

# MINUTES

## Sanbornton Planning Board Meeting

**Meeting Date and Time:** Thursday, April 18, 2024 at 7:00 PM

**Meeting Place:** Old Town Hall, 19 Meeting House Hill Road

The meeting was called to order by Vice Chair Will Ellis at 7:10 PM

### 1. Roll Call

Regular Members present: Will Ellis, Selectman Ralph Carter, and Jody Slack

Alternate Members present: Patti Bartlett and Tom Lynch

Planning Board Assistant, Stephen Laurin

### 2. Seating of Alternates for Absent Members

Will Ellis designated Patti Bartlett and Tom Lynch to serve as voting members.

**3. Approval of draft Planning Board minutes from the March 21, 2024 meeting** – Jody Slack made a motion to approve the draft minutes of the March 21 meeting as submitted. Tom Lynch seconded the motion and the motion passed 4-0-1. Ralph Carter abstained.

Will Ellis invited Selectman Brandon Deacon to make a public comment. Mr. Deacon said that the Board of Selectmen at their post-election reorganization meeting selected Ralph Carter to be the Ex Officio member on the Planning Board. He welcomed Mr. Carter to the Board, and thanked all former and current Planning Board members he worked with, as well as Recording Secretary Audry Barriault, who made his work on the Planning Board an enjoyable experience.

### 4. New Business

#### a. Lot Line Adjustment Application

**Property Owner(s):** David W. and Nancy A. Adams

**Subject Address/Tax Map & Lot:** 560 Old Range Road; Map 16, Lots 7 and 22.

**Description:** Proposed Lot Line Adjustment to reconfigure the area and frontage of the lots noted above. Property is located in the General Agricultural and Forest Conservation Zoning Districts, and the Steep Slope overlay district. (PB2024-02).

Will Ellis asked Stephen Laurin to provide an introductory overview of the application. Mr. Laurin said the application is for a lot line adjustment between lots 7 and 22, on Tax Map 16, and noted that the applicant has requested waivers to the Subdivision Regulations, including Section 6.B.15, regarding contour interval, and Section 7.C, regarding location of natural features, etc. He added that the following checklist items are missing from the plan: Benchmarks (Section 8.B.4 of the regulations); identification of all proposed easements on the plan (Section 6.B. 8 and 18 of the regulations); and, location of buildings and other structures within 100 feet of the subdivision on abutting land (Section 6.B.8 of the regulations).

Mr. Laurin added that several checklist items do not apply to the proposed application. He said that if the Planning Board is satisfied that the application and all requested waivers address the checklist items, they can vote to accept the application and begin discussions of the waiver requests.

Jody Slack made a motion to accept the application as complete. Tom Lynch seconded the motion and the motion passed 5-0-0.

Jody Slack made a motion to grant waivers to Sections 6.B.15, 7.C, 8.B.4, and 6.B.8 & 18, regarding easements and location of buildings on abutting land. Tom Lynch seconded the motion and the motion passed 5-0-0.

David Adams noted that there are no buildings within 100' of the properties. He stated that they intend to transfer the property to the Land Conservation Trust once the Lot Line Adjustment is recorded at the registry. The Land Conservation Trust has no plans to add any uses to the property, and the documents will include language that if the Land Conservation Trust cannot maintain the property for conservation purposes, or they no longer want to keep the property, it will automatically revert to the Sanbornton Conservation Commission. He said there is a lot of prime habitat area and he would like to ensure it remains that way.

Will Ellis opened the Public Hearing.

There were no public comments.

Mr. Ellis closed the Public Hearing.

Tom Lynch made a motion to approve the Lot Line Adjustment application. Patti Bartlett seconded the motion and the motion passed 5-0-0.

Stephen Laurin noted that it has been the practice of the Planning Board to require submission of a revised, post-approval plan that includes all of the waivers that were granted by the Board. He said that in this case the applicant submitted a Mylar with the application, and instead of requiring the Mylar to be revised, he asked if the Board would allow the Notice of Decision with the list of all the waivers that were granted be recorded at the registry along with the plan. Board members agreed to that alternative.

## **5. Old Business**

None

## **6. Other Business**

### **a. Planning Board Notification of Level One Home Occupation**

**Property Owners/Applicants:** Laurence Ayer

**Subject Address/Tax Map & Lot:** 10 Tower Hill Road; Tax Map 22, Lot 22.

**Description:** Firearms title transfer services. No on-site customer activity.

Stephen Laurin said the Home Occupation application has been distributed to Police, Fire and Town Administrator. None of the Departments had any concerns about this Home Occupation operation.

Moving on to other business, Stephen Laurin noted that Andy Sanborn asked at the last meeting whether the Town should require erosion controls to protect wetlands for construction of homes and other buildings on existing lots. After that meeting, Mr. Laurin reviewed old Zoning Ordinances and found that the 2003 Zoning Ordinance required erosion controls for all land disturbances in the Shorefront overlay district (Article 14), and that that requirement had been removed by 2008.

Will Ellis noted that there is a bill in the legislature to allow for two ADU's per lot. In response to a question from Tom Lynch about whether this would require all Towns to allow for two ADU's, Mr. Ellis said they are still working on the bill. Stephen Laurin added that Sanbornton is relatively flexible

in allowing for stand-alone ADU's as long as the lot has a minimum of two acres and there is a shared driveway with the primary dwelling.

Ralph Carter said that in going through the Town's regulations he found nothing requiring a Site Plan Review for change of use of an existing lot. He pointed out that the Parks Committee is planning a lot of changes at the Town Park, e.g. addition of buildings, layout of parking lot, and stormwater runoff, and he believes those changes should be reviewed by the Planning Board.

Discussion ensued regarding possible changes to the Zoning Ordinance to add a Site Plan Review requirement for every zoning district, and changes to the existing Site Plan Review regulations. Discussion continued with regard to NHDES requirements for erosion controls and how those requirements can be incorporated into our Ordinance and Regulations.

Stephen Laurin pointed out that the Planning Board is working with Kevin Leonard at Northpoint Engineering to review and revise the Town's Wetlands Conservation District ordinance. There have been discussions about wetland buffers and overland erosion.

The Board briefly discussed the Future Agenda Items and the list of Special Exception requirements that will be discussed with the Zoning Board and Conservation Commission at the May 2 meeting.

Jody Slack pointed out that there is a typo on page 4.3 of the Zoning Ordinance (Article 4.C(11)(a)), 'swelling', that should be corrected as part of the next update for 2025.

Jody Slack made a motion to correct 'swelling' to 'dwelling'. Tom Lynch seconded the motion and the motion passed unanimously.

In response to a question from Ralph Carter, Tom Lynch said there is litigation initiated by the Town against a business condo owner on Laconia Road who has been renting out residential dwelling units in violation of the Planning Board Site Plan approval.

Jody Slack made a motion to adjourn. Ralph Carter seconded the motion.

The meeting ended at 8:43 pm.

## **7. Planners Update**

None

**Meeting adjourned at 8:40 pm.** The next Planning Board Work Session is scheduled for Thursday, May 2.

**Respectfully Submitted,**

**Stephen Laurin**