PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
January 7, 2026

TIME: 6:00 p.m. –7:35 p.m. **DATE APPROVED 1-21-26**
CHAIRPERSON: Chairperson Susanne White
VICE CHAIRPERSON: Dana Clow,
MEMBERS: Andrew Morris, Steve Livingston, Bryant Wheeler, Kim Opperman
EX-OFFICIO: James Bailey III
PLANNING DIRECTOR: Robyn Payson
ALTERNATES: Cathy Houle
Excused:

Public: Christine Anderson, Peter Mellen LLS, Kathy Luiz, Zach Whitney, Jesse Lucas, Richard Head, Anthony Costello

Pledge of Allegiance

Call to Order:

Chairperson Susanne White called the meeting to order at 6:00 PM and called the roll. Cathy Houle was appointed to sit for Kim Opperman until his arrival.

Minutes
12/17/25-Steve Livingston made a motion to approve the minutes. Andrew Morris seconded the motion. The motion carried unanimously.

Public Hearings

Zoning Amendments for TM 2026

Robyn Payson presented and explained the warrant articles for Town Meeting 2026.

Article 1

Shall the town vote to amend the Zoning Ordinance Article II General Provisions, Accessory Dwelling Units section 229-14 by deleting and replacing the definitions of Accessory, Attached, and Detached Accessory Dwelling Units and moving them to Article II General Provisions 229-6 Definitions and Word Usage as shown on the Town website Planning Board page and in the Town Report.

Susanne White asked the Board if they had any questions. They had none, so she opened the public hearing. There were no questions, so she closed the public hearing.

Steve Livingston made a motion to recommend the approval of Article 1 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Dana Clow seconded the motion. The motion carried unanimously.

Article 2

Shall the Town vote to amend the Zoning Ordinance Article II General Provisions "Accessory Dwelling Units" section 229-14 Accessory Dwelling Unit Ordinance section B(4) to delete the current verbiage and replace it.

"The maximum required number of parking spaces is 1 for the primary residence and 1 for the ADU."

Kathy Luiz asked if dwellings were only allowed one parking space.

Robyn Payson said that the town could only require one parking space but the property owner could have as many parking spaces as they wanted.

Steve Livingston made a motion to recommend the approval of Article 2 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Jim Bailey seconded the motion. The motion carried unanimously.

Article 3

Shall the Town vote to amend the Zoning Ordinance Article II General Provisions Accessory Dwelling Units section 229-14 Accessory Dwelling Unit Ordinance letter D., Detached ADU, to remove the requirement for a Conditional Use Permit from the Planning Board. (Recommended by the Planning Board)

Steve Livingston made a motion to recommend the approval of Article 3 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Jim Bailey seconded the motion. The motion carried unanimously.

Article 4

Shall the Town vote to amend the Zoning Ordinance Article II General Provisions 229-6 Definitions and Word Usage to include the definition of Tiny Home, as shown on the Town Website Planning Board page and in the Town Report (Recommended by the Planning Board).

Steve Livingston made a motion to recommend the approval of Article 4 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Andrew Morris seconded the motion. The motion carried unanimously.

Article 5

Shall the Town vote to amend the Zoning Ordinance Table 4 Chart of Uses/ Residential Uses to include Tiny Homes and permit them in all Residential zones except the Historic District. (Recommended by the Planning Board)

Steve Livingston made a motion to recommend the approval of Article 5 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Bryant Wheeler seconded the motion. The motion carried unanimously.

Article 6

Shall the Town vote to amend the Zoning Ordinance Article XIV Cluster Development Ordinance section 229-88 to add the following citation to section B. (Recommended by the Planning Board)

"per the authority of the Innovative Land Use RSA 674:21"

Steve Livingston made a motion to recommend the approval of Article 6 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Andrew Morris seconded the motion. The motion carried unanimously.

Article 7

Shall the Town vote to amend the Zoning Ordinance Article IX Administration and Enforcement A by adding a new number 1. which states "Building Permits on Class VI Roads shall be in compliance with RSA 674:41 1 (c) (3) which states "Prior to the issuance of a building permit, prove the lot and any buildings thereon are insurable". (Recommended by the Planning Board)

Dana Clow asked what the definition of insurable was.

