

**TOWN OF NEW HAMPTON
PLANNING BOARD
MEETING MINUTES
PUBLIC HEARING FOR PROPOSED WARRANT ARTICLES
TOWN OFFICE – Upstairs Meeting Room
NEW HAMPTON, NH 03256**

January 4, 2016

**MEMBERS
PRESENT:**

Mr. Kettenring, Mr. Conkling, Mr. MacDonald, Mr. Mertz, and Alternate Mr. Hays were present.

**OTHERS
PRESENT:
CALL TO
ORDER:**

Town Administrator Mrs. Lucas and members of the public were present.

Mr. Kettenring called the public hearing to order at 7:00 p.m. to discuss five proposed amendments to the ordinances.

Mr. Kettenring acknowledged that Mr. Love has resigned from the board and also appointed Mr. Hays to vote in place of the vacant member position.

He summarized the 5 proposed amendments to the zoning ordinance.

**PUBLIC HEARING
ON PROPOSED
AMENDMENT TO
THE ZONING
ORDINANCE**

*(Proposed by the
Planning Board)*

**1. Article IV
Section C (2)**

Amend Article IV.C.2 (Pg 9) – Mixed Use District to expand the permitted uses and permitted uses by Special Exception for mixed use on a parcel by including the following language:

...and prudent. *Within the Mixed Use District a principle structure may, itself, be mixed use. For example, a residential apartment(s) may be located on the floor above a commercial establishment.*

Also add to Definitions, Article XIV - To include the following:

Mixed Use: May include two or more permitted uses within the Mixed Use District on a parcel. The uses may be combined, within a principal structure or any accessory structure subordinate to the principal structure, on one parcel or as part of a site plan or subdivision proposal.

DISCUSSION

Mr. Kettenring asked for comments from the board. There were none.

Mr. Kettenring asked for any public comments. Eileen Curran-Kondrad asked if the Village District is a mixed use district and Mr. Kettenring advised it was not, that the Mixed Use District is in a different location.

**2. Article IV
Section F (7)**

Delete Article IV.F.7 (Pg 24) - Village District, Signs

DISCUSSION

Mr. Kettenring advised that as there were regulations in two different locations in the ordinance so this makes it clearer as the 2 sections were parallel. Any additional restrictions for the Village District will be added to the Sign section.

Kevin Kondrad asked how this changes the signage in the district. Mr. Kettenring said it would not change anything except allowing for up to a 16 square foot sign, where currently only 9 sq. ft. is allowed, through a Special Exception process.

**3. Article V Section
E (6) iii**

Amend Article V.E.6.iii (Pg 34) – Signage in Districts: Change the current language to read:

- a. *One on premise sign shall be permitted and shall not exceed a total of 9 square feet per side. A Special Exception from the Zoning Board of*

Adjustment for up to 16 square feet per side may be considered.

- b. *No sign shall exceed ten (10) feet in height from the road grade at the edge of the public road. (Also add reference to (7)iii regarding Village District height)*

DISCUSSION

Linda Normandin asked if there was an existing sign that was 16 sq. ft. would it be grandfathered and Mr. Kettenring said it would. Mrs. Kondrad asked if the New Hampton School has to meet these regulations and Mrs. Lucas said they did.

4. Article IV Section F (2)

Amend Article IV.F.2 (Pg 21) – Add the Special Exception Criteria listed in all the other Districts in the Village District section to be consistent:

Special Exception: Special Exception Uses listed above may be permitted by the Board of Adjustment, provided the following conditions have been met:

- i. *The specific site is an appropriate location for such use.*
- ii. *There is adequate area for safe and sanitary sewage disposal.*
- iii. *The use will not adversely affect the adjacent area.*
- iv. *There will be no nuisance or hazard created.*
- v. *Adequate and appropriate facilities will be provided for the proper operation of the proposed use.*
- vi. *The use will not impair the aesthetic values exhibited by the surrounding neighborhood.*
- vii. *The building, parking and/or driveway shall not exceed 50% of the lot.*

DISCUSSION

Mrs. Lucas explained that this list of special exception criteria is currently in every other district, except the Village District. Now they will be listed in each.

5. Article VIII Section B

Amend Article VIII.B (Pg 72) – Administration and Enforcement, Permits: Replace Section B1 through B7 with the following:

B. Permits

1. On and after the effective date of this Ordinance, it shall be unlawful to change the nature or extent of any structure, use or lot, or erect any structure, or alter the size of or relocate any building in any district without first obtaining a permit from the Board of Selectmen or their designated agent.

The following exceptions apply:

- ia. A building permit shall not be required for any accessory structure that is less than or equal to 192 square feet.
- ib. Ordinary repairs which are non-structural and do not include ANY alteration to ANY part of an existing building are exempt from this requirement.
- ii. A copy of the building permit shall be posted prior to commencement of any construction and shall remain posted until construction covered by the permit is completed.
- iii. All work shall be in compliance with all applicable State of New Hampshire Building and Life Safety codes. It is the joint responsibility of the landowner and the person performing the work to ensure that this requirement is met.
- iv. Installation or reinstallation of any fossil fuel, propane, electrical or

interior wood fired heating systems, regardless of the size of the building, shall require a building permit, inspection and approval by the New Hampton Fire Department.

- v. All building permits are valid for 1 year from the date of issuance. A building permit must be renewed in writing 1 month prior to expiration if the project will not be completed within the 1 year allotment. Renewal of a building permit with no additional fees is permitted provided the project is 75% complete. It is the responsibility of the permit holder to request the extension 1 month prior to expiration of existing permit.

DISCUSSION:

Mr. Mertz advised that Permitting Assistant Bob Pollock has written his proposed changes to item ii. It inserts after “shall be posted...” the language: *in a visible location and should remain in that location...*

Mr. Mertz made a motion, seconded by Mr. MacDonald, to accept this amendment. Vote was unanimous.

Mrs. Kondrad asked if this means the project must be done within a year. Mr. Kettenring advised that this is the case but someone can ask for an extension 1 month prior to permit expiration. She asked if this was enforced and Mr. Kettenring said it was the Selectmen who enforced this regulation. Mr. and Mrs. Kondrad expressed frustration with structures that are left unfinished.

**PLANNING
BOARD ACTION:**

Mr. Kettenring advised that only one amendment was made.

Mr. Mertz made a motion, seconded by Mr. Conkling, that amendment 1 be placed on the ballot for consideration on March 8, 2016 as written. Vote was unanimous.

Mr. Mertz made a motion, seconded by Mr. MacDonald, that amendment 2 be placed on the ballot for consideration on March 8, 2016 as written. Vote was unanimous.

Mr. MacDonald made a motion, seconded by Mr. Mertz, that amendment 3 be placed on the ballot for consideration on March 8, 2016 as written. Vote was unanimous.

Mr. Mertz made a motion, seconded by Mr. Conkling, that amendment 4 be placed on the ballot for consideration on March 8, 2016 as written. Vote was unanimous.

Mr. Mertz made a motion, seconded by Mr. Hays, that amendment 5 be placed on the ballot for consideration on March 8, 2016 as amended. Vote was unanimous.

Mr. Mertz asked if the structure of the Building Permit was also going to be done and Mrs. Lucas said if the zoning ordinance changes pass then the Selectmen will handle those changes.

**OTHER
BUSINESS:**

Mrs. Kondrad asked how to get a regulation that if any house burned down or significant structural damage there would be a time period for repair. Mr. Kettenring said it could be discussed by the Planning Board in the future. A house on Main Street was mentioned as an example. Mrs. Lucas pointed out that zoning cannot be adopted to have that structure removed within a specific time but Selectmen have worked with property owners if the structure poses a threat to safety and the Health Officer has

jurisdiction over buildings which pose a threat to health.

Mr. Hays asked about timing on submission for a petition warrant article and Mr. Kettenring said that deadline has now passed but pointed out that any petition article would need to be reviewed by town counsel so meeting with the board to discuss possible changes is a sensible approach.

ADJOURNMENT: Mr. Mertz made a motion, seconded by Mr. Conkling to adjourn at 7:32 pm. Vote was unanimous.

Respectfully submitted,
Pamela Vose

DRAFT