TILTON PLANNING BOARD
Meeting Minutes – February 1, 2011

AGENDA (APPROVED 2-8-11)
6:30 p.m. Call to Order
Minutes of the January 11, 2011
Correspondence, Other Business – Lot merger

6:35 p.m. Second Public hearing on proposed zoning changes to include but not limited to:

Definitions:
FLEA MARKET: Flea Market means any location other than a permanent retail store at which space is rented or otherwise made available to others for the conduct of business as transient or limited vendors. This term shall not include those persons who sell by sample, catalog, or brochure for future delivery, or those persons who make sales presentations pursuant to a prior invitation issued by the owner or the legal occupant of the premises. (RSA 358-Q:1)
SEASONAL DWELLING: Any structure including but not limited to private cottages and guest or tourist cottages or any portion thereof which is capable of being used as a residence for one or more persons but which, because of a lack of heating, water supply, sewage treatment, electricity, cooking facilities, or any other factor relating to the structure or the land on which it is situated, cannot be continuously used as a residence on everyday of the calendar year.

SIGNAGE: CHANGE
2.3.7(e) No signage located on any roof or any part of the roof structure.

CHANGE 8.2.1 TO READ: Minimum park lot size shall be ten thousand (10,000) square feet, or as required by NH Water Supply and Pollution Control Division regulations, whichever is larger. Any new park over 6 units shall be connected to public water and municipal sewer systems IF AVAILABLE WITHIN 500’ OF PARK PROPERTY.

CHANGE 10.4 CERTIFICATE OF OCCUPANCY to add second paragraph to read:
Any new business moving into existing commercial structure shall require a certificate of occupancy. All new business coming into town will be required to register with the land use office in the Town of Tilton.

CHANGE 10.8 FAMILY APARTMENT TO READ: An apartment may be made in, or added to a single family dwelling for relatives of the family. Such apartment shall not be converted to rental or non-family use except where permitted by zoning.

ARTICLE XI ADMINISTRATION – 11.12 Variances
Add after 11.12.4 the following:
11.12.5 A variance not implemented within one year of the date of approval or other time period specified in the Notice of Decision shall automatically expire.
11.12.6 All variance approvals prior to March 2011 become null and void if a zoning amendment that affects the variance approval is enacted before the variance is implemented.

CHART OF PERMITTED USES:

REVOTE TO APPROVE GROUNDWATER PROTECTION ORDINANCE FOR THE PROTECTION OF THE AQUIFER.

Members Present: Mike Curley – Chair, Sarah Paratore – Vice Chair, Robert Haberman, Deana Cowan, Joe Jesseman, Sandy Plessner – Ex Officio and Jane Alden – Alt.
Meeting:  
Meeting was called to order at 6:37 p.m.

Correspondence:
- NH Town & Country (January 2011)
- Walmart question for the Tilton Code Enforcement relative to GWP ordinance
- DOT Driveway permits #451-350 & 451-555 for Lenard Birke stating the middle and third drive to the east are to be exit only unit road mitigation is completed.
- Email from LRPC – RFP 2011 – Citizens’ Institute on Rural Design submission deadline Feb 25, 2011 funding opportunity of $22,000 for 2 ½ day committee workshops.
- Letter of Interest for Engineering Services from Farmhouse Land Development for Land Planning and Civil Engineering from Peter N Julia, P.E.

S. Plessner informed the board of the town’s purchase of 180 E. Main Street (formerly Ernie’s). The building will be removed and when the Winnie Trail is ready will be building a bridge across the river to connecting the trail between Northfield and Tilton.

6:50 p.m. M. Curley opened the 2nd public hearing on the proposed zoning changes for 2011.

Mike read the changes into the minutes:
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**SEASONAL DWELLING:** Any structure including but not limited to private cottages and guest or tourist cottages or any portion thereof which is capable of being used as a residence for one or more persons but which, because of a lack of heating, water supply, sewage treatment, electricity, cooking facilities, or any other factor relating to the structure or the land on which it is situated, cannot be continuously used as a residence on everyday of the calendar year.

