

TOWN OF ALTON ZONING AMENDMENT COMMITTEE

Approved Minutes
September 13, 2016

Members Present:

Paul Monzione, Chair
Tim Morgan
Scott Williams
Tom Hoopes

Others Present:

Nic Strong, Town Planner
Traci Cameron, Planning Secretary
John Dever, III, Code Official

CALL TO ORDER

Paul Monzione called the meeting to order at 6:07 pm

APPROVAL OF AGENDA

**Scott Williams moved to approve the agenda as presented.
Tom Hoopes seconded the motion and it PASSED unanimously.**

CONTINUED BUSINESS

1. Continue reviewing Alton Zoning Ordinance, Working Draft 4.19.16 and proposed amendments to the Accessory Apartment, Personal Wireless Service Facilities and Sign Ordinance sections in particular

Paul Monzione explained that at the last meeting, only himself and Lou LaCourse had been present, along with Nic Strong, John Dever, III, and Traci Cameron so no decisions could be finalized. He noted that the Accessory Apartment proposed amendment had been discussed in detail and it would be a good idea for the committee to review that discussion.

Nic Strong noted that to assist in this effort she had taken the Accessory Apartment section from the Zoning Ordinance, made the changes as discussed at the last meeting and prepared a separate handout for the committee this evening.

Paul Monzione stated that the first item to note was the change from "Accessory Apartment" to "Accessory Dwelling Unit". He noted that this avoided confusion by keeping the Town's language in line with the statutory language that was driving this Zoning Ordinance amendment.

Tom Hoopes expressed concern that the Accessory Dwelling Units may end up being used for short term rentals which was not the intent. The committee noted that even if language could be added to the ordinance to address the matter it would be a policing and enforcement nightmare. Paul

Monziona thought that if there started to be problems with quick turnover of rentals the neighbors would likely complain and the Code Official would be able to act. He and John Dever, III, also noted that the definition of Accessory Dwelling Unit did not support their use as short term rental units. John Dever, III, suggested that the opening comments from the senate bill regarding the purpose of the statute could be incorporated into the ordinance. Tom Hoopes suggested that ZAC and the Planning Board be prepared for the public hearings on this amendment because the owners of Lakeshore Residential property would likely be very concerned with the proposal. He noted that the extra traffic that could be created on very narrow and not necessarily well maintained roads in this district could create issues.

The committee reviewed the proposed changes to the Accessory Apartment and Dwelling Unit definitions, as follows:

Accessory Dwelling Unit – A separate, independent, accessory and subordinate dwelling unit either located within an accessory structure on the same property as the primary single family dwelling or within or attached to the primary single family dwelling itself. Examples include an apartment over a garage, a basement apartment or an extension to the existing house. An Accessory Dwelling Unit shall not be permitted on any lot with more than one existing dwelling unit.

Deleted: Apartment

Dwelling Unit - One room or group of rooms, constituting a separate independent housekeeping establishment for owner occupancy, rental, or lease; located within a dwelling structure and physically separated from any other dwelling unit which may be in the same dwelling structure, forming a single habitable dwelling unit with facilities used or intended to be used by a single family for living, sleeping, sanitation, cooking, and eating.

The committee agreed with the proposed changes to the definitions.

Paul Monziona next noted that the Table of Uses would be updated to include allowing Accessory Dwelling Units in the Lakeshore Residential District by Special Exception, as follows:

TABLE OF USES

	Residential Uses	R	LR	RC	RR	RU	RS	Notes
3.	Accessory <u>Dwelling Unit</u>	Y	<u>E</u>	Y	Y	Y	N	Refer to Section 319

Deleted: Apartment

Deleted: N

John Dever, III, noted that he had been thinking about this since the last meeting and suggested that in order to maintain tight control on uses in the Lakeshore Residential District, which had always been the Town's intent, he would propose restricting Accessory Dwelling Units from being allowed in detached structures and only allow them within or attached to the single family dwelling on the property. He noted that the statute provided that Towns can decide whether or not to allow Accessory Dwelling Units in detached structures; it was not required by law. The committee agreed with this suggestion and discussion took place regarding how to add this to the proposed amendment. It was determined to include this provision in Section 319, B. 4., along with the requirement for a Special Exception in this district.

