

**MINUTES
GILFORD PLANNING BOARD
JANUARY 5, 2009
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met in regular session on Monday, January 5, 2009 at 7:00 p.m. in Conference Room A in the Gilford Town Hall. This meeting included the second public hearing for the 2009 Zoning Amendments.

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

Member(s) absent: Vice Chair-Carolyn Scattergood and 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 application and explained the application falls under the requirements for a town owned project.

Friends of Gilford Football

Applicant proposes to replace an existing trailer used for selling food and replace it with a new 8'x 20' structure on Tax Map & Lot #224-018.000 located at 263 Intervale Rd. in the Resort Commercial Zone. Municipal Site Plan Review. File #2008003252.

J. Ayer said the application is complete. A motion to accept is not needed.

Scott Isabel, School Department representative, gave a brief presentation to the Board. He explained the proposal is the Friends of Football has donated a small wooden structure to replace the "chuck wagon" on the site to be used as the new concession stand. He said it would be designed to be easily moved as it would not be a permanent structure and it would be located between the greenhouse and the goal posts. He said the cooking would still be done outside the structure.

J. Gagnon suggested the doorways and structure be handicapped accessible. R. Vaillancourt asked how they would keep people from tripping over the electrical wire and they said they have designed the wires to run underneath and behind the structure so the public would not have access.

P. Sanfacon opened up the hearing for public input. With no public input offered, she closed the public hearing.

PROPOSED ZONING AMENDMENTS/PUBLIC HEARINGS

Polly Sanfacon introduced the first zoning amendment.

- A. **Create Small Wind Energy Systems Regulations** – Create a new Article 20, Small Wind Energy Systems, pursuant to related new state regulations regarding small wind energy systems (R.S.A. 672:1-III-a. and R.S.A. 674:62-66), as follows:
1. Create regulations governing the development, placement, and use of Small Wind Energy Systems (electricity-generating systems also known as wind turbines and windmills which have a rated capacity of 100 kilowatts or less) including, but not limited to, creating definitions and procedures for reviewing applications and issuing permits; establishing standards to control setbacks, height, maximum sound levels, shadow flicker, use of signs, interference with aviation, visual impacts, lighting, system placement, and related issues; and establishing requirements for abandoned systems and related regulations.
 2. Renumber the existing Article 20, Administration and Enforcement, and subsequent Articles of the Gilford zoning ordinance, as Articles 21 through 25 respectively.

This is the first public hearing for this item.

J. Ayer explained why this amendment is being brought forward. He said the state passed an RSA regulating small wind farms and that the Board thought it was important for Gilford to be prepared in order to deal with any applications submitted to the Town of Gilford. He spoke about the wind farms being considered green energy and the town should be prepared to deal with those types of applications.

Discussion ensued about changing the wording for measurement and analysis of noise measurement and J. Ayer noted the setback requirements for the structures. He explained the ordinance requires regional and abutter notification as well as regulations for noise and shutter images created by the windmill. He also discussed the ordinance will include abandonment and enforcement procedures.

P. Sanfacon opened up the hearing for public input. With no public input offered, she closed the public hearing.

Motion made by J. Morgenstern, seconded by R. Vaillancourt, to place Zoning Amendment A, **Small Wind Energy Systems Regulations**, on the ballot with the minor changes made by the Board. Motion carried with all in favor.

P. Sanfacon introduced the next zoning amendment.

- 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).

This is the second public hearing for this amendment.

J. Ayer explained the key change was a “publicly maintained road” and that was based on a recommendation from Town Counsel.

P. Sanfacon opened the hearing for public input. With no public input offered, she closed the public hearing.

Motion made by J. Morgenstern, seconded by R. Vaillancourt, to place Zoning Amendment B, **Section 5.1.2, Minimum Lot Dimension**, on the ballot as presented. Motion carried with all in favor.

P. Sanfacon introduced the next zoning amendment. She explained the hearing has to be reopened as abutters would like to comment on the proposal and did not have an opportunity at the first public hearing. Motion made by C. Grant, seconded by R. Waitt, to reopen the public hearing for discussion on Amendment C **Official Zoning Map and Section 2.5, Rezoning.** Motion carried with all in favor.

C. **Official Zoning Map and Section 2.5, Rezoning** – Amend the Official Zoning Map of the Town of Gilford and Section 2.5, Rezoning, by changing the zoning of the area at the southerly end of Blaisdell Avenue from the Industrial (I) and Limited Residential (LR) Zones to the Commercial (C) Zone. The area encompasses approximately 90 acres covering all or parts of Tax Map and Lot #201-024.000, #201-030.000, #201-031.000, and #202-003.000.

