

GOFFSTOWN PLANNING BOARD
MINUTES TO MEETING OF MAY 12, 2016

In attendance were Barbara Griffin—Chairman, Phil D’Avanza—Vice Chairman, Jim Raymond (at 7:05 pm), Tim Redmond, Michael Conlon, and Mark Lemay—Selectmen’s Representative. Also in attendance was Jonathan O’Rourke—Planning & Zoning Administrator, and Darrell Halen—GTV audio/video technician.

Barbara Griffin called the meeting to order at 7 pm. She asked the Board to introduce themselves. She said there are no formal applications on the agenda tonight. We are going to have a discussion on the Master Plan and Senate Bill 146, to work on zoning issues now before we start the formal process late this year.

MINUTES—meeting of April 28, 2016

Phil D’Avanza made a motion to approve the minutes to the Planning Board meeting of April 28, 2016. Michael Conlon seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Barbara Griffin asked Jon O’Rourke to check on the new process of dealing with and correction of the meeting minutes will be handled. She would like to see the minutes reflect approval by the Planning Board and the minutes of April 14th do not reflect that. She doesn’t know if the new process would start with the minutes of April 14th approved on April 28th, or if it will start with the minutes of the meeting of April 28th.

Jon O’Rourke said he thinks that is the case, but he will check to be sure.

Barbara Griffin said we have notices of appointments of officers for the CIP Committee that need to be signed. Tim Redmond has volunteered to chair that meeting. Jim Raymond will if/when Tim Redmond is not available.

WORKSHOP--Senate Bill 146

Jon O’Rourke passed out the Zoning Ordinance to the Board and said the issue of Accessory Dwelling Units is on page 26, Section 5.

Barbara Griffin said “Accessory Dwelling Unit” is not in our definition section. According to statute, “Accessory Dwelling Unit” means a residential living unit that is within or attached to a single family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies. We do have provisions. Zoning Ordinance Section 5.2 says “One accessory dwelling unit may be attached to a single family residence. It further says a municipality that adopts a Zoning Ordinance shall allow them by Conditional Use Permit or Special Exception.

Jon O’Rourke said it is also in the chart on page 20, Section 3.12.A.6 Table of Accessory Uses--Accessory to Principal Residential Use—Accessory Attached Dwelling Unit.

Barbara Griffin said a Special Exception is required in the Commercial, Agricultural, Residential—1, Residential-2, and RSBO-1 zones. A Conditional Use Permit is required in the RSBO-2 and Village

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Commercial zones. They are not allowed in the Conservancy, CIFZ and industrial zones. Do we want to address the fact that they are not permitted in the Conservancy zone?

Jim Raymond said the "C" is for Commercial zone, not Conservancy.

Barbara Griffin said when it was pointed out last year that accessory dwelling are not allowed in the conservancy zone, it was incorrect. It is allowed.

Jim Raymond said we comply because it has to be allowed in every district where single family homes are permitted. We do that.

Barbara Griffin said we comply with SB 146 Section 1. Section 2 does not apply. Section 3 says an interior door shall be provided between the principal dwelling unit and the accessory dwelling unit. If we go to our Zoning Ordinance Section 5.2.3 it requires at least one interior connecting door, or other access for persons to pass between the primary residence and the accessory dwelling unit.

Jim Raymond asked what "other access" means.

Tim Redmond said maybe it is another means of egress for fire reasons.

Barbara Griffin said she presumed it meant if you had a garage with one door to the primary unit and one to the accessory unit it would count. There are specifics in the Senate Bill with regard to locking, which are not addressed in our Ordinance. I think we are okay. She doesn't know what SB 146 Section 4 means. It was one of her objections on the floor of the House. There is supposed to be a standard for maximum occupancy consistent with policy adopted by the US Department of Housing and Urban Development. When she pointed that out on the floor, no one at the committee could tell her what that was. But it passed anyways.

Phil D'Avanza said Zoning Ordinance Section 5.2.8 says the single-family residence or the accessory dwelling unit shall be, and shall remain, owner occupied. Is that contrary to what you just read?

Barbara Griffin said as far as she knows, it is not. The real applicable part of SB 146 Section 4, says we may require adequate parking, which we can do under our statute.

Jim Raymond said we do that in Zoning Ordinance Section 5.2.6.

Barbara Griffin said SB 146 Section 5 requires for adequate provisions for water supply and sewage disposal.

Tim Redmond said we talk about septic in Zoning Ordinance Section 5.2.4. We don't address water.

Jim Raymond asked if that is a building permit issue.

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Tim Redmond said you have to make a determination as to water supply. Other than potable water, there is no requirement.

