



*OLD VALUES - NEW HORIZONS*  
**COMMUNITY DEVELOPMENT**

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**Planning Board Minutes**  
**January 2, 2013**

**Board Members:**

Margaret Crisler, Chairman – Present  
Ruth-Ellen Post, Vice Chairman– Excused  
Pam Skinner, Member – Present  
Kristi St. Laurent, Member – Present  
Jonathan Sycamore, Member – Excused  
Lee Maloney, Alternate Member – Excused

Carolyn Webber, Member – Excused  
Ross McLeod, Selectman Alternate – Excused  
Kathleen DiFruscia, Selectman, Excused  
Sy Wrenn, Alternate Member – Present  
Vanessa Nysten, Alternate Member – Present

**Staff:**

Elizabeth Wood, Community Planner  
Cathy Pinette, Planning Board Minute Taker

**Call to Order/Attendance/Pledge of Allegiance**

Chair Crisler called the meeting to order at 7:05 pm, followed by the Pledge of Allegiance and attendance. The Chair read the agenda for the evening.

- The Chair appointed Mr. Wrenn to sit for Mr. Sycamore, and Ms. Nysten to sit for Ms. Post.

**2013 Town Meeting Public Hearings**

**Section 616 Cobbett's Pond and Canobie Lake Watershed Protection Ordinance**

Amend newly proposed Section 616.6.4.2 (previous Section 616.10.2) to read "The impervious surface of any lot is limited to 30%. For lots that currently exceed 30% impervious surface, development must decrease the percent of impervious surface. Replacement in-kind of existing development does not require this reduction of impervious surface."

- Ms. Wood stated this has had several public hearings. The staff leads were Ms. Prendergast and Ms. DiFruscia. Other edits have been worked out at previous meetings.

The Chair entertained a motion.

**Mr. Wrenn motioned to move Section 616 Cobbett's Pond and Canobie Lake Watershed Protection Ordinance to town warrant, seconded by Ms. Skinner. Motion passed 5 - 0.**

Ms. Skinner read Section 612 Village Center District into the record.

Section 612 Village Center District

Delete the existing Section 612 and replace with new language including a Purpose Section; Uses Permitted which include: uses permitted in the Rural District, multi-unit housing structures, retail tenants sized no greater than 10,000 sq. ft. gross floor area per tenant, eating and drinking establishments including bakeries, personal services, offices, banks and pharmacies with attendant drive-thru facilities, medical clinics, schools, playgrounds, fitness centers, child day care and learning centers, civic and assembly facilities, funeral homes, inns, bed and breakfasts, assisted living facilities, adult day care facilities, mixed use facilities, parking facilities, biking facilities, pedestrian facilities, and utilities; Uses Prohibited include: drive-thrus (unless otherwise noted), new gas stations or auto motive repair facilities or garages, tattoo or body piercing services, automobile washing establishments, bulk or self storage facilities, animal kennels, and gaming and gambling facilities. A conditional use permit may be granted to modify the 10,000 sq. ft. gross floor size limitation up to a maximum of 15,000 gross sq. ft. if certain criteria are met. A conditional use permit may also be granted to allow up to 24 units in a multi-unit housing structure if certain criteria are met. Ordinance outlines development standards for buffers from residential zones, setbacks, parking facilities and driveways, road frontage requirements, existing buildings designated in the Cultural Resource List and Historic Resource List, public space, and lot sizing.

- Ms. Wood stated this has been through workshops and public hearings. The draft ordinance was sent back to Attorney Campbell for comments on past edits. The entire ordinance is being proposed to be deleted and new language inserted. Attorney Campbell's memo includes and edit of a typo and he suggests separating Section 612.5.2 into two sections.
- Mr. Wrenn stated he agrees with Attorney Campbell's suggestion as the intent is the same. The Chair stated this would not be a major change.

The Chair opened the hearing to the public at 7:15 pm, hearing no comment, the public portion was closed.

