

**MINUTES
GILFORD PLANNING BOARD
JULY 18, 2011
CONFERENCE ROOM A
7:00 P.M.**

The Gilford Planning Board met for a public hearing on Monday, July 18, 2011 at 7:00 p.m. in Conference Room A in the Gilford Town Hall.

In attendance were Chair John Morgenstern; Vice Chair Polly Sanfacon; Selectman's Representative Kevin Hayes; Secretary Richard Waitt; Regular Members Richard Sonia and Richard Vaillancourt; and Alternate Member Chan Eddy.

Those absent included Regular Member: Jerry Gagnon and Alternates Dennis Corrigan and Wayne Hall.

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

J. Morgenstern led the Pledge of Allegiance, introduced Board members and staff, and read the rules of procedure for the meeting.

J. Morgenstern appointed C. Eddy to replace J. Gagnon.

- **Public Hearings**

J. Morgenstern introduced the application.

1. **Blue Sky Enterprises**

Applicant proposes a three-(3) lot subdivision with Lot #1 containing 1.104 acres, Lot #2 1.104 acres, and the remaining lot containing 30.29 acres on Tax Map and Lot #205- 025.000 located at 230 Cotton Hill Rd. in the Limited Residential Zone and the Aquifer Protection District. Subdivision Plan Review. File #2011004687.

- J. Ayer said the application is complete.

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

Howard Warren and Karen Feltham, property owners, gave a brief presentation to the Board. H. Warren described the location of the property and the proposal for a three-(3) lot subdivision. He explained the plans and described sheet 2 of the plan set that shows the locations of the septic areas, buildable area, and other zoning requirements. He explained the proposed lots do not have any wetlands on site. He said the remainder lot will have less than the required road frontage, but will meet Section 5.1.2 (d) of the ordinance. They are also working with the Town of Gilford to create a drainage easement along the frontage for the proposed lots.

Discussion ensued about the Site Study minutes where a detention pond was mentioned that exists on site. The Board would like the pond, culvert, ditch, drainage system shown on the final plans.

J. Morgenstern opened the hearing for public input. There being none he closed the public hearing.

J. Morgenstern introduced the next application.

2. KRB Realogy/Gilford Professional Park

Applicant proposes to subdivide Building 2 on Tax Map & Lot # 201-014.201 into eight (8) condominium units located at 401 Gilford Ave in the Professional Commercial Zone. Amended Site Plan Review. File #2011000228.

J. Ayer said the application is complete.

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

Rusty Bertholet, property owner, gave a brief presentation to the Board. He explained he is requesting to subdivide Building #2 of the Gilford Professional Park, an existing 15,000 SFG office building, into eight (8) individual condominium units. He said the Building has already been approved as a condominium. He said he has met with Dana Pendergast, Fire Inspector, to go over the code requirements. He said the proposal will meet all the parking requirements.

J. Morgenstern opened the hearing for public input. There being none he

closed the public hearing.

The Board entered into deliberations.

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DELIBERATIONS

Motion made by K. Hayes, seconded by R. Sonia, to waive the checklist Item #41, Landscape Plan. Motion carried with all in favor.

1. Blue Sky Enterprises

• J. Morgenstern would like the following discussion items added to the final plan:

- 1 The detention pond, culvert, drainage ditches and water flow arrangements from Cotton Hill Rd.
- 1 Note #9 mentioned by R. Bertholet in his presentation, should be added to the final plan to explain compliance with Section 5.1.2(d).

• Motion made by R. Sonia, seconded by R. Waitt, to find that the application meets the requirements of Section 5.1.2(d) and Article 21 of the Gilford Zoning Ordinance and approve a Conditional Use Permit to allow a lot without standard road frontage; and to approve the application subject to the following condition:

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- 1 Approve the application subject to the applicant obtaining any other federal,
 - state, or local approval that may be required.
- 2 The detention pond, culvert, drainage ditches and water flow arrangements from Cotton Hill Rd. are to be shown on the final plan.
- 3 The drainage easement to the Town of Gilford is to be shown on the final plan.

Motion carried with all in favor.

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2. KRB Realogy/Gilford Professional Park

Motion made by R. Sonia, seconded by K. Hayes, to approve the application with the following condition that the applicant obtains any other

federal, state, or local approval that may be required.

Motion carried with all in favor.

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- **Minutes**

June 20, 2011- Motion by K. Hayes, seconded by R. Sonia, to approve the minutes of June 20, 2011. Motion carried with all in favor.

- **Other Business**

J. Ayer discussed a few topics with the Board.

2012 Zoning Amendments- Steep Slopes.

J. Morgenstern spoke about the discussion the Planning Board had last year regarding regulating excavation of slopes in order to make buildable area. He said the Board is also looking to prevent severe runoff and erosion issues due to excavation.

J. Ayer spoke about the proposed 15,000 SF is roughly one third of the required buildable area. J. Morgenstern would like the Planning Board to have the ability to address some situations and allow more than 15,000 SF of area to be excavated on a case-by-case basis. R. Sonia is not in favor of allowing the Planning Board to approve more excavation than they are working to change the requirements to. P. Sanfacon agrees with R. Sonia.

Discussion ensued about whether this would apply to commercial zones, but the proposal only applies to residential zones. The Board members agreed to that.

K. Hayes would like it to be clear that the 15,000 SF should mean for the total disturbed area, not a combination of 15,000 SF excavation and fill. The Board agreed.

Motion made by P. Sanfacon, seconded by R. Waitt, that the Board move forward with this amendment and send it to the Conservation Commission for comment. Motion carried with all in favor.

J. Morgenstern wants a draft of what the Conservation Commission is proposing for the zoning amendment for Section 5.2.1, Island and Shore Frontage District, before their joint meeting on August 1, 2011.

J. Ayer brought up changing Section 4.7.6 for Yard Sales. J. Ayer explained the reason for this proposed change was based on a situation brought to his attention by Police Chief Markland. J. Ayer explained it seems to make sense to not require an application for a yard sale be submitted at least three (3) days prior to the sale.

Motion made by K. Hayes, seconded by R. Sonia, to accept and recommend the proposed changes to Section 4.7.6. Motion carried with all in favor.

Adjournment – Motion made by R. Sonia, seconded by K. Hayes, to adjourn at 7:45 p.m. Motion carried with all in favor.

Respectfully submitted,

Stephanie Verdile Philibotte
Technical Assistant