

TOWN OF SUTTON
Planning Board
Pillsbury Memorial Hall
Meeting Minutes
January 8, 2013

Present: Planning Board Members: David Burnham; Julie McCarthy; and Roger Wells and Wally Baker: Ex-Officio; (Dan Sundquist, Chair; Peter Blakeman; Carrie Thomas; and Bob DeFelice were absent); and Laurie Hayward, Land Use Coordinator.

David Burnham appointed Roger Wells to come forward and take the chair in Dan Sundquist's place.

The meeting was called to order at 7:10 PM, by Roger Wells.

Administrative:

Previous minutes: It was agreed that the minutes of November 27, 2012 would be resent and taken up in the next regular meeting.

Correspondence: None.

Revision to Zoning Ordinances: The Land Use Coordinator Provided copies of the language in the Notice of Public Hearing for all of the proposed amendments to the Zoning Ordinance. Copies of the Ordinance, with revisions shown, and a list of pages with changes were also distributed. There ensued a discussion of the changes including noting the amendments which were primarily "housekeeping items" or clarifications and only a few that were more substantive. The most significant change is the addition of an entirely new Article for Wind Energy Systems.

The Planning board members then took up each of the 13 amendments detailed in the Notice of Hearing and voted whether to recommend each amendment.

Amendment 1

This adds a new Article XIX that makes the re-numbering of articles and sections automatic after any change approved by voters which would make a change in numbering necessary in order to maintain the correct sequence. This Amendment also authorizes any changes to the Table of Contents which are needed in order to correctly reflect the renumbering/reorganization of articles and sections based on changes approved by voters.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 2

Amend the Ordinance throughout by making various changes to grammar and spelling, including changing the convention used for measurements to be consistent throughout (*ex. 1 foot* instead of one (1') foot), all to add consistency, both throughout the ordinance and with state statutes.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 3

To amend the wording for Article III Temporary Use of Construction Trailers and Travel Trailers as follows: in Section I.1.a, the first sentence is revised to read “Any property owner or lessee may ~~accommodate~~ *reside in or occupy* one travel trailer of his/her own or one of a non-paying guest for a single period of not more than ~~ninety (90)~~ 90 days in any one period of ~~twelve (12)~~ 12 consecutive months.”

In Section I.2, where a person is employed in construction work, the following is added: “*Such a use is permitted for the duration of one year from when construction commences, and may be renewed for a period not to exceed an additional year upon written application to the Board of Adjustment.*”

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 4

To amend the wording in both Article IV.A.3 and Article V.A.1 to add “*farm stand*” as a permitted use.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 5

This Amendment changes the provisions of both Article IV.C.2.a and Article V.C.2.a. regarding minimum lot size and frontage requirements by removing the statement “and the owner does not own contiguous land, in which case such land shall be combined with said lot to create a conforming or less nonconforming lot” Article V.C was further amended to delete language regarding lot size requirements. Article IV, C was amended to clarify that setback measurements were to be made from the center of the traveled portion of the road.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 6

This amendment adds language to Article V.D. to make Shoreland requirements for Article V, Rural Agricultural, consistent with those of Article IV, Residential, by requiring lakefront lots to have not less than 150 feet of frontage on the lake and 75 foot setbacks from poorly or very poorly drained soils. Language was also added to include agriculture as a permitted use.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 7

This Amendment changes, Article VI by removing language regarding commencement and completion of improvements authorized by special exception and adding language regarding driveways, access ways and other traffic features. The requirements for the granting of a variance are changed to be consistent with recent changes to RSA 674:33. Language is added to VI, A.5 to authorize the ZBA to extend the time period within which the applicant must commence and complete improvements permitted by variance or special exception.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 8

This amendment covers two changes to Article VII, Nonconforming Uses, by adding language to Section A.1 to provide that automatic discontinuance shall take place after a use is discontinued for one year “*with evidence of intent to abandon the non-conforming use,*” and by adding a new Section D “Conforming to Nonconforming Lot Changes with Annexation”.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 9

This Amendment changes provisions of Article III titled “Personal Wireless Service Facilities (PWSFs) by relocating the Article to be Article XI. The term “average tree canopy” has been deleted and wherever used replaced by “*tree canopy*” or “*main canopy of trees*”. The definition of the term “Average Tree Canopy” has been deleted and replaced with definitions for “Tree Canopy” and “main canopy of trees.” The language of Section B, Height, and New Ground-Mounted Facilities has been deleted and replaced with new wording regarding limitations on the height of such facilities.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 10

This Amendment changes Article X, Wetlands Overlay District, by replacing the provisions of Table D.1, which contains requirements for the Buffer Areas within the District.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 11

This Amendment adds a new Article XII to the ordinance regulating small wind energy installations and renumbers the following articles accordingly.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 12

This Amendment deletes Article IX, Penalty, and adds a new paragraph B to Article VII, Enforcement, which provides for the enforcement and imposition of penalties pursuant to state law.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

Amendment 13

This Amendment changes the entity that must approve sewage disposal systems and erosion control for Cluster Developments, Article IX. A change to Section E.5 identifies the *Department of Environmental Services (DES) Subsurface Systems Bureau* instead of the NH Water Supply and Pollution Control Commission as the department required to approve sewage disposal systems. A change to Section E.6 names the *Natural Resource Conservation Service (NRCS)* instead of the Soil Conservation Service as the department providing erosion control recommendations.

A motion was made to recommend this amendment, seconded and voted unanimously to recommend.

The Public Hearing for the Zoning Ordinances is to be held the next Tuesday, January 15 at 7:30 pm.

Next regular meeting is scheduled for Tuesday, January 22 at 7pm.

There being no further business, the meeting was adjourned at 7: 40 PM.

Respectfully submitted,

Laurie Hayward
Land Use Coordinator