Tom Hoopes wondered if there was a minimum size that someone could propose for an Accessory Dwelling Unit. John Dever, III, stated that the building code governed the size requirements for dwelling units.

Scott Williams asked about septic requirements and it was noted that Section 9 dealt with that issue. Some discussion took place regarding newer technologies for septic disposal, gray water recycling and so on.

Nic Strong noted that the Special Exception criteria were contained in the general Special Exception section of the Zoning Ordinance, Section 520. She pointed out, however, that district-specific Special Exception criteria were contained in Section 413 of the Zoning Ordinance for the uses that currently required Special Exceptions, namely, lodging house, bed and breakfast, recreation camps, seasonal cabins, water extraction sites and facilities. She noted that the restrictions contained in Section 413 effectively prevented Accessory Dwelling Units from being allowed in many, if not most, of the lots in the Lakeshore Residential District. For example, Section 413 requires:

- A. Minimum lot size of ten (10) acres.
- B. Minimum fifty (50) feet setback from any lot line.
- C. Total density shall not exceed one (1) dwelling unit per acre. (A dwelling unit is defined as a single cabin or bedroom in a bed and breakfast, lodging or guest house facility.)
- D. The site must be located on a Town approved road.
- E. Parking areas and lighting shall be buffered in such a way as not to adversely impact abutting properties.

Nic Strong was concerned that these additional criteria for Special Exceptions could be seen as not really allowing Accessory Dwelling Units in the Lakeshore Residential District. Paul Monzione noted that the law on Accessory Dwelling Units stated that towns cannot impose additional restrictions on them other than what is currently imposed on single family dwellings in the district. He stated that the criteria already existed and the new statute permitted the Town to continue to impose the same criteria as for the structures that are currently in existence. He stated that the question then became were any of the Special Exception criteria in violation of any of the statutory requirements. Paul Monzione asked if the criteria were so restrictive that they would basically eliminate having an Accessory Dwelling Unit in the Lakeshore Residential District. He thought that as long as there were lots available in the district on which the units could be built, then the restriction had not eliminated the possibility of constructing an Accessory Dwelling Unit. He went on to say that each residential district in town would probably have lots with restrictions that would prevent someone from having an Accessory Dwelling Unit. Paul Monzione thought that he was hearing that all the lots in the Lakeshore Residential District were being eliminated by having to meet these criteria and the Town could be in violation of the statute because there was a residential zone where an Accessory Dwelling Unit could not be constructed. Nic Strong stated that might be the case but what she was saying was that the statute provided that "One accessory dwelling unit shall be allowed without additional requirements for lot size, frontage, space limitations or other

controls beyond what would be required for a single family dwelling unit without an accessory dwelling unit. The municipality is not required to allow more than one accessory dwelling unit for any single family dwelling." She noted the ordinance currently states that an accessory apartment shall not be considered to be an additional dwelling unit for the purposes of determining minimum lot size and density. The Lakeshore Residential requirement for minimum lot size for single family dwellings is 30,000 s.f. Having a restriction of ten acres to add an Accessory Dwelling Unit on the property would seem to violate the statute that says Accessory Dwelling Units shall be allowed without additional requirements for lot size.

John Dever, III, thought that the statute would render the conditions in Section 413 moot because of that statutory restriction. Nic Strong asked if Section 520 could be used with just the standard Special Exception criteria for consideration of an application for an Accessory Dwelling Unit and not use Section 413 criteria at all for such applications. John Dever, III, suggested adding in Section 319 that Accessory Dwelling Units in the Lakeshore Residential District were not subject to the conditions of Section 413. Nic Strong stated that she was suggesting that but thought that it should be referenced in Section 413 as well, if the committee agreed that the criteria in Section 520 covered enough to ask of an application for an Accessory Dwelling Unit in the district. Paul Monziona noted that he was not sure that the additional criteria in Section 413 did impose additional restrictions. Nic Strong pointed out that the Town was not allowed to require that the lot size has to be bigger for a single family with an Accessory Dwelling Unit versus a single family. She noted that if the district allowed a minimum lot size of 30,000 s.f. for a single family dwelling in the Lakeshore Residential District but the Special Exception criteria would be made to apply to Accessory Dwelling Units and they required a minimum lot size of 10 acres, it would appear that there was an additional restriction being placed on an Accessory Dwelling Unit that was not being placed on a single family. Paul Monziona stated that an argument could be made that the Town was not violating the statute because under the provision within that same statute it says the Town could not impose any additional criteria that aren't already being imposed in that zone for a dwelling unit. He stated the Town was not imposing any additional criteria for Accessory Dwelling Units in that zone that the Town doesn't already have. By imposing the Special Exception criteria the Town was imposing additional criteria but they already were imposed. Nic Strong pointed out that they were not imposed on single family dwellings. Paul Monziona acknowledged that single family dwellings could be built without Special Exception. He noted that the only way around this was to include in Section 319 language that states the criteria for Special Exceptions set forth in Section 413 shall not apply.

