

TOWN OF SUTTON
Planning Board
Pillsbury Memorial Hall
Meeting Minutes
November 24, 2015

Present: Planning Board Members: Carrie Thomas, Chairperson; Julie McCarthy, Roger Wells, and Carole O'Connell, members; Dan Sundquist, Ex-Officio; Jim Lowe, Alternate; (Bob DeFelice and Peter Blakeman, Member, and Lisa Hogarty, Alternate, were absent); and Laurie Hayward, Land Use Coordinator (LUC).

The meeting was called to order at 7:00 PM, by Carrie Thomas, Chairperson.

Administrative:

Minutes of previous meetings: The Chair called for a motion on the Minutes of Meeting October 27, 2015. O'Connell moved to accept the Minutes of Meeting October 27, 2015; McCarthy seconded the motion and it was voted unanimously.

Correspondence: The LUC reports that she does not have a complete application for Dennis O'Connell yet. O'Connell's attorney needs to provide the Abutters List. Also there is correspondence from Eversource (formerly PSNH) regarding tree trimming on Shadow Hill Road. The LUC was unable to confirm a date that David Crane could appear before the Board in time for required notices to go out; therefore, both cases are now postponed until 2016.

Reports: There were no reports from either the Select Board or the LUC.

Work session:

There was an extensive discussion about the process to get the revised Zoning Ordinance to a vote at Town Vote in March. The LUC explained that the schedule for meeting state noticing requirements is very tight this year because of the way that the calendar falls. It means that they must have their first meeting well before the second Tuesday of the month. The preferred date is January 5th, the first Tuesday in January, for the first Public Hearing. If the Planning Board makes any changes as a consequence of the public input during the first meeting, a second meeting is required and must be noticed in advance. A possible second hearing can be planned for Tuesday, January 26th, the fourth Tuesday in January.

The LUC suggested that the Board take up a discussion about how they want to handle presentations at the Public Hearing. She explained that each of the proposed changes should be presented and there is one area, Manufactured housing, where the Boards are not in agreement on what the language should look like. The Chair stated that she feels it would work to have someone from the ZBA present their proposed language for the entire Ordinance including the items relative to manufactured housing first. The ZBA presentation would then be followed by the Planning Board member presentation of those items for which the Planning Board has developed specific language proposals, including Manufactured housing.

The LUC referred members to a draft document that she included in their packets and that is a summary of the several types of changes being proposed for the Zoning Ordinance. The LUC explained that this draft

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will eventually be the wording for the Notice of Joint Public Hearing, describing at a summary level the changes to be voted upon in March. She said the several types are: non-substantive changes in grammar, spelling, and other small usage changes intended to correct and add consistency of usage; changes to bring Sutton Ordinances into compliance with federal and state statutes; a new Article creating a Steep Slope Overlay District; new language to add language regarding Driveways to the General Provisions Article; changes of the board or entity responsible for excavations and the board or entity responsible for Travel and Construction Trailers; and changes to Definitions that either add or remove definitions as needed to support the proposed Ordinance language. The LUC added that the ZBA has worked on; but, not yet finalized an Article regarding Residential Solar Facilities. Board members agreed that there is not enough time to work on language that is new at this point in the process.

Sundquist asked the LUC whether the ZBA considers that language change proposals “hardened off” at this point. The LUC replied that she thinks the language that they propose is where they want it; but, they have questions, as does she, about some of the Planning Board proposed language. The LUC told member that the ZBA members had asked her to pass on a couple of questions. For example, regarding the Steep Slopes Overlay District, the language as proposed does not clarify that development in this area is permitted by a Special Use Permit which is handled by the Planning Board. Wells indicated that was agreed to by the Planning Board. The LUC stated that the language was never added to the proposed article and suggested that be done now.

