

**TOWN OF NEW HAMPTON  
PLANNING BOARD  
MEETING MINUTES**  
Fire Dept Training Room, 26 Intervale Drive  
New Hampton, NH 03256

October 18, 2022

**CALL TO ORDER**

Chairman Kettenring called the meeting to order at 6:00 p.m. and led the Board in the Pledge of Allegiance.

**MEMBERS PRESENT**

Regular Members: Mr. Kettenring, Mrs. Hiltz, Mr. Shea, Mr. Hays, Mr. Broadhurst, & Mr. Katz. Alternate Member: Mr. Mertz

Mr. Kettenring appointed Mr. Mertz as a voting member in place of Mr. Shaw.

**OTHERS PRESENT**

Town Administrator Mr. Irvine and Planning Assistant Mr. Pollock.

**MINUTES**

Mr. Shea made a motion, seconded by Mr. Katz to accept the 9/20/22 minutes as written. Vote was unanimous.

Mr. Broadhurst made a motion, seconded by Mr. Shea to accept the 9/20/22 minutes with only item 1 below, needing correction:

1. Pg. 4, under Other Business: strike the words "sand pit" as it was never approved for such a use, and strike item 2 as it is already stated in item #1.
2. DISCUSSED...Pg. 6, item 6d, Mrs. Hiltz said there *was* discussion on this with Mr. Sharp stating the road would have to stay the way it is forever because it is someone else's right-of-way. Mr. Kettenring pointed out that the Board had required Mr. Sharp to complete the connection. The Board agreed this did not need a correction.

Vote was unanimous.

**CORRESPONDENCE**

1. Copy of NHDES Wetlands application for dry hydrant on property belonging to John Claridge.
2. Memo from Land Use Administrator Mrs. Vose advising the Board of a phone call with Paul Vrusho relative to the fact he has not been able to obtain engineered plans of his site plan expansion for the purpose of submitting an application.

Mr. Katz asked the Board if he could move agenda item #6, before #5, to briefly discuss the CIP. As there was a member of the public present to speak under "other business" Mr. Mertz made a motion, seconded by Mr. Katz to hear from them before Agenda item #6 that Mr. Katz proposed. Vote was unanimous.

**OTHER BUSINESS**

Yalan Connell, representing Sal's Pizza in the Mobil station, was present. She said they want to create outdoor seating by placing picnic tables on the grassy area between the convenience store and the shed sale lot. The photo showed jersey barriers on the lawn in this location and Mr. Kettenring asked if the barrier was indicating the property line and Ms. Connell said she thought it did. Mr. Kettenring said the Board would need a drawing that shows exactly where that property boundary is. Mr. Mertz asked how this affects the parking space

requirements and if there is a setback for benches to an abutting property. Mr. Pollock said when Sal's Pizza was proposed, at that time there were just enough parking spots for the uses in the building, which did not include any restaurant seating at the time. He said the regulations require one parking space for every 2 seats in a restaurant. Yalan said one table could seat six. Mr. Mertz suggested Mr. Pollock review the numbers of spaces on-site to determine what exists vs how many would be required. Mr. Mertz suggested input from Fire and Police Chiefs.

Ms. Connell asked if they could block off vehicles from passing around the back of the convenience store to set-up for an event with tents for a children's pizza workshop, balloon art – like an open house. Mr. Kettenring suggested Fire Dept input, but that an event might create a traffic & parking problem.

Mr. Katz made a motion, seconded by Mr. Mertz to move to item #6, ahead of #5. Vote was unanimous.

**Review of Standing Committees**

Mr. Katz said the ordinance and regulations subcommittee did not meet in October. Relative to the CIP the subcommittee has an accepted draft of the proposed CIP, which he reviewed. High dollar items scheduled for purchase in 2023 are replacement of 17E3, dump truck, bobcat/skid steer, PD portable radios. It is also the 4th year following the RSM. Mr. Katz made a motion, seconded by Mrs. Hiltz to accept the CIP and forward to public hearing on 11/15/22 at 6:00 pm. Vote was unanimous.

**DISCUSSION ON PROPOSED 2023 ZONING AMENDMENTS**

Mr. Katz advised that the Floodplain Ordinance was reviewed by town counsel and found to be acceptable. Relative to definitions proposed, Mr. Irvine said he hasn't gotten feedback from counsel. The Board reviewed last dates for holding 1<sup>st</sup> and 2<sup>nd</sup> hearing dates for proposed changes to the zoning ordinance.

Proposed amendments were reviewed by the Board.

The Board discussed proposed changes to Signage requirements. As more language was added to address illuminated, static, transitioning, and animated digital billboard advertisements the Board agreed to the proposed language, but to replace the words after "billboard advertisements" after "digital" with the word - "signs". Relative to the regulations stating the signage should not cause undue distraction, Mr. Broadhurst expressed concern with how one would know if a sign were distracting. There was discussion on whether scrolling, or continuous movement in a sign was animated or transitioning signage. The Board agreed to change "transitioning" to "non-static". The Board agreed that static digital signs should only be allowed in MU, BC2 & BC3 districts, so the wording was revised to allow illuminated signs everywhere, digital signs in MU, BC2 & BC3, both subject to the limitations of *each District*, and animated signs not allowed anywhere,. Relative to Scenic Roads needing to meet RSA 2331a;157-158 Mr. Kettenring revised "in accordance with" to "subject to the additional requirements of" to show that scenic roads have town and state statute requirements to meet.

The Board discussed language changes to the ADU requirements that expands what is presently allowed, proposed because of changes in state laws:

- Increasing the square footage allowed for the ADU from 800 sq ft of habitable floor area to 1200 sq ft.
- Allowing an ADU to be detached from a single-family home or accessory structure.
- Allowance for 2 ADU's, with one of the two allowed to be detached.

Mr. Irvine confirmed this would allow for up to 3 dwellings on one lot. Mr. Kettenring asked for clarification on the changes in state law regarding ADU's and Mr. Katz advised that state law does not say a municipality cannot have totally detached ADU's. Mr. Kettenring gave his opinion that the town should not allow 3 dwelling units and questioned whether it should allow a detached ADU and whether it was necessary. Mr. Broadhurst stated his concern is similar to allowing short-term rentals, which these additional rental units could be used for, with more possible problems for the abutters and neighborhood, especially when they are not attached to the property owner's residence or accessory structure. Mr. Irvine pointed out that bed & breakfast (short-term rentals) are becoming an increasing enforcement issue as people are creating them without going through the ZBA for approvals. Some members agreed that allowing a 3<sup>rd</sup> dwelling unit on a parcel was not a good idea. There was discussion on owner occupied in either the principal dwelling unit or the ADU, which is currently in the regulation but change the wording from "...is the owner's principal dwelling..." to "...shall be the owner's principal dwelling..." which could reduce issues for abutters or the neighborhood.

Mr. Broadhurst made a motion, seconded by Mr. Mertz to not permit a stand-alone ADU, to be detached from the principal or accessory structure. The motion was defeated 4-2. Mr. Katz made a motion, seconded by Mrs. Hiltz to permit one detached ADU's. The motion passed 4-2.

Mr. Broadhurst made a motion, seconded by Mr. Hays to limit the number of ADU's to no more than one per property. Vote was unanimous.

There was discussion on whether to increase the square footage of habitable floor from the current 800 sq ft to 1, 200 sq ft. Mrs. Hiltz made a motion, seconded by Mr. Katz to increase the size of habitable floor area for any ADU to 1,000 sq ft. Vote was unanimous.

Mr. Mertz asked if the size change and allowance for detached ADU's would be two separate warrant articles for voters to decide on and Mr. Irvine advised they would be separate.

Mr. Irvine asked for clarification on a previous discussion on the Waukegan Watershed Overlay District and whether the lot coverage limitation should apply to the 2 acres required in the district, or the 1 acre of the underlying GR district. Mr. Katz said the minimum lot area/density for subdivision purposes remains at 2 acres with the 20% lot coverage limitation pertaining to 1 acre. Mr. Hays pointed out the overall goal being to protect the watershed. The Board agreed to review this language again to be sure it was stated clearly.

Relative to minimum lot area requirements proposed language was amended to clarify that the addition of an ADU shall comply with all other requirements of lot development in the underlying district.

The Board discussed proposed amendments to the Pemigewasset Overlay (PO) District to include:

- Making a reference to the amended building height definition;
- Changing the structure setback to the normal high-water mark of the river to only apply to primary structures, not all structures;
- Adding that the front setback should also apply to rights-of-way;
- Where no construction was previously allowed within the riverfront setback area – allow construction in accordance with NHDES Shoreland Water Quality Protection Act;
- Allow water dependent structures in accordance with applicable laws, regulations & ordinances.

The board confirmed that the PO District had a 2-acre requirement and agreed this should include language, similar to the Lake Waukewan Watershed Overlay District, on minimum lot area/density.

The Board discussed Temporary Signs as the present language did not specify what duration of time makes a sign - temporary. Mr. Katz made a motion, seconded by Mrs. Hiltz to allow temporary signage for up to 4 weeks. Vote was unanimous. There was discussion on situations, such as the Farmers Market which has signage up for a season, with the board agreeing that in those cases the Selectmen could approve a temporary sign for more than 4 weeks on a case-by-case basis, agreeing to add the language that exceptions to this section may be granted by application to the Selectmen.

Mr. Katz made a motion, seconded by Mr. Mertz to table the remaining discussion on amendments to the meeting scheduled for 11/15/22 at 6:00 pm. Vote was unanimous.

**OTHER BUSINESS** (cont.)

Mrs. Hiltz expressed concern with the expansion of the nursery. Mr. Kettnering advised that Mr. Vrusho will be required to come to the meeting of 11/15/22. Mr. Katz made a motion, seconded by Mrs. Hiltz to place this on the agenda and notify Mr. Vrusho. Vote was unanimous.

**ADJOURNMENT**

Mr. Katz made a motion, seconded by Mr. Shea to adjourn at 8:13 pm. Vote was unanimous.

Respectfully submitted,  
Pamela Vose