



TOWN OF WEARE
PLANNING BOARD
ZONING BOARD OF ADJUSTMENT
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thru
Friday
8 AM – 4:30 PM

**PLANNING BOARD
MINUTES
DECEMBER 18, 2007
(Approved as written 1/24/08)**

PRESENT: Paul Morin, Chairman; Frank Bolton, Vice Chairman; George Malette, Secretary; Tom Clow; Exofficio; Craig Francisco; Neal Kurk, Alternate; Arthur Townes, Alternate; Naomi L. Bolton, Land Use Coordinator.

GUESTS: Richard Butt, CIP Subcommittee member; Paul Marsh, CIP Subcommittee Member; Heleen Kurk, CIP Subcommittee member; Carl Knapp, Public Works Director; Fred Ventresco, Town Administrator;

I. CALL TO ORDER:

Chairman Paul Morin called this meeting to order at 6:30 PM at the Town Office Building.

II. WORK SESSION:

JOINT WORK SESSION WITH THE CIP SUBCOMMITTEE: Chairman Morin stated that the beginning of this meeting is a final meeting of the CIP Subcommittee in an effort to finalize the 2008 requests. Carl Knapp, Public Works Director was present to discuss the final item of the new building request of approximately \$900,000. Mr. Knapp handed around a copy of only one proposal from Miracle Truss for \$327,967, the price doesn't include the concrete work, doors, a furnace, offices, a new well will have to be drilled, labor to put up the building, insulation, the wash bay will need underground tank work, etc. Heleen Kurk asked if there was a price for maintenance to the building once it is up. Mr. Knapp stated that the electricity will decrease. Heating is done and will be done with the waste oil.

BOLTON MEMORIAL PARK: This proposal has not changed since the subcommittee last met. The proposal that was presented was for \$1.2M to complete the project through pavement, bleachers, lights, etc.

The only outstanding issues from the last CIP subcommittee meeting were if both projects were going to be recommended to be put on the warrant; or only recommend one; or possibly finance the Bolton Memorial Park in phases. Richard Butt stated that he felt it was not the subcommittee should be making the decision. He felt they both should be put on the ballot and let the residents decide. He was wondering why if the Public Works building is in such a

deplorable state why hasn't something been done. He felt it was a worthwhile expenditure and has a lot of faith in the Public Works Director. He felt that the request for maintenance of the government buildings and this project would be competing. He felt it was dangerous for the subcommittee picking one project over the other. To not put something on the warrant is very dangerous. Parks and Recreation just spent \$12,000 to come up with a master plan for the Bolton Memorial Park and a price to complete it. Chairman Morin felt that if both projects are going to be bonded either one year behind the other they will still overlap. They are two worthy projects here. He didn't feel they were competitive it is two different projects. They are both worthwhile projects and he felt that we should let the voters decide. Chairman Morin felt he could support both going on the warrant in full as requested, but he would also be very supportive if the PARC wanted to scale back and phase in he would support that too. Paul Marsh stated that he likes the idea of supporting both of them as worthwhile projects. He would recommend with some reservations but personally would like to put forth the public works building first. Heleen Kurk stated that she makes no bones, her first priority is the highway department but doesn't have an issue with the Bolton field project. She stated that she would like to see it go to the Planning Board as worthy projects. Mr. Butt stated that he felt it should be recommended to the Planning Board and the Board of Selectmen as worthy projects and let the voters decide.

Chairman Morin stated that it appears to be a full concession of all subcommittee members that the spreadsheet as it appears will be recommended to the Planning Board. At this point in the meeting, the Planning Board will deliberate and make a recommendation for the Board of Selectmen.

PLANNING BOARD 2008 CIP REQUESTS: Chairman Morin stated that this subcommittee more than other years have gotten into real good discussions on the needs. All departments have done a real good job and put a lot of effort into these requests. Neal Kurk asked Chairman Morin which bottom line the subcommittee was looking at. Chairman Morin responded the first subtotal amount before the bond payments.