Paul Monziona thought the Town could run into trouble that someone could argue that lot size restrictions were being imposed because of the Special Exception criteria that could be viewed as a backdoor way of restricting Accessory Dwelling Units in the Lakeshore Residential District. The best way to avoid a challenge to the Town's requirements was to state in Section 319 that the Special Exception criteria set forth in Section 413 shall not apply to a Special Exception for an Accessory Dwelling Unit in the Lakeshore Residential District. He suggested this be added to the same section that required a Special Exception for Accessory Dwelling Units in the Lakeshore Residential District.

Paul Monziona thought that it was a great idea to amend Section 413 to include the fact that the additional criteria do not apply to a Special Exception for an Accessory Dwelling Unit because it

was clear and consistent. He noted that it would be one more warrant article to take to the voters in March.

Tim Morgan suggested that the changes suggested in 319 with regard to the Special Exception requirement and the mention of Section 413 would be better done by adding that as a separate paragraph rather than including it within an existing numbered paragraph. Nic Strong suggested that it be made #5 and the rest of the section be renumbered accordingly. The committee agreed.

John Dever, III, noted that existing Section 319 B. 6. b. included a requirement that an Accessory Dwelling Unit shall in no case exceed 35% of the finished floor space of the principal dwelling unit. He pointed out that it was possible that a smaller principal dwelling unit could effectively require an Accessory Dwelling Unit of less than 750 s.f. which the statute prohibited. Nic Strong pointed out that she had added Section 319 B. 6. d. which said "in no case shall the Town of Alton require that an Accessory Dwelling Unit be less than 750 s.f."

Taking a look at existing Sections 319 B. 6. b. and c., Paul Monziona suggested rewording the sections to remove the words "in no case" and begin each section with the words "shall not" and to leave the words "in no case" only in the new section d. for impact and clarity. The committee agreed.

Tom Hoopes moved to take the proposed amendment to Section 319 including, definitions, Table of Uses and the new language in Section 319, B. 5. and 6. as discussed and presented this evening to be drafted for final review at the next meeting, to the Planning Board as the Zoning Amendment Committee's recommendation for Zoning Ordinance.

Scott Williams seconded the motion and it PASSED unanimously.

The committee discussed the proposed amendment to Section 413 and where the wording would be placed to exclude Accessory Dwelling Units from the additional Special Exception criteria found there. Nic Strong suggested adding "F. These additional criteria shall not apply to Accessory Dwelling Units.". The committee agreed. Paul Monziona suggested that it should say Special Exception for Accessory Dwelling Units for consistency.

Scott Williams moved to take the amendment to Section 413 to add Section F. "These additional criteria shall not apply to a Special Exception for Accessory Dwelling Units.", to the Planning Board as the Zoning Amendment Committee's recommendation for Zoning Ordinance amendment.

Tom Hoopes seconded the motion and it PASSED unanimously.

Paul Monziona stated that the committee reserved the right to determine how the amendments would actually be presented as warrant articles and would discuss with the Planning Board how to group articles together on the ballot.

