

**TOWN OF SUTTON**  
**Planning Board**  
Pillsbury Memorial Hall  
Meeting Minutes  
May 26, 2015

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

**The meeting was called to order** at 7:10 PM, by Carrie Thomas, Chairperson.

**Administrative:**

**Minutes of previous meetings:** The Chair asked for a motion regarding the minutes of previous meeting on May 12, 2015. McCarthy explained that she already emailed two corrections to the LUC. Wells moved to accept the minutes as revised with the corrections; the motion was seconded and voted unanimously.

**Correspondence:** The Chair asked if there was any correspondence. LUC said that she had a conversation with town counsel and it was agreed that Laura Spector-Morgan will come to a meeting after the Feins decision is handed down. That seemed a good idea as it might be useful to discussions to know something about how the judge saw this case. Additionally, it is especially helpful to have her after the decision if the case is remanded to the Planning Board. The LUC added that it is likely that the decision will come in June and that town counsel will be at one of the June meetings; but, nothing is scheduled at this point.

The LUC also told members that it has been unusually quiet at the Land Use Office. There have been no new applications for either the Planning Board or the Zoning Board of Adjustment in recent months.

**Old Business: Master Plan.** The Chair took up a discussion of the Master Plan and the proposed articles for the InterTown Record. There was a brief discussion about the revision of a Wells draft articles that Bill Thomas undertook. McCarthy, Lowe, and Wells all liked the more "folksy" approach of that revision of one of the "Conversations..." and would be happy to have him do the same with the second article written by Wells. O'Connell suggested that they change the names that are used. She objected to using historical figures' names and not using historically accurate speech patterns. After some discussion, members agreed that they would continue in the vein of the Bill Thomas proposed article and refer to the "characters" as "Mr. Harvey" and "Mr. Bristol".

Wells asked members what they thought should be the subject matter for an additional four articles to complete a series of 6 "Conversations...". The Chair said that she will ask Bill Thomas to work on the second article that Wells wrote which is about "aging in place". Wells explained that his sense of that issue is that there are many who do not support the idea of multi-family houses. The article looks at how to support that often expressed goal of "aging in place" without changing the character of the town.

Wells asked the LUC whether she brought his suggested list of possible article subjects. The LUC had not included those in packets and only had them on the desktop in the Land Use Office. Wells made the point that his articles are intended to introduce the idea of change very gently. Lowe voiced his concern that change be managed so as not to provide an opening for abuse. Lowe expressed concern that openings created by changes to the Zoning Ordinances could be misused. Wells suggested that there are ways to

encourage creative use of existing structures without changing the character and with still protecting the historic looks of the community. Wells suggested that members can help him in the writing process if they provide their thoughts on what might need to be added or subtracted from a specific article.

Wells offered up additional suggestions for subject matter including articles on: 1) Soils and how they are tied into protecting watersheds; 2) Driveways and Roads and what the issues are with certain land problems; 3) Commercial versus Industrial zoning; and 4) Zoning changes such as lot size as a means to protect rural quality or, perhaps, changes in zoning to include a "Historic district". O'Connell reminded members that the point is to sell the Master Plan, so articles should include some sort of pitch to support that goal. Wells said that leads him to feel that they need six informative articles, an introductory article, and a summary article, which would make a total of eight articles.

The Chair told members that she recently visited Franklin and took a tour of some structures that did take advantage of newer visions for uses. In one case there was a large structure that had been turned into apartments; but, did not have parking available. She explained that has limited the people willing to live at the apartment to people without cars. This has created a whole set of problems including that the town won't agree to give the property owner access to parking because of issues with the tenants and the lack of parking limits the clientele that the property owner can bring in creating a kind of "vicious circle".

Board members discussed a variety of ideas that might take shape during the Master Plan process. Lowe suggested that Sutton very much needs to find a way to mitigate the ever increasing tax burden. One way to do that is to bring in businesses that are not too controversial- for example, professionals like doctors, dentists, lawyers in a small professional office setting. Wells talked about the idea of having three villages and could include in the Master Plan how to get that to happen. There was a brief discussion about having North Sutton as a mixed village with a green and South Sutton as a Historic district. Wells told members that he would like to see each of the Sutton villages have a separate Master Plan to show how each could grow without destroying the character.

The LUC asked if there was a target date for a Master Plan kick-off. There was a discussion about how to get people interested in working on the Master Plan. The Chair asked the LUC about volunteers. The LUC stated that there are a few people for each topic who have signed up. The LUC explained that she has spoken to some people who are "considering signing up for a committee". She said that her hope is that a "kick-off meeting" will be an opportunity to sign up more Master Plan volunteers. Board members agreed that is not enough. It is hoped that articles will generate enough interest to bring people in to volunteer. Board members agreed that they feel the articles must be published first; then, they can decide when to start the process rolling.

Members discussed the issue of apathy. Lowe stated that his concern is that there is an issue regarding property taxes and if people do not get involved they may find at some point that the entire substantial cost of running and maintaining a town is supported by homeowners and is that tenable over time? Wells added that people may be averse to change; but, there has been change and there will be change. In the best circumstances the people of a town are the ones that shape that change. The LUC added that it is not always that people don't care. In discussions with a number of people about why they did or did not participate in the survey, she has found that some who have lived in Sutton longer feel that their voices will not be heard even if they participate.

