

**PLANNING BOARD MEETING**

**TOWN OF LITCHFIELD**

**Held on November 19, 2013**

Minutes approved 12/3/2013

The Litchfield Planning Board held a meeting in the Town Hall conference room 2 Liberty Way, Litchfield, NH 03052 on Tuesday, November 19 at 7:00 p.m.

**MEMBERS PRESENT:** Russell Blanchette (Chair), Tom Young (Vice Chair), Michael Croteau, Michael Caprioglio, Bob Curtis and Frank Byron (Selectmen's Rep)

**MEMBERS ABSENT:** Kevin Bourque (Selectmen's Rep), Joel Kapelson,

**ALSO PRESENT:** Jen Czysz (NRPC Senior Planner), Joan McKibben (Administrative Assistant)

**CALL TO ORDER**

Mr. Blanchette called the meeting to order at 7:05 p.m. and joined the Board in the Pledge of Allegiance.

**1. Interview Candidates for alternate position to the Planning Board**

Mr. Jason Guerrette of 11 Perry Court, Litchfield came in front of the Board. Mr. Guerrette stated that anything he can do to help is what he would like to do. Mr. Bob Curtis asked Mr. Guerrette for some background information. Mr. Guerrette stated that he has been a resident of Litchfield since 2005, he was also a member of the School Board for 3 years and on the School building committee. Mr. Guerrette is also a member of the cable committee taping the meetings in Town. Mr. Guerrette stated that he pays very close attention to the meetings. His interest is very heavily in the community he lives in. Mr. Guerrette stated that he has lived all over the Country and also retired from the Navy. Jason stated that he has been part of whatever community he has been in, in the capacity he has been allowed to. Mr. Guerrette stated that when he was in active duty, he could not serve on boards but you could pitch in and serve on subcommittees. Jason stated that he has seen a lot of different ways to get things done. Jason stated that he does not believe it is a bad thing, but sometimes folks who have lived in one part of the country only see or are used of doing things the way they have known them to be. Jason stated that he has seen a lot of good and bad. Jason stated that he thinks it has giving him a good understanding of how to look at things. Mr. Byron asked Mr. Guerrette why he wanted to be a member. Jason stated that he

paid attention to all of the things going on in Planning. Mr. Guerrette mentioned that Planning hadn't been one of them until about a year ago when he really started paying attention. Mr. Guerrette stated that he does not sleep much at night, and spends a lot of time reading and has come to look at the things the Planning Board does and quite honestly finds it quite interesting. Mr. Guerrette stated that most people find that would help you go to sleep but he is just the opposite, he finds himself delved into a lot of the details, it is interesting to him. Mr. Byron stated that Mr. Guerrette stated that he stays awake at nights, which usually means you have a concern about something, so what are you concerned about with the Planning Board? Mr. Guerrette stated that he does not sleep at night because he has sleep apnea. Mr. Byron asked Mr. Guerrette where he see his goals and what would he like to see the Planning Board accomplish. Mr. Guerrette stated that he doesn't necessarily have a goal, because like any board, it takes a forum to make decisions, he thinks it is very valuable to any Board to have a very diverse set of thoughts and ways of looking at things. Mr. Guerrette stated that he has always been able to be devils advocate, he can argue both sides with most issues and he thinks his strength is that he is able to at least bring light or things to the table that people can look at and discuss. The Board discussed amongst themselves. Mr. Byron asked if Mr. Guerrette had submitted an application. Mr. Guerrette stated that he has not but will fill out an application.

***Motion: by Mr. Young to recommend Mr. Guerrette be recommended to the Board of Selectmen to be appointed as an alternate to the Planning Board.***

**Second:** by Mr. Caprioglio

**Motion Passes:** 5-0-1

Mr. Blanchette commented to the Public that if there is anyone who would like to fill a role as an alternate for the Planning Board, to send an email to [planning@litchfieldnh.gov](mailto:planning@litchfieldnh.gov).

