



Town of Gilmanton, New Hampshire
Gilmanton Planning Board
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Michael Jean, Chair
Gary Anderson, Vice Chair
Roy Buttrick, Member
Shane Bruneau, Member
Brett Currier, Member
Nicolas Peterson, Member
Mark Warren, Selectmen Rep
Michael Wilson, Alt. Selectmen Rep
Dustin Milliken, Alt. Member
Mark Fougere, Certified Planner
Bre Daigneault, Planning Admin

Minutes of July 11, 2019

APPROVED

Roll Call

Vice Chairman Gary Anderson called the meeting to order at 7:00 p.m. Vice Chair Gary Anderson, Member Brett Currier, Selectmen's Rep. Mark Warren, Member Nicolas Peterson, Member Shane Bruneau, Planner Mark Fougere, and Planning Administrator Bre Daigneault were present at this meeting. Chairman Michael Jean and Member Roy Buttrick were absent. One member of the public was present at the start; a second joined at 8pm.

In the absence of Chairman Michael Jean, Vice Chairman Gary Anderson will act as Chairman.

Minutes-

Member Peterson made a motion to accept the minutes of June 13, 2019 as submitted. The motion was seconded by Member Currier. **5-0 in favor**

Correspondence –

Vice Chair Anderson read aloud a letter dated June 14, 2019 written by concerned resident Cindy Hunt. Ms. Hunt listed concerns, with the recently opened Temperance Tavern (AKA- Pub; located at 506 Province Rd) regarding potential problems which may arise from extra traffic, the Currier Hill intersection with Routes 140 and 107, parking along Currier Hill Rd, and the driveway locations. Selectmen's Rep. Warren stated the intersection (of Routes 140 and 107) has been assessed and is on a plan for improvement. Members agreed to have Planning Admin. Daigneault draft a response to address Ms. Hunt's concerns.

Applications

New-

The applicant for case #CC2019-301 was not present. Vice Chair Anderson opened case #CC2019-302.

Case # CC2019-302: Wayne Burgess, as land agent and Van E Hertel, Sr, Trustee of the RAED Hertel Family Trust, as owner, request a preliminary discussion for subdividing land located on Middle Route, more specifically described as map and lot 410-049. The owner seeks a discussion on subdividing the 64-acre undeveloped lot into 6-8 lots consisting of 5-12 acres each. The land is located in the rural zone.

Land Agent Wayne Burgess, representing the property owner, handed out packets to Board members. He is now proposing a four-lot subdivision versus the 6-8 originally placed on the preliminary discussion application. Vice Chair Anderson commented on the steep slope ordinance. Planner Fougere stated depending on the site of the house would depend if the steep slope could be avoided. It was mentioned there is a dry hydrant in near proximity. Vice Chair

Anderson clarified the steep slope ordinance requires 30,000 square feet of buildable, contiguous space; steep slope and wetlands cannot lay within that. Planner Fougere read from the ordinance- cut and fill should not exceed 2:1 ratio, driveway cannot exceed a 10% slope, and construction cannot be built on anyplace greater than 25%. The Town Road Agent sent in a concern regarding the locations of driveways. Mr. Burgess inquired as to the contour required. Vice Chair Anderson and Member Currier agreed 5' contour lines would be sufficient. Planner Fougere does not believe topo and wetlands would need to be completed on the entire lot, just in the front area where building would take place. Member Currier questioned the reasoning for involving the fire department in subdivision applications. Access was discussed as the main reason. Mr. Burgess verified that 5' contour lines were acceptable. The Board agreed the 5' contour lines and topo of at least 2 acres of each lot from the road with 30,000sq. ft. contiguous space including access to it. Member Currier inquired if Storm Water Management Plan was required. Planner Fougere stated that is only if development occurs on steep slope. There was discussion of the 4:1 depth to width ratio (Subdivision Regulations Section VII.5), but found this only applies to subdivisions with less than 300' of frontage.

