

Minutes approved at the January 27, 2020 meeting.

**MINUTES
GILFORD PLANNING BOARD
MONDAY
JANUARY 6, 2020
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in regular session on Monday, January 6, 2020, at 7:00 p.m. in Conference Room A of the Gilford Town Hall.

Chair Wayne Hall led the Pledge of Allegiance.

Planning Board Members in attendance were Chair Wayne Hall, Vice Chair Carolyn Scattergood, Secretary Richard Vaillancourt, Selectmen's Representative Chan Eddy, Regular Member William Johnson, and Alternate Members Rick Notkin and Emily Drake. Alternate Member Gaye Fedorchak arrived at 7:15.

Members Absent were Regular Members Isaac Howe and Jack Landow.

Emily Drake & Rick Notkin were asked to participate as voting members in place of J. Landow and I. Howe.

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

1. PROPOSED ZONING ORDINANCE CHANGES

W. Hall introduced the first zoning amendment public hearing.

- 1.1 DELETE REFERENCES TO THE FAMILY APARTMENT LAND USE** – This is a proposal to amend the Table of Contents, the heading for Article 6, and Sections 6.14, 6.18, and 7.5.6.10 of the Gilford Zoning Ordinance by deleting references to the Family Apartment land use which use is no longer permitted by the Gilford Zoning Ordinance and by NH RSA 674:72, VIII, and most references were removed from the Gilford Zoning Ordinance in 2017.

Presentation

J. Ayer explained that all of these references need to be removed from the ordinance since the family apartment use is no longer a permitted use in the zoning ordinance.

C. Scattergood said that it sounded funny to say that a family apartment is no longer permitted. W. Hall explained that the Family Apartment use was replaced by the Accessory Apartment use and that was something that is required by the state. J. Ayer noted that for a while the ordinance had both uses, but a few years ago the State required each town to allow Accessory Dwelling Units (called Accessory Apartments in Gilford) but the statute prohibited requiring a family relationship, so the Family Apartment use had to be eliminated.

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J. Ayer reviewed the sections that would be changed which are noted in the notice. He said the last section that would be amended is in Article 7 which is the off-street parking chapter.

C. Scattergood asked if this wording is written just for the Planning Board public hearing or will it be used elsewhere. J. Ayer said the ballot question uses wording that is similar to this. C. Scattergood said that sometimes where it shows what has been removed from the ordinance is helpful to people. J. Ayer said he could provide that at the information table at the elections and at the Deliberative Session.

C. Eddy said that these deletions were overlooked in 2018 and the extra language is just being removed to make it consistent.

It was suggested that the ballot question could state that this is just a housekeeping change. J. Ayer said that one year he wrote something like that into the ballot question to help people understand that the changes were minor, but instead of reducing concern the comment had the effect of making people suspicious.

C. Eddy said that in this case the state law changed and these were just overlooked. He said he didn't think it was going to be an issue since it is moot and this doesn't mean anything anymore and is no longer enforced.

C. Scattergood asked if this would be something about which we could have an Article in the newspaper. J. Ayer said that may be possible. He said he could speak with the Town Administrator about it.

It was suggested to change the wording of the ballot question to read, "Amend the Table of Contents, the heading for Article 6, and Sections 6.14, 6.18, and 7.5.6.10 of the Gilford Zoning Ordinance by deleting references to the Family Apartment land use (which was replaced by the Accessory Apartment land use). The Family Apartment land use is no longer permitted by the Gilford Zoning Ordinance and by NH RSA 674:72,VIII (most references were removed from the Gilford Zoning Ordinance in 2017)." Board members agreed.

Public Input

W. Hall opened the matter for public input. With no public present, he closed the public hearing.

Motion

Motion made by C. Eddy, seconded by C. Scattergood, to place Zoning Amendment #1, Delete References to the Family Apartment Land Use, on the ballot as proposed with wording of the ballot question to be written as amended. Motion carried with all in favor.

1.2 AMEND TABLE 2, DIMENSIONAL REGULATIONS – This is a proposal to amend Table 2, Dimensional Regulations, in Article 5 of the Gilford Zoning Ordinance, by changing the minimum Front Setback requirement in the Island Residential (IR) Zone from 40 feet to 50 feet to match the required minimum setback from Lake Winnepesaukee as set forth in Section 5.2.1(a) of the Gilford Zoning Ordinance and NH RSA 483-B:9,II(b).

Presentation

J. Ayer said that this is simply a matter of changing the IR zone front setback in the table from 40 feet to 50 feet. In the IR zone the front setback is essentially the setback from the lake and

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not from a road since there are no roads on any of the islands except Governors Island. He said the minimum 50 foot lake setback is something we currently require so it is nothing new. He said it hadn't been changed in Table 2 in case there was ever a road constructed, but it is confusing for people so it makes sense to change it to 50 feet since it is not likely that there will be any public roads on the islands. If there are, they will have to have a 50 foot setback.

G. Fedorchak asked why not on Governors Island? J. Ayer explained that it is different from all the other islands in that you can access it by road so it is zoned Single Family Residential.

Public Input

W. Hall opened the matter for public input. With no public present, he closed the public hearing.

Motion

Motion made by C. Scattergood, seconded by C. Eddy, to place Zoning Amendment #2, Amend Table 2, Dimensional Regulations, on the ballot as presented. Motion carried with all in favor.

2. **ACTION ON ABOVE** – (The Board took action on each amendment after the conclusion of each public hearing.)
3. **WORK SESSION** – Possible review of Proposed Changes to Site Plan & Subdivision Regulations.

The Board decided to wait until the next meeting to continue review of these changes.

4. **OTHER BUSINESS** – None.
5. **MINUTES** – December 16, 2019

Motion made by C. Scattergood, seconded by R. Notkin, to approve the minutes of December 16, 2019. Motion carried with R. Vaillancourt and W. Johnson abstaining.

6. **ADJOURNMENT**

Motion made by R. Vaillancourt, seconded by G. Fedorchak, to adjourn the meeting at 7:32 p.m. Motion carried with all in favor.

Respectfully submitted,

Sandra Hart, Secretary