The committee moved on to discuss Section 603 Personal Wireless Services Facilities. Paul Monziona noted that this had not been discussed at the last ZAC meeting. Nic Strong stated that the State statute changed in 2013 and there were some amendments to how colocations are handled and

the difference between modifications and substantial modifications. The proposed amendment brings the Town's ordinance into compliance with federal and state law. Discussion took place about including in the ordinance a blanket statement that would allow federal changes to automatically be updated in the Town's ordinance. The concern was that the housekeeping type updates to things like definitions take up space on the town ballot. John Dever, III, noted that since the statute changed in 2013, the Town's ordinance had been in violation of the state law. Paul Monziona wondered if language could be added to the ordinance that stated that the Zoning regulation may be amended to comply with changes in the Federal statute from time to time. He noted that the downside was that if the Town was able to choose whether or how to enact what was amended, that right would be lost with a blanket statement that automatically followed the change to the Federal law. It was determined that including the words "as amended" after State statutory references was a good idea but still required the Town to amend the ordinance to stay current because the definitions were listed in detail, for example. It was also noted that the Federal Telecommunications Act should not be referenced because it was huge and cumbersome and may refer to things that the Town did not need or want to be included in the Zoning Ordinance. The committee determined not to include language regarding automatic update to federal law at this time.

Tim Morgan proposed a vote of confidence in the amendments presented in Section 603 so far by Town Planner Nic Strong and suggested that the committee focus on the items that she had called out as needing discussion or decision making. The committee agreed.

In the definition of Amateur Radio; Receive-Only Antennas, Nic Strong noted that the committee needed to determine the height of a tower that would be allowed without needing any review. The height that would be included in this section would not prohibit amateur radio but anything over the height to be included would require review under the ordinance. The committee noted that ham radio was not as popular as it used to be but there were still towers around and that they perform an important function. The committee determined that 70 feet made sense in light of the Town's terrain.

In Section 603 D.1. Nic Strong suggested deleting the details about conducting crane or balloon tests because that would be better served by having the requirements in the Site Plan Review Regulations. The committee agreed. Included in that section was reference to sending notice of an application for a PWSF to towns and cities and the local RPC which would also be better detailed in the Site Plan Review Regulations. The committee agreed.

Also in Section 603 D. Nic Strong suggested completely deleting existing section 3 because the State law changes do not permit towns to ask for proof of investigation of different sites or existing structures. The committee agreed.

In Section 603 E. 1. Nic Strong proposed an amendment to this section to specify when applications are required to go for Site Plan Review and when they are subject to building permits only. The committee agreed. Paul Monziona noted that the rationale for these changes needed to be provided to the voters to explain why the changes were proposed.

Section 603 F. 1. d. included reference to a numbered definition that was no longer going to be that number due to many new definitions being added. Nic Strong suggested referring to the overall

Definitions section rather than a specific numbered definition. The committee agreed, noting that the definitions were included in alphabetical order and could be easily found.

In Section 603 G. 8. Antenna Types, and G. 9. Ground and Roof Mounts, Nic Strong pointed out that she had added the words "The Town of Alton's preference is that..." instead of mandating the type of equipment that would be required for antenna types. She noted that the changes to statute prohibited the Town from requiring certain things but at least the ordinance would continue to state the Town's preference and some applicants may go along with it and some may not. Paul Monzione noted that this was more of a suggestion of a preference rather than imposing a requirement. Nic Strong noted that this was a little strange to see in zoning but rather than taking the language out completely it kept the Town's preference in there. The committee agreed.

Nic Strong noted that in Section 603 G. 12. the Town could no longer impose monitoring or compliance measures with regard to RF emissions so the language would change to require compliance with FCC guidelines but not to have to provide a written report. The committee agreed.

Section 603 H. 3. was proposed to be deleted since the Town was not able to impose monitoring requirements. Section 603 I. 1. was proposed to be deleted since this requirement had not been happening anyway and was not allowed under statute. Additionally, Nic Strong noted that the section was entitled Abandonment or Discontinuation of Use but there had been no details regarding Abandonment so she proposed a new section 1. that would include those things. The committee agreed.

Nic Strong noted that Section 603 K. was all new and provided the means to determine a bond amount for PWSFs, along with a requirement for regular updating of the numbers, and how the security would be released in the event the PWSF was removed. She also noted that proof of insurance coverage was also required. The committee was concerned that the insurance language was not specific enough and did not require a certain amount of coverage, only adequate coverage. It was noted that the amount of insurance would depend on many factors, including how far the tower was from the road, how many people would be likely to get close to the tower, what it could fall on if there was an accident. It was further noted that the language included that the Planning Board would require proof of adequate insurance. Scott Williams thought that the Town should ask Primex to help determine this. Paul Monzione thought that the Planning Board could ask for proof of adequate insurance and then have an outside expert on the subject review their insurance coverage. Tim Morgan noted that the description of bonding and security was very clear and detailed and suggested that the sentence or paragraph on insurance should be moved out of the middle of the paragraph on bonding and security so it would be easier to read.

