

**MINUTES  
GILFORD PLANNING BOARD  
OCTOBER 4, 2010,  
CONFERENCE ROOM A  
7:00 P.M.**

The Gilford Planning Board met for a public hearing and work session on Monday, October 4, 2010 at 7:00 p.m. in Conference Room A in the Gilford Town Hall.

In attendance were: Chair Polly Sanfacon; Vice Chair-John Morgenstern, Regular Members: Jerry Gagnon, Richard Vaillancourt, Richard Waitt, and Richard Sonia; and Alternate(s), Dennis Corrigan, Chan Eddy and Wayne Hall.

Member(s) absent: Selectman's Representative Kevin Hayes.

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

P. Sanfacon led the Pledge of Allegiance, introduced Board members and staff.

She opened the Public Hearing for the proposed amendment of the Subdivision and Site Plan Review Regulations for the Town of Gilford, New Hampshire as follows:

Amend Section II. A. regarding general site plan requirements, to add Agriculture uses to Single-Family Residential and Two-Family Residential uses as those not subject to submission and approval of a site plan.

J. Ayer thanked D. Corrigan for his assistance with the proposed re-write of the amendment. D. Corrigan spoke about the concern that was raised about this proposed amendment being characterized as "spot zoning". He said this is not "spot zoning" because it is not a part of the zoning ordinance but it will be a part of the site plan and subdivision regulations. He spoke about the number of farms in Gilford that this amendment could apply toward, not just one farm.

Discussion ensued about the possible scenarios this amendment may create. D. Corrigan spoke about it could allow larger structures to be built on farms that may not have to comply with setbacks, wetlands, etc. He would rather amend the ordinance on a smaller scale and then amend the regulations as situations arise. P. Sanfacon is concerned that may lead to several amendments to the regulations, when that may not be necessary.

J. Ayer reviewed the proposed language for the amendment.

R. Sonia spoke about the amendment relating to the installation of non-permanent greenhouses. P. Sanfacon spoke her concern that limiting the language may lead to

the perception that it is “spot zoning”.

J. Ayer spoke about the concern of limiting the uses related to agriculture. J. Morgenstern said he would not agree to exempt permanent structures for farms. C. Eddy spoke about being in favor of limiting the amendment to temporary structures.

The Board discussed the state regulations that relate to farming and what the local regulations should require. D. Corrigan believes the proposed amendment should be very specific.

A. Howe spoke about trying to keep pace with technology and market demand in the farm business. He spoke about being told by a representative from the North Country Conservation District as being the only farm in the state that is required to file a site plan.

P. Sanfacon explained she is sensitive to not having this be interpreted as site specific. She said the Board seems to be trying to allow the installation of temporary structures for agriculture use.

J. Morgenstern would like it to read “non-permanent structures without foundations, electricity, plumbing, electronics, placed on farm fields for agriculture purposes.” The Board agreed.

J. Ayer spoke about there have been substantive changes and they may have to have another public hearing.

J. Gagnon disagrees and thinks the changes were not substantive change.

J. Ayer mentioned Barbara Aichinger was in favor of the proposed changes to the site plan and subdivision regulations.

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

Motion made by R. Vaillancourt, seconded by J. Morgenstern, to amend the site plan and subdivision regulations section as follows:

Amend Section II. A. regarding general site plan requirements, to add Agriculture uses to Single-Family Residential and Two-Family Residential uses as those not subject to submission and approval of a site plan.

Motion carried with all in favor.

### **Worksession-**

The Board discussed proposed 2011 Zoning Amendments.

J. Ayer reviewed the proposed zoning amendments he drafted for the Board.

He spoke about the proposed “Home Occupation” amendments which would limit the types of uses that could be allowed as home occupations such as adult entertainment, club, limousine or taxi service, businesses involving tractor trailers trucks, and industrial uses.

C. Eddy spoke about not limiting the tractor trailer cabs as the nature of truck drivers is to be on the road often and thinks the tractor trailer cabs should be allowed.

The Board discussed what types of businesses should be allowed for the “Home Occupation”.

The Board discussed whether they should list what is allowed versus what is not allowed. The Board agreed to list what is “not allowed” as a “Home Occupation”. J. Ayer would like to have the regulations specify uses that are not allowed.

J. Gagnon and R. Vaillancourt do not believe tractor trailers or cabs should be allowed in residential neighborhoods.

J. Ayer used an example of a tow truck (wrecker) driver that requested to bring his tow truck home so when he got a call late in the morning he could leave from his house to get to the call faster. The Board said that would not be considered a home occupation since that driver works for a tow truck company.

J. Ayer spoke about revisiting the 2010 amendments for “Steep Slopes” and “Workforce Housing”. The Board agreed.

J. Ayer spoke about creating an “Accessory Apartment” use that would allow a single family home to have a rentable apartment if one of the units is occupied by the owner. J. Ayer suggested if they should be required to obtain a special exception or just a building permit, or obtain a conditional use permit. J. Morgenstern asked about the requirement for the deed addendum. J. Ayer said he would ask the Town of Londonderry, where he saw the requirement, why they require it.

J. Ayer passed out the “Workforce Housing” amendment and also discussed the revised parking regulations.

### **Other Business**

J. Ayer spoke about a request to relocate the approved driveway location for Tax Map and Lot #205-006.007, a corner lot, from Country Club Road to Pinnacle Drive. The Board was in favor provided it is reviewed and approved by DPW.

J. Ayer discussed **Ron Vezina, New Earth Real Estate** request for site plan approval extension.

Motion made by J. Morgenstern, seconded by R. Sonia, to approve the **Ron Vezina, New Earth Real Estate** site plan approval extension request to October 27, 2011. Motion carried with all in favor.

### **Minutes**

Motion made by R. Waitt, seconded by R. Sonia, to table the minutes from August 30, 2010. Motion carried with J. Gagnon abstaining.

Motion made by R. Sonia, seconded by R. Waitt, to approve the minutes from September 20, 2010 as amended. Motion carried with all in favor.

### **Adjournment**

Motion made by R. Sonia, seconded by R. Waitt, to adjourn at 8:37 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte  
Technical Assistant