

# PLANNING BOARD MINUTES

January 11, 2010

Present: Roger Gagnon, John Carpenter, David Landry, Heidi Behling, Jen Corrigan, Steve Tasse, Ann Leger, Jo Carpenter – recording secretary

Public – Burke York, York Land Services; Bert and Tracy Drouin, Kay Tasse, Ray Danforth, Ray Lemieux

## Public Hearing on Petitioned Zoning Amendment

Chairperson John Carpenter opened the meeting and the public hearing at 7:09 PM.

John began by reading the proposed amendment. He then asked if someone would explain the amendment and speak in favor of it.

Burke York explained that the Drouins would like to use their whole lot for mini-storage and not be limited to less than 50% of the lot.

John Carpenter questioned the part of the definition that mentioned an office. Burke said this means an office for the mini-storage facility. John Carpenter said that the way the definition is written it could mean some other type of office. Bert Drouin said they meant an office for the storage facility to do its business from.

Heidi Behling asked the Drouins if the two units they are proposing are approved, how many more units could be placed on the lot under the current definition. Burke York said that after these two no more could be built.

John Carpenter stated that historically buildings could only occupy 20% of a lot but that this requirement was taken out when the zoning was re-written in 2000.

Steve Tasse spoke about why the less than 50% was included in the definition. He said that the Planning Board did not want the lot to appear crowded.

John Carpenter commented that the proposed definition has complexities that don't really need to be included such as rental terms and the office.

John Carpenter commented that we need to remember if this is changed it would apply to any lot that wanted to have mini-storage not just this lot. He said that if building is allowed on 100% of a lot there could be major drainage issues.

Ray Danforth pointed out that if the less than 50% is an issue a variance could be requested and a variance could also be request on the entrance into an existing building.

Ray Danforth said that the zoning ordinance says that it protects the public welfare

Ray Lemieux stated if a lot has wetlands on it then the whole lot can not be used and in the case of the golf course when they impacted wetlands they had to construct a mitigation area.

Ray Danforth asked if the Planning Board would make a recommendation tonight. John Carpenter said that the Board would. Ray said that being the case then the Board will not ask for written comments. John said they will not.

Burke York again commented that the office in the proposed definition is meant to be for conducting the business of the facility.

Ray Danforth stated that he had no problem with the intent of the sentence about an office but the way it is worded is a problem. John Carpenter said that there is nothing in the current definition to prohibit an office and the current unit has an office.

Tracy Drouin commented that the process could have been better if everyone had worked together. She said that we would not be arguing over wording now. John Carpenter said that the Drouins could have come to the Board to discuss this in the summer.

Chairperson John Carpenter closed the public hearing at 7:40 PM.

The Board then began deliberations on whether or not to recommend passage of the petitioned amendment.

David Landry said that as a landowner he can understand about the less than 50% use of the lot being a problem but he feels that the way the petitioned amendment is written is vague and too opened ended.

Steve Tassej commented that if a variance is sought they must prove hardship of the land not to the people.

Jen Corrigan stated that she has no issue with the office and as a board member she feels that the Board must protect abutting landowners. She said as a landowner she can understand why the landowner might be against the less than 50% limitation.

John Carpenter said he can understand concern about the 50% limiting factor but the proposed ordinance with no limiting factor concerns him.

Heidi Behling made a motion that the Board not recommend this petitioned zoning amendment. This motion was seconded by David Landry and passed unanimously.

John Carpenter suggested if this amendment is not passed that the Board and the Drouins get together to see if a solution to this issue can be worked out or maybe it can be discussed during the upcoming site plan process.

### **Site Plan - Bert & Tracy Drouin - new mini-storage units**

Burke York told the Board that the Drouins would like to proceed with their application at the February meeting. They would like to submit their application for acceptance and go directly to public hearing if the application is accepted as complete.

The Board agreed with this timetable.

### **Minutes**

Steve Tassej made a motion to accept the minutes as amended - fix date of January meeting. This motion was seconded by Heidi Behling and passed unanimously.

### **Correspondence**

1. Brochure from PlanNH

### **SBA - Site Plan Approval Expiration**

David Landry recused himself from this discussion.

John Carpenter told the Board that a representative from SBA had called to check the status of their site plan approval. John Carpenter said that state law gives a limit of four years if an expiration date is not specified in the approval. Using these criteria the approval is good until December 11, 2010. The Board agreed with this interpretation.

John asked Jo Carpenter to call SBA with this information.

John said that SBA indicated that they have a carrier for their Gorham tower that also wants to go on the Shelburne tower if it is built. Jo said that she will remind them what must be submitted if they want a building permit issued.

### **Master Plan**

The volunteers for various sections were reviewed as follows:

- Natural Resources - Katie Stuart, Tim Buxton, Larry Ely, John Gralenski
- History - Hildy Danforth
- Transportation - John Cosgriff
- Community Service - Jo Carpenter, Stan Judge, Greg Corrigan
- Housing - Jody Landry
- Land Use - Planning Board
- Mapping - David Carlisle
- Economic Development - Planning Board
- Goals - Planning Board

The Board agreed that they would like to meet with the Natural Resources group, David Carlisle and Hildy Danforth on at their next meeting on February 8<sup>th</sup> following the Drouin Site Plan.

**Other**

Jen Corrigan asked if the Board could get the agenda Friday before the meeting. Discussion ensued on when appointments to meet rd should be cut off. It was agreed that Jo will send out the agenda on Friday before the meeting on Monday.

**Adjourn**

The meeting was adjourned at 8:30 PM

**Next Meeting - Monday February 8, 2010 at 7 PM.**