

Town of Boscawen, NH

PLANNING BOARD

Boscawen Municipal Complex

MEETING MINUTES – APPROVED

Tuesday, November 10, 2015 at 6:30 PM

Planning Board Members present: Bruce Crawford, Chair; Rhoda Hardy, Doug Hartford, and Roberta Witham.

Planning Board Members absent: Paul Strieby, Vice Chair, Karen Mackenzie and Ex-Officio member, Bernard Davis, Jr.

Planning Board Alternates present: Matt Lampron, Jeff Reardon

Planning Board Ex-Officio Member absent: Roger Sanborn

Others present: Alan Hardy, Planning & Community Development Director, and Kellee Jo Easler, Planning & Community Development Assistant.

The meeting was called to order by Chairman Crawford at 6:32 p.m. Matt Lampron and Jeff Reardon will serve as voting members.

Approval of Minutes

Motion made by Jeff Reardon, second by Roberta Witham, to approve the minutes of the October , 2015 meeting, as amended [Matt Lampron was in attendance]. Motion was approved unanimously.

Alan Hardy announced that Karen Mackenzie had resigned from the Planning Board. The Board accepted her resignation with regret. **Jeff Reardon moved, second by Roberta Witham, to nominate Matt Lampron as a full member of the Planning Board. Motion passed unanimously.** Matt abstained from the vote and accepted the nomination.

New Business

- **Agritourism**

Chairman Crawford recognized John Keegan, Chairman of the Agricultural Commission. Mr. Keegan said that he, Chairman Crawford, and Alan Hardy met with Attorney Jim Raymond on September 16th to discuss the agritourism RSA that does not include the definition of agritourism which allows towns the opportunity to define it. Also, he, Elaine Clow, Bruce Crawford, Alan Hardy, and Kellee Jo Easler attended a Municipal Association training program on Local Regulation of Agriculture on October 14th. Mr. Keegan suggested the town “act sooner rather than later” to define agritourism within the bounds of Boscawen. Chairman Crawford stated that the NH Environment and Agriculture Committee Chairman, Robert Haefner, has legislation that leaves the defining up to the towns. Chairman Crawford will get a copy of the legislation to Mr. Keegan prior to his Agricultural Commission meeting on Thursday night.

John Keegan asked the Board to review the History of Amendments, Article IV, particularly amendments to Use Regulations, Definitions, and Cluster Developments. Changes were made on Flea Markets and Farmers Markets, and in the characterization from Conference Center to Event Center. Chairman Crawford, Alan Hardy and John Keegan reviewed the most likely areas in town identified as “parcel specific exemption”. A listing dated 10/28/15 was provided in the Board packet. The Board suggested changing the footnote numbers to 1 Farmers Market and 2 Flea Market and read as follows:

1. Farmers Market. The following parcels are allowed to host Farmers Markets by right but remain subject to Site Plan Review by the Planning Board or its Technical Review Committee. The parcels are: The Boscawen Congregational Church Park, Jamie Welch Park, Boscawen Elementary School, Town Hall, and the Municipal Office Complex.
2. Flea Market. The following parcels are allowed to host Farmers Markets by right but remain subject to Site Plan Review by the Planning Board or its Technical Review Committee. The parcels are: The Boscawen Congregational Church Park, Jamie Welch Park, Boscawen Elementary School, Town Hall, and the Municipal Office Complex.

The Event Center definition is currently used for Conference Centers. The changes would provide flexibility to local farmers. The Board discussed the benefits of one location over another; i.e., parking, space, etc. Sovereign Grace Church was discussed. Kellee Jo Easler said the church said “no” to agricultural zoning. Chairman Crawford asked that the Church be advised of the changes contemplated and schedule public hearings on the matter.

The Board discussed the definition of “accessory use or accessory structure” that was read by Alan Hardy as follows: “Any use customarily incidental, and of a nature incidental and subordinate to the principal use of structure on the same lot. The accessory structure is not to exceed 144 square feet in size. The subordinate building or portions of the principal building, is customarily incidental to the main building on the same lot or premises and is used primarily by the occupants of the main building”.