Jon O'Rourke said the State has requirements regarding septic, but not water. There have been some that haven't had proper approvals. Some require additional storage, on a case by case basis. It is typically a building department issue.

Barbara Griffin said SB 146 Section 6 says you can require owner occupancy and may require the owner demonstrate it is a principal residence. We do have a provision for that.

Tim Redmond said that is Zoning Ordinance Section 5.2.8, the second paragraph.

Jim Raymond asked if that should be a numbered paragraph. It sort of hangs out there.

Barbara Griffin said it should be Section 5.2.9.

Tim Redmond said SB 146 Section 7 addresses aesthetic continuity.

Michael Conlon said Zoning Ordinance Section 5.2.5 addresses the front door of the accessory dwelling unit.

Barbara Griffin said it also addresses minimum and maximum building sizes. We have Zoning Ordinance Section 5.2.1 that says it can't be more than 800 square feet. The statute says it can be restricted to being less than 750 square feet, so we seem to be in compliance there.

Phil D'Avanza asked about Zoning Ordinance Section 5.2.5 and the front door. Are you talking about the door facing the front of the building or about it facing the road?

Barbara Griffin said she thinks the intent was to not have a second front door on the front of the residence, to keep it looking like a single family residence.

Tim Redmond said it sounds like the accessory dwelling unit would have to be built facing the primary residence for that to apply.

Barbara Griffin said perhaps we need to modify the language of this provision.

Michael Conlon said he doesn't think we want an exterior entrance on the same face of the existing exterior entrance.

Tim Redmond said that is what a duplex has.

Barbara Griffin said that is the point. This is a different animal than a duplex.

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Tim Redmond said the new entrance would have to be a side or rear entrance. Do we need to have this section at all?

Barbara Griffin said she thinks the issue is the double doors on the street scope. A lot of people are concerned about keeping the look of the neighborhood.

Phil D'Avanza said they could make a double door that opens into a foyer, and then separate doors from there.

Jim Raymond said you will never get 100% perfection on any ordinance. If we try to, we will be here forever. He suggests leaving it alone to see how it works in practice, then see how we need to revise it.

Tim Redmond said we have to find a definition for what is considered the front of the home. It is the side of the home where the main entrance is.

Jim Raymond said his front door is not the main entrance.

Michael Conlon said he doesn't think there is ambiguity on the intent.

Barbara Griffin asked if they are talking about a new front entrance not being constructed on the same side as the existing front entrance.

Tim Redmond asked if our ordinance is in violation of HB 146.

Barbara Griffin said no. She is saying she would like to deal with our provision of our ordinance now. She would like to have our first zoning ordinance change, if needed, done at the end of tonight. HB 146 Section 7 deals with aesthetics.

Tim Redmond said if our Zoning Ordinance section 5.2.5 doesn't conflict with the state statute, then let's leave it alone.

Barbara Griffin said HB 146 Section 8 deals with not having to have a familial relationship. We don't require one. When will be our Zoning Ordinance section 5.9 requires that the primary residence of the accessory dwelling be owner occupied.

Michael Conlon said he looked at HB 146 Section 9 regarding restricting bedroom numbers. Our zoning ordinance doesn't restrict them.

Tim Redmond said the only thing we talk about is square footage in section 5.2.1. 800 square feet is enough for more than one bedroom.

Barbara Griffin said HB 146 Section 10 doesn't deal with anything we have to worry about.

Tim Redmond said that section is the only where the term "rental units" is used in this entire statute.

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Jim Raymond said it is a good thing that the municipality may count them toward their obligation to provide workforce housing.

Barbara Griffin said the next section of HB 146 deals with detached accessory dwelling units. We don't have to require them so we don't have to deal with them. She doesn't think the rest of it applies. It appears our zoning ordinance does comply and accessory dwelling units are allowed in all residential districts. The only change we would need is simply a numbering issue.

Jim Raymond said that's not substantive and doesn't need to be on the ballot.

WORKSHOP—Master Plan

Barbara Griffin said she was asked if she wanted to include anything in CIP. She doesn't see it reaching the \$25,000 requirement. Michael Conlon had suggested a vision statement, and Jim Raymond agreed. Tim Redmond had looked at the Master Plan and had some comments.

Tim Redmond said we should look at our vision before we do much of anything. He reviewed the Vision portion on page 1A-1 and saw a few things he thought relevant to the discussion. The third paragraph talks of getting input from a broad range of residents at a visioning meeting, which we have not had. A community process took almost 2 years to get there for the last Master Plan Update. They thought much of the 1997 Master Plan was still relevant so they considered this an update rather than a new document.

