

TOWN OF SANBORNTON
Planning Board
DRAFT Minutes
Old Town Hall
19 Meeting House Hill Rd
Sanbornton, NH
5.2.24 - 5pm

Regular members present: Tom Lynch, Will Ellis, Selectman Ralph Carter, Chair Andy Sanborn

Alternate members present: Patti Bartlett (seated as voting member)

Minutes of 4/18/24 – Will Ellis made a motion to approve the minutes of 4/18 with corrections. Selectman Ralph Carter seconded the motion and the motion passed 4-1 with Selectman Carter abstaining.

New Business

a. Request by Eversource Energy pursuant to NH RSA 231:158 for approval to conduct trimming and/or removal of trees along Scenic Roads – Calef Hill Road, and Brook Road - Arborist Bryan Salis from Eversource explained that there is a trimming/tree removal circuit scheduled for Calef Hill Rd and Brook Rd. This is done with permission from landowners and some dead ash trees will be removed. Maintenance is done every four years on these roads. Steve read correspondence from Doreen and Roger Matty and Nancy Flowers-Mangs who do not have any issues with the cutting. Selectman Carter made a motion to grant the request for cutting trees on these scenic roads as described on Calef Hill Rd and Brook Rd. Patti Bartlett seconded the motion and the motion passed unanimously.

b. Pursuant to RSA 674:41, 1(d), recommendation to Selectmen regarding use of a private road for access to a proposed home off of Circle Point Road, Tax Map 8, Lot 75 - Steve stated that the required liability waiver form has been completed by the property owner which is required to build on a non town-maintained road. The Planning Board will either recommend or not recommend the Selectmen approving a building permit for the property. He added that the road is not remote and he does not see any issues with it and other members agreed; the Highway Dept Director has confirmed that that end of the road has not been town-maintained. Members from the ZBA in attendance stated that they have recently approved a variance request for setbacks for the owner and they do not have issues with the location of the road; it is a small section at the end of Circle Point Rd.

ZBA Clerk Audry Barriault explained that the property owner let her know that the Fire Chief mentioned giving new E-911 addresses for the several homes on that part of the road and changing the name. Chair Sanborn stated that he has no objections but would like input from Fire and Police. Tom Lynch made a motion to recommend that the Selectmen allow for the issuing of the building permit. Will Ellis seconded the motion and the motion passed 4-1, with Selectman Carter abstaining.

c. Joint Meeting with ZBA and Conservation Commission to discuss potential amendments to the Zoning Ordinance - In attendance from Conservation Commission were Chair Brad Crosby, Don Noyes, Karen Bordenau, Brian Laroche and Selectman Deacon. In attendance from ZBA were Mark Brown, Chair Mark Ledgard and Vice Chair Brittany Davis.

Chair Sanborn explained that the Planning Board has been receiving guidance from Northpoint Engineering about its wetland ordinance and he is hoping they will provide new digitized maps as well. He added that the words buffer and setback have been used interchangeably which is not correct; setback refers to distance and buffer means an undisturbed portion of land which could be in the setback. Karen stated that there need to be

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clear definitions about type of wetlands. Chair Sanborn responded that the Planning Board did ask Northpoint about this but they said that the State does not use soil types as an indicator for wetlands type. Mark Ledgard stated that the spirit of the intent in Article 15 needs to be clarified. Audry noted that there is no chart for setbacks at all in Article 14, the Shorefront District, so it reads as though there are no setbacks or buffers from wetlands to adhere to in that district, only from the shorefront.

Selectman Deacon stated that the ordinance will need to be updated to make sure the correct instance of “buffer” and “setback” are being used. Chair Sanborn stated that Planning Board is in favor of making the septic system setback be in line with the State regulations. Tom added that the engineers said that a distance of 75 feet from wetlands is adequate for protection and the Planning Board agreed that it doesn’t have a reason to increase this if no harm is being done. Selectman Carter stated that each building application is looked at separately but there are cumulative effects of building in the future to consider such as runoff. Steve stated that he will invite Kevin Leonard from Northpoint to the Planning Board workshop meeting on June 6th.

Chair Sanborn stated that outdoor recreational facilities require a Special Exception by the ZBA per Article 18 and site plan review by the Planning Board. Mark Ledgard stated that they are allowed in every district and the Planning Board could choose to only allow them in some districts. Audry stated that it is not clear if the site plan review is done prior to seeking a Special Exception or not. Regarding use of recreational vehicles for temporary housing beyond 120 days in Article 4.5(e), Mark Ledgard stated that he thinks this should only be in the purview of the Health Officer and Selectmen and not require Special Exception from the ZBA.

Audry noted that there are still regulations related to the Highway Commercial District in Article 18 and Article 4 that need to be removed since that district was rescinded in 2000.

Chair Sanborn asked if changing the use of a single-family home to a two-family home should continue to require a Special Exception from the ZBA or if it should be allowed by right. Mark Ledgard stated that he would want the Planning Board to have regulations for two-family homes if they consider making that change. Will stated that he doesn’t think the 5% conservation setback is effective; Karen stated that the term “conservation setback” is a misnomer as there is no field visit or inventory of these. Chair Sanborn stated that there are towns that require the developer to do a field visit with the Conservation Commission to discuss which features should be conserved before the site plan review. Selectman Deacon stated that the location of the setback needs to meet the intent of the rule and not just the dimensional requirements.

Meeting adjourned at 9:22pm. The next meeting is scheduled for Thursday, May 16th at 7pm.

Respectfully submitted,

Audry Barriault