**MINUTES**

**GILFORD PLANNING BOARD**

**MONDAY**

**APRIL 4, 2022**

**CONFERENCE ROOM A**

**7:00 PM**

The Gilford Planning Board met on Monday, April 4, 2022, at 7:00 PM, in Conference Room A, of the Gilford Town Hall and via GoToMeeting.

The meeting convened at 7:00 PM. Wayne Hall chaired the meeting and welcomed the attendees, and the rules for participation were read to the attendees.

Present were Wayne Hall, Chair; Carolyn Scattergood, Vice-Chair; Jack Landow, Member; Emily Drake, Member; Gaye Fedorchak, Alternate; Rick Notkin, Alternate; Isaac Howe, Member; and Chan Eddy, Representative from the Gilford Board of Selectmen.

Also present was John Ayer, Director of Planning and Land Use.

J. Ayer asked the board to consider allowing the Discussion Item, agenda item two, to go first in the meeting, and the board agreed by consensus.

1. **Discussion Item - Possible Site Changes, Laconia Municipal Airport**

John Hehir, Jacobs Engineering Group, Inc., presented a conceptual site plan for two hangars and noted that there were questions about the site plan review last time and some requirements that were not met. He said they would be requesting waivers as well.

J. Hehir reviewed the plan and stated that there were concerns about access earlier which have been addressed by providing a utility road. He said there would be a utility easement and temporary access. A well will be installed. There will be a Cape Cod berm to stop any spills. Electricity will come in through overhead utilities, and some of the utilities, such as the internet, will come in with the access road.

There was a discussion about the overhead utilities being mostly underground but over the drainage pipe they would be above ground. The project is by Emerson Aviation and the property will be leased from the Laconia Airport. At this time Jacobs Engineering Group, Inc. does not have a time frame for the temporary waivers that will be required. There will be a site plan for approval at the May meeting, and there will be a road extended from the fence line north of the Emerson Hangars; some of the funding may not require grants to start construction in the fall. C. Eddy spoke about the demand for the hangar space, just as word of the development became public, and that Laconia is now considered a four-season airport because of the airport’s de-icing capability.

J. Ayer spoke about the subdivision plan and said one question is if the lots are lease lots and they’re all owned by the airport, what affect does that have on setbacks and lot coverage regulations. G. Fedorchak asked who was responsible for the overhead lines, and J. Hehir responded that Emerson Aviation would be responsible.

There was a brief discussion about a recent culvert failure, and Dave Emerson, the representative from Emerson Aviation, stated that he was waiting for reports from DES. J. Ayer noted that the waiver to allow above-ground utility lines is usually granted if there is a reasonable obstruction such as ledge that could be costly to blast.

J. Hehir spoke about the drainage calculations and wanted to be sure that the board understood that part of the project. J. Ayer recommended that they talk with DPW Director Meghan Theriault who is also a P.E.

The board discussed fire suppression, and D. Emerson spoke about the damage a fire would do but noted that the system would be for the protection of personnel. The hangars will be built with steel walls.

There was a brief discussion about the timeline.  There were no further questions from the board.

1. **Possible 2023 Zoning Ordinance Amendments - Short Term Rentals**

C. Scattergood spoke about the practice of corporations owning and renting out homes as short-term rentals. C. Eddy spoke about a recent case, Working Stiffs, LLC vs. City of Portsmouth, NH, which ruled that short-term rentals are hotels and are not allowed within a residential zone without a variance. There was discussion about the use and misuse of property in residential zones, overnight occupancy, and negative effects of overcrowding such as overtaxing a septic system.

There was discussion about the new noise ordinance and data that would be available from the enforcement of the new ordinance and its value in drafting a new STR ordinance.

J. Ayer called the board’s attention to the draft version of Article 22, Short Term Rentals, with the comments presented by Myra Michail, a member of the public, at the last meeting. The board also reviewed and discussed the letter from John Wright, 126 Scenic Drive, who has a short-term rental on his property, his primary residence.

There was discussion about conditional use permits and the process that would be followed by the Planning Department to enforce the ordinances and review conditional use permits.

G. Fedorchak spoke about the tracking of the conditional use permits, and J. Ayer responded that the Planning Department would track the permits and report on them in the annual reports. The board discussed the workload that this ordinance would create and the fiscal impact that it could have on the town.

J. Ayer noted that the proposed Article 22 would apply to short-term rentals that are not owner-occupied. He pointed out that adding a definition for “primary residence” might be helpful in the proposed draft. Lofts accessed by ladders are not valid for sleeping areas. The board questioned the minimum room size of 70 square feet for any room used as a sleeping area and suggested that each sleeping area be required to have a minimum area of 70 square feet. J. Ayer said this is a requirement of the building code for a room to be at least 70 square feet where it had been 100 square feet before.

C. Scattergood spoke about the comments by the public where they did not want to complain about a noisy STR neighbor because they were afraid of retaliation. She asked how the town would find out if there were violations if people were not willing to call to complain about the issues. She asked how this new ordinance would change things for those people. C. Eddy stated that if people were unable to file a complaint or inform the police department, then the police department would not be able to take action to enforce the regulations.

There was discussion about the design of septic systems (22.4.1(e)) and proof that the septic system on the property is adequate, garbage, life safety, and the application fee. J. Ayer spoke about the increase of people asking to live in their campers. He said the planning office has just advised people they cannot do it. He said a separate zoning ordinance would be helpful to address use of campers.

J. Ayer reviewed the comments made by M. Michail. He noted there were questions about 22.6.2 and the requirement of the contact information and dates of stay for all occupants. He stated that hotels could request that information from guests. In addition, there was a discussion about parking and the requirement that all guests’ vehicles be parked on the property and parked in an approved parking space.

1. **Approval of the Meeting Minutes from March 21, 2022**

R. Notkin moved to accept the meeting minutes of March 21, 2022. Second by C. Scattergood. G. Fedorchak noted that her first name should be corrected. The motion to approve the amended meeting minutes passed unanimously.

1. **Adjournment**

C. Eddy moved to adjourn the meeting. Second by G. Fedorchak. The motion passed unanimously.

The meeting adjourned at 8:39 PM.

Respectfully Submitted,

Krista Argiropolis

Recording Secretary