Barbara Griffin said she thinks the two years was in reference to the 1997 process.

Tim Redmond said on the next page they talk of having a survey of other municipalities, which we have not done. They had 60 residents providing input. He brings this up because they had all these meetings and we have not. For the 2006 update the Planning Board conducted a public visioning session and held a series of workshop with its members. Should we have public input? The third page talks of residential growth and he's not sure he agrees it will occur rapidly. We've seen our hay day of growth and don't have any large scale projects that will make a change in our residential base. He'd love to see more businesses.

Michael Conlon said the 76 condo units on Bog Road are being put up now. It is a winding road in but from the Bog Road end they have done a lot of clearing in the last six months. It seems like it's going forward. He doesn't know if ground has been broken. It's cleared and they have a driveway going into the woods.

Tim Redmond said he thinks it may be a residential site and not the Bog Road project. After reviewing the vision section, he thinks the Board needs to decide how far out they want to reach for input before they begin working on the Master Plan.

Jim Raymond said the purpose of his suggestion to look at the vision is for us to ask if they still fit. If we say they don't, we have the option of tweaking themselves. But we have to look at them but we aren't

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compelled to open them to others. Other than the pace of development, nothing has really changed. We're not obligated to open it up and he doesn't feel the need yet.

Michael Conlon said he agrees in looking at the principles on page 1A-2.

Barbara Griffin said maybe we are finding what is there is still appropriate. Rather than a rewrite, we could make a notation as to what we felt isn't applicable. Or as Michael Conlon suggested, doing what Manchester did, which is creating a summary document. The people who did the 2006 update said things were still essentially the same as in the 1997 Master Plan. The vision they came up with was a synthesis of the public and Planning Board process as updated by the latest input. The goals they came up with were that The Town of Goffstown is an outstanding community in which to live, raise a family, work, own a business, visit, and recreate. The Town's residents enjoy a high quality of life and enjoy Goffstown's high environmental quality; The Town's children are active learners in quality schools; The Town's infrastructure and community facilities are maintained to a high standard and are managed to cost-effectively meet current and future needs; The Town's policies and programs pro-actively promote an expectation that future development will be of high quality, and hence, further enhance the community; The Town's business climate and policies promotes the attraction, retention and expansion of quality businesses and economic opportunity. You could take this and put it on any community.

Phil D'Avanza said he thinks some of the zones have changed since this was done, like the CIFZ. That is the only types of changes he see we may have and is an off-shoot of some of the recommendations for land use and planning. We could say that is an achievement from this. The Village District was created after this, and possibly RSBOD has been expanded since this was done.

Barbara Griffin said in the 2006 update there is a conceptual future land plan. She compared it to the current zoning map on the wall in the meeting room.

Jim Raymond said the Corridor Study introduced the concept of nodal development instead of strip malls and South Willow Street. They didn't develop as much as envisioned.

Barbara Griffin said there is some open space. If we did an overlay with conservation easements there would be a large amount of green on it. Were we talking about looking at a zoning map to see if we should target something?

Michael Conlon said an updated concept would probably start there—update what's happened since 2006 and noting the concepts that haven't come to fruition and seeing if there are new ones to add.

Barbara Griffin said there are underlying assumptions and themes of being connected. She doesn't think they are inapplicable at this time. She asked about the Action Plan at the back in Section I-C. It is the next page after the conceptual future land plan. The first was to revise the current zoning districts as needed to reflect the 2005 Master Plan, to update smart growth, and then there were some actions.

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Tim Redmond said he highlighted the last one: to develop and deliver an effective business attraction, retention and expansion program to achieve economic development goals. That is where we could note that we adopted the Certified Sites Program. On the next page it says to create a working group of the Economic Development Council to study. We have a working group to study this. We don't need to create one.

Jim Raymond said he's not sure these need to be in the Master Plan. These are specific implementations. The Master Plan is to set overall goals. We can minimize what we have to do.

Michael Conlon asked if we are supposed to implement the Master Plan, or do we make decisions on things that come before us that are within the compliance of the Master Plan.

Jim Raymond said it is the latter. It's for zoning. One thing the court looks at is the difference between the Master Plan, the Zoning Ordinance and what you are doing in reality. It's not a direction to the whole community as to what they have to do.

Tim Redmond asked if we could make an assumption that Goffstown, as a community, is happy with Goffstown. Do we have enough homes? Does the town want more residential development? Do they want more commercial development?

Michael Conlon asked our role in that.

Tim Redmond said our role is in decisions based on community input to some degree. If the town is happy with our residential growth, should we go to the next step and try to increase the business base.