John Dever, III, asked about proof of regularly scheduled maintenance when an existing tower was up and running. He thought it best handled in the Site Plan Review Regulations but wanted to make sure that it was dealt with. He thought it should be included as a condition of approval for any PWSF.

Tom Hoopes moved to forward the Personal Wireless Service Facilities amendments as discussed and amended at this meeting to the Planning Board as the Zoning Amendment Committee's recommendation for Zoning Ordinance Amendment.

Scott Williams seconded the motion and it PASSED unanimously.

With regard to the amendments to Section 340, Sign Regulations, Nic Strong noted that she had made a first attempt to amend this section in light of the recent Supreme Court Case and suggested that the committee read it for the next meeting. Tim Morgan asked about one statement in the section that "franchise architecture is considered excess signage" and asked what that meant. Nic Strong stated that meant that if the building itself was clearly identifiable as the business or brand, the structure itself could be considered signage. She noted as a brief overview that she had followed the court case and the associated suggestions that had been circulated in articles and reviews and the three major things were to have a strong purpose statement closely linked to goals and objectives from the Master Plan; to include a substitution clause that would allow non-commercial copy to be placed on any commercial sign location; and have a severability clause specifically for the sign regulation in addition to a blanket one for the zoning ordinance itself. Nic Strong noted that she had reworked the rest of the ordinance regarding temporary signs in different districts, what was already included in the sign regulation for the different districts and so on and the committee needed to review it to see what they thought.

Scott Williams moved to defer discussion of the Sign Regulations to the next ZAC meeting. Tom Hoopes seconded the motion and it PASSED unanimously.

2. Discussion regarding substantive housekeeping items/definitions and how they may be grouped in warrant articles on 2017 ballot

Nic Strong noted that at the last meeting she had distributed a breakdown of various amendments: things that could be done as housekeeping items without the need for ballot vote; things the ZAC had already discussed and that will not be proposed this year or need no action; things that have been discussed at ZAC, agreed upon, and will need ballot vote; things that ZAC has discussed and needs to discuss further; items that have not yet been discussed at ZAC and would need ballot vote; the separate substantive sections that the ZAC has already been going through like Accessory Dwelling Units, Personal Wireless Service Facilities, Signs and so on; and the Table of Uses. She noted that some of the things in these lists may be grouped together into articles. Nic Strong noted that the big things to talk about at the next meeting were the Sign Regulations, and the substantive discussion pieces from the breakdown packets.

3. Research regarding lots in town bisected by zoning district lines

Paul Monziona noted that at the last meeting this had been discussed. He noted that Nic Strong had researched this matter and found out that in 1970 the Zoning Ordinance included Section 212, Lots in Two or More Zoning Districts: "Where the boundary line of a zoning district divides a lot in single or joint ownership at the time of passage of this ordinance establishing such boundary line or its subsequent revisions, the regulations for either district may at the option of the owner extend to the entire lot, but in no case shall permitted uses be extended more than two hundred (200) feet into the zoning district prohibiting uses permitted in the other districts."

This Section 212 language remained in effect until 1984 when it was changed by successful ballot vote to read: "If a zoning district boundary line divides a lot of record at the time of

adoption or amendment to this ordinance, the regulations of the less restrictive district may be applied by the then property owner (s) to the more restrictive portion of the lot for a distance of seventy-five (75) feet." Section 212 was repealed by ballot vote in 1992 and since that time there has been no Zoning Ordinance section that deals with the issue of lots in two or more zoning districts.

In 1998 a specific warrant article was successful in changing the zoning of Map 32 Lot 43 from being split between the R and RC Zones so that it was wholly within the RC Zone.

