

TOWN OF THORNTON PLANNING BOARD

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4/17/14
TOP

Public Hearing Zoning Amendments Meeting Minutes Tuesday, January 28, 2014

Chairman T. Phillips called the meeting to order at 6:05pm and led the pledge of allegiance.

The following members/alternates were present:

T. Phillips, Chairman	S. Babin, Vice Chairman	M. Peabody, Ex-officio
G. Kimball, Member	F. Freeman, Member	C. Piantedosi, Member
S. Macintosh, Member		

T. Phillips reminded the members that the non-meeting is scheduled for 4:30PM on Wednesday, January 29, 2014 with the Board of Selectmen and the Zoning Board of Adjustment as well as their legal representation.

T. Phillips asked the members if they want Attorney M. Serge to attend.

N. Decoteau reported that she had checked with M. Serge earlier in the day regarding his availability for the meeting.

N. Decoteau reported that M. Serge would only be able to call into the meeting.

The Board agreed that M. Serge should call into the meeting.

MOTION: "To agree to have M. Serge call into the non-meeting on Jan 29, 2014 at 4:30pm."

Motion: C. Piantedosi

Seconded: G. Kimball

Discussion: None

Motion Passes: 7- Yes, 0- No.

T. Phillips opened the Public Hearing at 6:15pm.

6:15PM PUBLIC HEARING: Proposed Amendments to the Zoning Ordinance

Public Hearing to discuss the reorganization of and changes proposed to update the Zoning Ordinance of the Town of Thornton. Many changes relate to renumbering/reorganizing the existing regulations to present the information in a manner that is more user friendly.

Proposed changes to the existing regulations include the following:

- Changing the existing definition of Dwelling, Family, Home Occupation, Qualifying Acreage, Structure, and Variance
- Adding a definition for Abutter, Cluster Development, Accessory Apartment, Dwelling-Single-Family, Dwelling-Two-Family, Dwelling- Multi-Family, Dwelling Unit and Commercial Recreational Facility
- Adding a Table of Uses
- Adding a Table of Dimensional Requirements
- Adding a section on Accessory Apartments
- Adding a section on Home Occupation
- Rewriting the section on the Board of Adjustment
- Adding to the section on Cluster Development

T. Phillips asked if there was any discussion from Board members or the public regarding the proposed amendments.

N. Decoteau pointed out that the new language being added to the section on Cluster Development is the only portion that has not been previously discussed.

There was no discussion on any of the proposed amendments from Board members or members of the public present.

T. Phillips led the Board in a review of the draft language for the ballot to be used working from G. Coogan's 2nd Draft (Jan 24, 2014) Proposed Ballot language document.

N. Decoteau reported that G. Coogan has submitted suggested language for the ballot that has been reviewed/approved by attorney M. Serge.

N. Decoteau stated a change needs to be made to the wording in Amendment #6 in the definition of Dwelling.

N. Decoteau stated G. Coogan had not made the change of removing the words "to be occupied" from the proposed definition so that the definition of Dwelling reads: "means any building used and intended for human habitation".

The Board agreed to the change.

N. Decoteau noted that the words "does not require a building permit from the town" in the explanation in Amendment #11 should be replaced with "does not require Zoning Compliance Application approval from the town".

The Board agreed to the change.

The Board discussed formatting of the document.

T. Phillips suggested the actual language being voted on should be tabbed in so as to offset it from the description of what is being present.

The Board agreed to offset the actual language being voted on; specifically the definitions.

T. Phillips suggested adding a space line before and after the lines of description for each article.

T. Phillips suggested adding a space line between the words "Recommended by Planning Board and the yes/no line.

The Board agreed to add a space line in both places.

T. Phillips suggested adding an extra space line before each Amendment to provide clear separation from the previous Amendment.

The Board agreed.

T. Phillips suggested removing the TZO abbreviation used in four places in the overall ballot language.

The Board agreed to print the words "Thornton Zoning Ordinance" where the abbreviation TZO appears.

C. Piantedosi suggested also removing the TPB abbreviation used after the term "Thornton Planning Board".

The Board agreed.

T. Phillips suggested the description under Amendment #4 should be changed to the following: "The uses listed above are allowed uses but the current Thornton Zoning Ordinance lacked a defined term to collectively describe these uses."

The Board agreed.

T. Phillips suggested switching the order of Amendment #5 and Amendment #6 so that the voters would be presented with the proposed definition of Dwelling in Amendment #5 and then Single-Family, Two-Family, Multi-Family and Dwelling Unit in Amendment #6.

The Board agreed.

M. Peabody asked for clarification on the definition of the term Family.

T. Phillips responded that providing a definition for the term family provides a unit of measure in making a distinction between single-family, two-family and multi-family dwellings.

T. Phillips clarified that the definition for the term family is for the purposes of the Thornton Zoning Ordinance and suggested adding wording to include that concept.

T. Phillips stated that the term as defined for the Thornton Zoning Ordinance allows a "family" to be any number of legally related people, but if there is a group of unrelated people only up to five will be considered a family.

The Board agreed to change the wording of the question for Amendment #7 to: "Are you in favor of the adoption of zoning amendment #7 as proposed by the Thornton Planning Board for the Thornton Zoning Ordinance which makes a change to the definition of Family *for the purposes of the Thornton Zoning Ordinance*".

C. Piantedosi noted that the word occupation needs to be capitalized in Zoning Amendment #8.
The Board agreed.

S. Macintosh asked if in the question related to the question on the definition of family if the words "makes a change to" could be modified to read "clarifies"?

N. Decoteau pointed out that all the amendment questions are worded the same way: the new definitions include the words "provides a new definition for", the changed definitions include the words "makes a change to the definition of".
The Board agreed to leave the words "makes a change to" in the wording of the question in amendment #7.

The Board discussed the wording of the explanation of amendment #10: specifically the underlining of the word 'not'.
S. Babin suggested rewording the explanation to read as follows: "This definition clarifies the land (i.e. wetlands, floodplains and slopes over 35%) which is not included as Qualifying Acreage when determining density for a Conventional Development of a Cluster Development".
The Board agreed.

The Board discussed amendments 12, 13, 14 and 15 where a new section is being presented without the full text being part of the document.

T. Phillips suggested adding the specific Article number and section to the wording of each question and to include the specific Article number and section in the paragraphs explaining the proposed amendment.
The Board agreed.

N. Decoteau stated she will verify the Article number and section are correct for each of the four amendments.

S. Macintosh suggested splitting the explanation under amendment #12 into two paragraphs by starting a new paragraph at "This section includes criteria".
The Board agreed.

The Board discussed removing the underline on the word "not" in amendment # 14.
The Board agreed to not underline the word "not".

T. Phillips suggested reducing the language of the explanation for amendment #15 by changing it to read as follows: "The new Article IX Board of Adjustment describes the duties of the Board of Adjustment, which are to hear and decide administrative appeals and to hear and grant variances, special exception, waivers of dimensional requirements and variances for persons with a disability when appropriate and is consistent with state statutes".
The Board agreed.

S. Macintosh asked if the words "An auto facility is not a home occupation" could be removed from the wording in amendment #14.
The Board determined that the proposed amendment should remain as presented with the wording included.

T. Phillips asked if any petitions to amend the zoning ordinance were submitted according to RSA 675:4.

N. Decoteau stated none were submitted.

M. Peabody indicated the deadline for those to be submitted was December 11, 2013.

The Board reviewed upcoming meeting times.

The Board reviewed the tentative agenda for the February meeting.

N. Decoteau reminded the Board that the CIP committee is the responsibility of the Planning Board.

T. Phillips asked for clarification as to whether the Planning Board representation to the CIP committee has to be an actual Planning Board member or if it can be a member of the community designated as the Planning Board representative.

J. Demeritt suggested the Board contact C. Schofield and ask her for a copy of the current by-laws.

T. Phillips suggested that the Board members start recruiting members for the CIP committee.

T. Phillips stated he will not be running in 2015 for another term on the Planning Board and encouraged someone else to consider being Chairman for 2014.

M. Peabody agreed that the members should all make an effort to recruit new planning board members.

C. Piantedosi stated she will help write an explanation summary of the zoning amendments being presented this year.

S. Babin suggested that if there was a stipend for serving on the Planning Board it may encourage participation on the Board.

M. Peabody stated the FY2014 budget is in the final stages but that it may be possible to make a change at the budget hearing.

MOTION: "To adjourn."

Motion: S. Babin

Seconded: G. Kimball

Discussion: None

Motion Passes: 7 – Yes, 0 – No

Respectfully Submitted,

Nancy Decoteau

Admin Assistant