

Town of Jefferson
Office of the Planning Board

Minutes

December 13, 2016

Members present: Chairman Jeff Young; Donna Laurent, Michael Meehan, Gil Finch, Jason Call, alternate; Kevin Meehan, Selectmen’s representative; Charles Muller, Gordon Rebello

Absent:

Others present: Charlene Wheeler, Board secretary; Ken Jacquart, Lauren Jacquart, Linda Cushman

Minutes

Donna Laurent made the motion to approve the minutes of the November 22, 2016 meeting, seconded by Gil Finch. The vote to accept the motion was unanimous.

Hearing – Proposed Revisions to the Land Use Ordinance

Chairman Young opened the hearing and asked for any questions or comments from the public. First to be discussed was the proposal to change Article III, Section 4, the definition of a setback to include the word driveway. Mr. Jacquart said he was curious about the motivation to add driveways to the list. A driveway by its very nature will cross a property line as it joins a road. Kevin Meehan said the Board is trying to make sure there is consistency when approving the placement of driveways. Chairman Young added there are concerns about possible drainage, light, and noise issues impacting an abutter if a driveway is placed close to a property line. A variance can always be applied for from the Zoning Board of Adjustment. Mrs. Cushman said that the NH Department of Transportation determines the placement of driveways on state highways and the town’s road agent recommends the placement of driveways on town roads. Why interfere with this system by now requiring an application for every driveway which crosses a lot boundary which would be required as the setback requirement would state. This would add time and costs to the process. Charles Muller said there had been a lengthy debate about this issue and not complete consensus of Board members. He agreed Mrs. Cushman is correct in saying driveway locations are being determined by other agents. Mr. Jacquart asked if there could be a change in wording to clarify what is being required in the placement of driveways. Gil Finch agreed that as it is now proposed a driveway technically would have to cross a lot boundary and be required to have an entrance 50 feet from any other property line. Jason Call thought perhaps there should be more description of which boundaries are being defined. Kevin Meehan thought perhaps a driveway placement should have its own definition. Jason Call said this proposed change came out of the liberal definition of “structure”. Driveways are constructed but construction can be completed in many different ways. The Board spent a lot of time discussing this. Mrs. Cushman said maybe a driveway should be addressed in the Subdivision Regulations rather than the Land Use Ordinance. Donna Laurent said the citizens can vote on the proposed change to the Land Use Ordinance at town meeting

but Mrs. Cushman responded by saying there is no discussion possible about the issue as it is required to be on a written ballot to be voted on through the entire time polls are open. Chairman Young said the Board just wanted to make sure that everyone was being treated fairly in its requirements. Gordon Rebello added that anyone can apply for a variance. Mrs. Cushman said driveway locations should be on subdivision plans. Gil Finch said it wasn't the intent of the Board for everyone to go through an application process. Maybe we need to revisit that. There being no other questions or comments Chairman Young moved on to the second proposed change to the Land Use Ordinance. A new Article XI is being proposed be added to the Land Use Ordinance to address a new state RSA 674 71-73, due to go into effect on June 1, 2017, allowing accessory dwelling units. An accessory dwelling unit would be allowed by the town in Article III, Section 2A as a special exception and an application would have to made to the Zoning Board of Adjustment for approval before a building permit is granted. Mr. Jacquart said he thought it was a great idea and would be good for the town. Kevin Meehan said this gives the town a process to address the new state law. It also allows the town to consider this as workforce housing. Mrs. Cushman asked what modifications where added as allowed in the state's RSA and those items where outlined. There being no further questions or comments Chairman Young closed the public portion of the hearing. Mrs. Cushman, Mr. and Mrs. Jacquart all thanked the Board and left the meeting.

The Board began discussions taking into consideration the public comments they had heard. Gordon Rebello made the motion to remove from the warrant the proposed change to Article III, Section 4, pertaining to driveways, seconded by Donna Laurent. Other Board members asked for further discussion before a vote. Michael Meehan asked what the deadline was for holding another hearing if needed and was told February 6, 2017 which would give the Board plenty of time to make any changes. Kevin Meehan said this proposed change originated with the Selectmen. Further discussion followed which covered the same issues brought up in previous meetings as well as the issues brought up during the public hearing. A vote was finally taken with Mr. Rebello's motion being accepted unanimously.

The Board then addressed the proposed new Article XI and the change to Article III, Section 2A. Gordon Rebello made the motion these proposals be put on the town warrant, seconded by Michael Meehan. The vote to accept the motion was unanimous.

Board members agreed that the driveway issue would still somehow needed to be addressed and further discussions should take place and be placed on the agenda for future meetings.

Communications

The Board secretary said she had contacted Burr Phillips of Civil Solutions LLC in Bartlett, NH to inquire if he would be available to act as an agent for the Board when engineering and environmental issues come before the Board in a subdivision application. He said he prefers to work directly with the applicant after seeing the proposal. His fee would be based on the complexity of the project and the hours involved and he wants the fee paid before he starts the job. The applicant is responsible for any agent fees. Charles

Muller said he had known and worked with Mr. Phillips for a number of years. He felt Mr. Phillips is an excellent candidate for the position. Donna Laurent made the motion the Board retains the services of Mr. Phillips to act as an agent for the Board on a as needed basis, seconded by Jason Call. The vote to accept the motion was unanimous.

A letter from Eversource has been received stating that installation of utilities on Brody's Lane in the Lieberum subdivision has finally been completed. This closes the Lieberum subdivision application and the letter of credit on file will expire and not be required to be renewed.

Copies of Selectmen's minutes were circulated.

The November/December issue of *Town and City* was circulated.

Unfinished Business

The Board is not meeting on December 27 and notices will be posted to that effect. The Board's next meeting is scheduled for January 10, 2017. Three potential hearings may be on the agenda if the applications are received in time.

Michael Meehan made a motion to adjourn the meeting, seconded by Gil Finch. The meeting was adjourned at 8:25 p.m.

Charlene Wheeler
Secretary to the Board