

LONDONDERRY, NH PLANNING BOARD

MINUTES OF THE MEETING OF JULY 12, 2017 AT THE MOOSE HILL COUNCIL CHAMBERS

I. Call to Order

Members Present: Rick Brideau, Ex-Officio – Town Employee; Chris Davies, Secretary; Giovanni Verani, Ex-Officio – Town Manager Appt, member; Jim Butler, Town Council Ex-Officio; Ann Chiampa (alternate member); Roger Fillio (alternate member); Peter Commerford (alternate member)

Also Present: Laura Gandia, Associate Planner; Beth Morrison, Recording Secretary

Member C. Davies called the meeting to order at 7:00 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance. He appointed alternate member A. Chiampa to vote for A. Rugg and alternate member R. Fillio to vote for M. Soares.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES: N/A

B. REGIONAL IMPACT DETERMINATIONS: N/A

C. DISCUSSIONS WITH TOWN STAFF: C. Davies asked L. Gandia about the areas, which John Vogl had identified on a map prior to him leaving, that had been identified as conditional use capability for workforce or high density housing. He noted the criteria for determining this is whether the property is adjacent to commercial property and in some cases noted the property is adjacent to commercial but separated by I-93, which in his opinion is hardly abutting. He stated he would like the Board to look at the way in which this zoning is written to possibly amend some areas that were identified. L. Gandia stated she had made a note of that for the staff to look at for the Board.

III. Old Business- N/A

IV. New Plans/Conceptual/Non-binding Discussions

A. Public hearing on an application for formal review of a site plan to construct Phase 1 of an elderly housing development, consisting of 21 housing units, a clubhouse and associated site improvements; Nashua Road/NH Route 102, Adams Road and Cross Road - Map 6 Lot 84 & Map 6 Lot 59-1, Zoned AR-1, Cross Farm Development, LLC (Owner and Applicant)

L. Gandia stated the Planning Board had received a request from attorney Morgan Hollis on behalf of Cross Farm Development to continue the public hearing until August 2, 2017.

R. Brideau made a motion to grant the applicant's request to continue the public hearing on an application for formal review of a site plan to construct Phase 1 of an elderly housing development, consisting of 21 housing units, a clubhouse and associated site improvements; Nashua Road/NH Route 102, Adams Road and Cross Road - Map 6 Lot 84 & Map 6 Lot 59-1, Zoned AR-1, Cross Farm Development, LLC (Owner and Applicant)

G. Verani seconded the motion.

The motion was granted, 6-0-0. The Chair voted in the affirmative.

B. Public hearing on a zoning amendment to revise section 2.3.1.2.A of the Londonderry Zoning Ordinance relative to the storage and use of travel trailers, to insert the underlined language as follows:

No lot in the agricultural-residential (AR-I) district may be used for the outside storage of more than one unregistered motor vehicle (in accordance with RSA 236:92) or the outside storage of more than one boat, other than a rowboat, canoe or other boat less than twenty (20) feet in length. At no time shall a motorhome, travel trailer (camper) or similar recreational vehicle be stored on a property in a manner such that a public nuisance be created as to sight, sound, smell or any other action which would interfere with nearby property owner's rights. A motorhome, travel trailer (camper) or similar recreational vehicle shall not be used as an accessory living space on any residential property in the AR-I district.

Richard Canuel approached the Board and stated he was here with the new language for the zoning ordinance that the Board had in front of them and welcomed any questions. A. Chiampa asked about tiny homes, stating there are 2 types of tiny homes: a tiny house on wheels, legally considered a recreational vehicle, and a tiny house on a foundation, legally considered an accessory dwelling unit. She stated that most states prohibit recreational vehicles as full time residences in zones other than RV parks and wanted R. Canuel's opinion. R. Canuel stated that New Hampshire has not addressed tiny homes as of yet, but the definition of a motor home or camping trailer does not fit the definition of tiny homes. R. Canuel stated that there is another section of the ordinance in the AR-1 district for R3, multifamily district, which has the same language and in his opinion this new language should be reflected section 2.3.2.2.C. R. Canuel asked if that was something the Board could discuss now and amend that section of the R3 ordinance. L. Gandia stated that the Board would not consider that tonight as that is a separate ordinance to amend, but thought R. Canuel wanted to get the Boards input regarding amending the R3 ordinance at a later date. P. Commerford stated

