

**MINUTES
GILFORD PLANNING BOARD
NOVEMBER 17, 2008
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in regular session on Monday, November 17, 2008 at 7:00 p.m. in Conference Room A in the Gilford Town Hall.

In attendance were: Chair- Polly Sanfacon, Selectmen's Representative-Connie Grant, Regular members: Jerry Gagnon, Richard Vaillancourt, John Morgenstern.

Member(s) absent: Vice Chair-Carolyn Scattergood, Richard Waitt and Alternate David Arnst.

Also present were John B. Ayer, Director of Planning and Land Use and Stephanie Verdile Philibotte, Administrative Assistant.

Selectmen's Representative, C. Grant, acting Chairman due to P. Sanfacon being ill, opened the meeting, led the Pledge of Allegiance and introduced the Board members and staff.

Selectman Grant read the request for application withdrawal submitted by Ron Johnson on behalf of Steve Weeks' request for a conceptual subdivision review. The Conceptual review application will not be presented to the Board tonight.

C. Grant introduced the first application.

Don Onofrio

Applicant proposes a Boundary Line Adjustment between Tax Map & Lot #252-024.000 and #252-025.000 located at 161 and 167 Scenic Drive in the Single Family Residential Zone. Boundary Line Adjustment Review. File #2008003203.

Motion made by J. Gagnon, seconded by P. Sanfacon, to accept the application as complete. Motion carried with all in favor.

John March, surveyor, and Don Onofrio, property owner, representing the application, gave a brief presentation to the Board. D. Onofrio explained he owns both lots involved in the application and is trying to correct the boundary line that runs between the two lots.

J. Ayer spoke about the possibility of the applicant needing a variance because buildable lot area was being reduced on one of the lots, and said that may be considered a moot point since this is a boundary line adjustment between two developed lots and will leave it up to the Board to decide if the applicant needs a variance for buildable lot area.

J. March explained the plan submitted at the meeting and said he completed the changes to the plan that were requested as a result of the Site Study meeting. He added the abutters' addresses,

utility locations, etc. He said there was a boundary line adjustment completed in 1990, but it was never finalized. The purpose of this plan is to correct the boundary line between the lots.

J. Morgenstern asked when the Quonset hut was built and D. Onofrio said about 5 years ago.

J. Gagnon asked how many parcels exist. J. March explained two lots exist. He said one lot would have an acre of land after the BLA.

J. Ayer spoke about the small amount of buildable lot area that would occur on the lots because of the BLA. He said it is an inconsequential adjustment but technically it could be sent to the ZBA for a variance.

J. Morgenstern asked if there was a building permit issued for the Quonset hut. D. Onofrio said he received a building permit from D. Andrade. J. Ayer said it met the setback requirements.

J. Gagnon said it is only a lot line adjustment and they are not creating a subdivision. J. Morgenstern said the buildable lot area would be an issue if it was a new subdivision but the houses exist.

The Board discussed that the application does not need to go to the ZBA for a variance.

C. Grant opened the hearing for public input. Being none she closed the public hearing.

C. Grant introduced the next application.

Thomas Roux

Applicant proposes to subdivide Tax Map and Lot #208-012.000 into three (3) lots ranging in size from 3.03 acres to 3.60 acres on Cotton Hill Road and Young Road in the Limited Residential Zone. Subdivision Plan Review. File #2008003204.

Motion made by R. Vaillancourt, seconded by J. Gagnon, to accept the application as complete. Motion carried with all in favor.

Ron Johnson, representing the application, gave a brief presentation to the Board. He explained the location of the property and said they are proposing to subdivide the main lot into three lots. He highlighted the proposed driveway locations. Each lot has the required buildable land area and road frontage.

J. Ayer asked about switching the location of the well and septic on Lot #3 and R. Johnson said the locations will be changed because the house would be higher than the septic system.

J. Gagnon asked about approving the plan with the driveway locations shown. R. Johnson said he would rather not have the driveways on the final plan and would prefer the driveways not be shown on the recordable plans.

J. Ayer said DPW refers to the approved plan for the driveway locations. J. Ayer said the Town of Gilford's road standards require driveways to be shown on the plan.

Discussion ensued about the issue of having addresses, tax, map and lot numbers, and driveway locations on the plan.

J. Ayer said he is not sure how the road standards would apply. C. Grant said they should ask Sheldon Morgan, Director of Public Works, about the issue of having driveways shown on the final plan.

C. Grant opened the hearing for public input. Being none she closed the public hearing.

C. Grant introduced the next application.

Meadowbrook Farm

Applicant proposes to amend site plan to modify locations for the winter storage of boats on Tax Map & Lot #224-007,008,009 & 010 located at 50, 52, and 53 Meadowbrook Lane located in the Resort Commercial and Industrial Zones. Amended Site Plan Review. File #20083207.

Motion made by R. Vaillancourt, seconded by P. Sanfacon, to accept the application as complete. Motion carried with all in favor.

Steve Smith, representing the application, gave a brief presentation to the Board. He said most of the property is located in the Resort Commercial Zone. He said they received a Special Exception from the ZBA for the boat storage use and they received site plan approval for the boat storage. He said they plan to eliminate the boat storage in the previously approved area because it interferes with other uses on the site in the winter, and relocate the storage area as shown on the proposed plan. He submitted photos he took of the site including the existing tree line and fence that surround the proposed areas for boat storage. He reviewed the previous conditions of approval that will remain in effect with this revised plan and they are noted on this plan. He said he chose locations that were not easily seen by the public and that allow owners to have flexibility in where they store boats on site. He said there will not be any stacking of the boats.

J. Gagnon spoke about the colors for the covers of the boats and said white should be utilized instead of blue. The Board discussed where requiring white boat covers might be appropriate and determined that Lot H would be.

C. Grant opened the hearing for public input. Being none she closed the public hearing.

C. Grant introduced the next application.

John P. Rogers

Applicant proposes to subdivide Tax Map & Lot #228-017 into four (4)-lots ranging in size from 1.02 acres to 4.26 acres on 236 Hoyt Rd. in the Single

Family Residential Zone. Subdivision Plan Review. File #2008003208.

Motion made by R. Vaillancourt, seconded by P. Sanfacon, to accept the application as complete. Motion carried with all in favor.

Dean Clark, representing the application, gave a brief presentation to the Board. He explained the conservation easement property that exists on the site and the land proposed for the subdivision is exempt from the conservation easement. He said he met with Sheldon Morgan on site because of the input from S. Morgan and Police Chief John Markland at the Site Study meeting about the driveway locations. The driveway location for Lot #1 is proposed to be across from Wild Acres Rd., Lot #2 will be located above the 1960-36 telephone pole and they are using an existing driveway for Lot #3. D. Clark explained because of the high water table around Lot #3, they would like to waive the requirement to bury the utility lines for a small portion through the wet section and then bury the lines after the wet areas.

J. Ayer referred to Section V, General Requirements for the Subdivision of Land, Paragraph H regarding burying utility lines and said the Board could grant that waiver.

John Rogers, property owner, explained the two exclusion areas from the original conservation area and the three lots plus the 1.67 acres was land that was excluded from the original conservation easement.

The Board discussed the status of the excluded land and if it should be identified as non-buildable. D. Clark said the 1.67 acres is the remaining land that was excluded from the conservation easement. D. Clark said he would label the remaining 1.67 acres as "Conservation Easement Exclusion Area".

C. Grant opened the hearing for public input. Being none she closed the public hearing.

C. Grant introduced the next application.

Cellco Partnership d/b/a Verizon Wireless

Applicant proposes to replace three (3) antennas and add a 12' x 30' equipment shelter at an existing Wireless Communications (cell phone) Facility on Tax Map & Lot #210-013.001 located at 429 Gilford Ave in the Natural Resource Residential Zone. Amended Site Plan Review. File #2008003209

Motion made by R. Vaillancourt, seconded by P. Sanfacon, to accept the application as complete. Motion carried with all in favor.

Tom Hildreth, attorney for Verizon Wireless, represented the application. He gave a brief presentation to the Board explaining the current status of the tower and the proposed antennae change and a larger ground-based equipment shelter that will be located within the approved compound area. He said the tower would remain in its current operating status after the changes are made.

C. Grant opened the hearing for public input. Being none she closed the public hearing.

BUSINESS

Don Onofrio

The Board discussed the lots becoming less non-conforming as a result of the Boundary Line Adjustment.

Motion made by J. Morgenstern, seconded by P. Sanfacon, to approve the application as presented subject to any other federal, state or local approvals that may be required.

Motion carried with all in favor.

Thomas Roux

J. Gagnon spoke about the driveway locations being shown on the plan. J. Morgenstern said they can decide to have the driveway locations be approved by DPW when the driveway permit is applied for.

Motion made by J. Morgenstern, seconded by J. Gagnon, to approve the application with the following condition(s):

1. Without the locations of driveways shown on the plan and the exact driveway locations to be approved by DPW upon the issuance of the driveway permit.
2. Subject to any other federal, state, or local approval that may be required.

Motion carried with all in favor.

Meadowbrook Farm

Motion made by R. Vaillancourt, seconded by J. Morgenstern, to approve the application with the following condition(s):

1. Subject to screening being provided which meets the screen requirements of Section 4.7.6(g) of the Gilford zoning ordinance, around the outdoor boat storage where such storage is near residential and/or commercial uses.
2. Subject to any other federal, state, or local approvals that may be required.
3. Only white boat covers shall be used on boats in parking Lot H.
4. Previous site plan conditions to remain in effect.

