

TOWN OF GILMANTON PLANNING BOARD
TUESDAY, JANUARY 22, 2008
ACADEMY – 7 p.m.
WORK SESSION
APPROVED MINUTES

Present: Vice-Chair John Funk, Dan Hudson, Doug Isleib, Alternate Members Pam Fecteau and Marty Martindale; Planning Administrator Lynne Brunelle.

Absent: Felix Barlik, Nancy Girard, David Russell, Selectmen’s Representative Don Guarino and Alternate Member Monica Jerkins.

Acting Chair J. Funk opened the meeting at 7:07 p.m. and appointed Alternate Members P. Fecteau and M. Martindale as full voting members.

J. Funk explained that the purpose of the meeting was to draft the language to amend Article VII of the Zoning Ordinance. A public hearing was held on January 17, 2008 and based on the input and discussion at that meeting, the Board’s task is to rework the proposed language presented at that meeting.

Discussion occurred regarding the fact that the first draft, however straight forward, came across as complicated to some. Therefore, the Board members decided to further simplify the language. (Both versions of the proposed language are attached to the minutes.)

The Board clarified the difference between a non-conforming lot, a non-conforming structure and a conforming structure on a non-conforming lot. An applicant who wants to put a utility shed, that would meet setbacks, on a non-conforming lot would require a Variance according to the way Article VII is currently written. The proposed amendment would allow this by Special Exception.

Discussion continued regarding whether to incorporate references to RSA 483-B pertaining to the Comprehensive Shoreland Protection Act (CSPA) as well as RSA 674:41 regarding the issuance of building permits on Private and Class VI Roads.

It was determined that the amendment will reference Article IV, Table 2, which not only lists the minimum lot size/frontage requirements for each zone, but also denotes that *“Any lot that conforms with the 150’ frontage requirement in the Rural District in effect prior to March 14, 2000 shall be treated as a conforming lot for the frontage requirement purposes of this ordinance.”* Therefore, it would be redundant to state this in paragraph VII.D. The Board decided to reference Table 2 in paragraphs VII.C.2. & C.3. and remove the grandfathering clause in paragraph VII.D. and replace with a reference to State laws and regs, including the CSPA as follows: *“Any construction permitted under this Article VII must comply with all applicable Town and State laws and regulations, and specifically the Comprehensive Shoreland Protection Act (RSA 483-B).”*

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L. Brunelle mentioned that an email from Carolyn Baldwin, Vice-Chair of the Zoning Board, was received regarding the height restriction noted in paragraph VII.B.2. which states: “*Any proposed increase in the height of the structure shall be **consistent with, and not unreasonably impair** the view from neighboring properties, provided that the increase shall not exceed the height limitation set forth in Article III.E.*” She asked who would determine this, the Code Enforcement Officer? The Board members agreed that this would be determined by the ZBA and enforced by the Building Inspector.

With no further discussion on the proposed language, the Acting Chair entertained a motion to post the amendment for public hearing.

Motion: D. Hudson moved to post the proposed amendment to the Gilmanton Zoning Ordinance Article VII for a Public Hearing on Tuesday, February 5, 2008. D. Isleib seconded, motion carried 5-0.

ADJOURNMENT

On a motion made by D. Isleib and seconded by D. Hudson, vote passed unanimously. Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Lynne R. Brunelle

Minutes were approved by majority vote at the 3/13/08 Planning Board meeting.