The second public hearing for this amendment.

J. Ayer explained the location and the current zones surrounding the application.

P. Sanfacon opened the hearing for public input.

Bruce Wright, representing James Irwin, one of the affected properties, spoke about an inter-municipal agreement between Laconia and Gilford that had to do with the zones of this property within both communities. J. Ayer said the Town Administrator and Town Counsel reviewed the agreement and decided the proposed zoning change would not affect the agreement between Laconia and Gilford.

B. Wright is concerned this property will be zoned differently between the two communities. He explained the use is boat storage and that is permitted currently; but if the zone changes to

Commercial they would require special exceptions for some of the other uses related to boat storage they could potentially do like small marine engine repair or a marina.

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

Motion made by J. Gagnon, seconded by R. Vaillancourt, to place Zoning Amendment C **Official Zoning Map and Section 2.5, Rezoning** on the ballot as presented. Motion carried with all in favor.

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

- D. **Article 3, Definitions** – Amend Article 3, Definitions, by adding a new definition for “Bunkhouse” which is, generally, an accessory building to a single-family dwelling providing sleeping quarters for guests staying in the principle building. The amendment proposes that bunkhouses shall not contain bathroom or kitchen facilities, exceed 180 square feet, or be converted into cottage colony units. It also proposes that only one (1) bunkhouse be permitted per lot.

This is the second public hearing for this amendment.

J. Ayer explained the proposed amendment and the comments from Town Counsel. He spoke about some of the changes the Board discussed at the last meeting

P. Sanfacon opened the hearing for public input. With no public input, she closed the public hearing.

Motion made by J. Gagnon, seconded by R. Vaillancourt, to place Zoning Amendment D, **Article 3, Definitions**, on the ballot as presented. Motion carried with all in favor

BUSINESS

Minutes

Motion made by R. Vaillancourt, seconded by R. Waitt, to approve the minutes from December 15, 2008 as presented. Motion carried with C. Grant abstaining.

Other Business

Gilford Common Conceptual Master Plan Discussion:

Jeff Lewis, engineer representing Gilford Common, gave a brief presentation to the Board regarding the Master Plan for the entire site. He said they have taken the residential component off of the plan. He distributed a proposed plan that shows mostly medical/professional office space with some retail space available. He discussed shared parking between the uses and claims based on the proposed uses the parking would be adequate.

J. Ayer asked about one of the features on building “G”. J. Lewis explained it is proposed as an outdoor pavilion area.

J. Gagnon asked about shared parking with the hotel and J. Lewis confirmed there is shared parking at the site.

J. Ayer asked about the bank having an internal access way between them and the proposed restaurant. Michael McGinley, property owner, said he could speak to the bank to see if they would be interested in reestablishing the internal access way, as was originally proposed when the Post Office was proposed. He said if that were what the Board wants, he would design it that way.

Discussion ensued about the possibility of removing one of the lots to create a cluster development. J. Lewis said they might change the design of the subdivision based on what type of uses come forward.

M. McGinley said the site might go into more medical and professional not as much commercial at this time.

J. Ayer presented a letter from Plan NH, explaining that Plan NH offers design services to municipalities and if Gilford has any projects that may qualify for these uses. The services are provided pro-bono. J. Ayer said the town turned down another offer from LRPC lately for similar projects. P. Sanfacon said that Gilford does not really have projects that qualify. C. Grant suggested J. Ayer send it to the School Department for the Meadows development. J. Ayer agreed.

J. Morgenstern brought up Master Plan discussion. He said before the next work session, the Board should put together a list of issues or problems the Board would like to address in the Master Plan.

Discussion ensued about Work Force Housing and the new regulations that have passed regarding Work Force Housing. J. Ayer explained he was told Work Force Housing needs to be available in every residential zone. He said he would research the issue further. The Board discussed the current requirements for the Town of Gilford that states public sewer has to be made available and that could be limiting the creation of that type of housing.

P. Sanfacon said there needs to be annual line items in the budget that sets aside money each year for work on the Master Plan and that any re-write include professional assistance.

R. Waitt asked about the Getty station and said it is looking like a junkyard. J. Ayer said there have been several site inspections and several letters were issued to the owners.

Adjournment

Motion made by C. Grant, seconded by J. Morgenstern, to adjourn at 8:25 p.m. Motion carried

with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Administrative Assistant