

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

**TOWN OF LITCHFIELD
PLANNING BOARD MEETING**

Held on November 1, 2011

Minutes approved – November 15, 2011

The Litchfield Planning Board held a meeting in the Town Hall conference room 2
Liberty Way, Litchfield, NH 03052 on Tuesday November 1, 2011 at 7:00 p.m.

MEMBERS PRESENT: Leon Barry (Chairman), Russell Blanchette, Michael Croteau,
Thomas Young, Barry Bean, Steve Perry (Board of Selectmen Representative), Joel
Kapelson (Alternate)

MEMBERS ABSENT: Bob Curtis (Vice Chairman), Frank Byron, Selectmen's Rep.
Steven Wagner (NRPC Senior Planner),

ALSO PRESENT: Joan McKibben (Admin Assistant)

CALL TO ORDER

Mr. Barry called the meeting to order at 7:08p.m. and joined the Board in the Pledge of
Allegiance. He then introduced the members of the Board.

**1. Home Occupation application from Jessica McQuesten for a Dog Grooming
business at 330 Charles Bancroft Hwy Tax Map 15, lot 16**

The applicant, Nancy R. McQuesten explained for the benefit of the Board that her
granddaughter Jessica McQuesten is taking over an existing business but would like
to change the location to the barn at 330 Charles Bancroft Highway. She explained
Jessica would make a room in the corner of the barn which would be 12 feet by 16
feet. The following information was asked for and given to the Board:

- Hours will be by appointment between 7:00 a.m. and 8:00 p.m., Wednesday
through Monday (opening times to appear on the permit). Mr. Perry provided
advice with respect to setting times.
- Zoning type is residential.

Mr. Kapelson arrived at 7:12 p.m.

The following information was also provided during discussion with the applicant:

- Disposal of waste water would be via an existing dry well, and other waste would
be picked up, bagged and disposed of as trash.
- The only activity of the business will be dog grooming and the maximum number
of dogs on the premises at one time will be two.
- Fees have been paid and abutters notified. Ms. McKibben stated she had looked
at the property information and compliance was good.

1 Mr. Croteau arrived at 7:22 p.m.

2

3 **MOTION:** by Mr. Bean

4 *Move that the Litchfield Planning Board does hereby accept the application for a*
5 *home occupation permit by Nancy R. McQuesten for a dog grooming business to*
6 *be located at 330 Charles Bancroft Highway, Litchfield, NH 03052, Tax Map 15,*
7 *Lot 16*

8 **SECOND:** Mr. Young

9 Mr. Kapelson agreed to fill the vacant voting position on the Committee for the
10 duration of the meeting.

11 **VOTE:** 7-0-0

12 **The motion carried unanimously.**

13

14 Ms. McKibben clarified with the applicant that the state does not mandate that a
15 rabies certificate be shown by dog owners using a dog grooming service.

16

17 Mr. Perry initiated discussion of the following:

- 18 • Parking – it was agreed by the applicant that a sign be put up to indicate where
19 customers of the business could park and there is no issue with lack of parking in
20 front of the doors to the barn. No permit is required for parking.

21

22 Mrs. McQuesten clarified with Mr. Perry that a drawing of the sign they would
23 like to put over the door would have to be submitted and approved by the
24 Planning Board.

- 25 • There would be a maximum of five dogs being groomed per day and they would
26 be crated indoors within the same space as the business.
- 27 • Adequate lighting over the outside door will be required, such as a house side
28 light or coach lantern.

29

30 Mr. McQuesten clarified for Mr. Barry what the planting is around the barn area.

31 Ms. McKibben reported she has received a letter from the land owner that Jessica has
32 permission to operate her business.

33

34 There was a brief discussion relative to whether there is space for walking dogs
35 around the property and Mr. Barry advised the applicant to come before the Board
36 again when and if they require this.

37

38 **MOTION:** by Mr. Perry

39 *Move that the Litchfield Planning Board does hereby accept the plan as presented*
40 *for a home occupation permit from Nancy R. McQuesten for Jess' Groom Room*
41 *dog grooming business to be located at 330 Charles Bancroft Highway, with the*
42 *following additions: that the designated parking area will be in front of the doors*
43 *intended for business; that any holding space that would overlap will be indoors;*
44 *that the light on the exterior of the building will be a standard house light; and*
45 *that a sign application will be made which needs to be brought before the Planning*
46 *Board for approval, and the sign will be mounted over the doors.*

1 **SECOND:** Mr. Kapelson

2 **VOTE:** 7-0-0

3 **The motion carried unanimously.**

4

5 Ms. McKibben informed the applicant there will be an annual home occupation
6 registration fee, and stated she would send out a copy of the approval.

7

8 **2. Possible Zoning Changes for March 2012**

9 Ms. McKibben reported Mr. Wagner had sent her the completed ordinance for
10 ADU's (Accessory Dwelling Units) which she distributed to the Board.

11

12 Mr. Barry reported that he had discussed Mr. Kapelson's removal from the Board
13 with him. He also reported he had made a decision that Mr. Kapelson should remain
14 an alternate member of the Board on condition he attend sufficient meetings, and he
15 had informed the Board of Selectmen of his decision.

16

17 **a) Workforce / Inclusionary Housing**

18 Mr. Barry provided a report on the meeting he and Mr. Blanchette had with Karen
19 McGinley (attorney and member of Bedford Planning Board) relative to
20 Inclusionary housing or traditional neighborhood development ordinance as
21 Attorney McGinley had referred to. He pointed out this is also in Bedford's
22 Master Plan. Attorney McGinley advised that Litchfield should set restrictions
23 with respect to what can be built in the future. Mr. Barry also pointed out that
24 towns including Bedford which are part of the Southern NH Planning
25 Commission are discussing the effect of the road from the airport over the
26 Merrimack River.

27

28 Ms. McKibben asked the Board to consider whether it wished to look at impact fees
29 this evening.

30

31 There was a discussion relative to the Highlander Hotel which is for sale.

32

33 Mr. Barry provided further feedback from his meeting with Attorney McGinley
34 which included discussion on the following:

- 35 ○ Traditional neighborhood village is the suggested terminology for
36 presenting material relative to workforce housing to the public.
- 37 ○ Her concern about the inner structure i.e. one septic for a group of houses.
- 38 ○ The water source should come in by some kind of water line and not a
39 well, as wells and septic would drive house prices up beyond what would
40 be affordable.
- 41 ○ Cluster /open space - if the housing were in a village setting the Town
42 would have to give a density bonus with more space and layout of roads It
43 was pointed out the Town already has an ordinance for this.
- 44 ○ Deed restrictions with respect to buying/selling.
- 45 ○ Compact mixed use model.

46

1 It was reported and discussed that Kevin Slattery and Peter Nash have bought
2 property in Town and Mr. Perry provided some background information on the
3 original design of Albuquerque Road which was intended to loop around to Route
4 3A.

5
6 ***Discussion:***

7 There was a discussion relative to meeting the numbers required for workforce
8 housing in the Town. Mr. Perry stated he would like to have regulations which
9 protect the Town from anyone wanting to come in and build apartment complexes
10 due to the number of homes involved and how they could drive the need for a new
11 school or other costs for the Town. There was a discussion about small things
12 which could follow on which the Town would have to pay for, such as a fire
13 station. The Board discussed 'builder remedy', and types and styles of buildings
14 which should be allowed within the Town. Mr. Perry suggested not doing mixed
15 use and explained his reasons. There followed a discussion on the advantages and
16 disadvantages of this. Mr. Barry raised a point about the previous draft of the
17 ordinance having reference to Section 8 and there was discussion relative to
18 whether the specific reference may be required by law.

19
20 Mr. Barry suggested further discussion or decisions should be put on hold for
21 now, and that he will ask Attorney McGinley to come and talk to the Board. Mr.
22 Perry suggested informing Attorney McGinley what the Board's expectations and
23 focus are with respect to the ordinance.

24
25 Mr. Barry reported that Attorney McGinley has offered to write the ordinance for
26 the Town as she has experience in this area and there was a brief discussion with
27 respect to what that might cost and whether the Board has the available budget.

28
29 Mr. Barry agreed to call Attorney McGinley to arrange for her to come and talk to
30 the Board at the next meeting, and he asked Ms. McKibben for copy of material
31 from last year which was voted on which he will send to her along with the draft
32 which the Board produced this year.

33 ***Action: Mr. Barry/Ms. McKibben***

34
35 Mr. Barry reported Attorney McGinley has offered to obtain the names of
36 attorneys who could be approached to provide a price for the required work on
37 impact fees as an alternative to Mr. Mayberry.

38
39 There was a discussion with respect to possible options for bringing in sewer to
40 Litchfield for Multi Family Units (MFU's), and existing water lines.

41
42 Ms. McKibben queried whether the Town would make a developer do a traffic
43 study if wished to do MFU's.

44

1 Mr. Croteau questioned whether the Board wants to include something to address
2 reducing the environmental impact of building within the ordinance and there
3 followed a discussion.

4

5 The discussion closed at 8:53 p.m.

6

7 **b) Review of ADU Draft Ordinance as completed by Mr. Wagner**

8 Referring to page 2, family caregiver, it was pointed out an individual only has to
9 be 18 years old within the state of New Hampshire to take care of a family
10 member. It was clarified for Mr. Barry that the person does not have to be a
11 professional as he or she would not have to do all the activities listed.

12

13 Referring to section 507.04 Administration (a), clarification of the meaning of this
14 section was provided by Ms. McKibben to Mr. Barry.

15

16 Ms. McKibben noted that a policy would be required for who would be
17 responsible for recording the ADU at the registry of deeds.

18 **Action: Planning Board**

19

20 Mr. Croteau questioned the wording of (a) and Ms. McKibben agreed to clarify
21 this with Mr. Wagner.

22 **Action: Ms. McKibben**

23

24 Ms. McKibben confirmed the Board wished to take the draft to a public hearing
25 on December 6, 2011. She also confirmed the draft has been put on the Town
26 web site but no questions have been received to date.

27

28 **3. Approve Minutes**

29 Ms. McKibben confirmed she had visited the gravel pit, with Mr. Lynch, Code
30 Enforcement Officer, as agreed in the previous minutes and she reported it was a
31 clean and quiet operation. She agreed to write a report to be put in the file.

32 **Action: Ms. McKibben**

33

34 Referring to page 5, prohibited and permitted uses, Mr. Barry requested Ms.
35 McKibben arrange for Mr. Lynch to attend a Board meeting in the New Year to talk
36 about this.

37 **Action: Ms. McKibben**

38

39 Mr. Barry clarified with Ms. McKibben that a public hearing on impact fees has been
40 scheduled for the next meeting.

41

42 Responding to a query from Mr. Barry, Ms. McKibben reported she was unaware of
43 any issues in Town relating to horse farms.

44

45 Some minor amendments were made to the minutes.

46

1 **MOTION:** by Mr. Young
2 *Move to approve the minutes of the Litchfield Planning Board's meeting of*
3 *October 18, 2011 as amended*

4 **SECOND:** Mr. Blanchette

5 **VOTE:** 4-0-3 (Messrs. Bean, Kapelson and Perry abstained)

6 **The motion carried.**

7

8 **4. Any Other Business (9:16 p.m.)**

9 **a) O'Neil/Colby Escrow Funds Release**

10 Ms. McKibben reported on the current situation with respect to the O'Neil/Colby
11 sub division and escrow account. She confirmed for Mr. Perry she had sent the
12 applicants another copy of an old bill from 2009 which she has now settled from
13 the escrow account.

14

15 There was a brief discussion relative to old vehicles which the Planning Board
16 had asked to be removed from the premises and Mr. Perry suggested if the Board
17 so moved, a formal request on a complaint form could be sent out by the Code
18 Enforcement Officer.

19 **MOTION:** by Mr. Perry

20 ***Move that the Litchfield Planning Board does hereby agree to notify Code***
21 ***Enforcement Officer there is more than one unregistered vehicle on the***
22 ***property***

23 **SECOND:** Mr. Bean

24 **VOTE:** 7-0-0

25 **The motion carried unanimously.**

26

27 **MOTION:** by Mr. Barry

28 ***Move that the Litchfield Planning Board does hereby release escrow funds to***
29 ***O'Neill/Colby to bring the balance of the account to zero.***

30 **SECOND:** Mr. Bean

31 **VOTE:** 7-0-0

32 **The motion carried unanimously.**

33

34 **b) Tanager Way Bond Extension Required**

35 Ms. McKibben provided a status report, stating the current bond expires in March
36 2012 and will be extended. There followed a discussion between Mr. Perry and
37 Ms. McKibben after Mr. Perry asked about pulling the bond now to have the
38 Town pave Tanager Way. Ms. McKibben agreed to ensure the extension has
39 been received by February 1, 2012. There was further discussion with Mr. Barry
40 for clarification.

41 **Action: Ms. McKibben**

42

43 **MOTION:** by Mr. Bean

44 ***Move to adjourn the meeting***

45 **SECOND:** Mr. Croteau

46 **VOTE:** 7-0-0

1 **The motion carried unanimously.**

2

3 There being no further business before the Board, the meeting adjourned at 9:04 p.m.

4

5

6

7

Leon Barry, Chairman

8

9

10

Bob Curtis, Vice Chairman

11

12

13

Frank Byron, Selectman

14

15

16

Barry Bean

17

18

19

Michael Croteau

20

21

22

Thomas R. Young

23

24

25

Russell Blanchette

26

27

Minutes taken by: *Sandra Maxwell, Recording Secretary*

28