

Approved

January 12 , 2005 Mason Planning Board

In attendance: Mark McDonald (chair), Joe McGuire (alternate), Dotsie Millbrandt,
Linda Cotter-Cranston (alternate), Bruce Mann

Absent: Meredith Cooper (SWRPC), Pam Lassen, Chris Guiry (ex-o)

Call to order: 7:40 pm

Old Business: None

New Business: Public hearings on proposed zoning amendments

Petitioned Amendment to the Zoning Ordinance: Back Lots

Petitioned Amendment reads:

Amend Article V, Section B, Sub-Section 4, to read:

4. Frontage and Lot Area. The minimum frontage for a conventional lot shall be 250 feet on a Class V highway or better and the minimum lot area shall be 132,000 square feet per dwelling unit. The minimum frontage for a back lot shall be 30 feet on a Class V highway or better and the minimum lot area shall be 5 acres per dwelling unit.

Teri Parker, one of the signers, stated she is proposing this so that she can subdivide her 20 acres for her two children.

Public comments:

Harvey Jodoin would like to see frontage extended to 500' instead. Cites housing density, closeness of septic systems and wells.

Garth Fletcher presented a written argument, and showed a subdivision plan from Groton, MA, from the 1980's that showed "how a good engineering firm can take the law and come up with a plan that no one had ever intended." The exhibited plan showed numerous long driveways. He asks, does the petition proposal answer a valid community need. He presents the argument that there is sufficient undeveloped existing road frontage available for development that could triple the number of homes in Mason without a back lot zoning provision. He states that no decrease in frontage requirement is needed to accommodate normal growth. Further, Garth points out that the existing zoning ordinance and subdivision regulations do allow development of back lands, by building a road. Garth also presents arguments challenging the safety of long private driveways.

Shaun Jodoin expresses concern about a new influx of population, and how they will vote, and how the character of the town will change.

Diane Knisley, a realtor, stated that her clients come to her and want to be able to subdivide more easily.

Bruce Mann states that the wording "back lot" is misleading. He would like the words "back lot" removed.

Shaun Jodoin explained that the intent was that there should be a front lot with the back lot, such as a lot with 280' frontage. Teri Parker confirmed that the petitioners had thought they were proposing back lots in conjunction with front lots. Their intent was not a series of adjacent lots each with 30' frontage.

Dave Parker would be willing to provide clearer wording, but can not do that tonight during the meeting. The board says that only editing changes can be made to the amendment. Dave says it should go as is for voting.

Pat Letourneau says the Mason Grapevine will present both sides of this issue.

Bruce again proposes a clarification: "The minimum frontage for a conventional lot shall be 250 feet on a Class V highway or better and the minimum lot area shall be 132,000 square feet per dwelling unit. When the minimum frontage for a lot is between 30' and 250' on a Class V highway or better, the minimum lot area shall be 5 acres per dwelling unit." Bruce makes a motion, Joe seconds the motion.

Dave and Teri Parker agree to the wording change. They will work on a better description for next year. Mark will look into whether the amendment can be withdrawn. If it can't be withdrawn, it will appear on the town ballot.

Voting on the editing change: In favor: Bruce, Mark, Joe, Linda, Dotsie.

Proposed petitioned amendment, as edited:

Amend Article V, Section B, Sub-Section 4, to read:

4. Frontage and Lot Area. The minimum frontage for a conventional lot shall be 250 feet on a Class V highway or better and the minimum lot area shall be 132,000 square feet per dwelling unit. When the minimum frontage for a lot is between 30' and 250' on a Class V highway or better, the minimum lot area shall be 5 acres per dwelling unit.

[Correction to minutes, as recalled by the members on 1/26/2005.

RSA 675:4 says the town warrant must indicate whether the Planning Board approves or disapproves of the petitioned amendment. Mark makes a motion to go around the table and ask each member whether they approved or disapproved of the petitioned amendment. Joe seconds. Bruce – disapprove. Mark – disapprove. Joe – disapprove. Linda – disapprove. Dotsie – does not remember discussion.]

Amendment to the Zoning Ordinance: Wetlands

The board wishes to change the Mason Planning Ordinance Wetlands section to be in compliance with the New Hampshire state definition of wetlands.

Liz Fletcher asks about Section 2, Delineation of Wetlands. It requires a state certified soil or wetland scientist to determine where wetlands are. This is a vital thing to do for a major project

such as a subdivision, but seem unnecessarily strict for minor projects such as a homeowner expanded their lawn. Would this change require the homeowner to hire an engineer?

Discussion ensues concerning how to determine "the edge of wetness".

Dotsie makes a motion to append to the end the section entitled Delineation Of Wetlands, "A certified soil or wetlands scientist determination is not required for minimum impact projects unless they are part of a subdivision." Bruce seconds the motion. Voting to approve the amendment: Bruce, Mark, Joe, Linda, Dotsie.

Vote of the board to present this amendment, as amended, for inclusion in the Warrant for the Town Meeting on March 8, 2005. Approve: Bruce, Mark, Joe, Linda, Dotsie.

Now the board will consider whether it approves or disapproves of the zoning amendment, as amended. Approve: Bruce, Mark, Joe, Linda, Dotsie.

Amendment to the Zoning Ordinance: Personal Wireless Service Facilities

Al Greenwood asks what is the intent is, what is this intended to regulate. Joe reads the definition of personal wireless service facility.

Dotsie points out that the numbering scheme for does not go with the Mason Planning Ordinance. Joe will synchronize the numbers in the new proposal with the Mason Planning Ordinance.

Dotsie makes a motion to withdraw this amendment in its entirety for this year. Bruce seconds. Voting in affirmative: Dotsie, Bruce. Voting in the negative: Mark, Joe, Linda. The motion does not carry.

Mark makes a motion to swap out the tower ordinance that was published, and substitute a more detailed proposal. Joe seconds. Voting in the affirmative: Mark, Joe, Linda. Voting in the negative: Dotsie. Abstaining: Bruce. Because this is a substantial change from the posted ordinance, a second public hearing will be required.

Al Greenwood and Dick Wilborg suggest that the Applicability section should be amended to state that "facilities used exclusively for licensed amateur radio operation are exempt from this article".

Joe makes a motion that we amend the Applicability section to state that "facilities used exclusively for licensed amateur radio operation are exempt from this article". Mark seconds. Voting in the affirmative: Mark, Joe, Linda, Dotsie. Abstaining: Bruce.

A hearing on amending the Town of Mason Planning Ordinance to include a section entitled "Personal Wireless Service Facilities" will be held on January 26, 2005.

Adjourn: Mark makes motion to adjourn at 10:25. Seconded. Approved