Frank Bolton stated that he felt that we shouldn't recommend either bond articles unless we have maintenance figures on both of these. He is curious why the highway department building has gotten to this point without during something before this year. With regard to Bolton Field, he would like to see it possibly funded through user fees in the future. He would also like to see maintenance costs on this too.

Neal Kurk stated that Planning Board is charged with planning. He agrees with Mr. Butt that we don't need the maintenance costs, but the BOS needs to have that and would be negligent if they didn't get those figures. He felt it would be incumbent upon the departments bringing this forward to have those numbers for the Board of Selectmen.

Tom Clow asked Mr. Knapp if when it comes time to get figures together, it is realistic to say that the highway crew is going to be able to do the work with all the other projects. Mr. Knapp responded, that the 2009 road work is a lot of outside work, topping base coats, guardrails, no large rebuilding projects.

Paul Marsh asked if there was a smaller version of this spreadsheet that could be made available to the public at deliberative session. The subcommittee felt an attempt could be made but it should be put on and the individual departments will need to give the details.

George Malette moved to recommend to the Board of Selectmen the bottom line figure of \$461,934 including the two separate bonds as requested and recommended by the CIP Subcommittee; Craig Francisco seconded the motion. Discussion: Mr. Kurk stated that he would vote against this because he felt it wasn't planning particularly with the two bonds. He felt the highway garage has a much higher priority than Bolton field. He would support the committee's phasing in the Bolton field project over 10 years, but can't support the last 2 bonded items. Chairman Morin agreed with Mr. Kurk to a degree but if you push out one project one year they are still going to overlap and is it fair to push out projects near the end of some bonds. Is it fair to push them out 6-10 years just so we don't overlap? Last year it was the Ferrante land, this year the highway garage, next year Bolton field, but he liked the idea of choice and it appears that the town is supporting different things. Mr. Clow didn't see these two bond articles competing head to head. They're for two different purposes and he doesn't think one will out weigh the other. Vote: 4 in favor (Clow, Malette, Francisco and Morin) and 1 opposed (Bolton). Naomi will forward this information to the Board of Selectmen.

III. PUBLIC HEARING

To discuss zoning amendment proposals for inclusion on the March 2008 Town Warrant. This is a second discussion in hopes of finalizing the amendments to hold a final public hearing. Some of these were first discussed on November 29, 2007 and some have been added as a result of that meeting.

Proposed additions are in ***bold italics***; proposed deletions are ~~stricken through~~.

Amendment No. 2: Amend Article 14, Article 27 and Article 30 to encourage the preservation of important farmland in cluster developments and to clarify the density allocation in the Rural Conservation Overlay District.

Amend 14.3.3 by deleting it entirely.

Amend 27.3.1 to read as follows:

Cluster developments may be permitted or required in the Residential (R) and Rural Agricultural (RA) Districts, ***including the Rural Conservation Overlay (RC) District.*** After consultation and recommendation by the Conservation Commission, the Planning Board may require that a subdivision be proposed as a cluster development.

Amend 27.3.3 to read as follows:

The maximum number of dwelling units per cluster development shall be determined by the maximum number of ~~non-cluster conventional~~ lots that could be subdivided in accordance with ~~the requirements of Article 14.2 Table 1-1 and~~ all other requirements in this ordinance and the Town of Weare Subdivision Regulations for ~~non-cluster conventional~~ subdivision. The applicant shall present a yield plan to demonstrate the number of conventional lots achievable. A 20% density bonus, ***rounded to the nearest whole number,*** will be allowed for cluster developments in the Rural/Agricultural (RA) District ~~as set forth in Article 14.3.4.~~ ***No such density bonus will be allowed for cluster developments in the Rural Conservation Overlay (RC) district.***

Amend 27.3.5 to be deleted in its entirety:

Amend 27.3.11 as follows:

At least fifty percent (50%) of total tract area exclusive of public rights-of-way (and buffer strips within lots) shall be set aside as open space covenanted to be maintained as permanent "conservation land" in private, public, cooperative or non-profit ownership. ***If the tract contains:***

