

**MINUTES
GILFORD PLANNING BOARD
DECEMBER 1, 2008
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in regular session on Monday, December 1, 2008 at 7:00 p.m. in Conference Room A in the Gilford Town Hall. The meeting was the first public hearing for the 2009 Zoning Amendments.

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

Member(s) absent: Alternate David Arnst.

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

P. Sanfacon introduced the first proposed zoning amendment and opened the public hearing.

PROPOSED ZONING AMENDMENTS/PUBLIC HEARINGS

- A. **Section 8.2.1.5(d), Signs Not Allowed – Offsite Signs** – Amend Section 8.2.1.5, Signs Not Allowed, by amending Subsection (d) which provides an exception to allow certain offsite signs. The proposed amendment eliminates the exception allowing offsite signs erected in deeded rights-of-way and the related provisions for such signs. The amendment would continue to allow only those offsite signs erected pursuant to Sections 8.4.10, Special Outdoor Event Signs; 8.6, Directory Signs; 8.8.4, Real Estate Signs; 8.8.6, Farm Produce Signs; and 8.8.7, Charitable/Non-Profit Organization Event Signs.

J. Ayer explained this amendment is proposed from the ZBA and applies to one sign in town (The Meadowbrook sign on Route 11). He said this proposed zoning amendment would not allow any misinterpretation of the sign ordinance.

C. Scattergood asked if this proposed amendment would grandfather the Meadowbrook sign and J. Ayer said yes and it would also allow the signs mentioned in the proposed amendment to continue.

J. Gagnon spoke about allowing off site signs for commercial businesses looking to locate in Gilford and spoke about the end of Blaisdell Avenue for a location of a directory sign. J. Ayer said they would need a variance with or without whether directory signs are allowed.

P. Sanfacon agrees with not allowing directory signs and she asked if this was brought up because of the ZBA and J. Ayer said yes.

P. Sanfacon opened the hearing for public input.

Michael Kitch, reporter for the Daily Sun, suggested allowing off-site signs in only one zone. J. Ayer said that has merit to it.

R. Vaillancourt, P. Sanfacon, C. Scattergood and C. Grant support the proposed amendment as it is presented.

With no other public input P. Sanfacon closed the public hearing.

P. Sanfacon introduced the second proposed zoning amendment and opened the public hearing.

- B. **Section 5.1.2, Minimum Lot Dimension** – Amend this section by deleting the existing subparagraph (d) which allows lots with smaller than standard frontage, and replacing it with a revised subparagraph (d). The revised subparagraph (d) also allows lots with smaller than standard frontage, but adds restrictions and further clarifies the existing standards. Additional restrictions include, but are not limited to, requiring that driveways serving such lots serve no more than a total of three (3) lots and proposing construction standards for such driveways; that lots with smaller than standard frontage have at least one half (½) acre more lot area than the minimum lot area required in the zone; that such lots have a minimum setback from any property line equal to the front setback required in the zone; and that these provisions shall not apply to lots having frontage on public waters (such as Lake Winnepesaukee).

J. Ayer said he does not have any opinion from Town Counsel regarding this proposed amendment. He suggested the proposed amendment be tabled and in order to discuss any changes that may be suggested after receiving Town Counsel's opinion and then schedule another public hearing.

The Board disagreed with tabling the proposed amendment and said they are all in agreement with how the amendment is written and if Town Counsel does not have any changes; then they do not have to have another public hearing. If there are changes then they will hold another public hearing. The Board agreed with how the amendment is presented.

P. Sanfacon opened the hearing for public input. Being none she closed the public hearing.

P. Sanfacon introduced the third proposed zoning amendment and opened the public hearing.

- C. **Table 1 - Chart of Uses, Section 4.3, Commercial Uses** – Amend the Commercial Uses table by changing whether certain commercial uses currently listed in the table are permitted, permitted by special exception, or not permitted in the Commercial, Professional Commercial, Resort Commercial, and Industrial zones.

J. Ayer said this proposed amendment might get published in the newspaper. The Board agreed with how the amendment is presented.

P. Sanfacon opened the hearing for public input. Being none she closed the public hearing.

Airport Re-Zone

J. Ayer spoke about the proposed re-zone of the airport property in and along Route 11C and the letter submitted by Diane Cooper of the Laconia Airport Authority stating their opposition to any zone changes.

J. Gagnon does not see why the airport even has to comment on the proposed changes made by the Town of Gilford. J. Morgenstern did not feel some of the points raised in Diane Cooper's letter were germane.

Other members of the Board do not see the need to rezone the area.