Barbara Griffin said we've been hearing that since she moved to town. Part of planning is that everything is a balancing act. We have a lot of vacant space and some planning was undertaken for some commercial planning in Pinardville. That was not accepted by the community. You need a highway with major access, and water and sewer for economic development.

Tim Redmond said we have water and sewer down Mast Road. We don't have gas.

Mark Lemay said they are looking at bringing the gas line there.

Tim Redmond said we also have water on Daniel Plummer, but we don't have sewer.

Barbara Griffin said water and sewer have been an issue at the intersection of Route 114 and Shirley Hill Road. It has been under discussion more than once for development and there are not adequate utilities at that corner. Additionally, a huge acreage is owned by the county. The vision is going to be looking at a map.

Mark Lemay said there is concern that we have a lot of empty buildings. Our priorities should be to fill the buildings we have now before we expand. The people in this town don't want to overcrowd the schools. It depends on the year we go vote.

Jim Raymond suggested that we beat this thoroughly 10 years ago. Other than the pace of development, our goals haven't changed. He's not seen anything in the general concepts we need to

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change. Pace of development could change. We shouldn't modify this on the assumption that we will see this pace continue indefinitely into the future. He'd go through an agreement on the principles, see what doesn't fit in the specifics, and take them out. We could add a paragraph to the introduction that Tim Redmond read on page 1A-2, as an additional paragraph that we've modified it again, and then be done.

Phil D'Avanza said with this year's date we would refer back to the previous one.

Barbara Griffin said she doesn't have objections to that but she would like to discuss having a community public hearing on it. That would be important and she would be happy to run it. We could present the principles and current zoning map. We could see what kind of input we would get. It's hard to get attendance at those meetings, but people do come. She wants to talk to staff about reproducing the Master Plan in an edited version. She also wants to talk to staff and Michael Conlon about getting together to do a summary of it that is more palatable than what we have.

Michael Conlon said he would be happy to be part of that. Phil D'Avanza made a good point about the things that have happened. They can be noted in the principles. It will put more meat on the bones of the visions of the principles. We can also identify what else is out there to be done.

Jim Raymond said the appendices—charts and data—are out of date. How much of a task would it be to update them? Do we update them or do a simple appendix to the new stuff? Do we leave this past data and update key things?

Jon O'Rourke said it depends on the format we have them in. It would be a lot of work, but less if editable.

Barbara Griffin said we have a Corridor Plan of 2003 and the principles are the same. We have Appendix B for economic development and could send that to the Economic Development Council for their comment and recommendations. We could do the same with Appendix C and Conservation.

Jim Raymond said it would be for recommendations, not to have them write it. They advise. We are the balancers.

Barbara Griffin said Appendix D is recreation. That ought to go over to Parks & Recreation for comment. We have done renovations of some facilities since this was done, and more are proposed this year. Regarding housing, she can talk to SNHPC. Appendix G is education and can go to the School Board.

Jon O'Rourke asked if we still want a heavy hitting document or something more palatable.

Barbara Griffin said she sees this as more palatable. We don't need to repeat a lot of this information.

Michael Conlon said perhaps the feedback comes the basis of the content for a particular page.

Barbara Griffin said Appendix I should also go to the Parks & Recreation.

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Tim Redmond said he thinks we should request some small amount of money for printing, binding, etc. We can put it in at the threshold of \$25,000. It would be money in there for expenses in creating the document. We may need professional advice or a consultant for a portion of this.

Phil D'Avanza said some may be able to come from SNHPC.

Barbara Griffin said she can go over there to get some information.

Tim Redmond said we aren't asking for it because we'd like to update the Master Plan but because we are required to do so.

Jon O'Rourke said if this process falls on staff, he will have to figure out priorities.

Barbara Griffin said that is why they are only sending things out at this point. She and Jon O'Rourke will work together on a cover sheet to go out.

Tim Redmond said the CIP submission deadline is coming soon. This would come in under Administration and he doesn't know when they are on the agenda. It could be a handout at the committee meeting.

Barbara Griffin said we have a meeting in two weeks. It is for a time extension request for the development of the gas station on the back road. June 9th is the YMCA. Conservation just saw something and we may get that on May 26th.

Jon O'Rourke said he'd have to check on that. There is also a potential for Langley to have an application. The May 26th meeting is set.

Tim Redmond made a motion to adjourn. Phil D'Avanza seconded the motion. VOTE: 6-0-0. All in favor. Motion carries.

The meeting adjourned at 8:20 pm.

Respectfully submitted,

Gail Labrecque
Recording Secretary

“These minutes were approved by the Planning Board on May26, 2016.”