he would like more time to look at this specific ordinance. G. Verani asked about how it would be determined that something was a public nuisance. R. Canuel stated that it would be discretionary and on case-by-case basis by the enforcement officer. J. Butler asked how many complaints R. Canuel's office had received surrounding this ordinance. R. Canuel noted it is not a widespread problem, noting that litigation had just finished regarding a property where there were 4 camper trailers on the property and 1 was alleged to be lived in, but does occur on occasion. R. Fillio asked if it precluded someone from having 2 recreation vehicles as long as they are registered. R. Canuel stated it did not. R. Fillio stated that regarding the R3 ordinance with multifamily housing the occupants might all have more than 1 vehicle, so will each family be allowed to have 1 vehicle. C. Davies stated that the Board will be reviewing the R3 language and advising on a later date. A. Chiampa asked if any setback requirement for the trailers was included. R. Canuel stated there was not. G. Verani asked about farms having several trailers, such as storing pumpkins during the fall, and would that be considered a public nuisance. R. Canuel stated that an equipment trailer is a different trailer than a travel trailer. He explained that this language is trying to avoid having someone hoard travel trailers on their property and use the trailers as additional living space, and does not think this language applies to farms with equipment trailers.

C. Davies opened it up to the public.

Evelyn Brundige, 2 Brian Drive, stated that she had concerns about the 20 foot boat length language. She noted that her neighbor has a boat in his yard that has been there since she moved in 12 years ago that cannot be stored. She stated that her neighbor also has a jeep, another boat and multiple cars on his lawn, which is considered a nuisance to her. C. Davies stated that R. Canuel was who she should talk to about this issue. R. Canuel stated that she could contact his office and discuss the matter.

Tiffany Richardson, 10 Raintree Drive, asked if there was an ordinance specific to commercial. C. Davies stated that R. Canuel would be the person to speak with about this. R. Canuel stated that she could contact his office and discuss the matter.

R. Brideau made a motion to recommend to Town Council approval of the revision of section 2.3.1.2.A of the Londonderry Zoning ordinance, relative to the storage and use of travel trailers as read and discussed in tonight's posted public hearing of July 12, 2017, with the insertion of the following language:

No lot in the agricultural-residential (AR-I) district may be used for the outside storage of more than one unregistered motor vehicle (in accordance with RSA 236:92) or the outside storage of more than one boat, other than a rowboat, canoe or other boat less than twenty (20) feet in length. At no time shall a motorhome, travel trailer (camper) or similar recreational vehicle be stored on a property in a manner such that a public nuisance be created as to sight, sound, smell or any other action which would interfere with nearby property owner's rights. A motorhome, travel trailer

(camper) or similar recreational vehicle shall not be used as an accessory living space on any residential property in the AR-I district.

G. Verani seconded the motion.

The motion was granted, 6-0-0. The Chair voted in the affirmative.

V. Other Business

A. Zoning update - L. Gandia stated this was to provide the Board with an update as how the Planning Staff would like to proceed with the 2 issues that they have been working on. She stated that the memo serves to provide the Planning Board with an update and an anticipated schedule for the commercial and zoning overhaul. Planning Staff proposes a two tiered-two track process to address the zoning overhaul and potential changes to the commercial district. For track one, the zoning overhaul, the Planning Staff believes it would be cleaner and neater to address the organizational changes and minor changes to eight content areas. Those content areas are (1) floodplain management; (2) airport height; (3) airport noise; (4) excavation of earth materials; (5) wireless telecommunication facilities; (6) small wind energy systems; (7) home occupations; and (8) portable storage structures. These areas were identified during meetings with our consultant, ADG, as potential areas where statutory changes may have occurred or where conversations with the public, developers, and builders caused us to take a closer look. The goal is to move forward with the organizational changes at a Staff level and to present to the Planning Board memos on a regular basis that contain changes or amendments to these content areas for a possible review at the following Planning Board meeting. Once these changes are reviewed and agreed upon by the Planning Board, and the organizational structure is finalized, the hope is to present the overhaul with the amendments to the eight content areas to Town Council in the fall for its approval. For track two, during the fall and moving forward, attention will be focused on the second track, the commercial districts, and working on removing overlay districts and combining zoning districts with greater and use and flexibility by means of a conditional use permit to the Planning Board. This process would move us into the winter of 2017 and into 2018. L. Gandia noted this was a change from what had previously been discussed as it appeared like a lot of material to accomplish all at once, so the two tracks will be helpful.

C. Davies noted that was a lot of material to get through in the meetings that are left in 2017 and asked if the order in which it was presented would be the order reviewed and addressed in. L. Gandia answered no, the Planning Staff would be dividing up the 8 content areas and some might prove to be minor in changes that need to be made.

VI. Adjournment

R. Brideau made a motion to adjourn the meeting at approximately 7:31 p.m. Seconded by G. Verani.

The motion was granted, 6-0-0.

The meeting adjourned at approximately 7:31 PM.

These minutes were prepared by Beth Morrison

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "Chris Davies", written over a horizontal line.

Chris Davies, Secretary

These minutes were accepted and approved on August 2, 2017 by a motion made by ___L. Reilly_____ and seconded by ___R. Brideau_____.