J. Ayer recommended the Board not propose this amendment and possibly revisit it in the future. The Board agreed.

J. Ayer said he would go forward with the other proposed re-zone around Blaisdell Ave and notice that amendment for the next public hearing.

Small Wind Energy Systems Ordinance

J. Ayer said he agrees with the Building Inspector reviewing the applications and having some internal review.

R. Waitt spoke about the LRPC meeting where Small Wind Energy Systems Ordinances were discussed. He said the expert does not believe that New Hampshire is a viable state to support windmills, due to the fact that the wind speeds in NH are unpredictable and inconsistent.

The Board discussed the decibel levels (dB) that windmills would make and 65dB was discussed as the amount of noise generated from the windmill. The Board discussed how would you compare that number to what would be intrusive to neighbors.

The Board discussed if other equipment can be attached to the windmill, as it is unclear in the model ordinance. The Board also discussed the appearance of the windmills as well as imagining them being installed along the waterfront and on the islands and having a negative visual impact. J. Morgenstern is concerned about the aesthetics windmills would have and thinks the Board should consider that issue.

The Board discussed if there is no ordinance in place, windmills could go anywhere with little to no regulations required of them. J. Gagnon suggested putting the proposed ordinance in front of the voters.

J. Morgenstern suggested working on this ordinance but that the visual impacts need to be addressed.

The Board discussed having to have something in place. J. Morgenstern suggested the applicants come before the Planning Board with an application and abutters be notified. J. Morgenstern is concerned about the decibel levels and thinks more research needs to be done about the noise levels. He also requested that J. Ayer to call a vendor in town to find out what the noise levels. Specified in the model ordinance, would mean to abutters. P. Sanfacon wants to know if the noise increases with the speed of the wind. J. Morgenstern suggested the Board review the model ordinance and he agrees with J. Gagnon about getting the ordinance in front of the voters and feels it is important to have an ordinance in place.

J. Ayer asked if the Board wants to continue with the proposed “Bunkhouse” ordinance and the Board said yes they would like to see the ordinance move forward and they have already reviewed the language and agree with how it is presented.

Voluntary Lot Merger- McNabb

Motion made by R. Vaillancourt, seconded by C. Scattergood, to authorize Chair, P. Sanfacon sign the Voluntary Lot Merger. Motion carried with all in favor.

BUSINESS

PROPOSED ZONING AMENDMENTS/PUBLIC HEARINGS

A. Section 8.2.1.5(d), Signs Not Allowed – Offsite Signs

Motion made by C. Scattergood, seconded by J. Gagnon, to place Amendment A on the ballot as presented. Motion carried with all in favor.

B. Section 5.1.2, Minimum Lot Dimension

Motion made by J. Gagnon, seconded by J. Morgenstern, to table Amendment B until December 15, 2008. Motion carried with all in favor.

C. Table 1 - Chart of Uses, Section 4.3, Commercial Uses

Motion made by C. Scattergood, seconded by J. Gagnon, to place Amendment C on the ballot as presented. Motion carried with all in favor.

J. Ayer reviewed a plan that was submitted to the Department with two lots involved that do not have enough frontages on Grant Rd. He said the existing lots are currently non-conforming as to frontage and asked the Board how they felt about allowing the reduced frontage for one lot with a boundary line adjustment. The Board discussed this proposal does not meet any current ordinance or proposed ordinance. The Board agreed to allow the application to come forward as a boundary line adjustment.

Smart Growth Survey

The Board received a survey from the LRPC requesting if the Town of Gilford would be interested in a Smart Growth Natural Resources Audit. R. Waitt said it is a tool used to see what the community would like to learn about the smart growth process and learn if it would be beneficial to the Town of Gilford. J. Ayer said he is not sure how much information it would provide to the Town of Gilford or how beneficial it would be. C. Grant wants J. Ayer to investigate if other communities benefited from this survey and contact them.

2009 Meeting Schedule

The Board listened to staff explain a possible scheduling conflict for the January 19, 2009 meeting. The conflict is there may be a town-celebrated holiday on Monday, January 19, 2009. If the holiday were celebrated, there would be a conflict with the Conservation Commission if the Board were to meet on Tuesday, January 20, 2009. Staff asked the Board to decide on another night to hold its meeting. The Board discussed another meeting date for January and when they would hold another public hearing for zoning amendments, as January 20, 2009 is the last possible date to hold a public hearing. J. Ayer said the Board should meet on January 20, 2009 anyway. The Board agreed.

Motion made by J. Morgenstern, seconded by C. Grant, to adjourn at 8:30 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant