



1
2
3
4
5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **December 3, 2014**
8 **Municipal Center, Selectmen's Meeting Room**
9 10 Bunker Hill Avenue
10 Time: 7:00 PM
11

12
13 **Members Present:** Mike Houghton, Chairman
14 Bruno Federico, Selectmen's Representative
15 Jameson Paine, Member
16 Tom House, Member
17 Christopher Merrick, Alternate
18
19 **Members Absent:** Bob Baskerville, Vice Chairman
20 Nancy Ober, Alternate
21
22 **Staff Present:** Lincoln Daley, Town Planner
23

24 **1. Call to Order/Roll Call.**

25 The Chairman took roll call.
26

27 **2. Review/Approval of Meeting Minutes.**

- 28 a. October 15, 2014
29 b. November 5, 2014
30 c. November 19, 2014

31 Mr. Merrick made a motion to accept the minutes from October 15, 2014, November 5, 2014,
32 and November 19, 2014. Motion seconded by Mr. House. Motion carried unanimously.

33 **3. Public Hearing(s).**

- 34 a. ST Holdings Company, LLC, 37 Portsmouth Avenue, Stratham, NH 03885 for the
35 property located at 37 & 39 Portsmouth Avenue, Stratham, NH Tax Map 9, Lots 2 & 3.
36 Site Plan Application to construct a 7,125 square foot auto dealership building expansion,
37 parking lot and roadway improvements, and related lighting, landscaping, drainage
38 enhancements. (*Request to continue until January 7 2015*).

39 The Chairman shared that he had a letter from the applicant requesting a continuance
40 until January 7 2015.

41 Mr. Paine made a motion to grant the continuance of the ST Holdings proposal until
42 January 7, 2015. Motion seconded by Mr. House. Motion carried unanimously.

1 Mr. Daley added that it is worth noting that prior to the January 7, 2015 public hearing,
2 the applicant will be meeting with the Technical Review Committee (TRC) to go over
3 the changes in the architectural design of the building. It is Mr. Daley's understanding
4 that as part of the continuance request, it is allowing the applicant to present a redesign
5 of the building itself; they are adding a second story in line with the Gateway design
6 standards. Mr. House asked when they would meet with the TRC. Mr. Daley sometime
7 after December 15, 2014; an email would be going out soon.

- 8 b. Rollins Hill Development, LLC. P.O. Box 432, Stratham, NH for the property located at
9 20 Rollins Farm Drive, Stratham, NH, Tax Map 3 Lot 24, Tax Map 3 Lot 7, and Town
10 of North Hampton, NH Tax Map 15 Lot 24. Subdivision Application to construct a 48
11 lot, over 55 Retirement Planned Community Development. (*Continued Application from*
12 *November 19, 2014*).

13 The Chairman stated that the focus for this application will be seeking resolution for the
14 appropriate design standards for the individual septic systems, resolution of subdivision
15 regulations, Section 2.3.2 regarding the witnessing and certification of test pits by a Town
16 designee, the discussion of roadway design and right of way specifications, hydrology
17 and natural resources, request for supplemental information, and a discussion of
18 anticipated waivers and zoning relief.

19 Mr. Daley said tonight there would also be a workshop discussion for the zoning
20 amendments so the Board should allocate no more than an hour to an hour and a half for
21 the Rollins Hill application so there is time to discuss the amendments.

22 Mr. Rob Graham for Rollins Hill Development LLC took the floor. He started by
23 summing up changes that had been made to the plans since they last came before the
24 Planning Board. The road location has changed slightly, some of the curves and grades
25 have changed, and the overall lot count has been reduced from 48 units to 46 due to the
26 environmental impacts and drainage.

27 Mr. Graham introduced Mr. Clay Mitchell, attorney for the applicant, John Ring to
28 discuss the surface hydrology and design aspects of the subdivision including roadway
29 design waiver requests, and Brendan Quigley from Gove Environmental services to
30 present his natural resources assessment for the site.

31 Mr. Mitchell started by talking about the difference in opinion concerning the septic
32 design regulations. His argument is that the Ordinance calls for the density and design
33 of the lots to be in accordance with State regulations, so by default the State regulations
34 apply for the design of the septic systems. One of the significant issues that came up was
35 the use of a third party inspection for the test pits. They looked at the subdivision
36 regulations Section 2.3.2 which says a third party is required at the time the lots are
37 calculated and the reserve areas, but as this is a state design this need is not required. He
38 suggested a condition being added that says the lot design and the density calculations
39 are based on the State regulations, but an additional condition would be placed on the
40 plan that would allow for the test pits for the actual design of the septic system to be
41 witnessed by the Town's designee so that concern could be dealt with.

42 Mr. Daley said one of the first discussions that was had was the overall requirement for
43 septic design standards and should it apply to the State or fall upon a local body, in this

1 case Section 20 of the Ordinance would apply, regarding the septic design. Mr. Daley
2 said he did contact Town's counsel and the general position was that they concurred with
3 the issue of pre-emption of Section 5.6 versus Section 20. Mr. Daley said that was Part
4 A, but Part B concerns witnessing the test pits. In the Town's subdivision regulations, it
5 specifies that test pits must be witnessed by a third party designee chosen by the Town.
6 Traditionally the Town has used RCCD to do that witnessing. Mr. Mitchell has provided
7 some additional information for the Board's consumption and possible review by Town's
8 counsel to make sure everybody is on the same proverbial page. Mr. Merrick said the
9 applicant is assuming the Town's regulations – Section 5.6 would limit the density for
10 this project.

11 Mr. Mitchell said he was asked to look at water rights. He explained that there is no State
12 statute or regulation that really governs the use or amount of water that can be withdrawn
13 from a particular location for residential uses although there are thresholds. New
14 Hampshire has a reasonable use doctrine; this development will use approximately
15 5,750 gallons per day which is about one tenth of what the State would even look at if
16 you had a single well. This amount is below Stratham's regulations of 20,000 gallons a
17 day. Mr. Mitchell used a standard calculation to figure out a daily use for a unit with 2
18 people, the water usage came out at around 105 gallons a day.

19 Mr. Daley said it had been represented at a past meeting that these will be 4 bedroom
20 homes or at least the septic designs will accommodate 4 bedrooms so he is wondering
21 why they are basing the usage on a 2 bedroom unit. Mr. Mitchell said it looks like a
22 discrepancy because the State forces them to file as though they were 4 bedroom homes
23 no matter what. Mr. Daley suggested the Board consider the number of bedrooms per
24 unit. Mr. Paine asked if Mr. Mitchell had looked at what water would be put back into
25 the system rather than just what is coming out. Mr. Mitchell answered that obviously
26 the septic systems will be discharging directly back in. He stressed that these won't be
27 4 bedroom units and even if the usage was doubled, it would still be well under the
28 amount considered a reasonable use of water per day.

29 Mr. Jonathan Ring introduced himself and talked about the storm water sub service run
30 off hydrology question relative to drainage and the sub service environment. He said
31 this project proposes on site wells and septic which means whatever is pulled out of the
32 ground from the well is going to be put back into the ground from the septic systems.
33 All of this work will be done in accordance with the NHDES subservice disposal rules
34 and regulations. Mr. Ring referred to a one page flyer he shared with the Board members
35 which at the bottom has ENV-WQ 1000 which is a section out of the NHDES and also
36 the section related to design flow for senior housing projects. The design flow for senior
37 housing projects is approximately 125 gallons a day for a 2 bedroom unit. The State
38 revised this because more senior housing projects are being built. They conducted some
39 water usage tests on a number of those projects after completion and occupancy, and it
40 showed that daily usage for a senior housing project is 60% less than a conventional
41 home. In addition Mr. Ring said, there was a letter from Civilworks that talked about
42 1.72" of rainwater was needed to offset the well water usage; the seacoast of New
43 Hampshire gets about 45" – 48" of rainfall every year.

44 Mr. Merrick asked if anybody was advocating a hydrology study. Mr. Daley said the
45 Conservation Commission recommended that such a study be done. Mr. Merrick asked

1 what one of these studies involve. Mr. Ring gave an overview of the types of calculations
2 that take place. After some discussion by the Board, Mr. Daley asked the Board if they
3 would like to hire a third party consultant to do a hydrological study. The Board decided
4 they didn't want to go ahead with a third party consultant although Mr. Merrick said he's
5 be interested in Paul Connelly's opinion. Mr. Deschaine added that the Board may want
6 to take into consideration that the Conservation Commission was one of the bodies who
7 initiated the request for a hydrological study, and they haven't had the benefit of seeing
8 the report in front of the Board members tonight. Mr. Daley said it seems the Board isn't
9 requiring a study but would like further input from the Conservation Commission before
10 making a definitive decision. Mr. Houghton agreed and added there hasn't been enough
11 time to look at the applicant's report in detail.

12 Mr. Abbiati, resident Stratham Heights Road said he thinks that within 500' of the
13 property there are 3 wells for a condominium that is drawing anywhere from 22,000 to
14 70,000 gallons per day; Mr. Abbiati wanted to know if they took that into consideration.
15 Using the plan Mr. Mitchell showed that Thornhill Condominiums' septic are actually
16 closer to the 3 wells mentioned than this development will be. The development's closest
17 well to Thornhill's systems is somewhere between 1200' and 1500' away which is a
18 significant distance.

19 Mr. Daley asked where the water was flowing to both near the Thornhill
20 Condos and this development. Mr. Graham said he believes that Thornhill is higher up
21 than they are and there is a wetland system in between.

22 Mr. Graham returned to the subject of the septic. He said the test pits were done and
23 witnessed by a licensed professional and those pits were for the subdivision approval not
24 septic design. He said there will be a point in the future when individual designs on the
25 house lots are done and there will be an additional test pit. Those systems will be designed
26 in accordance with the NHDES subsurface rules and they can still be witnessed by the
27 Town's designee at that time.

28 Mr. Graham talked about the hydrological study and said they feel it is a little overkill in
29 this case, although they welcome the opportunity to talk to the Conservation Commission
30 again. Their design has improved quite a bit since they last met. They were hoping to
31 hear some comments about the natural resources inventory but assumed the Conservation
32 Commission had not had time to review it.

33 Mr. Houghton said he understood the State asks for septic designs for 4 bedroom units,
34 but he would feel better if the applicant states what they intend to do building-wise to put
35 people's minds at ease. Mr. Graham said homes will be built to people's needs and
36 requirements. Mr. Stephens added that in the Vineyards, there are mainly 3 bedroom
37 homes, but they are occupied by just 2 people so he expects this will be predominantly a
38 mix of 2 and 3 bedrooms.

39 Mr. Brendan Quigley, Gove Environmental Services took the floor. He explained that
40 they were tasked with wetlands mapping and the natural resources inventory. Mr.
41 Quigley ran through the various types of trees and shrubs found on the site and said the
42 outstanding feature on the site is a small area which is a basin where the trees reside
43 including white cedar which is somewhat of a rarity. There are 2 categories for natural
44 resources; one is vernal pools of which there are indications of several vernal pool

1 breeding habitats. Mr. Quigley said they didn't carry out a detailed wildlife habitat study,
2 but there were a lot of wild turkey and deer out there. His feeling is that the wild life
3 would generally be using the wetland areas.

4 Mr. Paine said regarding the vernal pools and white cedar swamp area, did Mr. Quigley
5 have concerns with the development having a buffer particularly as there could be a
6 substantial buffer associated with the vernal pools. Mr. Quigley said the designs of it
7 suggest that most vernal pools potentially should be supported by a buffer of about 750'
8 which unfortunately is not very realistic. He said there is a concept of directional buffers
9 that may apply to this development and the values of the vernal pools vary too; some are
10 more valuable than others.

11 Mr. Graham said they are expecting comments from the Conservation Commission about
12 the wildlife assessment and are willing to look at what measures they can take and come
13 back with some suggestions.

14 Mr. Houghton suggested a site walk sooner rather than later including the Conservation
15 Commission and Heritage Commission. Mr. Daley said they will probably get a better
16 idea for a date after the meeting with the Conservation Commission. Mr. Daley
17 confirmed for those in attendance that next Wednesday would be the Conservation
18 Commission meeting in the Hutton Room.

19 Mr. Bernie Pielich, attorney for Jeffrey Friedman, abutter said as he understands it, there
20 are 4 proposed septic leaching areas within 100' – 150' of the location of the white cedar,
21 the wetland and vernal pool.

22 Mr. Graham said they would like to push forward and discuss their waiver requests. Mr.
23 Ring referred to a letter the Board had dated December 3, 2014 from Mark Stevens about
24 the waiver requests. He said the first one is from Section 4.4.3.i.i which refers to the
25 maximum length of road. To minimize wetland impacts and other concerns, they have
26 eliminated all wetland impacts on the site; they did have a loop road on the right hand
27 side of the plan which has now been eliminated. They would like also to reduce the right
28 of way from 60' down to 50'; they will have some slope grading, drainage, and utility
29 easements left and right of the right of way so that the highway department can do what
30 it needs to.

31 Mr. Graham asked Mr. Daley if there is or is not a requirement to clear the entire right of
32 way. He asked if they can preserve certain trees to the 50' line. Mr. Daley said if there
33 are trees that are worth preserving then yes.

34 Mr. Ring moved to a waiver request from Figure 8, Typical Road Section; a 4' gravel
35 shoulder is required, but they are requesting a 2' shoulder; the highway agent seemed to
36 think this wouldn't be an issue.

37 Next Mr. Ring addressed Addendum A, Table 1 Pavement. There is a requirement to
38 provide 24' width of road; they would like to do 22' with a 2' shoulder on either side.
39 They do not propose any curbing on the project at all.

40 The next waiver request was from Addendum A, Figure d, Section 4.4.2.a.i no driveways
41 at the T-end of a turnaround. There are some driveways that come off the hammerhead
42 areas.

1 The next was from Section 4.4.4.1.b.iv which allows no portion of a lot to be less than
2 50' width. Mr. Ring explained that in some of the lots they have a triangular
3 configuration, so the end point of the width gets narrower until you reach the angle point.

4 A waiver from building envelopes that may be within the 100' year floodplain was
5 requested next. Mr. Ring said they do have some areas affected by that. Mr. Graham
6 explained that they are filing for a flood map amendment as their surveyor's information
7 is a little different from the FEMA flood maps. Mr. Daley asked if they were using the
8 new or old FEMA maps as they had just been updated. Mr. Stephens said he thinks
9 probably the old maps.

10 Another waiver request is for cross sections of 50' intervals for the entire road way
11 system. Due to the current structure of the roadways for this development, the applicant
12 doesn't feel this will serve any useful purpose.

13 Mr. Ring moved to Profile of Road Drainage, ditches left and right; that is a detail in the
14 list that he feels isn't required.

15 There is a Section A.2.a.15. Hand auger soil borings along centerline (100' stations).
16 They have done a great number of test pits out there and they don't see any useful
17 purpose for this.

18 Addendum A Table 1 Roadway design Max Profile Grade on Curves 4%; Mr. Ring
19 said they don't want to clear a 60' right of way swath of trees so they are trying to
20 balance this a little, but there are some curve areas where they request a waiver to go a
21 little bit steeper on a curve.

22 The last waiver request was from A.2.a.11. Maximum back slopes 3:1 cuts, 4:1 fills,
23 5:1 cul de sacs. Mr. Ring said they are trying to minimize the disturbance to the
24 existing terrain, preserve as many trees as possible so there are some areas where they
25 are trying to go steeper so they can hit back to the existing grade as quickly as possible
26 and still provide the necessary drainage flow.

27 Mr. Houghton said as they have just received the waiver requests, a bit more time was
28 needed to review them and added he would like the Highway Agent's input also. Mr.
29 Paine asked about the Fire Department input. Mr. Ring said it may have some interest in
30 the road width, intersections, and turnaround areas.

31 Mr. Abbiati, resident, commented that the Rockingham Planning Commission (RPC) had
32 suggested involving the North Hampton and Exeter fire departments as Stratham's fire
33 department is voluntary. The RPC did have concerns about the length of the roads
34 because of getting water for fires as well as the hammerheads. Mr. Paine said in relation
35 to the access for larger vehicles; is it anticipated that an emergency access will have to
36 go through this development. Mr. Daley said his understanding is that there will be a
37 mixed percentage of over 55s and under 55s; the majority being over 55 which may result
38 in some turnaround area in the development.

39 Mr. Graham said they were happy to meet with the Roadway Agent and wait until the
40 Board is ready to address the waivers however one of the issues they would like to
41 address is the emergency connection road with Lindt. This is a waiver that has been
42 talked about from the start of the application with respect to not having a full connection

1 road out to the industrial park because of the potential traffic impacts. It would be a gated
2 emergency access road only. The road would be maintained by the relevant land owner.
3 Mr. Graham showed where the access would come in on the development.

4 Mr. Daley said one discussion that hasn't been had yet is public roadway versus private
5 roadway; this will be a public roadway and if the Board goes forward with this waiver
6 request for the roadway length, Mr. Daley suggests that the discussion about public
7 versus private be discussed later on so there is time for the consultants to meet with the
8 applicants and discuss that in totality.

9 Mr. Pielich asked if these waiver requests had been sent to Civilworks. Mr. Daley said
10 that Civilworks have not seen this list of waiver requests yet.

11 Mr. Merrick said he envisages a lot of traffic having to turnaround within the
12 development; it feels like a private community to him with a private road for residents
13 only. Mr. Houghton reiterated that he doesn't feel the Board is ready to act on the
14 roadway waivers. Mr. Merrick asked if the applicant would be amendable to a private
15 roadway. Mr. Stevens said the problem with that is that it requires an association to
16 maintain the road and the cost of that maintenance over time is not adequately
17 compensated for the real estate tax structure for the Town of Stratham. He said the
18 Vineyards pay \$100,000 a year to have their roads plowed and there is no offset for that
19 in the valuation of their properties.

20 Mr. Houghton addressed the members of the public and explained that they were thin on
21 time, however that this application was far from over and in the interim he encouraged
22 them to share their questions via email to Lincoln Daley, Town Planner. The Board will
23 be very diligent in getting the public answers to their questions.

24 The applicant agreed to come back on December 17, 2014.

25 Mr. House made a motion to continue until December 17, 2014. Motion seconded by
26 Mr. Paine. Motion carried unanimously.

27 **4. Public Meeting(s).**

28 a. **Planning Board Workshop** – Draft Zoning and Land Use Regulation Amendments.

29 Mr. Houghton reminded the Board that they have a deadline to adhere to for zoning
30 amendments. Mr. Daley said he would like to start the hearing process in early January 2015.

31 Mr. Daley said there are 7 potential amendments for this year. He started with the updating
32 of definitions for the agri-tourism, farm, farming and farmers' markets. The first step is
33 deleting Section 2.1.6 in its entirety and replacing it with a much shorter definition which
34 will refer to the State Statute RSA 21.34.a which defines farm, agricultural farming and
35 farming as amended. The Table of Uses, Section 3.6 will need to be amended accordingly
36 also. The next step is to ask how this is regulated and maintained. A footnote will be added
37 to Table 3.6 to call out what a farm roadside stand is along with how it is permitted in the
38 Town. Mr. Daley read out the new footnote.

