

PLANNING BOARD MINUTES

April 26, 2023

APPROVED: May 10, 2023

AGENDA: LIZ KELLY, RESILIENCE PLANNING & DESIGN – STEEP SLOPES
POTENTIAL ZONING AMENDMENTS FOR 2024 BALLOT
WORKSHOP – PROPOSED SOLAR ORDINANCE

ATTENDING: Randall Kelley (Vice Chair), David Shirley (via Zoom), Elizabeth Seeler, John Miller (Alternate) and Scott Sanschagrin (Select Board Representative)

ABSENT: Denice DeStefano (Chair)

OTHER: Christina Goodwin (Town Administrator) Joanne Bailey (Land Use Manager), Donna Sullivan (Land Use Administrative Assistant), and Liz Kelly (Resilience Planning & Design)

Acting Chair, Randall Kelley called the meeting to order at 7:01 pm with a quorum present in person. Alternate John Miller will be serving as voting member due to Ms. DeStefano's absence.

COMMUNICATIONS:

RESIGNATION – Denice DeStefano

Ms. Bailey read a resignation email received April 25th from Chair, Denice DeStefano into the record. Mr. Randall Kelley indicated she was a major asset to the Board and will be missed. Ms. Goodwin instructed the Board about the next steps to accept resignation, to elect a new Chair and member replacement suggestions. It was discussed as to whether it could wait until the next meeting or should be done right away. The logistics of the next meeting agenda items, attendance issues were discussed. Mr. Miller will move from Alternate to full member.

Following discussion, Mr. Shirley motioned to elect Randall Kelley as Chair. Ms. Seeler seconded. The motion carried by roll call vote 4-0-1. Mr. Kelley motioned to elect John Miller as Vice Chair. Ms. Seeler seconded. The motion carried by roll call vote 4-0-1.

OLD BUSINESS:

Ms. Liz Kelly – Resilience Planning & Design

Ms. Kelly talked about a scope of work proposal from Resilience Planning & Design (Resilience) and the Newfound Lake Region Association (NLRA) as part of a Grant received by NLRA from the State of New Hampshire to partner with Resilience to work with local Planning Boards with special projects to protect the Watershed. Three proposed tasks were outlined as follows:

- Meetings & Project Management – ongoing
- GIS Mapping and Analysis – July 2023
- Research and Revisions to Steep Slope Ordinance – July – September 2023

Ms. Kelly asked the Board for more information on goals for the GIS mapping and Steep Slopes Ordinance needs and priorities. Ms. Goodwin indicated the GIS mapping was in relation to Conservation concerns as well. Mr. Shirley addressed the Steep Slopes issues and priority to manage future growth issues in town and his research to date to meet Bristol goals. Mr. Miller talked about creating Steep Slopes Overlay

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Ms. Liz Kelly – Resilience Planning & Design- continued

maps that could be helpful. Ms. Goodwin talked about what is being done presently to address Steep Slopes. Ms. Kelly stated that Resilience can review the Master Plan survey responses, Mr. Shirley's research, mapping overlays and other information and come back with analysis and proposed revisions, and map overlay sample for review and discussion at the June workshop meeting. Mr. Shirley will continue his work on Steep Slopes research and revision suggestions and will send them to Ms. Bailey so she can share with the Board and Ms. Kelly before the next meeting.

Ms. Kelly will move forward with priorities as discussed.

NEW BUSINESS:

Potential Zoning Amendments for 2024 Ballot

The Board reviewed a 2022 worksheet outlining 2023 Zoning Ordinance revision work and priority levels. Mr. Miller stated that the Board should keep in mind that work on the Land Use Chapter of the Master Plan was also a priority for this year.

New priority levels were discussed for Split Zoning and other Zoning issues. Mr. Shirley indicated his preference was to prioritize revisions for Steep Slopes Ordinance and Solar Ordinance and the statutory obligation to the Master Plan Land Use Chapter. Mr. Miller suggested new prioritization levels for all the categories with Steep Slopes, Solar and Ridgelines as number one priorities. Following more discussion and decisions about priority levels for all zoning issues, it was decided the worksheet will be updated accordingly and 2023 workshops will focus on the priority one zoning revision topics of Steep Slopes, including Ridgelines, Solar, the Board's Land Use Chapter work and if time allows Mixed Use following as a priority two.

SOLAR ORDINANCE DISCUSSION

The Solar Ordinance Draft #1 was reviewed with reference to some of the work Ms. DeStefano had completed to date and additional work to be reviewed, discussed, and updated. Mr. Miller stated he had focused on the land clearing requirements and limitations and referenced tree clearing and steep slopes and other buffers that may need the inclusion of any changes proposed to the Zoning Ordinance.