The Chair entertained a motion.

**Mr. Wrenn motioned to move Section 612 Village Center District to town warrant with Attorney Campbell's recommendations, seconded by Ms. Nysten. Motion passed 5 – 0.**

**State Surplus Land Sale-(Lot 7-B-10)**

- The Chair stated the state had surplus land for sale and the Town had the first right of refusal. Ms. Skinner stated the Conservation Commission is interested in purchasing this land because it is near the rail trail and is sending a letter to the Board of Selectmen. She said it would be conservation land and not built on.

The Chair opened the hearing to the public at 7:25 pm.

- Ms. Chris Agreego asked how much the land was. The Chair stated that Nassar Investment Trust has offered \$7,000 but the land is offered to the Town first. Mr. Agreego asked if it was buildable and the Chair stated she did not think so.

The public portion was closed at 7:27 pm.

The Chair entertained a motion.

**Ms. Skinner motioned for the Planning Board to recommend to the Board of Selectmen that it would be in the best interest of the Conservation Commission to purchase this land, seconded by Mr. Wrenn. Motion passed 5 – 0.**

- Mr. Shawn Ferris asked to address the Board about Section 616 Cobbett’s Pond and Canobie lake Watershed Protection Ordinance. He asked if this ordinance has any effect on adding an addition as he has plans to build up. The Chair explained that the proposed change in the ordinance was a replace-in-kind issue. Ms. Wood stated that if an applicant replaces something and it is not increasing the impervious surface it is in line with the ordinance. Mr. Ferris stated the ordinance should also say “also expansions”. The Chair stated it was only for replacing existing structures. Ms. Nysten stated it is her understanding that the Board is not making the ordinance more restrictive, they are making it less restrictive. Ms. Wood suggested Mr. Ferris come into the Community Development Office and speak to staff.

### **PB Meeting Minutes – Review and Approve**

October 3, 2012

- Ms. Skinner motioned to approve with amendments by Ms. Nysten and Ms. St. Laurent, seconded by Ms. St. Laurent. Motion passed 4 – 0 – 1 with Mr. Wrenn abstaining.

October 17, 2012

- Ms. Skinner motioned to approve with amendments by Ms. Nysten, seconded by Ms. St. Laurent. Motion passed 4 – 0 – 1 with Mr. Wrenn abstaining.

November 7, 2012

- Ms. Skinner motioned to approve with amendments by Ms. Nysten, seconded by Mr. Wrenn. Motion passed 5 – 0.

November 14, 2012

- Mr. Wrenn motioned to approve with amendments by Ms. Nysten, seconded by Ms. St. Laurent. Motion passed 4 – 0 – 1 with Ms. Skinner abstaining.

January 2, 2013 Approved Planning Board Minutes

November 28, 2012

Will be moved to a future meeting

**Non-Residential Subcommittee Minutes-Review and Approve-November 12, 2012**

**Multizone Parcel Rezone Subcommittee Minutes—Review and Approve—September 10, 2012**

Will be moved to a future meeting

## **Liaison Reports**

### **WEDC (Sy)**

- Mr. Wrenn stated that they are trying to present something to the Planning Board for Exit 3 to determine the water needs. There are 3 potential water sources in the area. Mr. Wrenn was not at the last meeting but understands they are trying to be proactive rather than reactive in that area. The EDC had a meeting with Pennichuck Water and there have always been concerns that they wouldn't have enough water in that area. The study was presented to the BOS and he is not sure of the outcome. He stated there is a big plus to having water there for fire protection. It was also noted that it would allow for buildings because there would be no well radii requirement.

## **Adjournment**

The Chair entertained a motion to adjourn.

**Ms. St. Laurent motioned to adjourn, seconded by Ms. Skinner. Motion passed 5 – 0. Meeting adjourned at 8:55 pm.**

These minutes are in draft form respectfully submitted for your approval by Cathy Pinette, Planning Board Minute Taker.