

1 **Sandown Planning Board**
2 **Minutes**
3 **October 4, 2016**

4
5 **Date:** October 4, 2016

6 **Place:** Sandown Town Hall

7 **Members Present:** Ernie Brown – *Chairman*, Doug Martin – *Vice Chairman*,
8 Ed Mencis - *Secretary*, Steven Meisner, Terry Treanor - *Ex Officio*, John White,
9 Matthew Russell – *Alternate*

10 **Members Absent:** Mark Traeger, Lisa Butler – *Alternate*, Erik Dykeman – *Alternate*

11
12 Mr. Brown opened the meeting at approximately 7:03 p.m.

13
14 Mr. Russell was seated for Mark Traeger.

15
16 **Review of the 9/20/16 Minutes**

17 **MOTION:** Mr. Mencis made a motion to accept the 9/20/16 minutes as amended.

18 Mr. Treanor seconded the motion. Members voted in favor. Mr. Russell, Mr. Martin and
19 Mr. White abstained. The motion passed.

20
21 **Correspondence**

- 22 • Updated budget. Mr. Brown and Mr. Russell would attend the budget meeting on
23 10/5/16 at 8:15p.m.
- 24 • Letter from RPC regarding dues
- 25 • Town & City Magazine
- 26 • Inspection report from Keach Nordstrom regarding Wells Village Estates
 - 27 ○ Mr. Keach noted the project is moving along nicely. He anticipates the
28 road will be paved/binder by the end of October. The plans are just about
29 ready to be signed and would likely be ready for the board in November.
30 The town is holding more surety than necessary. Once the road is
31 complete and they will determine how much it could be reduced. The
32 culvert is now in place and construction on the headwall has begun but is
33 not complete. Mr. Russel expressed concern over the line of site at Wells
34 Village Road. Mr. Keach noted that work had not been completed yet.

35
36 **Charlie Zilch, SEC Associates - Discussion regarding a proposal for a single family**
37 **residential development accessing from the Sandown frontage through to Danville**
38 **The property is located on M25 as lot 74.**

39 Mr. Zilch from SEC Associates and John Grover, the property owner, were present for
40 the discussion.

41
42 Mr. Zilch noted that Mr. Grover owns property in both Sandown (M25 L74, 3.9 acres)
43 and Danville (M3 L140, 42 acres). The Sandown parcel has 280’ of frontage on Route
44 121A/Main Street. Mr. Grover is hoping to subdivide the property and use the Sandown
45 parcel for access. They presented a rough layout of 12 single-family homes and 1,500’ of

46 right of way. They have completed the boundary survey, topography and wetlands
47 mapping. There is good upland area in Danville and there will be very little wetland
48 impact which will be a small stream crossing. They have done a few exploratory test pits
49 and haven't found any ledge.

50

51 They met with the Danville Planning Board. The Danville board offered other
52 suggestions such as commercial or cluster development, but they would like to stay with
53 single family residential. Danville's main concern was coordinating police, fire and road
54 maintenance.

55

56 Mr. Mencis questioned if the road would be private. Mr. Zilch noted it would be a public
57 right of way. Mr. Keach noted in many situations like this, specific towns would commit
58 to take care of the entire neighborhood for winter maintenance vs. stopping plowing at
59 the town line. Since the majority of the road is in Danville, it would likely be Danville to
60 maintain the road. Summer maintenance could fall along the town line with Sandown
61 only paving the Sandown portion.

62

63 Mr. Keach noted that RSA 674:53 – land affected by municipal boundaries would apply
64 to this situation. There are different notification requirements. Danville would be
65 considered an abutter. Under that RSA, they could request a joint hearing. Mr. Zilch
66 noted Danville would rather not have a joint hearing. Mr. Keach noted the main
67 coordination needed to be between each town's fire, police and highway departments.
68 Mr. Zilch noted he already spoke with Chief Tapley who indicated first responder would
69 be whoever arrived first. Mr. Keach also recommended they speak with the school
70 district regarding bus routes given some recent issues Sandown has been having. Mr.
71 Martin questioned if they could request a specific bus stop. Mr. Keach noted it is up to
72 the school district to determine that.