Mr. Shirley had many issues with the Draft ordinance as it is proposed. He stated that review of this draft would make his existing residential solar array considered to be a commercial array because he "Net meters" and sells power to the utility. As written, anyone who has a residential array and net meters would have to follow the commercial rules. He expressed more concerns with the Village District allowances and other criteria issues that he felt should have more limitations. He also indicated issues between requirements and definitions for commercial arrays vs. residential arrays.

More discussion followed to address definition clarity and other requirements with suggested language changes. Focus was to clarify the difference between residential use and commercial use and resulting commercial benefits. The Board agreed that a Solar Ordinance is necessary and further review was needed to address the anticipated needs of commercial and residential property owners for use of solar to augment their utility needs and costs and for the Town to address the potential for large arrays that may be proposed in the future.

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SOLAR ORDINANCE DISCUSSION - continued

Mr. Miller suggested that some of the changes discussed may need to go back to initial crafters of the ordinance and recommended they invite Mr. Bemis or any others to the next workshop. Mr. Shirley will forward his list of issues to Ms. Bailey to distribute.

MINUTES:

Mr. Miller motioned to approve the April 12, 2023 minutes as presented. Mr. Shirley seconded. The motion carried by roll call voted 3-0-2. Mr. Sanschagrín and Ms. Seeler abstained due to absence at this meeting.

REPORTS:

HISTORIC DISTRICT COMMISSION (HDC) – No Report

SELECT BOARD – Mr. Sanschagrín shared that work is moving forward with the Public Safety building. Mr. Miller asked about the multi-Board meeting plans. Ms. Goodwin explained that the Select Board will be meeting with Department Heads first then that would be followed by meetings with Town Committees and Boards to address goals and more conversations in relation to overall planning etc. Mr. Sanschagrín reiterated the plan. Mr. Miller asked if it would be helpful to address Master Planning, resources and more when meeting with the Select Board.

CIP COMMITTEE - Mr. Kelley reported that the election of officers took place, the 2023 meeting schedule was approved and the Committee received a resignation from Mr. John Bianchi. He stated this resignation was for Planning Board review and information as well and Ms. Goodwin added it will be moved to the Select Board for final action. Mr. Kelley stated that new members were being pursued as well. Some discussion followed about Planning Board and other Committee membership solicitation and some suggested ways this could be achieved.

CONSERVATION COMMISSION – Next Meeting May 3, 2023

LAND USE – Ms. Bailey reminded the Board about the upcoming New Hampshire Municipal Association (NHMA) online workshops scheduled for Saturday and the Planning Board Track scheduled for 8:45 am. She added that these sessions will be available on YouTube following the meeting. Mr. Miller added that the other tracks were also of interest and would be available for review.

Ms. Bailey updated the Board about some housekeeping changes happening based on her review of NHMA recommendations:

- Draft Minutes and a new process for handling and posting of these is being implemented. She stated that Drafts will be sent electronically with meeting materials and paper copies would be available only at meetings. These paper copies will be collected after each meeting and destroyed. Only Approved minutes will be posted moving forward.

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LAND USE – continued

- Another change will be implemented for meeting notices and other correspondence sent by email to the Board. Emails/Electronic correspondence will now be sent as bcc'ing members to avoid the possibility of responses on a subject to the body constituting a meeting. For those who pick up paper copies of meeting materials prior to a meeting, draft minutes will no longer be included in the folder. Paper copies will only be available at the meeting.

Other housekeeping items discussed:

- RSVP request - Ms. Bailey asked the Board to make sure to respond to meeting notice emails to let Ms. Sullivan know they will or will not be attending the meeting. It is important to establish attendance and whether a quorum will exist or if the meeting needs to be re-scheduled and applicants contacted. This helps lessen the time it takes staff to track people down to determine this, especially with the number of Boards & Committees supported in Land Use.
- Clerks Report – Ms. Bailey stated in meetings with cases going forward, Ms. Sullivan will be reading an overview of applications as a Clerks Report into the records. This is to help with consistency and accuracy in the process of cases.
- The Office is now having meeting preparation sessions prior to sending out meeting notice emails to be sure that all materials are gathered and ready for one meeting notice with applicable materials.

NEXT MEETING: May 10, 2023 – 7 pm

Cases scheduled:

1. 23PCC04 - Buitenhays - #209-050 164 Barron Road
2. 23MSP01 – Newfound Lake Investment Group - #112-024 – 265 Lake Street

ADJOURNMENT: With no other business before the Board, Ms. Seeler motioned to adjourn. Mr. Sanschagrín seconded. The motion carried by roll call vote 5-0-0 and the meeting adjourned at 8:27 pm.

Respectfully submitted,

Janet Cote
Land Use Associate