



TOWN OF GILMANTON  
PLANNING BOARD

Thursday, January 12, 2023 – 6:30PM

Academy Building - 503 Province Road  
Gilmanton, NH 03237

[www.gilmantonnh.org](http://www.gilmantonnh.org)

MEETING MINUTES

APPROVED

A. CALL TO ORDER BY CHAIRMAN

B. ROLL CALL

Members Jake Dalzell, Brett Currier, Alt. Member Nate Philbrook, Chairman Roy Buttrick, and Members Parker Hoffacker, and Marti Martindale along with staff Bre Daigneault. Selectmen Representative Mark Warren arrived shortly after the start.

C. SALUTE TO THE FLAG

Ms. Daigneault read a resignation letter from Vice Chair Vincenzo Sisti effective immediately. At this time, he is, regrettably, no longer able to dedicate his time to the board.

Upon acceptance of Mr. Sisti's resignation, Member Currier made the motion to appoint Member Hoffacker as Vice chairman. Chair Buttrick seconded. **Motion passed 6-0**

D. PUBLIC HEARINGS- REVIEW FOR REGIONAL IMPACT

a. NEW-

**CC2022-303:** Property owners Philip Brouillard as Trustee of the Granite State Conservation Trust and George Roberts Jr as the Chairman of the First Congregational Society in Gilmanton, are requesting a preliminary discussion to subdivide property located on Joe Jones Rd and 461 Meeting House Rd, identified as map/lot numbers 414-050, 414-052, and 414-053. The proposal would create seven total lots where three currently exist. The properties are located in the rural zone.

Mr. Brouillard wanted to, prior to submitting a formal application, show and discuss the plan with the Board. He explained a similar proposal had come before the Board in past years. This new proposal eliminates from the original plan. The road plans are also being submitted. The Church would retain lot 1, creating 6 additional lots. The lots comply with the Zoning Ordinances. They are field lots with stone walls along the road front that would be retained. There would be a hammer head turn around. Members discussed options for drainage, the turn-around, the snowmobile trail, and the Historical District boundaries with the applicant. Ms. Daigneault also noted items such as a storm water management plan, a bond for road improvements, and an outside engineer would be required.

**Private Road Agreement:** Property owners Kevin Switala and Katherine Switala-Elmhurst are requesting a private road agreement with the Selectmen to build on Snowshoe Hill Rd. The parcel is identified as tax map and lot 134-014. Pursuant RSA 674:41, the Selectmen shall request the Planning Board review and comment on the application to determine whether the private road meets minimum standards for year-round access by emergency vehicles.

Ms. Daigneault explained this is an existing developed lot that has added an additional structure to it. A road agreement was currently not on file. The ZBA

made a condition to approval that an agreement be recorded. Members briefly discussed the location. It was the consensus of the Board to recommend the BOS approve the road agreement.

**Petition Warrant Article to remove parcel from Historic District:** Pursuant RSA 675:4, property owners Francis J. Parrott, III and Catherine Merrifield are petitioning to amend the official historic district map of the Town of Gilmanton by removing land known as Tax Map/Lot 419-025 located on Meeting House Road from being designated as part of the Meeting House Historic District.

Ms. Daigneault stated it was the Planning Board whom hold the public hearing as the petition is altering the Zoning Boundaries. The Board, after hearing public comment, will need to make a motion to support or not support the petition warrant article. Members reviewed the location of the subject parcel. Members did not feel removing this lot from the HDC would be an issue.

Chair Buttrick opened the hearing to public comment.

Resident Jeff Medeiros felt they would not be setting any precedent as the house is over 1,200 feet from the road. In no way would this house be seen. Mr. Medeiros is a direct abutter to the backside of this lot and even he would not be able to see the house.

With no additional comments, Chair Buttrick closed the public hearing.

VC Hoffacker made the motion for the Planning Board to support the petition article from the Historic District. Chair Buttrick seconded. SR Warren recused himself as he had signed the ballot. **Motion passed 5-0**

b. **OLD- None**

Chair Buttrick requested to move the minutes to the end of the meeting and proceed with the warrant articles amendments.