39 Mr. Houghton asked how will this be enforced and measured. Mr. Daley said it would be up
40 to the Building Inspector to enforce these regulations. Mr. Federico said that these
41 regulations are State regulations; Mr. Deschaine added that there is a special farm IRS form
42 that all farmers have to file. Mr. Daley added that there are a few Town regulations as part

1 of this amendment also. Mr. Paine said he had a shed and he had to adhere to setbacks from
2 property lines for that. He asked about setbacks for farm stands and whether they should be
3 from the property line rather than the roadway as suggested. Mr. Daley said he thought about
4 that and people want farm stands to be noticed and sometimes they are even unmanned so he
5 thought 15' from the edge of pavement would be suitable for visibility purposes. Mr.
6 Deschaine added there is a difference between a shed and a farm stand. Mr. Paine said there
7 should be consideration for abutters. Mr. Daley and Deschaine said the setbacks for a farm
8 stand just concern the front setback. Mr. Daley said he could add that side and rear setbacks
9 have to meet the Town's setbacks.

10 Mr. Paine asked about locations for farm stands; could they be at a gas station for example.

11 Mr. Daley talked about farmers' markets and said the 300th Anniversary committee is
12 proposing a farmers' market next year on the Scammans' farm site. The amendment will lay
13 out the process for a farmers' market which includes a requirement to register it with the
14 Town. This will be a way to work within the confines of the Gateway and other areas of
15 Town. The kinds of products to be sold will be regulated also. The discussion with the 300th
16 anniversary committee revealed concerns about certain crafts being sold; things that flash,
17 things that are not related to agriculture so the term "New England" types of crafts to
18 encourage people to think locally. what a "farm vacation" was. Mr. Daley said people pay
19 money to experience life on a farm.

20 Mr. Paine wondered about signage. Mr. Daley said the amendment does cover signage. He
21 then talked about agri-tourism and cited Mr. Scamman's corn maze as an example of that.
22 When he first came to the Town to ask if he could do the maze, the Town realized this was
23 a gray area. If a person would like to do an agriculturally related event, such as a corn maze,
24 but they are not growing the corn on their property, they can still hold that event through a
25 special exception.

26 The next amendment concerned Section 20 about septic. The Board felt knowledgeable
27 enough about this amendment as it had been discussed several times previously.

28 The next amendment was to Section 5.6 which tries to clarify septic design standards as it
29 applies to the RPC zone. Mr. Deschaine asked if the same interpretation existed for other
30 zoning districts. Mr. Daley said he knows that it exists for workforce housing but would
31 check all zoning districts and change it if necessary. The Board agreed it made sense to do
32 that.

33 Mr. Merrick asked for clarification on the 2' above the seasonal high water table as he
34 thought the Board had decided to change that at a previous meeting. Mr. Daley said he would
35 check on that.

36 Mr. Daley talked about the next amendment quantifying the change that was done to State
37 statute dealing with the time frame and duration of approvals for special exceptions and for
38 variances. The change was from one year to 2 years. In reviewing Section 17, there was a
39 discussion with the Code Enforcement Officer about equitable waivers. The amendment
40 states that the ZBA is also responsible for equitable waivers under RSA 674-33a. Some
41 administrative areas have been modified also regarding notification. Mr. Deschaine asked
42 why Section 17.5 was necessary because it is a State statute. Mr. Daley said it was more for
43 educational purposes. He then said under Special Exceptions he had reordered some of the

1 existing language to make more sense logistically and administratively to understand the
2 process, the requirements for meeting special exception standards, and the ability for the
3 Board to place additional standards when reviewing special exception applications.