## **2. Moose Hollow Drive Extension Update**

Mr. Blanchette stated that he has received a few questions from residents in the area asking for updates and so far has not been able to give them any information because he does not have any information. Joan stated that she did email Amos White this week and has not heard anything. Joan stated that there is a bond of \$146,000 and there is \$2,449 in escrow. Mr. Byron asked if it was possible to send them a letter from the Board to see where they stand because they were going to give the Board timing plans and everything else on when they would be able to take that cul-de-sac circle out of the road. Frank was wondering if they could get them in for a meeting or send them something asking to give us what their schedule is and move forward from there. Mr. Blanchette stated that it is time for the Chairman of the Board to send a letter off to the developer asking for intentions and a timeline and then we will hold them to whatever

timeline they propose. Mr. Byron asked if there was anything else on that road or subdivision that needs to be done. Joan stated that there is some drainage, they need to find the catch basin by the circle and the second coat of pavement needs to be put down. Joan stated that the finish coat needs to be put down all the way to Pinecrest Rd. Mr. Byron asked if we know if the bond is sufficient to cover that. Joan stated that they don't know, they would have to talk to Lou Caron because the bond was set in 2011. The developer was brought in here on July 16th and said during the meeting they would get everything done but it would not happen until the spring. Russ will put a letter together to send to the developer and see what their intent is and have them put together a timeline of events and have them respond no later than December 16th. The Board will also have Lou Caron look at the bond to see if the bond is sufficient. Joan stated that the Bond was renewed until September 2014.

### **3. Final Revisions to all drafts: Zoning Map, Nonresidential Zoning, Aquifer Protection**

**Zoning Map** - Jen stated that there have been no changes identified since the last meeting. This is not a document that needs to go to the voters, it is an illustration of what is in the zoning.

**Nonresidential Zoning** - The Board reviewed. Mr. Caprioglio asked for example if someone owned something zoned residential and all of a sudden it is changed to commercial, does the board have an obligation to contact the person that owns that property. Jen stated that they do not have a statutory obligation but it is certainly not a bad idea to notify landowners if their parcel is being rezoned. Mr. Caprioglio asked if it was going to be a large amount of landowners. Jen stated that it wasn't a lot in the end. Jen stated that if you look at the zoning map and look at the purple lines and compare it to the solid polygons, you can see where those boundaries don't necessarily align. The biggest change was the transitional district and just shifting the boundaries. Jen stated that there may have been a limited number that may have been residential that got pulled in, but generally the Board avoided that. Mr. Caprioglio asked Jen to check before the next meeting because he believes they have an obligation to notify the property owner that their land is changing. Jen went over the map changes with the Board. Jen stated that in the north end of town, the only changes of parcels going from one district to another were 4 parcels at the intersection of Albuquerque and Charles Bancroft. Jen showed a parcel on the map that was commercial/industrial that just shifted from commercial/industrial to just commercial and then there was a piece that switched from transitional to commercial. Jen stated that was the only boundary change at that end of Town. Mr. Byron stated that they have to be careful because they have already prior approved Planning Board projects that go on that certain property. Frank stated that one project is that you have below Morgan Road a approval that has already been granted from the Planning Board for the development of a self storage

area which goes all the way to Albuquerque. Mr. Byron mentioned that the other thing on the north of it is there is supposed to be a business office building where people can put stuff in like plumbing offices, etc. that has already been granted. Mr. Caprioglio asked if both those can exist in a commercial district. Mr. Byron stated that he does not know, that is why he is raising the question. Mr. Byron stated that all he is saying is to be aware that those have already been approved several years ago by the Planning Board.

Jen went over the southern part where there were a few more boundary changes. Jen explained the main changes were that the transitional came down along 3A but was a shallow district so what the board did was extend those districts up to the road, but created front buffer requirements for some green landscaping along the road. Jen showed the board using the map that a segment goes from transitional to commercial, a little segment stays transitional, and another segment goes from transitional to commercial/industrial. Jen showed that there was some additional transitional that is grown into the commercial/industrial, so you lose some commercial/industrial to transitional creating a stronger buffer between the nonresidential and the residential. Jen showed that on another segment of the map that there was no change in transitional. What the additional segments are is just extending the district out for all the parcel boundaries, simplifying what goes into the zoning language. Jen and the board further went through the map and explained what the few changes were. Mr. Curtis had a question about property tax zoning changes as far as assessments. Mr. Byron stated that he really does not know but would imagine that it does because it goes to the potential usage of the property and the future use. Joan stated that we would not know until the assessors looked at it. Jen stated that the only place where there might be some impact from residential is along the line where the board went and drew the commercial boundary to follow the parcel lines, and by enlarge, generally you have little corners of lots that reverted from commercial to residential. Jen stated that there is a little corner that is converted from residential to commercial, which is the back end of Route 102. Mr. Caprioglio asked if they have received any input from the Wilson Family? Jen stated that Don Wilson just reached out to them today and requested to sit down and chat and Kim was going to follow up and touch base with Russ and Tom too. Kim was hoping someone from the Board could go with her. Jen stated that a lot of people didn't understand what the transitional was or what it did. Mr. Caprioglio stated that one of the farm owners had concerns about the frontage. Jen stated that was for the agricultural overlay. The property they are talking about is not being touched by this. Jen stated that the changes would not affect this farm owner. Mr. Caprioglio asked about contacting the landowners whose boundaries change. Jen stated that there are about 20 - 25 parcels or at least a portion of the parcels that are changing. Jen stated that another option is notifying everyone in town and that is something the

Board can discuss as an option. Mr. Byron stated that is something that has to be done anyway. Jen stated there is still budget for this. The Board discussed how they can let the residents know. Jen discussed having a map ready for Town Meeting for the residents to understand what is being done. The Board decided to make no more changes from what they already proposed.

The Board looked over the nonresidential zoning ordinance and discussed some of the changes such as *section 602.02 Frontage*. The board discussed and made a few changes to the chart on minimum distance between access points. Jen stated there is no hardened fast rule in the State Driveway permit on the distance between driveways. Jen stated that she did some more research and most communities regulate the distance between driveways through site plan regulations as opposed to zoning. The rationale being that if you have a land owner who meets the minimum frontage requirement, however does not meet the minimum distance between driveways and their abutter does not wish to grant them access to a shared driveway, then they are noncompliant and have to get a variance simply to have access to their site. As an alternative the last column (the minimum distance between access points), Jen stated that the Board already has a section in the site plan review regulations that addresses separation between driveways, which could be moved there and review what they have in their site plan review regulations. The Board decided to delete from all ordinances and leave in the site plan review regulations which allows the Board to address anyone who does not have that minimum separation between driveways on a case by case basis and allows it to be done as a waiver if they can't meet it as opposed to a variance. The Board went over *page 10, section 703.00 Special exceptions*, appropriate separation distances between gasoline and automobile service districts and agricultural uses and the Board had said to use 500' as a placeholder. Jen stated that they tried to find a standard number and didn't come up with any hardened fast number, but what they did find more often than not was 100' as a setback or a buffer. Jen stated that she left the 500' in place as asked and needed the boards direction on what they see as appropriate. The Board decided to take the language out because it is already in the aquifer protection regulations. The Board went over *page 9, section 702.02 setbacks*. Jen stated this is the southwestern commercial district and the way the setbacks read currently because as currently drawn the southwestern commercial district does not extend up to 3A. There is no actual direct access, it is back lots the way it is currently zoned and drawn. The way the setbacks were stated was that shall be a minimum of 50' from public rights of way excluding 3A, but there is nothing offered for what to have in that place. Jen mentioned that as stated you have no setback for 3A. Jen as a placeholder wrote setback a minimum of 50' away, excluding 3A which shall be ? feet from the right of way. In the Northern Commercial District, the front setback is 50'. The board decided to have it all as 50'. The Board decided that the ordinance looks good to them.