- (1) any farmland that is being used for agricultural purposes (excluding forestry) or***
- (2) any prime farmland soil or***
- (3) farmland soils of local importance or***
- (4) farmland soils of statewide importance,***

as defined in New Hampshire NRCS (Natural Resources Conservation Services) County Soil Survey and presented through NRCS NH soils and NH Granit Data Mapper, or as verified by a site specific soil survey, such farmland and/or soils shall be included in the open space unless the Planning Board determines that one or more of the factors listed below is of greatest importance; provided, however, that if the area of such farmland and/or soils in the aggregate exceeds the open space area, priority for inclusion in open space shall be given to such farmland and/or soils in the order listed above. Open space within a cluster development shall be protected by permanent conservation easements held by the town, a qualified conservation organization or an agency of state government, or such open space shall be deeded to the Town of Weare in fee ownership subject to the restrictions that the Town retain the land as open space for the purposes described in this Article. ~~If open space is to be deeded to the Town or a conservation easement is to be granted to the Town, the applicant is~~

~~encouraged to provide a "Stewardship Fund" contribution of \$10,000 per tract of open space or per conservation easement conveyed. The amount of the contribution may be amended based on timber values or other income producing characteristics of the property.~~ Such ~~common~~ land shall be restricted to *allowed* open space uses. *Agricultural uses allowed in the zoning district containing the cluster development shall be considered allowed open space uses.* Such ~~common~~ land shall have suitable public access.

The design and layout of all cluster developments should protect as open space to the greatest extent possible those portions of the original tract having the highest conservation value. Factors for determining the conservation value shall include but not be limited to:

Wetlands
Riparian corridors
View sheds
Abutting tracts of open space, conservation land, or undeveloped land
Recreational value
Steep slopes
Historical sites and features
~~Prime agricultural soils and/or~~ High productivity forest soils
Important wildlife habitat and wildlife travel corridors
Unique or unusual ecological communities or natural features
Visual impact on the rural character of the town

Open space layouts shall create large contiguous blocks of undeveloped and protected lands and connect to existing conservation or protected lands to the greatest extent practicable.

Amend 30.4.1 to read as follows:

~~Individual lots: The area requirements shown in Table 1-1 Article 14, shall be doubled within the Rural Conservation District. This doubling shall not apply to the minimum lot size requirement in section 14.3. Notwithstanding the minimum lot size requirement of the underlying district, the area requirements of Article 14.2 shall be doubled in the Rural Conservation Overlay (RC) District.~~

Amend 30.4.2 to read as follows:

~~In cluster housing developments, the density requirements in Table 1-1 shall apply. Where cluster developments are proposed in areas which contain prime agricultural soils, such soils shall be preserved as open space to the greatest extent possible the provisions of Article 27 shall apply.~~

Amendment No. 3: Amend Article 3 to add a Right to Farm ordinance.

Amend Article 3 by adding the following section:

3.11 Right to Farm

3.11.1 Purpose: In keeping with the goals of the Weare Master Plan, the value of agricultural activities to the food supply, the economy, the environment and the aesthetic features of the Town of Weare is hereby affirmed. Farming and agriculture shall be protected from any unreasonable limitation imposed by municipal planning and zoning powers. Farms and farming shall be encouraged, protected, promoted and enhanced as set forth in NH RSA 674:32 a-c, which supports the preservation of agricultural lands and buildings. It is intended that these provisions will minimize conflicts and disputes between agricultural and nonagricultural users of land in the town of Weare.

The right to farm is a traditional right of fundamental importance to the town of Weare, to those who are now farming, and to those who may want to farm in the future. The right to farm includes the use of necessary equipment, farm machines, farm labors, application of fertilizers etc. for the purpose of producing agricultural products. The right to farm shall include the right to use land for grazing by animals and raising of livestock and fowl, when conducted in accordance with the Manual of Best Management Practices (BMP) for Agriculture in New Hampshire published by the New Hampshire Department of Agriculture, Markets and Food. Such activities may take place on holidays, Sundays and weekends, night and day. This section shall apply to any agricultural activity allowed in a particular zoning district.

Amend Article 4 by adding a new definition as follows:

Agriculture, including Farm and Farming shall have the meaning set forth in NH RSA 21-34-a.

Amendment No. 4: delete all of Article 34 Sign Ordinance and replace with the following:

ARTICLE 34

34.1 PURPOSE: It is the intent of this Sign Ordinance to support the general provisions of the Weare Master Plan which seeks to preserve the visual New England rural character of Weare while, at the same time, understanding and meeting the need for adequate business identification and advertising.

34.2 DEFINITIONS: Sign shall mean any permanent or temporary display visible from public ways or public property which consists of structures, objects, words, graphics, designs and/or symbols and which is intended to promote a

business activity including the sale of goods and services whether for profit or otherwise. A temporary sign is a sign displayed for sixteen (16) or fewer days in any sixty-day (60) period.

34.3 PERMIT: *A permit from the code enforcement officer shall be obtained before the installation of any sign. The permit number and date of issuance shall be affixed to each sign. Permits are not required for temporary signs.*

34.3.1 *In addition to the permit required by 34.3, the design and placement of all new signs must first obtain the approval of the Planning Board.*

34.4 ILLUMINATION STANDARDS:

34.4.1 *The illumination of any sign shall be from a steady or continuous, non-flashing, shielded white light from exterior light sources only. The sign must be lit from above, and the lighting shall illuminate the sign only, without the light source being visible from any residential dwelling or any roadway. The light source shall be placed as close as practical to the message portion of the sign. No light shall escape above the fixture.*

34.4.2 *Any sign related to a business or profession or to a commodity or service sold or offered for sale may be illuminated only when the business is open.*

34.4.3 *From Dec. 1 to Jan 10 only, holiday displays containing illuminated bulbs or strings of lights that flash or change but do not contain a message are allowed in connection with a sign.*

34.5 LOCATION: *A sign shall be placed in such a way that it is not a source of danger or hindrance to traffic, and is not within a side setback.*

34.6 MAINTENANCE: *All permanent signs are to be constructed of durable materials and be well maintained.*

34.7 REPLACEMENT SIGNS: *When an existing sign is replaced or substantially altered, the new sign shall conform to the provisions of this ordinance.*

34.8 PROPORTIONS: *Where a sign is attached to or part of an independent structure, the sign shall be the predominant visual feature in terms of size, scale, color and other aspects of appearance.*

34.9 PROHIBITED SIGNS: *The following signs are not allowed:*

34.9.1 *Any sign unrelated to a business or a profession conducted, or to a commodity or service sold or offered for sale, on the premises where the sign is*

located. This shall not apply to signs approved by the Planning Board for the purpose of providing location directions.

34.9.2 Any sign erected on or above any part of the roof of a building, including any message or symbol on any roof of a building or design in any roofing material. This prohibition shall not apply to a sign that is mounted on, and is parallel to and does not protrude beyond the edges of a vertical wall.

34.9.3 Any sign attached to a utility pole.

34.9.4 Any sign attached to a tree or rock.

34.9.5 Internally lit and electronic signs, including animated, changing message or electronic moving letter signs, and signs containing reflective and/or phosphorescent surfaces.

34.9.6 Message board signs with movable letters, excluding such signs that do not exceed (6) square feet on each of (2) sides and that are only displayed during business hours.

34.9.7 Signs identifying residential developments other than those signs used during the construction and marketing of a residential project.

34.10 DISTRICT REGULATIONS:

34.10.1 R and RA DISTRICTS

34.10.1.1 In R and RA districts the following signs shall be permitted:

34.10.1.2 A maximum number of one (1) sign, to contain no more than two surfaces, and each surface to contain no more than six (6) square feet, shall be permitted on any one lot containing such business or establishment. The height of such sign shall not exceed five (5) feet from the ground level to the top of the sign.

34.10.1.3 Those uses which are granted a Special Exception by the Zoning Board of Adjustment may have a sign which shall not exceed thirty-two (32) square feet in surface area per side.

34.10.2 VILLAGE DISTRICTS

34.10.2.1 In the Village Districts, the following signs shall be permitted:

34.10.2.2 A maximum number of two (2) signs, each to contain no more than two (2) surfaces, and each surface to contain no more than twelve (12) square feet, shall be permitted on any one lot containing such business or

establishment. The height of such sign shall not exceed ten (10) feet from the ground level to the top of the sign.

34.10.2.3 See Article 34.10.5 for additional restrictions in the Clinton Grove Historical Overlay District and Article 34.10.6 for additional restrictions in the Weare Center Village District.

34.10.3 COMMERCIAL DISTRICT

34.10.3.1 In the Commercial District, the following signs shall be permitted:

34.10.3.2 A maximum number of two (2) signs, the total combined surface area of which shall not exceed sixty-four (64) square feet, shall be permitted on any one lot containing such business or establishment. Additional signs or signs of greater combined area shall be allowed only by Special Exception. The height of such sign shall not exceed fifteen (15) feet from ground level to the top of the sign.

34.10.3.3 Commercial subdivisions and commercial shopping centers may erect, by Special Exception, one (1) additional sign not to exceed one hundred (100) square feet of surface area at the principal or main entrance to said subdivision or shopping center.

34.10.4 INDUSTRIAL DISTRICTS

34.10.4.1 In the Industrial districts, the following signs shall be permitted:

34.10.4.2 A maximum number of two (2) signs, the total combined surface area of which shall not exceed one hundred (100) square feet, shall be permitted on any one lot containing such business or establishment. Additional signs or signs of greater combined area shall be allowed only by Special Exception. The height of such sign shall not exceed fifteen (15) feet from ground level to the top of the sign

34.10.4.3 Subdivisions or parks and commercial shopping centers may erect, by Special Exception, one (1) additional sign not to exceed one hundred (100) feet in surface area at the principal or main entrance.

34.10.5 CLINTON GROVE HISTORICAL OVERLAY DISTRICT

34.10.5.1 In the Clinton Grove Historical Overlay District, the following additional limits and restrictions shall apply to signs:

34.10.5.2 On any one (1) lot there shall be no more than:

a) one (1) sign, the surface area of which shall not exceed twelve (12) square feet per side, and

b) one (1) additional sign, the surface area of which shall not exceed five (5) square feet per side.

34.10.5.3 Any sign shall be stationary, square or rectangular in shape, with a maximum of two (2) sides and shall be constructed of durable natural materials to the greatest extent possible. Any sign shall be of modest design, coloration, and appearance compatible with the purpose and intent of the CGHOD and shall contain no fluorescent, or neon elements. No sign shall exceed eight (8) feet in height from ground level to top of sign. Unlighted historical markers and "circa" sign constructed of wood, brass, or bronze of modest and restrained design and measuring less than three (3) square feet in surface area shall be exempt. Signs not exceeding two (2) square feet in area and customarily associated with residential use such as nameplates, warnings, or land postings shall be exempt.

34.10.6 WEARE CENTER VILLAGE DISTRICT

34.10.6.1 In the Weare Center Village District the following additional limits and restrictions shall apply to signs:

34.10.6.2 Signs shall be designed to the extent reasonably practicable to be consistent with the style and color of certain existing signs in the District. (See attached photographs of the Library, Historic Society, Weare Animal Hospital and Center Woods School). Further, no sign shall exceed six (6) square feet. All freestanding signs may be two sided but shall be low to the ground (no portion exceeding 5 feet above grade). No part of any sign attached to a building may be higher than 10 feet above grade.

34.11 APPLICABILITY: This article does not apply to signs legally in place before the effective date of this article, provided however that all signs conform to articles 34.4.2, 34.4.3 and 34.7.

Delete the definition of SIGNS in Article 4.1 and replace with the following:

SIGN: Shall mean any permanent or temporary display visible from public ways or public property which consists of structures, objects, words, graphics, designs and/or symbols and which is intended to attract the attention of the public. A temporary sign is a sign displayed for sixteen (16) or fewer days in any sixty-day (60) period. All other signs are permanent signs.