Case # CC2019-301:

The applicant was not present. Member Bruneau made the motion to continue until the August meeting. Member Peterson seconded. **5-0 in favor**

A public hearing will take place to amend or adopt changes to the Planning Board Rules of Administrative Procedure-

Vice Chair Anderson opened the Public Hearing. Discussion was made regarding the arrangement of the agenda. The order in the Rules & Procedures was different then the order of the current agenda. Members agreed to follow the order of business as written on page 3 of the Planning Board Rules of Administrative Procedure.

Member Currier suggested adding a statement that the Chair has the authority to re-arrange the order of the agenda at his discretion. Planner Fougere stated that is standard protocol.

Vice Chair Anderson suggested adding the section of the RSA stating members may be removed from position, if they miss more than three unexcused meetings.

Member Bruneau made the motion to change paragraph 9 on page 1, under "Members and Alternates" from "All Members" to "All members *and alternates*". Selectmen's Rep. Warren seconded. **4-1 in favor**

Vice Chair Anderson closed the Public Hearing.

A public hearing will take place to amend or adopt the Subdivision Regulations and Site Plan Review Regulations, per RSA 675:6-

Vice Chair Anderson opened the Public Hearing. Planner Fougere discussed the origination of the 4:1 ratio as described in section VII.5 of the Subdivision Regulations.

Vice Chair Anderson called for a hold on this Public Hearing as the applicant for CC2019-301 arrived.

Vice Chair Anderson re-opened Planning Board Case #CC2019-301

Case # CC2019-301: William F. Donahue, Trustee of the William F. Donahue Revocable Trust,

as owner and applicant, requests a preliminary discussion to verify if a Site Plan is needed for his property located at 452 NH Route 140. Mr. Donahue operates Scriven Arts Colony and hosts cultural events in the barn attached to his home. The property consists of 1.2 acres in the Village Zone, having map and lot 128-014.

Mr. Donahue stated that since 2015 he has been running Scrivner's Art Colony out of his barn. It entails 4-5 cultural events over the summer. He described a few events he has hosted which are primarily Gilmanton orientated. Vice Chair Anderson inquired as to the typical attendance at the events. Events typically average 20-25 people. Vice Chair Anderson stated the reason for Mr. Donahue's presence was to determine if a site plan is needed. Member Currier inquired about the parking arrangements. Mr. Donahue stated he parks some cars on his property, some on his neighbors, and some will park on the roadside. He ensures vehicles on the roadside are monitored to make sure they are off the road. Upon a question from Member Bruneau, Mr. Donahue stated he can park around 6 or 7 on his property. He averages two events in July and another 3 in August. Vice Chair Anderson stated his only concern would be with fire code and would recommend Mr. Donahue contact the Fire Chief to arrange for a walk through of the barn. Member Currier does not believe a site plan is necessary. Admin. Daigneault recommended making notice that if the events become larger or more often, the Planning Board may revisit the need for a site plan. Members were in agreement that a site plan is not needed. The Board made the recommendations to have the barn inspected for fire safety concerns and should the events grow larger or more frequent, Mr. Donahue may be asked to apply for a Site Plan Review.

Vice Chair Anderson requested members to continue the Public Hearing to review the Subdivision and Site Plan Review Regulations-

Discussion continued of the 4:1 ratio. Vice Chair Anderson inquired as to the reasoning behind the ordinance, is it just to prevent "bowling alley" lots. Planner Fougere concurred, this ordinance is just to prevent long narrow lots. Member Currier stated he is for removing this ordinance. The general consensus of Board members agreed.