There was a brief discussion about what "insurability" is.

Robyn Payson said she didn't know because the legislature left that provision un-defined.

Steve Livingston made a motion to recommend the approval of Article 7 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Bryand Wheeler seconded the motion. The motion carried unanimously.

Article 8

Shall the Town vote to amend Article II General Provisions of the Zoning Ordinance section 229-6 Definitions to amend the definition of Motor Vehicle Service Station and Repair Garage to include "cleaning". (Recommended by the Planning Board)

Kim Opperman asked if the provision excluded Electric Vehicles.

Robyn Payson said that the provision applies to all vehicles.

Steve Livingston made a motion to recommend the approval of Article 8 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Bryant Wheeler seconded the motion. The motion carried unanimously.

Article 9

Shall the Town vote to Amend the Zoning Ordinance Article VI Special Regulations 229-35 Signs (D), Specific Sign Regulations by District, 4 Historic District by deleting letter C which states "Temporary signs are prohibited in the Historic District". (Recommended by the Planning Board)

Steve Livingston made a motion to recommend the approval of Article 9 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Bryant Wheeler seconded the motion. The motion carried unanimously.

Article 10

Shall the Town vote to amend the Zoning Ordinance Table 4 Chart of Uses, Residential Use to permit multi-family housing in Commercial Zones subject to note (2) which requires a Special Exception if there is no Commercial use at street level and note (3) which requires minimum floor area be 450sq feet for a 1-bedroom dwelling unit. Units with two bedrooms or more require an additional 120 sq ft per additional bedroom.

Steve Livingston made a motion to recommend the approval of Article 10 to the Town Meeting and vote to place it before the voters in its final form on the Town Meeting 2026 ballot. Bryant Wheeler seconded the motion. The motion carried unanimously.

Subdivision
Myrtle Street (Map 11P & 23 Lots 191 & 113)
Leigh Bosse

Robyn Payson introduced the application.to take the previously approved subdivision and re subdivide it into 10 lots. There were no waivers requested so the application is complete and ready for the Board's review.

Dana Clow made a motion to accept the application as complete. Steve Livingston seconded the motion. The motion carried unanimously.

Peter Mellen introduced Anthony Costello, who is the engineer on the project. Peter Mellen gave the history of the property including the original subdivision which was 7 lots.

One of the lots was sold for the cell tower, leaving 6 lots which are now going to be subdivided into 10 lots. Mr. Bosse will be putting in municipal water on each lot. The plan shows the buildable area on each lot. Peter Mellen pointed out the test pits on the plan.

Dana Clow asked about the setback line around the wetland in the middle of the cul-de-sac

Peter Mellen said that was the septic setback.

Jim Bailey asked if the road was 20ft wide as required by the Subdivision Regulations.

Peter Mellen said it wasn't and they would have to revise that.

Susanne White asked if there were any sidewalks.

Peter Mellen said there were none proposed and that there are no sidewalks on Myrtle Street.

Susanne White pointed out that there was a sidewalk at Hillsborough Heights. She said people with families are going to be buying these lots and kids are going to have to be walking to school.

Dana Clow said he was looking for how water was going to service lot's 5 and 6.

Peter Mellen said 2" copper and explained how the water would be delivered.

There was discussion about the water lines.

Peter Mellen said there may need to be some revisions.

There was discussion about the driveway to Lot 7 which is on Lot 7's property.

Susanne White opened the public hearing.

Christine Anderson, who just moved to town was concerned about what impact this development on her property. She said she liked the woods and the wild life and would be disappointed if that would be affected. She asked about noise level since she works from home and environmental hazards and with dust in the air. She wanted to know if the whole lot was going to be clear cut. She was also concerned that someone's septic system will do something to her back yard.

Dana Clow asked Ms. Anderson to point out her lot on the plan.

Ms. Anderson pointed out her lot.

There was discussion about setbacks.

Andrew Morris said she would be able to see her neighbors.

There was discussion about the cutting of the trees on the property.

Richard Head, Chairman of the Conservation Commission Discussed the Commission's comments. He discussed the Conservation Commission's suggested conditions.