Delete all of Article 21 and replace with the following:

Article 21

21.1 SIGNS IN (C) AND (RA) DISTRICTS: See article 34.

Delete Article 22.7 SIGNS and replace with the following:

22.7 SIGNS: See article 34

Delete Articles 24.9, 24.9.1, 24.9.2, 24.9.3 and 24.9.4 and replace with the following:

24.9 SIGNS: See article 34

Delete Articles 25.9, 25.9.1, 25.9.2, 25.9.3 and 25.9.4 and replace with the following:

25.9 SIGNS: See article 34

Delete Articles 30-B.C.6, 30-B.C.6.1 and 30-B.C.6.2 and replace with the following:

30-B.C.6 SIGNS: See article 34

Amendment No. 5: Amend Article 22 to provide frontage requirements in the village districts and to establish standards for development in the Weare Center Village District.

Amend Article 22 to read as follows:

22.4 Permitted Uses:

22.4.1 Single Family dwellings and multifamily housing where it is contained within existing structures or in a new structure where the number of dwelling units does not exceed two (2). New dwelling units of three (3) or more per building (multi-family) will require a special exception.

22.4.2 Light commercial uses such as those listed in Article 24.3.5, except laundromats and dry cleaning facilities. Also permitted are offices, churches, schools, and the office meeting halls and facilities of non-profit institutions.

22.4.2.1 Within the Weare Center Village District, the maximum footprint of new commercial structures (structures not already existing within the Weare Center Village District) shall be 3,000 square feet.

22.4.3 Mixed use of structures for commercial and residential use shall be permitted in the Weare Center Village District.

22.4.4 Agriculture, but excluding the grazing, care or keeping of such livestock as cows, horses, goats, pigs and poultry as a gainful business.

22.5 AREA REQUIREMENTS: The minimum lot size as set forth by the State of New Hampshire Water Supply and Pollution Control Division or other applicable regulatory agency, plus 10,000 square feet; otherwise by Special Exception.

22.5.1 HEIGHT LIMITATIONS. *In the Weare Center Village District, no new structure shall exceed two and one half stories, with a maximum building height of 30 feet, as measured from the average grade on the side of the building facing any public street, otherwise by special exception.*

22.6. YARD REQUIREMENTS

22.6.1. FRONT SETBACKS. Each structure shall be set back at least 25 feet from the front lot line, but not less than the setback of any existing building within two hundred feet of the lot, otherwise by special exception.

22.6.1.1 *In the Weare Center Village District, no building shall be closer to the street than any building on property abutting it on either side, and no farther from the street than the buildings on abutting properties on either side. However, a special exception may be granted if such exception is consistent with the unique architectural and historic character of the Weare Center Village District such determination to be made by the Planning Board.*

22.6.2 Each structure shall be set back at least twenty (20) feet from the side and rear lot lines, except by Special Exception.

22.6.3 All non-residential uses shall provide adequate off-street parking. No parking is permitted within the front setback area or within five (5) feet of the property sideline.

22.6.3.1 *In the Weare Center Village District, the requirements of 22.6.3 may be waived by the Planning Board if the applicant can demonstrate that there is adequate off-site parking available within 500 feet and that the property itself cannot support the required spaces without compromising the character of the Village District.*

22.6.4 FRONTAGE:

22.6.4.1 Clinton Grove: *Each lot in the Clinton Grove Village District shall have a minimum frontage of two hundred and fifty (250) feet.*

22.6.4.2 Riverdale: *Each lot in the Riverdale Village District shall have a minimum frontage of one hundred and fifty (150) feet.*

22.6.4.3 Chase Village: *Each lot in the Chase Village District shall have a minimum frontage of one hundred and fifty (150) feet.*

22.6.4.4 Tavern Village: *Each lot in the Tavern Village District shall have a minimum frontage of one hundred and fifty (150) feet.*

22.6.4.5 North Weare Village: *Each lot in the North Weare Village District shall have a minimum frontage of one hundred and fifty (150) feet.*

22.6.4.6 Weare Center Village: *In the Weare Center Village District, all proposed new lots shall have frontage on a town street or state highway sufficient to provide access for emergency services and public safety as determined by the Planning Board. Road frontage shall be consistent with other properties in the Weare Center Village District, but not less than 50 feet.*