#### **Reports:**

**Select Board Report:** None

**Land Use Coordinator Report:** The LUC told members that their packets included an updated Open Conditions Report. She pointed to the decreasing number of Open Conditions listed since the report was

first developed two years ago. She explained that the Open Condition regarding the St Cyr's riding arena will be dropped from the report. The LUC spoke with Mrs. St. Cyr and was told that they are not pursuing that at this time and understand that the approval has expired and they would need to come back to the Planning and Zoning Boards if they do want to pursue at some point. The LUC asked if the Board would like her to contact ITW at this point. Members agreed that was a good idea. Wells reported on the Open Condition that is related to a Variance that the ZBA gave his application for a garage that he wanted to re-build. That Variance was approved on the Condition that he give the town an easement for a snow plow turnaround. There was a dispute with Paul Parker, the former Road Agent, regarding the size of the turnaround easement which would have been 9 times the size of his garage. Wells said he notified the Select Board that he would not be using the Variance and would not give the town an easement. Wells added that there should be no Open Condition and the entry should be removed from the report.

O'Connell asked why the Planning Board is involved in the Carlson sign issue as it would seem to be a Zoning issue. The LUC explained that the Planning Board is a bit like the Legislature. It is responsible for both the Town Regulations and the town Zoning Ordinance and that is why there was a Public Hearing Chaired by the Planning Board on the revision to the Sign Ordinance. The Zoning Board of Adjustment has judiciary responsibilities. They are the court to which a property owner can appeal an order that arises due to language in the Zoning Ordinance. The LUC added that, in Sutton, the Zoning Board of Adjustment members do some preliminary work and recommend language changes to the Planning Board. This is not the case in all towns; but, Sutton has as a ZBA member who is an attorney with land use experience and some very experienced board members.

The Chair asked about the status of the Mapes Open Condition and whether they called the LUC. The LUC told the Board that she did receive a call from Greg Mapes. They are travelling outside the area; but, expect to return around the 4<sup>th</sup> of July. Mapes said that they would do the planting of the "swamp maples" upon their return.

There was also a discussion about the unsatisfactory plantings to screen the Merrimack County Telephone (TDS) equipment boxes across from Blaisdell Lake. The LUC explained that the Chair of the ZBA had a letter sent to TDS about their failure to adequately complete the Open Condition. TDS responded and has hired Whiskey Pine Maintenance to help them complete the Condition. Wells asked the LUC whether there is a planting guide that the Planning Board uses when they require vegetative screening or other landscaping. The LUC told him that she does not know of any such guide. Wells suggested there should be a planting guide that can be used to tell applicants what constitutes a correct planting. The Chair questioned whether the Board really wants to get into that depth of detail. It was agreed that the LUC would do some research on planning guides.

### **Work session: Regulations and Ordinances**

The Chair asked if members wanted to begin a work session this late into the meeting. It was determined that they did not wish to begin work on Regulations and Ordinances. The LUC pointed out that the packets contained a Steep Slopes GIS map that Sundquist had provided to show areas that would be most impacted by a "Steep Slope Overlay District" and this map would provide support for the need for such an overlay district. Wells briefly discussed that he would like to see the town have and map three Overlay Districts: Wetlands; Soils; and Steep Slopes. He mentioned the importance of having maps available so that members of the public could clearly see what properties are impacted by the zoning in these districts.

Wells asked the LUC to ask the town counsel if there was a way to simply put language in the Zoning Ordinance that refers to the Subdivision and Site Plan Regulations for the detail. His preference is for "less words in Zoning Ordinance; more words in Regulations." The LUC says she will ask the question; but,

it seems reversed from what she understood was desirable which is to support the Regulations by adding language to the Zoning Ordinance.

The LUC suggested that members again consider the language in the Lyme Zoning Ordinance which, to her, seems simple and straight forward. She pointed out that the language included wording that supports less dense development where there are "steep slopes" by reducing the percent of lot acreage that can be considered in determining how a lot meets minimum lot size. There is also wording that requires very long driveways, defined as more than 1,000 feet in length, to place laybys at certain specific intervals.

O'Connell said that she thought the GIS maps that are being developed for Sutton would be very useful for realtors and asked how they could get these. The LUC explained that realtors regularly come to town hall to do research. The LUC pointed out the "public computer" that is located at the back of the hall and explained that realtors are welcome to use that computer to view the Tax Map and Lot property cards. They can also speak with the LUC and ask any questions they would like and maps like the one that Dan Sundquist provided on Steep Slopes can be shared if they request one. Wells asked if it could be printed in very large format and then hung on the wall. The LUC said that she would like to do that when she has both the Steep Slopes and the Soils map complete and printed and available.

The Chair asked if there was anything new to be reviewed on Driveway Regulations. Wells pointed out that, after the last meeting, it is clear that the Board needs to work on a Zoning component first before they deal with the Subdivision and Site Plan Review Regulations. The LUC explained that the Lyme example that members have is from the Lyme Zoning Ordinance and could be a template for Sutton's. The Chair asked if Lyme was really similar to Sutton. The LUC explained that she suspects Lyme is more similar to Sutton than New London. The LUC added that what really drew her to Lyme's Ordinances is the relative simplicity of the language. The Chair agreed that New London's Ordinance is too wordy. The LUC offered to provide members with a draft of suggested language that "melds" the Lyme and some of the Sutton language, including percent grade, length, and other restrictions, and simplifies the current draft language on slopes and driveways. That would allow the Board to review it and, at the next meeting, pick it apart and determine how to turn it into language for Sutton. Board members agreed that would be useful. Wells reminded the LUC that he would like the question asked of town counsel: "can we simply have in the Zoning Ordinance that driveway length and construction requirements shall be as required in the Subdivision and Site Plan Review Regulations". The Chair agreed that change would be helpful as changes to the Zoning Ordinance must wait until Town Meeting; while changes to the Regulations can be done at any time of the year. The LUC agreed to ask the question.

**Next regular meeting is scheduled to be held** on June 9, 2015 at 7:00 PM.

**There being no further business, Wells moved, it was seconded and unanimously voted that the meeting be adjourned** at 8:20 PM.

Respectfully submitted,

Laurie Hayward  
Land Use Coordinator