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CHART OF PERMITTED USES:


REVOTE TO APPROVE GROUNDWATER PROTECTION ORDINANCE FOR THE PROTECTION OF THE AQUIFER.

S. Paratore noted that 10:4 should be changed to 10.4. Correction will be made.

S. Plessner suggested concerning flea markets under MU that an asterisk be put by the P in MU to state along Rte 3/11 only. The board agreed with this suggestion and a change will be made adding this.

J. Jesseman questioned the seasonal dwelling definition wondering if we should specify the dwelling needed to be 650 sq ft.

S. Plessner explained that in our zoning we state a dwelling unit is 650 sq ft. A building permit would not be issued for a permanent structure that is less than 650 sq ft. We are trying to clarify in the seasonal dwelling definition why it could not be used as a year round residence.

R. Haberman had a question concerning Article 8.2.1 about the required regulations by NH Water Supply & Pollution Control Division. Does this need to be in there to define the size of the mobile home park?

S. Plessner explained NH Water Supply & Pollution Condition is a state requirement which deals with the size of the parks for the water supply and the delivery of water to the units. The only change to 8.2.1 we are adding is “if available within 500’ of park property” they must connect to town water and sewer.

J. Jesseman had a question concerning signage 2.3.7 (e) is a porch roof part of the structure. Will this help us define what we are looking to do.
S. Plessner explained this will define that signage is not allowed on any part of the roof other wise a person could have signs all over a porch roof just as long it wasn’t on the ridge line of the roof.

S. Plessner explained a packet will be put together explaining the changes the board is proposing which could be handed out if people have questions to what the board are looking to change. The town is trying to reduce the town report to a more manageable size so the zoning change packets will be given out with the town report.

7:20 p.m. Having no further questions or discussion the public hearing was closed.

S. Plessner stated the Board needed to recommend the proposed zoning changes and the revote of the Groundwater Protection Ordinance that includes the correction of 10:4 to 10.4 and under flea markets in the chart of permitted uses MU *along Rte 3/11 only.

S. Plessner made a motion to recommend all the zoning amendments and the Groundwater Protection Ordinance to the legislative body and to place them on the ballot for a vote.

Motion seconded by R. Haberman. Vote taken motion passed.

Other business:

S. Plessner informed the board on 1/31/11 a petition warrants article was received which she read into the minutes.

“To see if the Town will vote to amend the Chart of Permitted Uses, section G Automotive and Transportation, which is currently allows motor vehicle repair and maintenance with a special exception (S) in the RC Zoning District (Resort Commercial), to also allow the Sales and Installation of Vehicle Parts and Accessories in the RC Zoning District by Special Exception (S), and to further allow Motor Vehicle Sales and Rental in the RC Zoning District by Special Exception (S)?”

S. Plessner state that all the signatures have been verified and accepted by the town clerk.

S. Plessner explained this is petition warrant where the town people propose a change to the towns zoning.

S. Paratore commented that the board did discuss this change and decide to take more time to see what options could be for this in the Resort Commercial district.
The board reviewed the 2011 Important Dates for Local Official calendar. It stated the following:

- November 8, 2010 was the 1st day to accept petitions to amend zoning ordinances (RSA 675:4)
- December 8, 2010 was the last day to accept petitions to amend the zoning ordinance (RSA 675:4)

The board feels we need to check with the Local Government Center to see if we still have time for a public hearing to put this petition on the ballot this year or will the citizens need to resubmit next year in the November/December time frame.

Other Business;

The Chairman signed the lot merger to merge R22 Lot 29 and R22 Lot 30 into one lot of record to be R22 Lot 29.

Having not further business motion was made and seconded to adjourn the meeting.

Meeting adjourned at 7:55 p.m.

Minutes prepared by Augusta Marsh, Land Use Assistant

(These minutes are subject to the review and approval of the Planning Board at the next scheduled meeting.)