

Work Session October 29, 2020

At 6:30 PM, Charles Moreno, as Chair of the Planning Board of the Town of Strafford, opened the meeting by stating that he finds that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, continued in Executive Order 2020-10, this public body is authorized to meet electronically.

The Chair then made the following announcements: Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I (the Chair) am confirming that we (the Planning Board) are:

- a) providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means. We are using the Google Meet platform for this public meeting. All members of the Planning Board are able to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing +1 650 667-2909 (PIN:108586280) and using the assigned meeting code or by clicking on the website address: meet.google.com/pcz-ojuq-tvg
- b) providing public notice of the necessary information for accessing this meeting. We previously gave notice to the public of the necessary information for accessing this meeting, including how to access the meeting via Google Meet or telephonically. Instructions were posted on the website of the Town of Strafford at www.trafford.nh.gov.
- c) providing a mechanism for the public to alert the public body during the meeting if there are problems with public access: If anybody has a problem they were directed to call or email eevans.trafford.nh@gmail.com.
- d) adjourning the meeting if the public is unable to access the meeting: In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Charles Moreno opened the work session at 6:32 PM. Members present were Charles Moreno, Chair, Phil Auger, Terry Hyland, ex-officio member Brian Monahan, and Don Clifford and Donald Coker, Alternate Members. The Chairman began by reviewing the changes that the Planning Board would like to propose for the Policy on Class VI roads; incorporating some ideas from the Candia town policy. The Chairman filled in Mr. Monahan on the project, and he said that he likes the update. Charles Moreno said that he wants to add a statement that the Class VI road shall remain open for unimpeded public access; it was suggested that this might fall under the improvements section. Discussion turned to OHRVs, etc. and Board members agreed that they are covered by the statutes; there was some discussion of the proposed wording "unless there are other restrictions that shall apply" and whether this would provide adequate guidance. Regarding road improvement standards, it was noted that the policy states that the subdivision regulations typical section will apply. 4 (b) is the set of minimum standards if the standards in the subdivision regulations are specifically waived. Mr. Moreno noted that the specifications should reference "turn-out" rather than turn-around to avoid confusion. Terry Hyland noted that it would be wise to clarify the frontage required for the 800 foot proposal. Brian Monahan advised that he wanted to be sure that the reference to the Road Agent is worded so that it is clear that the Board of Selectmen retains the authority for approvals.

Board members reviewed four ideas suggested at the October 22nd work session that had not yet been incorporated into the draft: putting a stop sign at the end of the Class VI section at the intersection with the Class V road; stating that the driveway shall be constructed in such a way that emergency vehicles can turn around; adding a time limit, and finally stating that improvements must be completed to the satisfaction of the Road Agent prior to the issuance of a building permit for a home. Mr. Auger worked on

contemporaneously editing the proposal, incorporating the various suggestions. Finally, it was noted that the Candia policy covers both Class VI and private roads. It was agreed that Strafford should have a policy that also applies to private roads, although there will be some items in the Class VI policy that may not properly apply to both. Board members will review the final draft of the proposed policy update with this in mind.

Board members then turned to the proposed revisions to the non-conforming use ordinance intended to clarify the ordinance. A new paragraph #9 was suggested as follows:

9. The discontinuance of one year shall void any vested rights to continue the non-conforming use, including the siting of a non-conforming structure. Normal, seasonal cessation of a use, or a temporary discontinuance for purposes of maintenance, rebuilding after damage or destruction, or for maintenance or improvements permitted under this Article, or the active marketing of a property, shall not be included in calculating the period of discontinuance.

Board members then turned to the ordinances from Newtown, suggested by Atty. Roman as a possible model for requiring preliminary review of major projects. It was noted that Strafford already has both regulations detailing preliminary review (although these would need to be amended if the ordinance was passed so that the wording is consistent between zoning and the regulations) and Non-Residential Site Plan Regulations, so the wording would need to be a bit different. Board members agreed to propose the following:

Article 1.18 Preliminary Subdivision Review As authorized under NH RSA 674:35 I, the Planning Board requires preliminary conceptual consultation as detailed in Paragraph 2.5.8 A of the Subdivision Regulations for major subdivisions.

Article 1.19 Preliminary Site Plan Review As authorized under NH RSA 674:43, the Planning Board requires preliminary conceptual consultation as detailed in Paragraph 2.5.8 A of the Subdivision Regulations by reference from Article 3.2.1 of the Non-Residential Site Plan Regulations for site plans for the development or change or expansion of use of tracts for nonresidential uses, for business, commercial or industrial use, or for multi-family dwelling units.

Board members next turned to the question of how to define “structure” noting that the following wording also found in the Newtown ordinances:

STRUCTURE: Anything constructed or erected, the use of which demands its permanent location on the land, or anything attached to something permanently located on the land.

Board members agreed that this definition expresses the Board’s sense that structures should be defined by whether or not something is permanent. It was agreed to add this to the wording already suggested. Discussion then turned to the question of where and how to make it clear that temporary structures, even if they do not require a building permit, must still meet setback requirements. Suggestions include adding the following language into the definition of structure or adding it to Article 1.3.6: Temporary structures that do not require building permits shall conform to all other requirements of this ordinance.

It was agreed to continue discussion to the next work session, to be held after the conclusion of formal business at the November 5th meeting. Board members will look over the proposed Class VI (and perhaps Private Road) policy updates, as well as working on how and where to define structures other than permanent structures (all other...temporary...). Finally, Board members will take a look at the proposals for updating the requirements for septic disposal systems.

There being no further business before the Board this evening, Donald Coker moved to adjourn the meeting: Brian Monahan seconded the motion, there was no further discussion, and the meeting adjourned at 8:15 PM.