Matt Lampron inquired whether there might be some way to address a situation where an accessory structure is in place prior to the principal dwelling. Such a circumstance exists behind Doug Hartford’s home where the accessory structure preceded the principal use structure. Matt Lampron said another definition for accessory building could be “utility structure” and should be allowed across all zoning areas.

Alan Hardy said he would do more research on the matter and will distribute the definition so Board members can tweak.

Rhoda Hardy moved, second by Matt Lampron, to hold a public hearing on the matters addressed. Motion passed unanimously.

- **Ag and Farm Plates**

John Keegan asked for input on the Agriculture Plate versus Farm Plate issue that recently surfaced. According to the Town Clerk, people are claiming to have farm vehicles when they do not. The State

Department of Motor Vehicles has not provided any guidance on how to address the situation. Mr. Keegan is concerned that abuse could result in revisions of the statutes to the detriment of agriculture. In addition, abuse of the RSAs shifts some of the tax burden to others.

Chairman Crawford said that every town handles the matter differently and agriculture plates are a bigger issue than farm plates. Vehicles with agriculture plates are limited to 20 miles from the main entrance of the farm and subjected to minimal inspection. Farm plate registration rates are the same as commercial rates and the money goes to the State. Those vehicles must meet the same safety requirements as commercial vehicles. NH Representative Dan Maguire has proposed legislation that would cure the situation. Town clerks cannot enforce the statutes – it is a police matter. Chairman Crawford felt that the unintended consequence of the discussion may be that people who have an agriculturally registered small tractor or a seldom used truck when hit with a higher registration fee would choose not to register the vehicle at all. John Keegan will discuss the matter at the Agricultural Commission meeting on Thursday night.

The Board reviewed a “Lapse of Approvals” document. **Doug Hartford moved, second by Rhoda Hardy, to schedule a public hearing to incorporate information into the Subdivision and Site Plan regulations. Motion passed unanimously.**

Old Business

- **Cluster Development**

The Board reviewed suggested changes to Article XIV Cluster Development. Chairman Crawford suggested eliminating 14.02 (a) (3). The Chairman also had concerns about 14.02 (b) 4, 5, 6 and 9. It was mentioned that (b) 1 through 9 cannot get waivers and it was agreed to leave the suggested verbiage as is. The Board discussed a number of the proposed changes and agreed to the following:

- 14.03 (b) change the word “structure” to “building” and set the minimum at 50 feet rather than 75 feet.
- 14.03 (d) in the last sentence remove the words “not used” and include “available”.
- 14.03 (f) keep the minimum at 15 feet rather than 25 feet.
- 14.06 (b) remove sections 2 and 3.

Rhoda Hardy moved, second by Doug Hartford, to schedule a public hearing in December on suggested changes to Article XIV. Motion passed unanimously.

- **2016 Proposed Zoning Changes to AR**
- **Cold Brook Gravel/Earth Excavation Application**

In accord with NH RSA 676:4 I (d), (1), the Board continued the public hearing on the subject application until December 8, 2015 at 6:30 p.m.

Chairman Crawford shared a copy of a letter sent from Boscawen resident Bill Murphy to Mr. Greene of the Upper Merrimack River Local Advisory Committee (UMRLAC) on the Wild and Scenic proposal for the upper Merrimack River. Board members read through the letter. **Jeff Reardon moved, second by Rhoda Hardy, that Chairman Crawford meet with Franklin officials to make them aware of the situation. Motion passed unanimously.**

Doug Hartford moved, second by Roberta Witham, to hold a public hearing on amendments. Motion passed unanimously.

Motion to adjourn was made by Doug Hartford and was seconded by Roberta Witham. All Board members approved and the meeting ended at 9:37 p.m.

The next regular meeting of the Planning Board will be held on December 8, 2015 at 6:30 p.m.

Minutes are respectfully submitted by Suzanne Beauchesne