

May 2, 2017
Planning Board

Present were: Tom McCue, Lori Langlois, Aline Boucher, Greg Estrella, Richard Cassidy, Martha Creegan, Helene Rayborn, Ex-Officio Members Lucie Remillard and Jen Myers, Alternate Naomi Levesque

Others Present: Michel Salek, Building Inspector, Pamela Laflamme, Community Development Director

Public Comments – No public in attendance

Approval of April Minutes

Correction: Approval of Minutes should have read, approve March 2017 minutes Ms. Boucher moved with a second from Mr. Estrella to approve the April 2017 minutes as amended. So moved, the motion carried.

Accessory Dwelling Unit Discussion

Ms. Laflamme presented the proposed ADU Ordinance to City Council. She had met with the Mayor last week and he was supportive of the ordinance. Mr. McCue and Ms. Levesque came to the council meeting in case there were any questions. Grace and Micah Blake were in attendance, Ms. Laflamme will contact them to let them know about the hearing as they left the council meeting prior to the public comment portion.

The final reading/hearing of the proposed ordinance will be on May 15. Ms. Laflamme already has some changes she would like to make. She has continued to look at what some other communities have specified for ADUs. For example: No accessory dwelling units inside mobile homes. Some of these specifications will be amended in the state statute so we will wait to see what that result is before amending our own ordinance. There has also been some concern about how ADUs will effect an overabundance of rental stock and we do not want to add to it.

One community has already developed an application form and checklist. Ms. Laflamme will get this for Mr. Salek, the City's Code and Zoning Officer.

City Owned Property Parcels Project

Ms. Laflamme has identified approximately 150 City owned parcels. She has finished the comments portion of list, and is still working on organizing them by type. There have been issues with a few lots that were originally taken by tax deed and thought to be ready to sell. Lots on the corners of both McGee and Riverside and Pine Island and Riverside actually have streets built on the lot. Ms. Laflamme will speak to Public Works to see if anything can

be done to correct this and make the lots available or if they will need to be retained by the City.

There are also lots on Finland Street that are super steep and wooded and have been retained for drainage and erosion. These could be offered for sale to abutters as a buffer, however conditions would need to be given not to change them, so it is unlikely anyone would want to buy them as they are already a buffer and owned by the City.

There is a string of lots on Hillsboro Street that will need to be visited. They could possibly be merged in clusters and sold as buildable lots. There are also two lots on Goebel Street that if merged could be a buildable lot, or could be offered to Eversource as the abutter.

Ms. Laflamme will finish the list by removing properties that will definitely be retained by the City and add in properties that are on the next tax deed list. She expects there to be about 50 of the 150 will be deemed suitable for sale.

Jericho Gateway/Route 110 Zoning Discussion

Ms. Laflamme presented the proposed rezoning a section, from Jericho Deli to beyond Head Pond Road, of Route 110 from Industrial Business to Jericho Gateway to City Council.

There are about 20 parcels in this section that will be effect, most of which are residential and vacant land, one will become legally non-conforming. There were extremely supportive. They will have a public hearing on May 15.

Ms. Remillard inquired if notice would be given to the owner of the former Rocket Snowmobile operation, which is the one non-conforming lot. Ms. Laflamme said the public would be noticed of the hearing and that she would also send a notice specifically to the land owner affected. There was discussion about what could happen with the uses of that lot in the future should it change ownership or use.

Ms. Laflamme is in the process of updating all of the Maps Online so that they will all be the proper color when people look online. She will also look at what uses and parcels are the Rural Residential zone on the other side of the highway and see if we might want to do this same designation (rezone to Jericho Gateway).

Questions were asked and answered regarding the City extending the urban compact area on Route 110 and where it will be in relation to the new zone designation.

Spring Conference Updates – Tom, Naomi, Helene

Mr. McCue attended the Land Use – ADUs and Legal Update Sessions. Regarding ADUs different communities have different approaches and different concerns. Some are worried about the impact on rental units. In Rye, they included a 90 day occupancy requirement to keep it from being a short term rental like Airbnb. They talked about short term rentals

and the impact that has on affordable housing and on your rental market in general, what would be affordable units could be used as short term rentals instead. There was a bill starting in the Senate to prohibit short term rentals. The one that will pass prohibits condo-ing which prohibits ADUs in multiple attached dwellings like townhouses as well as manufactured homes.

There was discussion of converting an existing bedroom into an ADU and providing the provisions for sleeping, eating, cooking and sanitation. Septic systems are designed based on number of bedrooms and by converting the number won't change.

There was a suggestion to look where people register their cars and where they vote determines your primary residence. A couple of communities have also added a sworn affidavit of occupancy to their requirements. Both attorneys who presented felt that a Conditional Use Permit through the Planning Board was the way to go.

Ms. Rayborn attended What's in Your Town – Celebrating Your Community's Historical Resources. She commented that for this being a small town, we have a lot of resources. She will also be joining the State's Historical Society. She would also like to get a Heritage Commission underway.

Ms. Levesque attended Orientation for New Land Use Board Members. She wanted to remind members of resources like the New Hampshire Planning and Land Use Regulation book and Planning Board Handbook are available for their reference. She also noted that Conservation Commissions are strictly advisory. It was also mentioned that if any member recuses themselves, they should not remain sitting at the board table. They may sit with the public and can make comments as a member of the public. Lastly, the number of voting members is based on the number of filled seats, not the number of members and that we could have up to 5 alternates. Ms. Laflamme will verify the information regarding membership.

Mr. McCue gave information from his Legal Update session. The method for planning and zoning notices will be changed from certified mail to verified mail for the postal service and other carriers. They will still have to do a paper notice.

Mergers and mortgages – It is the applicant's responsibility to give written notice to each mortgage holder at time of submission of application. It is required and shall be recorded. The municipality shall not be liable for any deficiency of notice. To notice, the mortgagee will be registered on the deed. If you merge a lot with a lot that is mortgaged then the new bigger merge is covered by that mortgage.

Regarding the Site Evaluation Committee there is a bill that states that notices shall go to abutting communities that will have a visual impact by the project.

Project Updates – None

Other –

Lot Merger - Shadow Ridge, LLC – Map 126 Lots 1, 1.02, Map 127 Lots 291, 292, 293, 294

All together Shadow Ridge, LLC has purchased 66 acres, however, they are not merging all of the parcels right now. There are just 6 lots for this merger, which includes 100 feet of paved frontage on Highland Park Avenue. They will be asking the ZBA for a Special Exception for horses and have plans to build a stable. Referencing the attached map, the frontage is the small triangle area on Highland Park Avenue. The land goes north until the gray stops which is now a street newly named Goddard Hill Road and goes west to Cates Hill Road.

Ms. Boucher made a motion to approve the lot merger of Map 126 Lots 1 and 1.02 and Map 127 Lots 291, 292, 293, and 294; seconded by Ms. Langlois. So moved, the motion carried.

Public Comments – None

Member Comments

Ms. Rayborn informed Mr. Salek that there is a company that is coming around tracking work for any completed 2016 building permits. Ms. Laflamme explained that it is the City's assessing company, KRT that has been hired by the City and there was a short discussion on how they could approach residents in the future.

Planner Comments – None

There being no further business to come before the Board, Ms. Remillard moved to adjourn; Ms. Rayborn seconded and the motion carried. The meeting ended at 8:04 pm.

Jen Myers
Administrative Assistant