Permitted Uses.

J. Landow asked about removing "adequate and appropriate". W. Hall said that the Planning Board would cover a lot of that.

C. Scattergood said that the list is meant to assist the ZBA in making a decision about a campground or whatever and it really allows for it in that area. She just wants to make sure that taking out something that has been there for years won't come back to the Planning Board as an issue.

J. Ayer said that David Andrade goes to the meetings and often sees the ZBA doing a full site plan review which it shouldn't be doing. It impacts the applicant and is the job of the Planning Board.

C. Scattergood brought up vet hospital and it seems that you would want to see the site and location and that there is adequate room for it and that has nothing to do with utilities. She said she is playing devil's advocate.

J. Ayer said that he would like to break (c) up into two different sections. W. Johnson thought that "undue" should be removed.

J. Ayer referred to Article 15 regarding special exceptions relative to the Wetlands District. C. Scattergood said the purpose of getting a Special Exception would be to get the Board of Adjustment's opinion whether the use is right for where it is going if it meets all the requirements. And there are so many different uses. She said the Board should not make the requirements so broad that there really isn't a reason to go to the ZBA for this review.

J. Ayer said that he can take another look at it and try to keep the essence of each paragraph but tighten up the wording to make sure that it fits what the ZBA needs to do.

W. Hall said that there was a lot of thought process when these things were said and done, but things do change over the years.

R. Egan said that he read paragraph (a) and it seems to be a little strange. J. Ayer went over why they have it written that way and he went over the denial letter and how that works as well.

R. Vaillancourt said that we should try to eliminate costs for the developer/applicant having to go to both boards. Discussion ensued.

W. Hall brought up indoor and outdoor boat storage and asked why we worry about indoor boat storage. J. Ayer said that it is a great idea to separate the two – indoor and outdoor boat storage. J. Ayer went over a few other things in the table having to do with storage, warehousing, etc. He suggested maybe changing the size requirements. Discussion ensued regarding boat storage.

J. Ayer went over accessory uses for everyone under Article 4 7.6 (g) and said the Board may want to look at warehousing in the RC zone and he will look at that and get something for the next work session.

I. Howe said Section 7.7(g) discusses outdoor boat storage and winterization and the fuel and those are a big thing.

Agritourism – Needs to be clearer what uses we are allowed on farms and how we are allowing them, and what uses we are not allowing.

(Article 3, Definitions (Agritourism), and §4.7.1(f), Agritourism.)

J. Ayer said Selectman Chan Eddy had provided some possible amendment wording for Agritourism.

C. Eddy was present at the meeting and addressed the Board. He said it is more the intent of what we would like to do and what we probably intended to do. He said the highlighted areas shown on his handout are the sections currently in the zoning ordinance.

C. Scattergood went over the paragraph and it seemed pretty clear to her.

J. Landow asked about the third party. He said that in the case where the farm advertises for weddings, there are only two parties involved. C. Eddy said that some attorneys disagree with that and look at it differently. C. Eddy said we want to make sure that the farmer has control of what is going on. W. Hall said that it keeps the focus on the farm. Discussion ensued.

J. Landow looked at the definition and he said that it looks like what the people want is the view at a farm, not farming or farm operations.

C. Scattergood said that a wedding reception is not open to the public and all agritourism means is that people come to enjoy the scenery and farm environment and all of those things. She said that it involves something that the tourists can do, but they can't go to a wedding were it is a private party.

C. Eddy said that we probably need to change it and narrow it and we clarify it.

W. Hall said that all of the farms are open and they are selling items right out of the farm and that's the retail aspect. W. Hall said that we have plenty of time to work on this and doing this piece of it would probably be in our best interest.

Approved at the June 19, 2017 meeting

J. Ayer said that part of the problem is that this is a definition and its hard to have regulatory language in a definition. He said maybe we could transfer the regulatory language out of the definition into another section elsewhere in the ordinance.

Buffers – Clarify that no buffer is required along a road or along another property line for a commercial use in a commercial zone if the property line is not also the zone boundary line. – (*Article 3, Definitions (Screen), and §6.5, Screened Buffer*)

J. Ayer said he did some work on addressing Section 6.5, Screened Buffer, and he would like to reword and clarify it so he suggested removing the original paragraph and separating it into A.-D. He then went over those recommended changes.

W. Hall said that it seems clear to him. C. Scattergood would like a clarification of “no buffer shall be required where the zone boundary line is not also the property line”. Discussion ensued. The Board determined to change it so the wording is put in the positive.

C. Scattergood said that paragraphs A. and B. are almost the same, but only the last part of the first sentence is different. J. Ayer said he will look at it to see if the wording can be improved.

3. OTHER BUSINESS

J. Ayer said the Annual Meeting of the Lakes Region Planning Commission is coming up and if anyone is interested they need to sign up by June 9, 2017.

4. MINUTES

Motion made by C. Scattergood, seconded by R Vaillancourt, to approve the minutes of January 7, 2016 as presented and to note that there is a full audio version available. Motion carried.

Motion made by R. Vaillancourt, seconded by R. Egan, to approve the minutes of May 15, 2017 as amended. Motion carried.

5. ADJOURNMENT

Motion made by R. Vaillancourt, seconded by C. Scattergood, to adjourn the meeting at 8:47 p.m. Motion carried.

Respectfully submitted,

Sandra Hart, Technical Assistant