Wells suggested that it would be useful to get the ZBA’s final language in advance of the next meeting. The LUC asked what form to get the language to them --- with change tracking shown or just the final language. Wells said that he does not want to see comments or tracking of changes. The LUC agreed to get that to members and would lightly hi-lite sections with substantive changes. Wells asked that the LUC provide notes in the email to anything that seems to her to still have questions or needs explanation. The LUC agreed to do this before the December 8th meeting. O’Connell asked the LUC if there was a way for her to make comments when she is not able to attend the meeting. The LUC explained that O’Connell can email comments to her, the LUC, and she will share the email comments at the meeting. The LUC stated that comments cannot be shared with anyone else.

Wells asked if the LUC could also type up something in advance to outline what should be discussed in the Joint Public Hearing and who will make what presentation. There was a brief discussion about how the meeting might be structured. Sundquist offered that the meeting is by statute always officiated by the Chair of the Planning Board and it would make sense for the Chair to open the meeting, recognize the members of both Boards who are in attendance, offer an initial statement regarding the process, recognize members of the public who wish to speak. It was agreed that the LUC should provide such an outline to members and that Wells would present for the Planning Board and it would be good to have the ZBA Chair present the rest of the changes to the Ordinance that are not Planning Board requested language.

Sundquist offered to provide a “Steep Slope District Map” to illustrate where the steep slopes are for people attending the hearing. Wells agreed that would be helpful and asked if Sundquist could also provide a “Wetlands District Map”.

The LUC posed a question, explaining that it came up at the last ZBA meeting and she was not clear on the answer. The question is: if someone comes in and wants to build a driveway on a lot which is not shown on a map of steep slopes, is it reasonable for that individual to assume that there is no issue with slopes

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and/or driveway grade? Sundquist replied, stating that the assumption cannot be made because the map is general and a site survey might show specific sloped areas that are not registered on the map. Sundquist went on to state that he could provide a map of areas with 20% or greater grades. Lowe asked if the map would be based on topographic maps and Sundquist explained that he uses mapping software that uses a digital elevation method. The Chair suggested that they could place a disclaimer on the maps that advises the maps provide some general guidance but do not in any way provide approval for building on a steep slope. The LUC asked if the language is in the Zoning Ordinance to provide authority for reviewing driveway permits in context of Subdivisions and Site Plan Reviews and does it mean that there should be language making that clear or are they really trying to get every application for a driveway or any other structure reviewed where there is a significant slope? Sundquist questioned whether it is appropriate to Subdivision and Site Plan Regulations in the context of the Zoning Ordinance.

O'Connell asked if the LUC could send members that exact language regarding Manufactured housing. The LUC agreed that she would do that. The LUC did state that the definition that is proposed is almost straight out of the statute. There was a discussion about the prohibition of "cabins" and "tents" as well as "manufactured housing". Members agreed that this prohibition may no longer make sense and discussed whether to simply remove it. In the end, Wells suggested they just remove the exceptions.

Wells offered to make a report regarding the work that he and Peter Blakeman had been asked to do as a Subcommittee in connection to the revision of the Subdivision and Site Plan Review Regulations. Wells reference Section V (now Section VI) Form of Plans and Accompanying Papers and Section VI (now Section VII) Required Improvements. Wells told members that they got together and have produced recommended language which he has typed up. He gave a copy to the LUC, explaining that Blakeman has not fully approved the language yet.

The LUC asked Sundquist a question regarding the language on Soils and whether the small chart on minimum building areas should still be in the section. Sundquist replied it is not and added that having a map and adding language that simplifies this and makes it easier for people to understand seems good. Wells suggested that the Board plan to take up changes to the Subdivision and Site Plan Review Regulations on January 26th, that being the last meeting he will attend before going south for the months of February and March and part of April.

New business: Wells asked Sundquist if he knows why the town taxes solar installations. Sundquist stated that he will ask the question and report the answer back.

Next regular meeting is scheduled to be held on December 8, 2015 at 7:00 PM and will be a work session.

There being no further business, it was unanimously voted that the meeting be adjourned at 8:05 PM.

Respectfully submitted,

Laurie Hayward
Land Use Coordinator