Richard Head asked who was going to hold the easement on the stormwater control system and ultimately who is going to be in control of the maintenance of the stormwater control system. He said it is important to document how those things are to be maintained. Is it the Lot owner's responsibility or the Town's responsibility once they take over the road, so he needed clarification.

Peter Mellen said in regard to the drainage easement, in 2023 it was intended to be conveyed to the Town once they took the road over.

Jim Bailey said he didn't want to be going on people's property to maintain the drainage structure.

Anthony Costello said that was the purpose of the easement.

There was discussion about the maintenance of the drainage structure via the easement.

Susanne White asked if the Town would be ok with taking on the maintenance of the drainage structure.

Dana Clow said there are only two choices. Either the property owner or the Town is going to take it and he is familiar with communities that want to foist that responsibility on the homeowner. They have neither the interest or the capacity to do it. So you end up with litigation or non-functioning infiltration systems. It's the Town's responsibility.

Kathy Ruiz said she was concerned about the impact of the additional surface water on her property from the drainage.

Anthony Costello explained the drainage system

Zach Whitney asked about the beginning of Myrtle Street he said he heard the discussion about his driveway, and he is glad that the "stub" to his driveway was going to remain in the plan. He asked if the road was going to be paved or is it going to remain dirt?

Peter Mellen said it would be paved.

Jesse Lucas said his property does not match the layout on the plan.

Peter Mellen said there was a triangle that was never added to the property

Jesse Lucas said he has been trying to get in touch with Mr. Bosse to settle it but has not been able to get ahold of him. He said if the property is that little triangle we are waiting on with a green house on it. There was discussion about the buildable area of the lot.

Peter Mellen said the tax map was updated to show the triangle but there was never a deed.

Jesse Lucas asked if there was going to be another version of the plan that shows the triangle.

Peter Mellen said there was still no annexation deed. He said the triangle was shown as annexed in the previously approved subdivision but there was never a deed so it is not shown on the current subdivision plan.

Peter Mellen said he would discuss this with Mr. Bosse.

Jesse Lucas also said the trucks associated with the cell tower are traveling down Dascomb St. and are turning around to leave because they are supposed to enter on Myrtle Street. He said the trucks were driving over his lawn and septic system. He said this is happening every day.

Dana Clow asked if Leigh Bosse owned all of this property.

Peter Mellen said he was through Dascomb Associates.

Dana Clow discussed the triangle further. He wanted to know why that wasn't incorporated here because the situation hasn't changed. Should the plan be based on the 2023 approval and the plan be updated to show the triangle added to the property?

Peter Mellen said that Leigh Bosse would have to determine that.

Jesse Lucas said that 10 lots was more than he expected.

Dana Clow said approval of these plans should be conditional on adding the triangle to these plans.

Susanne White said the plan wasn't ready to be approved at this meeting. She said would like to see this carve out issue be resolved before they come back.

Peter Mellen agreed.

There was discussion about the triangle being on the 2023 approved plan and that it needed to be resolved.

Susanne White closed the public hearing.

Peter Mellen said they could continue it to the next meeting and if they are not ready they can postpone it.

Steve Livingston made a motion to continue the public hearing to January 21st at 6:00pm. Dana Clow seconded the motion. The motion carried unanimously.

Richard Head approached the Board to see if they were interested in him developing a wetlands ordinance.

Following a brief discussion the Board supported the idea.

Richard Head asked to be put on the agenda to discuss it.

Steve Livingston made a motion to adjourn the meeting. Bryant Wheeler seconded the motion. The meeting was adjourned at 7:30

Peter Mellen came with additional business so Jim Bailey made a motion to re-open the meeting. Andrew Morris seconded the motion the motion carried unanimously. The meeting re-opened at 7:30.

Peter Mellen wanted to suggest some amendments to the draft conditions regarding monumentation.

They were setting stone bounds on the front corners of the lots on Cardinal Circle rather than every corner.

There being no further business Bryant Wheeler made the motion to adjourn Steve Livingston seconded the motion. The motion carried unanimously.

Meeting Adjourned 7:35 pm

Respectfully Submitted,
Robyn L. Payson, Planning Director