22.7 SIGNS: *See Article 34.*

22.8 NON-PERMITTED USES: Air strips or heliports. *In the Weare Center Village District, drive through facilities shall not be permitted.*

22.9 ARCHITECTURAL DESIGN OF BUILDINGS: Compatible Architectural Styles – The exterior of all new homes and commercial buildings within the Designated Village Districts shall be architecturally compatible with the historic building details of those districts. It is the responsibility of the property owner or their representative to demonstrate to the Planning Board, using Architectural drawings, photos, etc. *how* this will be accomplished. Sides of structures, not directly visible from public roads will be allowed some leniency of these details or style, to be determined by the Planning Board on a case by case basis.

22.9.1. *In the Weare Center Village District, to the extent reasonably practicable, structures built before 1930 shall be preserved and changes of use permitted in preference over the demolition of such structures and their replacement with new structures. When new structures are proposed the Planning Board shall require architectural review by the Planning Board to provide that new structures are compatible with the character, design, materials, size, configuration and color of the existing structures in the Weare Center Village District.*

Amendment No. 6: Amend Article 3 to clarify how the planning board will determine when a project has earned a vested protection from subsequent zoning or other regulatory changes.

Amend Article 3 by adding the following new section:

3.11 SUBSEQUENT AMENDMENTS TO THIS ORDINANCE:

3.11.1 *In approving any application, the Planning Board shall specify the threshold level of work which constitutes “active and substantial development and building” for the purpose of determining the minimum amount of work*

required in order to satisfy the provisions of RSA 674:39 pertaining to protection from subsequent amendments to local land use regulations for a period of four (4) years.

Amendment No. 7: Amend Article 32 to require camouflaging of wireless telecommunications towers and to provide space for Town communications equipment.

Amend Article 32 as follows:

32.7.2 **Color and camouflage.** To the extent that any component of a wireless telecommunications facility extends above the height of the vegetation immediately surrounding it, it shall be a color that blends with the background of surroundings, including guy wires, *and it shall have attached to it artificial branches matching as closely as possible those of surrounding trees or other trees native to the Town. The Board may waive either of these requirements upon demonstration by the applicant that the facility would still meet the performance and design standards set forth in section 32.7.*

Add a new section to Article 32 as follows:

32.11 Town use. *Every carrier shall make available to the Town at no cost the use of its wireless telecommunications facility for communication purposes by essential Town services, such as by the police and fire departments. The town shall be responsible for providing and maintaining the necessary equipment. The carrier shall be responsible for installation and shall provide the Town access to the facility for maintenance purposes, in each case at no cost to the Town.*

Amendment No. 8: Amend Article 28 by adding driveways to the list of excepted construction from the wetland buffer requirements.

Amend Article 28.9.1 to read as follows:

EXCEPTIONS: Buffer distances are not required ~~within the right-of-way~~ for any proposed Class V or higher road ~~or any related Class V road~~ construction and/or maintenance activities. *The buffer distance does not apply to driveway construction in areas contiguous to a NHDES approved wetland dredge and fill permit.* This section does not apply to any forest management or agricultural activity.

Amendment No. 9: Clarify, correct and make minor technical changes to certain sections of the zoning ordinance without changing the intent or effect of the ordinances.

Amend Article 4.1 COMMON DRIVEWAY definition to read **DRIVEWAY,**
COMMON.

Amend Article 14 by deleting 14.2 (3) in order to resolve conflict with Article 27.3.3 having to do with yield requirements in cluster subdivisions.

Delete Article 4.1 Bona Fide Gift definition in its entirety.

IV. MINUTES:

Due to the lateness of the evening, the minutes will be done at a later meeting.

V. OTHER BUSINESS:

NEXT MEETING FOR ZONING PROPOSALS: Chairman Morin stated that the final hearing for the zoning amendments will take place on Thursday, January 10, 2008 at 7:00 PM.

VI. ADJOURNMENT:

As there was no further business to come before, George Malette moved to adjourn at 2:15 AM; Tom Clow seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton
Land Use Coordinator
(minutes were done by being present and notes from Chairman's notes)