Motion carried with all in favor.

John P. Rogers

Motion made by J. Morgenstern, seconded by P. Sanfacon, to approve the application with the following condition(s):

1. Subject to the plan being revised to show the setback from the existing outbuilding to the adjacent lot line.
2. Showing the buildable lot area for the lot with the existing buildings.
3. Any other federal, state, or local approvals that may be required.
4. Note in wetland area to include the word “remainder” to be replaced with “Conservation Easement Exclusion Area”.
5. Grant the waiver request to allow above-ground utilities to the extent that one utility pole may be used into Lot #3.
6. Without the locations of driveways shown on the plan and the exact driveway locations to be approved by DPW upon the issuance of driveway permits.

Motion carried with all in favor.

Cellco Partnership d/b/a Verizon Wireless

Motion made by R. Vaillancourt, seconded by J. Morgenstern, to approve the application with the following condition(s):

1. Subject to the site plan being corrected to show the tower height at 120 feet.
2. Subject to any other federal, state, or local approvals that may be required.

Motion carried with all in favor.

Minutes

Motion made by R. Vaillancourt, seconded by J. Gagnon, to approve the minutes of August 18, 2008 as amended. Motion carried with all in favor.

Motion made by J. Morgenstern, seconded by P. Sanfacon, to table the minutes of October 20, 2008 and November 3, 2008, until December 1, 2008. Motion carried with all in favor.

Ordinance Amendments

J. Ayer distributed a map for the proposed area for the re-zone area along Route 11C. He said he provided a copy to Diane Cooper. He said the Board had discussed rezoning the area currently zoned Industrial. He said this rezoning would make it easier to rezone the King's Grant Inn property to Commercial if the area in the proposed rezone is changed to Commercial. He said the Airport Authority may not be in favor of the proposed change.

C. Grant asked if there was a list of zoning amendments. J. Ayer said he emailed the list many days earlier and all the related details. C. Grant she did not get hers and some other Board members said they did not get them while others said they did. J. Ayer said he had printed the email for the meeting just in case people had not brought theirs. He then distributed the printed emails to the Board.

J. Ayer discussed with the Board how to present the zoning amendments in a favorable way so voters can understand the changes. The Board decided to use Option 3 for the proposed changes to the Table of Permitted Uses which would ask one ballot question for all the changes in the table of Commercial land uses, noting that if it failed, it failed. The Board discussed publishing the proposed changes to the Table of Permitted Uses in the Gilford Steamer. J. Gagnon suggested highlighting the fact that the changes are all in the commercial and industrial zones and not in the residential zones. The Board agreed.

J. Ayer reviewed the proposed addition of a definition for a “Bunkhouse”. The Board had no changes.

J. Ayer discussed Small Wind Energy (SWE) Systems Ordinance and again presented a model ordinance from the State Office of Energy and Planning. J. Ayer said Dave Andrade has concerns that the proposed ordinance requires a review only by the Building Inspector and applicants would not be required to go through a formal review by the Planning Board or Board of Adjustment. J. Ayer said abutters would be noticed and a regional notice would be sent; as is already done with applications for telecommunication towers. J. Gagnon said residential applications should go to D. Andrade and commercial applications should go through the Planning Board.

2009 Meeting Schedule

Staff explained the scheduling for certain meetings in 2009 and how some holidays fall on a scheduled meeting night (Mondays) and asked if the Board could choose a different night for their meeting other than the next day (Tuesdays) as the Conservation Commission meets on Tuesdays. Staff also suggested the meeting during the week of Christmas 2009 be moved to another week due to the possibility of limited time to meet the RSA requirements for minutes and decisions to be completed and opportunities for staff to take vacation time. The Board disagreed with the suggestion to move the meeting during the week of Christmas 2009.

Motion made by C. Grant, seconded by R. Vaillancourt, to not have the second February 2009 meeting. Motion carried with J. Gagnon abstaining.

Discussion ensued on changing the schedule for the February 2009 meetings due to a holiday falling on meeting night. P. Sanfacon suggested making the first meeting in February for new applications and the second meeting could be scheduled on a Wednesday and listed as a workshop that can be canceled if necessary. The Board agreed.

Motion made by P. Sanfacon, seconded by R. Vaillancourt, to make the first February meeting for new applications and the second meeting as a workshop to be cancelled if necessary. Motion carried with all in favor.

Staff would revise the 2009 meeting schedule and present it at the next meeting.

Motion made by P. Sanfacon, seconded by R. Vaillancourt, to adjourn at 9:10 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant