

Nottingham Planning Board

October 9, 2019

Approved: April 22, 2020

Board Members Present: Eduard Viel, Vice-Chair; Gary Anderson, SRPC Rep; Joseph Clough, CIP Rep; Susan Mooney, Secretary; Teresa Bascom; Robert “Buzz” Davies, Alternate;

Members Absent: Dirk Grotenhuis, Chair; Leanne Gast, Alternate; Tiler Eaton, BOS Rep; JoAnna Arendarczyk, Land Use Clerk;

Others Present: Stef Casella and Jen Czysz SRPC reps; Jim Franklin, Surveyor; Kevin Bassett, Neighbor; Mike Dougherty, Neighbor; Mark Lefebvre, Neighbor; Les Thompson, Neighbor; Matt Eaton, Neighbor

Call to order: 7:00pm

Alternate(s) Seated and Voting: Mr. Davies for Mr. Grotenhuis

Land Use Clerk absent. Minutes taken by Teresa Bascom and Susan Mooney and later compiled by clerk.

Public Hearing

Conceptual- Four (4) Lot Line Adjustment conceptual applications from Franklin Associates, LLC to adjust the common Boundary Lines of Map 70 Lot 25 owned by Kevin Bassett, 70-25 LLC, with that of Map 68 Lot 5 owned by Leslie & Barbara Thompson; Map 68 Lot 6 owned by Michael Dougherty Rev. Trust; Map 70 Lot 11 owned by Mark & Michele Lefebvre; and Map 70 Lot 13 owned by Matthew & Seonaid Eaton.

Kevin Bassett, owner of 70-25 LLC, etc, Map 70 Lot 25, has harvested some wood to widen the road. Jim Franklin, Land Surveyor, stated that all interested landowners are present. He questioned the Board as to whether a full perimeter survey of Map 70 Lot 25 would be required for the land not used for a Lot Line Adjustment (LLA). Each lot involved in the LLA project is about .4acres and may double in size if the LLA is approved by adjusting their lot lines and gaining land from Map 70 Lot 25. The property is accessed by a private road, 33’wide and owned in fee by Mr. Bassett in paper only. Current access to the lots 11 & 13 and 5 & 6 is by Lamprey Drive spurs. Access is believed to remain the same.

The applicant was informed that a waiver request would be required for the request to not survey the land not involved in the LLA.

Public Hearing Comment:

Mark Lefebvre (Lot 11) offered a drawing of the current driveway access for review. Stefanie Casella, SRPC Planner, reviewed her memo (file) and advised the applicant to include language regarding access to the lots when updating the deeds with the new boundary points.

Ms. Casella was asked why the case would need to go to the ZBA

for a Variance. She replied that the lots are non-conforming lots on a private road.

Jenifer Czysz added that the Planning Board does not have the authority to rule on lots that do not follow the Zoning Ordinance therefore they must go to the ZBA for relief. Additionally, the LLA does not bring the lots to conformity.

Leslie Thompson (Lot 5) asked if they would need ZBA approval to build on 0.39 acres. The response was “yes”; ZBA relief would be required.

A question was also asked; if parcels are split by a right of way would they be taxed as contiguous parcels or two separate parcels? The Board didn’t know the answer to the question.

The next steps were discussed.

Public Hearing Closed: 7:43pm

Board of Selectmen and Staff/ Board Members Update

Draft Zoning amendments- Stefanie Casella-

Ms. Casella presented handouts:

Draft Zoning Amendments-

- Reformatting done
- Definitions have not been moved yet
- All pages provided were reviewed

Amendment 2 Article II, Section C.-

- Ms. Czysz did most of the reformatting
- The setbacks have been set into a table
- Discussion about developing a list of “permitted uses” in the Residential/ Agricultural district
- Ms. Czysz stated that most other towns do have a list of “permitted uses” in their Zoning Ordinance
 - advised not being “overly specific”

Frontage & Temporary Housing

- Ms. Czysz reviewed the document with the Board
- Frontage definitions from RSA 674:41. I. (a) and RSA 674:41. I. (d) were considered and discussed to possibly edit the Zoning Ordinance
- Only Lee and Deerfield (of the surrounding towns) addressed this issue
- Prefer Deerfield’s time of 60 days with a 30-day extension possible
- Discussed at length:
 - Temporary use of recreation vehicles on individual basis
 - For different scenarios
 - Fire in main home
 - Visitor for a period of time
 - Consider 30 day limit- beyond that requires special exception for up to 6 months by permit
 - Authority given to the Building Inspector
 - Renting out the temporary housing (Airbnb)

The Board decided to let the Building Inspector, Ms. Czysz and Ms. Casella draft some language regarding the issue.

Board Member/ Staff Update

Teresa Bascom- Land Use Law Conference- reported not so interesting

Susan Mooney- Presented a picture of a Small Whorled Pogonia for the Board to see what it looked like as it was a topic of discussion at a previous Subdivision Public Hearing.

Gary Anderson- December 1, 2019 deadline for the Road Safety audit if the Board is interested in this. The Board requested he email Dirk Grotenhuis regarding this.

Minutes

September 25, 2019

Motion Made By: Mrs. Bascom to approve the September 25, 2019 minutes as amended.

Seconded By: Mr. Anderson

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92 **Vote: 6-0-0 Motion Passed**

93

94 **Adjournment**

95 **Motion Made By:** Mrs. Mooney

96 **Seconded By:** Mr. Clough

97 **Vote: 6-0-0 Motion Passed**

98 **Adjourned at:** 8:50 pm

99 For the Nottingham Planning Board ~ JoAnna Arendarczyk, Land Use Clerk