4 The last major change is a new Section 17.11 which talks about the duration of approval for
5 special exceptions and variances. Mr. Daley read out 17.11.b which gives the ZBA the
6 authority to extend those approvals by a year if certain criteria are met. Mr. Deschaine
7 suggested Mr. Daley check with Town Counsel first to see if this is legal. Mr. Paine asked
8 if someone would be allowed more than one extension. Mr. Daley said it was a one-time
9 extension. Mr. Merrick suggested a slight rewording of 17.11.b to remove the wording
10 concerning any changes in the surrounding neighborhood. Mr. Daley said they could always
11 add a process or he could remove Section 17.11.b all together. Mr. Deschaine raised the
12 point that somebody could be approved for a project by the Planning Board which also
13 included variances from the ZBA; if the applicant was unable to start the work within 2 years
14 for reasons beyond their control and the Planning Board extended that approval, difficulties
15 would be caused if the variances couldn't be extended. It was decided to delete the
16 paragraph.

17 The next amendment concerned Floodplain Management District; this is the language
18 proposed by the State in relation to the changes done to the flood insurance map by FEMA.
19 If the Town votes against the FEMA amendments then the Town will not be eligible for flood
20 insurance. Amendments will need to be made to the Zoning Ordinance as well as the
21 subdivision and site plan regulations. Mr. Houghton said people need to really understand
22 this amendment. Mr. Daley said it will be emphasized in the explanatory paragraph about
23 the flood insurance.

24 The next amendment was for Section 5: Non-Conforming Structures and Uses. Mr. Daley
25 explained this was for the Gateway and Town Center districts. A variance will no longer be
26 required for a non-conforming use if the expansion does not exceed 10% of the area legally
27 utilized as of the date the use became non-conforming. This will provide an opportunity for
28 existing uses in Town. Similarly amendments have been added for non-conforming
29 structures; a special exception will not be required within the Gateway or Town Center
30 districts if the non-conforming structure does not exceed 20% of the gross floor area of the
31 existing structure legally utilized as of the date the structure became non-conforming up to a
32 maximum of 5,000 square feet, does not violate dimensional requirements, and must be an
33 accessory or ancillary use, and be attached to the existing non-conforming structure.

34 The last amendment looks at the lack of clarity involving agricultural uses within the
35 Gateway District. A list of agricultural uses will be added broken down into permitted uses
36 and uses that require a conditional use permit. A footnote will be added also addressing the
37 expansion of existing agriculture, horticulture, floriculture, and cop production uses
38 explaining it will require a minor site plan review by the Planning Board rather than a
39 conditional use permit.

40 Mr. Paine asked if there was any square footage limitation for expansion. Mr. Daley said in
41 the Gateway Central Zone it allows up to a maximum of 500 s.f. which would fit for a barn
42 structure or an accessory structure associated with a farm. Mr. Daley said he could add a
43 clarifying statement that accessory uses associated with agricultural uses shall not exceed
44 "x" square feet. Mr. Paine said he just wants to make sure everybody is protected. Mr.

1 Deschaine said the Town walks a thin line when it comes to farming related uses. He wants
2 to ask Town Counsel if the Statute permits you to bifurcate certain agricultural practices from
3 others. He added that foot note 4 needs to be under both permitted and by conditional use
4 permit.

5 Mr. Daley said he will print the language for the next meeting on the 17th and seek to advertise
6 for the first meeting in January for the first public hearing.

7 **5. Miscellaneous.**

8 a. Report of Officers/Committees.

9 i. Heritage Commission.

10

11

12

13

14

15

Mr. Merrick said that the Heritage Commission had asked him to mention the Kevin
Roy Builders project. They feel it is spot zoning and they weren't sure how this was
allowed to happen. Mr. Federico said they need to talk to ZBA as they allowed the
expansion.

16

b. Other.

17

18

19

20

Mr. Daley said he received the development agreement regarding the easements from
Autofair about the roadway. The document will need the Board's authorization. He
asked the Board if they would be amenable to authorizing it this evening. The Board
authorized and signed the agreement

21

6. Adjournment.

22

23

7. Mr. Merrick made a motion to adjourn the meeting at 9:41 pm. Motion seconded by Mr.
House. Motion carried unanimously.