

**THE PLANNING BOARD**  
**Town of Frankestown**  
**Frankestown, NH 03043**

December 15, 2010

**MINUTES**

Planning Board Members Present: Bob Lindgren (Chairman), Lisa Stewart, Sarah Pyle, Mike Tartalis, Linda Kunhardt, Ben Watson, Bill McNeil (alt).

Members of the Public: Charlie Pyle, Barbara Martin, BJ Carbee, Steve Chicoine.

Chairman Lindgren calls the meeting to order at 7:10 pm.

**Public Hearing: Proposed Amendments to Frankestown Zoning Ordinance**

Public notice and copies of proposed ordinance changes were posted at Post Office, Town Offices, in Selectmen's Office, on town website, and at the Library. Published notice appeared in the *Monadnock Ledger-Transcript* on December 3, 2010.

1. Inspector of Buildings and Approval of Building Plans.

Changes to the ordinance were suggested by Peter Hopkins, town Code Enforcement Officer, in 2009, but Board did not have time to review and make changes to this section of the ordinance last year.

Under proposed changes, non-residential structures less than 200 square feet in area would no longer need to meet the stringent requirements necessary to issue a building permit such as for wind load and snow load (currently the cut-off for requiring a building permit is 100 sq. ft. However, all such structures would need to receive a zoning compliance permit, which would certify that they meet setbacks and any other strictly zoning requirements.

Charlie Pyle suggests that proposed new language may create possible confusion over the new zoning compliance permits.

Sarah Pyle suggests moving the proposed Section III to fall under "Building Permits."

Board discusses other relatively minor word changes, which are reflected in the new revisions to the section (see attached)

S. Pyle moves to approve as amended and bring revised section to a second public hearing. McNeil seconds. All in favor (7-0).

2. Article II-A.2.6 (9) - Wetlands Conservation and Vernal Pool District.

The proposed change would eliminate the word "paved" before "driveway," to bring the definition of "impermeable surfaces" in line with current

thinking, which is that compacted gravel surface are in fact not impermeable. Another word change would exempt paved driveway aprons, where required by the state or town, from this restriction on impermeable surfaces within 100 feet of the wetland and vernal pool district. (See attached for precise language changes.)

In recent years, many proposed driveways with required paved aprons have had to receive variances from the Zoning Board of Adjustment. The proposed change would, if adopted, make this less of a regular occurrence.

S. Pyle moves to approve proposed changes as presented and bring to a vote of Town Meeting. Tartalis seconds. Approved 6-1 (Stewart opposed).

### 3. Article V.G.2 (Density), under Open Space Development

The Board discusses the question of whether to present different subsection changes to town voters in separate warrant articles, or to present the entire section V.G.2 with all changes, in an up-or-down vote.

Watson and Pyle are not in favor of splitting up the section into two warrant articles. Lindgren sees the argument for splitting, and not splitting, but doesn't feel strongly either way.

Board reviews minor word change and LEED certification bonus [subsection (e)]. This would have the effect of giving a potential density bonus of 5% to developers who submit LEED certifiable standards for structures in an open space development. These changes have already been moved and seconded to bring to this public hearing, so Board proceeds to vote. All in favor (7-0). These changes will be brought before voters at Town Meeting.

Lindgren closes the public hearing at 8:05 pm.

### **Proposed Zoning Ordinance Change for Article V (Open Space Ordinance)**

Sarah Pyle presents a new proposed subsection (f) to Article V.G.2 (Density) in the Open Space Development ordinance. This section would give density bonus to developers who include Workforce Affordable Housing units in a proposed open space subdivision. There would be a tiered density bonus based on how many units in the development are affordable - as defined by the US Dept. of Housing and Urban Development (HUD). Pyle explains the HUD definition of affordable housing to the Board, and states that she tried to keep the language of the proposed ordinance change as simple and uncomplicated as possible.

Stewart questions whether there is information in the proposed change relative to selling the affordable housing units.

Pyle and Lindgren point to the last two sentences of the proposed addition, which provide for perpetual continuation of the performance standards that the Planning Board used in the granting of any bonus.

Kunhardt expresses concerns about the large (20%) density bonus granted in the upper tier. Pyle explains that, in the Density section of the Open Space Ordinance, 20% is the maximum allowable bonus, and that she

suggested this figure in the Affordable Housing subsection to reflect the importance that the town places on this benefit.

Lindgren believes that the proposed addition complies with state law regarding affordable housing that takes effect in 2011, and that it is relevant and appropriate for the town to make this part of our Open Space Ordinance, as a bonus, not a requirement for future developers.

Stewart moves to approve the change/addition as proposed (see full text, attached), and to bring to a future public hearing. Pyle seconds. Approved 6-1 (Kunhardt opposed).

Lindgren discusses upcoming Board meetings and when it will be possible to hold another Public Hearing on revised and new Zoning Ordinance changes. Capital Improvement Program meetings are scheduled for January 11 and 12, and January 17 (and 18, if needed). Lindgren schedules the final public hearing for zoning ordinance changes for Tuesday, January 4, 2011 at 7 pm. Lindgren and Watson will post and notice the hearing accordingly, with copies of the proposed changes.

**Minutes Clerk Search:**

Lindgren reads a letter from Barbara Martin, 351 New Boston Rd., who has expressed interest in becoming the Minutes Clerk for the Planning Board and ZBA. Martin is in attendance and explains that she formerly was Minutes Clerk in 2002-03.

Stewart recommends that the Minutes Clerk should also assist the land use boards with filing and organization in addition to taking minutes.

Pyle moves that the Board should recommend rehiring Barbara Martin as Minutes Clerk/Administrative Assistant to the Planning Board and ZBA. Lindgren seconds. All in favor (7-0).

**Announcements and Communications:**

Lindgren reports that the certified record has been submitted for the appeal of the AT&T/New Cingular Wireless case, and that the appeals of the Planning Board and Zoning Board approvals may be combined.

Lindgren announces that Southwest Region Planning Commission (SWRPC) has issued a 10-year transportation plan for the Monadnock Region, but that it does not directly affect Frankestown.

The meeting is adjourned at 8:55 pm.

*Respectfully submitted,*

*Benjamin A. Watson, Secretary  
December 20, 2010*