**E. MINUTES OF- December 8, 2022**

**F. UNFINISHED BUSINESS**

**G. CORRESPONDENCE**

**H. OTHER BUSINESS/PUBLIC COMMENT-** The board felt they had discussed these in length and did not request further discussion. Chair Buttrick opened the Zoning Amendments to public hearing.

**a. Zoning Ordinance Warrant Articles**

**• Article VII. Non-Conforming Uses, Lots & Structures**

Member Currier explained this article would allow for waivers on a septic for someone looking to rebuild. Chair Buttrick added that if the footprint was not being changed, they would not need to go to ZBA. Ms. Daigneault confirmed, this would both allow for someone to rebuild a non-conforming structure in the same footprint, which the ordinances currently do not allow. Additionally, non-



conforming lots currently cannot utilize a waiver for any encroachments, such as a well setback waiver. Any conforming lot would allow for a waiver within State law. Resident (and Conservation Commission Chair) Dick de Seve stated that when first read the article, he felt it was to authorize waivers *from* the State law, but now that he's hearing it, he understands that it would allow *for* State issued waivers. Ms. Daigneault also gave an example that this would allow a property owner to replace a rotting deck within the road front setbacks. Currently, they would have to receive approval from ZBA. Mr. Medieros is in favor of this amendment and feels its common sense.

- Article XVI. Definitions

Ms. Daigneault stated the board had removed the definition of "warehouse" and created two definitions being "commercial storage facility" and "warehouse or wholesale building". Resident Patrick Hackley asked if the storage building non-commercial wording was altered. Ms. Daigneault confirmed the wording to require the residential use be by the owner only was removed. Member Currier stated currently, you cannot have an outbuilding on a vacant lot.

- Article IV, Table 1. Table of Uses

Ms. Daigneault stated the second and third proposed articles go hand in hand and referred to the Table of Uses. There was conversation around the difference between commercial use and residential use. Mr. Hackley, as a Sawyer Lake resident, had concern with the allowing outbuildings on the small lots in the district. Residents Paula Gilman and Zannah Richards both inquired of the ordinances. Ms. Richards inquired if the Planning Board had people come to them to have these changes made. Chair Buttrick stated during all the workshops the board held, no residents came to participate. Member Currier felt this would bring in revenue and help the tax burden. Ms. Richards stated she is on the ZBA and has had people come to ZBA to place a shed on vacant land. She felt this was a problem having to deny the application. Resident George Roberts inquired if this allows a business to be anywhere in Town. It was explained the table of uses shows which zones each of these definitions would be allowed, not allowed, by conditional use permit, or by special exception. Mr. de Seve offered a clarifying explanation of the proposed amendments.

**MINUTES of Dec. 8, 2022-** Member Currier requested the draft minutes be amended to reflect the motion on Case #2022-402, condition #2 should have read: "Planting of trees being 10' off the driveway to where it meets Allens Mill Rd, *continuing along the side of Allens Mill Rd to the existing driveway*, excluding the areas with existing trees in the State right of way, and being as described in Section IX:E-1.b of the Gilmanton Site Plan Regulations." (wording in italics was added)

Member Currier made a motion to approve as amended. Member Dalzell seconded. **Motion passed 5-0** Member Martindale abstained as he was not present.

Members inquired of Paul Osborne of the Gilmanton Snowmobile Club where the snowmobile trail goes through the First Congregational lot. Mr. Osborne stated it is the land owners right to develop and they would look for a reroute (of the trail). He was just discussing with abutter Jeff

Medieros to reroute the trails across his lot. Mr. Osborne showed the board where the current trail runs.

**I. NON-PUBLIC- None**

**J. ADJOURNMENT**

Member Currier made the motion to adjourn. VC Hoffacker seconded. **Motion passed 6-0**

Authorized by



**Chairman C. Roy Buttrick**

Date:



