

MINUTES
Business Meeting
Sanbornton Planning Board

Meeting Date and Time: Thursday, February 15th, 2018 at 7:00 PM

Meeting Place: Meeting Room, Sanbornton Town Offices

The meeting was called to order by Don Bormes at 7:00 PM

Roll Call

Regular Members present: Don Bormes, Dick Gardner, Selectman Karen Ober, Will Ellis

Alternate Members present: Jody Slack (seated in place of Justin Barriault)

Others present at the meeting: Contract Town Planner Dave Jeffers

Approval of draft Planning Board minutes from 1-18– Selectman Karen Ober made a motion to approve the draft minutes of 1-18 with corrections. Jody Slack seconded the motion and the motion passed unanimously.

Old Business

a. Public Hearing - Boundary line adjustment: Map 15, Lots 12-1, 14-2 and 45, located at 14 Stage Road. Owners Richard E. Howe, Timothy C. Howe, and Randall C. Howe – This property is located at the intersection of Rt. 127 and 132, Gaza Corner. Dave Jeffers explained that frontages are adequate for this boundary line adjustment and that no new lots are being formed. The zone is General Agricultural. He also noted that the waivers being requested are numbers 5, 9, and 24, and the applicants state that items 15 through 22 are not applicable to this proposal. Dick Gardner asked what buildings are on the lots right now, and the applicants responded that there is one on each lot right now. Dick Gardner made a motion to accept the requested waivers. Jody Slack seconded the motion and the motion passed unanimously. Dick Gardner made a motion to accept the application as complete. Jody Slack seconded the motion and the motion passed unanimously. Dick Gardner made a motion to approve the boundary line adjustment. Jody Slack seconded the motion and the motion passed unanimously.

b. Conceptual consultation for property at 177 Woodman Rd – Dana and Carina Campbell stated that they plan to purchase this property but would like the Planning Board's input on their plans to renovate the existing home, while living in the barn which they will need to renovate to make inhabitable first. They would then use the barn for horses later on. They also wanted to know if it would be possible to change the configuration of the 3 acres of the property that is not in current use, while the other 15 acres remain in current use. Don Bormes stated that 10 acres need to be in current use but he does not think that the configuration of the remaining acreage matters. Dick Gardner stated that this question would be best answered by the Assessor. Dana Campbell asked if the barn will need to be attached to qualify as an accessory apartment and Dick Gardner stated that the current ordinance requires that it be attached and that the living space cannot exceed 850 square feet. Don Bormes noted that the Code Enforcement Officer would be the one to issue permits, and the applicants would also need input from the Police and Fire Chiefs. Dana Campbell stated that he and his wife currently live in Salem but he would like to eventually build furniture out of his home here. Dick Gardner noted that this would require a Level 1 Home Occupancy permit but should not be a problem.

c. Conceptual Consultation for property at 12 Davis Rd – Stuart Westlake-Toms and Tara Stewart explained that they would like to use their property they purchased last year for a wedding venue under the Agritourism RSA 674. This property borders KREBS Farm which was approved as a wedding venue under the same RSA last year. Dick asked what type of agriculture their farm entails and Tara Stewart responded that they have guinea hens in their barn currently and are growing blueberries, have campfire wood and her husband plans to grow hops. The couple provided a map that outlines where parking would be located; 160 spaces with portable lights. Only portable

toilets would be used because of septic system limitations and the weddings would take place in the barn which can hold 100 people. Mr. Westlake-Toms stated that the KREBS Farm noise study showed 85 decibels of sound at source which is not unreasonable, so he doesn't think that noise will be an issue, though the Police Chief said that parking and noise was of concern.

Don Bormes stated that there is a wedding venue in Gilford that is still in litigation regarding using the Agritourism RSA, since the word "weddings" itself is not in the RSA specifically. He also noted that the couple may want to consider applying for a use variance instead through the ZBA, which is what another venue in Sanbornton did, since he is concerned with the lack of actual agriculture this farm produces. Selectman Ober stated that Agritourism required that the landowner is supplementing the main use of agriculture, not using Agritourism as the main source of income. Tara Stewart responded that she has researched this with the UNH Cooperative Extension and found that a farm is defined as having generated profit three out of the past five years. Dick Gardner stated that he is concerned about abutters and Tara Stewart responded that they have spoken with most neighbors and they are okay with the idea, and Tara Stewart owns several abutting lots as well, where there are no homes.

Dick Gardner suggested that they wait to see what happens with the legislature regarding the Agritourism RSA. Will Ellis stated that it will be hard to deny this since KREBS Farm was approved using the same RSA. Selectman Ober stated that she is concerned with the traffic that would come from there being five weddings in one day off Upper Bay Rd; three at Steele Hill can happen in one day, one at KREBS and then one at this venue as well.

Other Business

a. PB Attorney – Dave Jeffers stated that the Planning Board's Attorney Bernie Waugh will be retiring, but a memo from the law office states that there are other attorneys with similar experience that are available.

b. Solar ordinance/Solar Farm project – Dave Jeffers provided copies of RSA 676:4 regarding when an application is grandfathered if an ordinance related to the project is in the works but has not been approved yet by town vote. When an application has been received and "noticed" before the first public hearing related to the ordinance has been noticed, it does not have to adhere to that ordinance, according to the RSA. Dick Gardner stated that this is unclear because the Town does not "notice" application, it notices public hearings related to applications. It is not clear when the application was received and "noticed" in this case. Don Bormes noted that the actual application date should not be important, as the intent of creating the solar ordinance was related to the same project.

c. Noticing abutters – Jody Slack noted that the former Town Planner Greg Jones suggested adding a fee and allowing staff to do abutter notices to make sure they are done correctly. Dick Gardner asked if there has been an issue with these notices. Don Bormes stated that the PB has not had issues but the recent ZBA hearing regarding the Solar Farm had many abutters in attendance that did not receive notices via mail due to incorrect addresses used by the applicant.

d. Planning Engineer – Selectman Ober stated that a Tilton resident said that their PB hired a consultant to look at a complex application and found that it was a great use of money, as that person raised issues that nobody else on the Board had thought of. She suggested that this same type of arrangement is looked at by Sanbornton's Planning Board.

Meeting adjourned at 9:00pm. The next meeting is scheduled for March 1st.

Respectfully submitted,

Audry Barriault