**Aquifer Protection** - Jen stated that there were no changes since what the Board had identified at the last meeting.

***Motion: by Mr. Blanchette to send the aquifer protection ordinance section 1250 to Public Hearing.***

**Second:** by Mr. Young

**Vote passes:** 5-0-1

***Motion: by Mr. Young to send all nonresidential zoning as amended to public hearing.***

**Second:** by Mr. Caprioglio

**Vote passes:** 5-0-1

#### **4. Site Plan Review Regulations**

Jen went over the changes with the board. On the second page, *120.1 Vehicular Circulation Standards*. Jen stated that this is what is existing in the Boards plan review regulations and what she added in for consideration is items 2,3, and 4 which is addressing how those central or shared driveways could be provided with some expectations. Jen went over the table with the Board which is for existing regulation. After discussion the Board decided to take the table out and put the same one that is in the zoning regulations. Jen will send to counsel and have comments for the next meeting.

#### **5. Agricultural Overlay Comments from Public and Counsel**

The Board reviewed the comments from the Public and Counsel. The Board reviewed, discussed and made their recommended changes to the following: Section 550.1 (Authority and Purposes), Section 550.3 Definitions (Agriculture and Farming, Farm, Farmers Market, Farm Roadside Stand), Section 554.4 District Boundaries, Section 550.5 Permitted Uses, Section 550.7.2 Design Standards and Setbacks, Section 550.7.5 (Development Standards), Section 550.7.7 (Required Open Spaces)

***Motion: by Mr. Caprioglio to send the Agricultural Overlay District as amended to counsel for review and public hearing.***

**Second:** by Mr. Young

**Vote Passes:** 5-0-1

#### **6. Multi-family Housing Overlay**

The Board decided to defer this to their next meeting

**Approve minutes of November 5, 2013**

The Board decided to defer the approval of the minutes of November 5 to the next meeting.

**Any Other Business:**

Joan stated that there will be a hearing on December 3, 2013 for a site plan at Continental Paving for a 9,990 sq. ft. building. Joan has the plans in her office for the Board to look at.

Jen mentioned that she heard from Bruce Mayberry, he will have the roads draft to the Board later this week and will be added to what is there for the school's draft. The Board will have a whole new document to replace what he had already sent for schools. Mr. Mayberry would like to schedule a time to meet with either the Board or a subcommittee of the Board to review the drafts at the Boards convenience. Mr. Blanchette will look at the Calendar to see what works for the Board.

Mr. Blanchette mentioned that on November 6 there was a hearing at Londonderry Planning Board regarding Londonderry Fish and Game Club adding two new firing ranges. Mr. Young mentioned that he went to that meeting.

**Mr. Byron and Mr. Curtis recused themselves from the meeting.**

Mr. Young stated that he talked with the Officers of the Board about the club. The new ranges are much further away from the houses than the old ranges. A lot of complaints, about gun noise, people are having are coming from Musquash Swamp area and the power lines. Mr. Young stated that they are limited to 50 caliber maximum at the present time. There is really not to much more they can do. Mr. Young stated that he has talked to Kevin and Jack (Road Agent) about having a no exit sign for the right turn coming out of their property so that people don't go down the cul-de-sac on Lund Street in Litchfield. Jack and Kevin will look into that. Mr. Young stated that it was given conditional approval to go ahead. Mr. Young stated that if anyone has a chance or wants to go to one of their meetings, they meet on the 1st and 2nd Wednesday's each month and would be more than happy to have the Litchfield Planning Board come over. Mr. Young stated that there was no one that came out and spoke against it. The Londonderry Planning Board conditionally approved the application for the Fish and Game Club.

***Motion: by Mr. Young to Adjourn***

***Second: by Mr. Caprioglio***

***Vote: 6-0-0***

**The Next Planning Board meeting will be held on December 3, 2013 at 7:00 pm.**

The meeting adjourned at 10:30 pm

**Minutes taken by: Donna Baril**