Member Currier wished to discuss the Fire Protection Ordinance in Section VII.C. Planner Fougere stated this is for the Fire Chief to make a recommendation on subdivisions, similar to the Road Agent and other department heads. Vice Chair Anderson feels the recommendation from the Fire Chief is beneficial, however, he would not wish for this ordinance to give a Fire Chief the authority to mandate a cistern or dry hydrant. Member Peterson suggested changing the wording from "shall" to "may". This would keep the option of taking recommendations from the Fire Chief without burdening him with smaller subdivisions. Member Currier feels this ordinance has been used by passed Planning Boards to deny applicants a subdivision. Planner Fougere stated the second paragraph can be removed; the Board cannot mandate the Fire Chief use NFPA Standards. He can rework the wording of the paragraph. Member Bruneau prefers to put the Fire Chief on notice of all subdivisions, so it does not look like the Board is picking and choosing which properties he comments on.

Selectmen's Rep. Warren discussed having a review process with multiple departments at once to make the application process more streamlined. Admin. Daigneault said there is an option for Technical Review in the Ordinances. Selectmen's Rep. Warren is hoping for a process that

makes it easier for tax payers and have them more prepared when submitting documentation with their applications.

Member Currier suggested requiring granite markers versus iron pins as boundary markers. He feels it is easier for someone to remove a pin. Planner Fougere read the ordinance as currently written. He could add in the Monument section that all bounds be set prior to recording and can add a preference for granite bounds unless “otherwise not practical”.

Vice Chair Anderson inquired as to adding a section for “Regional Impacts”. Planner Fougere stated each application should be reviewed for regional impact. It could be an item placed on the agenda each meeting.

A public hearing will take place to review the Zoning Ordinances for potential updates that would reflect on future warrant articles, pursuant RSA 675:3-

Vice Chair Anderson opened the Public Hearing of the Zoning Ordinances.

Vice Chair Anderson wished to broach the subject of open space subdivision. He explained this allows for smaller lots with less road frontage on the premise the Board mandate so much land to be kept as common area or conservation land. Selectmen’s Rep. Warren spoke of his first-hand account navigating the ordinance as favorable. The minimum lot sizes are 1 acre in all zones and drops the road frontage to 75’. There was discussion of open space subdivision on existing roads. On the perimeter it does not meet the character of the existing roads. Members believe the intention of this ordinance was to be developed on newly created roads and would like to adjust the ordinance to reflect this.

Vice Chair Anderson would like to address the affordable housing or expand on multi-families. Planner Fougere clarified the Town must, per RSA, provide a reasonable chance for affordable housing, as well as, at least one zone allowing multi-families. Another topic of interest was addressing condominiums. Member Bruneau asked if stipulations for ascetics of condos could be made. Planner Fougere stated a design review could be mandated for condos. Discussion involved limiting the number of bedrooms, number of units, suitable locations, density, septic, and wells.

Member Currier discussed the current camper ordinance which only allows for a 120-day usage on vacant lots per year with a trailer coach permit. He agrees there should be regulations, however, feels the amount of time should be lengthened. Members discussed how to lengthen the time or change to allow for certain months. The exclusions for the Residential Lake District was also discussed.

Vice Chair Anderson raised the subject on regulating “Airbnb’s”. Planner Fougere has seen inflation of homes in other towns when purchased for the sole purpose of weekly rentals. He suggested allowing it for residential property owners only. Vice Chair Anderson inquired on having “Airbnb’s” permitted for a fee. Member Currier disagreed with a permit requirement. Questions were raised on how to regulate the use only at a primary residence. Admin.

Daigneault stated it would be similar to the ADU ordinance, which either the main home or the ADU must be owner occupied. Members agree that an owner-occupied requirement may help safeguard from obnoxious renters.

All discussions of Ordinances and Regulations will continue to the August 8, 2019 meeting.

Other Business- None

The next Planning Board meeting will be held on August 8, 2019.

Adjournment

Member Brett Currier made the motion to adjourn. Member Shane Bruneau seconded the motion. **Motion passed 5-0**

*Respectfully Submitted,
Bre Daigneault, Planning Administrator*

Authorized by 
Vice Chair Gary Anderson

Date: 8-8-19



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ATTENDANCE SIGN-IN

Thursday, July 11, 2019

PRINT

ADDRESS

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Bill Donahue 452 NH Rte 140, Gilmanton