73

74 The construction of the first 100' of road and lot number one would be in Sandown's
75 jurisdiction, the rest would be Danville's jurisdiction. He questioned how accurate the
76 municipal boundary was and noted he never uses municipal boundaries as lot lines
77 because they can be difficult to determine with complete reliability.

78

79 Mr. Russell questioned the configuration of the road. Mr. Zilch noted that the two towns
80 have different road requirements, but they will likely build the entire road to Danville's
81 specifications since they are the more stringent.

82

83 Mr. Zilch added they would meet with both Sandown and Danville's Conservation
84 Commissions to address the minor wetland impact.

85

86 **Zoning Amendments**

87

88 *Accessory Apartment Ordinance*

89 The board changed the last sentence of Section D to read "The apartment shall not have
90 more than two bedrooms."

91

92 The board approved the remaining changes and will move the amendments to public
93 hearing.

94

95 *Sign Ordinance*

96 Attorney Gorrow made suggested changes that Ms. Cairns applied.

97 The board approved the changes and will move the amendments to public hearing.

98

99 The board also discussed changing the sign ordinance to clear up the confusion around
100 in-home occupations not being allowed to have a sign, but decided not to move forward
101 with an amendment.

102

103 *Non-Conforming Lots*

104 Mr. Keach noted that in Article 2, Part A, Section 13 of the Sandown Zoning Ordinance,
105 existing non-conforming lots are not addressed. These are lots that were created prior to
106 the Zoning Ordinance which was created in March of 1956. This creates some confusion
107 over how to deal with these lots; do they always need a variance? Since the zoning
108 ordinance doesn't address this issue it creates questions around whether they are
109 legitimately grandfathered and have the right to build without a variance. It would be up
110 to the property owner to prove that the lot is a pre-existing non-conforming lot that was
111 created and unchanged prior to 1956.

112

113 Mr. Meisner noted that certain things could not be grandfathered such as health, safety
114 and welfare. Mr. Keach agreed they would still be required to meet dimensional
115 requirements.

116

117 Mr. Keach would provide the board with copies of other town's that have addressed the
118 issue, but suggested the town consult with their attorney to work towards an amendment.

119

120 Mr. Brown expressed concern over taking people's land away. Mr. Keach noted that
121 because the ordinance doesn't deal with the issue, it creates liability for the town.

122

123 *Open Space Ordinance*

124 Article 2, Part D, Section 5 is the section that addresses multi-family units. The board
125 discussed whether they should eliminate the option for 3-bedrooms entirely or have a
126 lower percentage than what is currently allowed. Currently, the ordinance states that not
127 more than 50% shall contain more than three bedrooms. When the ordinance was created,
128 they were trying to make reasonable accommodations for those with children. Mr. Keach
129 noted that to comply with workforce housing, they can cap them at 2 bedrooms.

130

131 Mr. Mencis questioned why they were reducing the number of bedrooms allowed. Mr.
132 Meisner noted that in his opinion, three-bedroom apartments cost the taxpayers more than
133 2-bedroom apartments. He owns property and in his experience, families with children
134 want 3-bedrooms.

135

136 **MOTION:** Mr. Martin made a motion to reduce the bedroom count to state “the multi-
137 family dwelling units shall not contain more than two-bedrooms.” Mr. Russell seconded
138 the motion.

139

140 *Discussion:* Mr. Mencis suggested they go to a lower percentage of 3-bedrooms instead
141 of eliminating them completely. Mr. Brown agreed.

142

143 Mr. White noted that with the project shifting from 55+ to multi-family units, there is
144 going to be a larger cost to taxpayers. Mr. Meisner noted the school district would be
145 affected.

146

147 The board voted in favor. Mr. Brown opposed. The motion passed.

148

149 **Other Business**

150 Mr. Brown noted the board received correspondence from the town attorney regarding
151 the project Linda Meehan came to the board about at the last meeting. The attorney
152 agreed with Mr. Keach. The board agreed the correspondence should be sent to Mrs.
153 Meehan.

154

155 **MOTION:** Mr. Mencis made a motion to adjourn. Mr. Brown seconded the motion. All
156 members voted unanimously in favor. The motion passed. MEETING ADJOURNED at
157 9:05 p.m.

158

159 Respectfully Submitted,

160



161

Andrea Cairns