

**PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
November 15, 2023**

TIME: 7:00 p.m. –7:35 p.m.

DATE APPROVED: 12/06/23

MEMBERS: Susanne White- Chairperson, Nancy Egner -Vice Chairperson, Ed Sauer-Second Vice Chairperson, Adam Charrette, Steve Livingston, Bryant Wheeler

EX-OFFICIO: James Bailey III

PLANNING DIRECTOR: Robyn Payson

ALTERNATES: Kim Opperman, Dana Clow, Morgan Tanafon

Excused: Dana Clow, Adam Charrette

Public: None

Call to Order:

Chairperson Susanne White called the meeting to order at 7:00 PM and called the roll. She appointed Kim Opperman to sit in place of Adam Charrette.

Minutes

10/18/23 Steve Livingston made a motion to approve the minutes. Jim Bailey seconded the motion. The motion carried with Ed Sauer abstaining.

Public Hearing

Site Plan Regulations

Robyn Payson reviewed the proposed amendments to the Site Plan Regulations. They included updates to the Planning Board public hearing and decision-making process and amendments required by the National Flood Insurance Program. Nancy Egner made a motion to approve the amendments. Ed Sauer seconded the motion. The motion carried unanimously.

Subdivision Regulations

Robyn Payson reviewed the proposed amendments to the Subdivision Regulations. They included amendments required by the National Flood Insurance Program. Steve Livingston made a motion to approve the amendments. Nancy Egner seconded the motion. The motion passed unanimously.

Work Meeting

Zoning Articles-Schedule Public Hearing

Robyn Payson reviewed the proposed warrant articles and asked the Board to vote to schedule the public hearing for December 6, 2023.

Article 1

Shall the Town vote to amend the Zoning Ordinance by deleting the definition “Change of Use

from Article II General Provisions section 229-6 Definition and Word Usage.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 2

Shall the Town vote to amend the Zoning Ordinance by amending section 229-23 in Article III Use Districts into a Change of Use Ordinance as posted on the Town website, printed in the Town Report and available at the Town Offices.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 3

Shall the Town vote to amend the Zoning Ordinance by amending the definition of Frontage as shown in Article II General Provisions section 229-6 Definitions and Word Usage from:

FRONTAGE: That side of a lot abutting on a street and ordinarily regarded as the front of the lot. For a corner lot, half of the curve of the radius may be included in the frontage.

to:

FRONTAGE-That side of a lot abutting on a Class V Road, State maintained highway, or a private road ordinarily regarded as the front of the lot. In the event of a lot abutting more than one street, the longest side shall not be less than the minimum frontage requirements of the Zoning Ordinance. For a corner lot, half of the curve of the radius may be included in frontage.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 4

Shall the Town vote to amend the Zoning Ordinance by amending the definition of Lot as shown in Article II General Provisions section 229-6 Definitions and Word Usage from:

LOT-An individually designed parcel of land

to

LOT- A parcel of land occupied or to be occupied by only the principal building and the accessory buildings or uses customarily incidental to the principal building. A lot shall meet the criteria of Section 229-21 Dimensional Standards as well as provide such yards and other open spaces as are herein required. A lot shall have boundaries identical to those recorded at the Registry of Deeds.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 5

Shall the Town vote to amend the Zoning Ordinance by amending the definition of Setback as shown in Article II General Provisions section 229-6 Definitions and Word Usage from:

SETBACK-The distance between a building and the nearest street line or property line.

to

SETBACK--The minimum required distance from a boundary line of the Lot to the nearest part of a building or structure.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 6

Shall the Town vote to amend the Zoning Ordinance by repealing Article II General Provisions section 229-14 Accessory Dwelling Unit Ordinance and replacing it with an updated Article II General Provisions section 229-14 Accessory Dwelling Unit Ordinance that includes allowing detached Accessory Dwelling Units as posted on the Town website, printed in the Town Report and available at the Town Offices.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 7

Shall the Town vote to amend the Zoning Ordinance by amending the Table 4 Chart of Uses, Residential Uses Note number 2, to divide note number 2 under Residential Uses in the Central Business District into two separate notes. Note number 2 for the Central Business District will state that Dwellings at street level require a Special Exception. New note number 3 for the Central Business District will reduce the minimum floor area of any dwelling unit from 600 square feet to 450 square feet for a one-bedroom dwelling unit. Units with two bedrooms or more require an additional 120 sq. ft. per additional bedroom.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 8

Shall the Town vote to amend the Zoning Ordinance by repealing Article XV Historic District Ordinance and replacing it with a new updated Article XV Historic District Ordinance as printed in the Town Report, on the Town website and available at the Town Offices.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Article 9

Shall the Town vote to amend the Zoning Ordinance by amending Article VIA Floodplain Ordinance to include changes necessary to comply with the requirements of the National Flood Insurance Program as printed in the Town Report, on the Town website and available at the Town Offices.

Steve Livingston made a motion to move the article forward to a public hearing to be held December 6, 2023. Jim Bailey seconded the motion. The motion carried unanimously.

Other Business

Steve Livingston said Joe Kelley spoke to him about the 15-car limit on his used car lot. He said that the limit on the Notice of Decision could be changed with Planning Board approval. He said he thought the number should be removed because it is an arbitrary number and no other car dealers in town have it.

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Kim Opperman said that he also owns a property across the street where he could put 100 cars.

Robyn Payson said she had spoken with Mr. Kelley a few times and she told him that it is a simple thing to do but he does have to come in for a hearing to make a change to the decision and he also has to come in for a site plan hearing for the property across the street.

Robyn Payson described the process for amending the decision on the primary lot.

Ed Sauer said he was concerned about an unlimited number of cars because of the New England Diezels lot is supposed to have 80 cars, has more than that and the lot is in poor shape. Ed Sauer said Joe Kelley's lot is one of the best-looking lots on Henniker Street.

The discussion went back to New England Diezels. Robyn Payson said that the owner would be coming into the Planning Board for a change of use on the primary building to create additional units that will be rented out to other businesses.

Parking for those additional businesses is intended to be on the abutting lot that he owns. He will also have site plan review on the abutting property.

She said when she receives the application, she will write a report on the current site and the intended plans and send it out to the Board with the application. She also said there was case law that required an applicant to do what he represented to the Board at the public hearing. She said that the owner told her that what he said on the original site plan application was to tell the Board what they wanted to hear so he could "get going".

There was a brief discussion about the New England Diezels site and the upcoming application.

There being no further business Steve Livingston made a motion to adjourn. Nancy Egner seconded the motion.

Meeting Adjourned 7:35 pm

Respectfully Submitted,
Robyn L. Payson, Planning Director