Paul Monziona wondered how many lots were affected by multiple zoning districts currently. Scott Williams did not think there were probably many because it was quite common to use roads as the boundaries between districts. Paul Monziona wondered if ZAC should be concerned about coming up with any language for the Zoning Ordinance this year on this matter. He noted that the ZBA had seen it once recently. He thought looking at the zoning map might help. Nic Strong stated that the zoning map was not clear enough to discern this type of detail. Tim Morgan thought this should be tabled for this year. Tom Hoopes thought that the biggest issue potentially with a lot bisected by a zoning district line would be that one lot could adversely impact other lots or that a property owner be deprived of some kind of use of their property. Paul Monziona agreed and noted that there was also a problem for someone who might be permitted to do something on part of the lot but not on the rest of the lot.

Tim Morgan moved to table discussion of dealing with lots in two or more zoning districts for this year.

Tom Hoopes seconded the motion and it PASSED unanimously.

4. Discussion regarding the Alton Zoning Ordinance and Main Street/downtown regarding historical character, regulation and private property rights

Paul Monziona noted that the ZAC had briefly discussed whether the Town's Zoning Ordinance did enough to protect the rural character of the town and maintain the historical character. Scott Williams noted that this was of particular concern because he knew that both Cumberland Farms and Irving were looking at an historic property on Main Street and it was highly likely that the building would be removed. He thought this needed to be worked on now to protect the downtown. Tom Hoopes pointed out that the regulations contained Design Guidelines for architecture. Scott Williams stated that as long as the application submitted to the Planning Board met the criteria of the regulations the Board had to approve it. He thought that some areas could be opened up in town to allow for some business. He thought a business district should be created to direct that type of development to the right area.

Paul Monziona noted that he had read an article in New Hampshire Business Magazine about mixed use development. It provided the history of zoning and separating incompatible uses but went on to describe the mixed use idea bringing different uses into the same areas. He noted that it might be applicable to the downtown area.

Scott Williams asked what it would take to engage a company to come and assist with a rezoning project. Nic Strong stated that the short answer was money. She went on to say that the last

Master Plan update in 2007 contained many goals and objectives but they didn't get translated into the Zoning Ordinance or other regulations. For instance, she noted that the Master Plan stated that the Rural district should be maintained but the Zoning Ordinance allowed pretty much all the different uses in town to take place in the Rural district. She noted that the decision to update the plan would be based on whether or not the 2007 Master Plan still reflected the thoughts of the townspeople. Nic Strong next noted that a rezoning proposal could not happen without a Master Plan update, the most important part of a Master Plan being the public input that was sought in order to create a vision that would guide the zoning. She noted that outside assistance would be required for some of that work and it could not happen in the couple of months between now and the zoning amendments going to the Planning Board. She noted that it might be possible to do this work in a year but she had not included anything in the Planning Department budget for next year because the visioning exercises had not taken place. Tim Morgan noted that it had been ten years since the current Master Plan.

Tom Hoopes noted that a Master Plan update was a lot of work and Scott Williams agreed. Nic Strong stated that depended because currently Alton's Master Plan contained only the two statutorily required sections, Vision and Land Use. She stated that if the Town was comfortable with that and did not want to get into Transportation, Natural Resources, Historic Preservation, Environmental Impacts and so on, they could stick with the two sections, run a visioning exercise to get as much public input as possible, and incorporate the results into a new two section Master Plan. Scott Williams stated that the town had done a questionnaire. Nic Strong stated that had been very narrowly tailored. Scott Williams also thought that questionnaires were difficult because the questions could be leading. He thought that if the Planning Board did something like that somehow a good cross section of the townspeople should be surveyed to get a good picture of what the entire town was thinking not just from special interest groups. Nic Strong stated the survey option had to be run on many different levels: there had to be a big visioning session, along with small group interactions at their locations, surveys, and so on. Tom Hoopes thought that surveys worked best when each road in town had someone volunteering to help make sure that people filled in their surveys. He noted that one NH town had 78% participation by using this method. He was somewhat concerned that Alton had done enough of these surveys that people were frustrated that their input was never used.

Paul Monziona noted that Scott Williams was indicating some urgency required on this matter due to a pending development in the village. He was interested in finding out how to preserve historic character and heritage and whether or not zoning could be used to do so. Tom Hoopes noted that construction practices and technologies nowadays made it so that construction could take place almost anywhere and older methods of zoning that were concerned with environmental conditions, for example not allowing gas stations right next to rivers, were almost outdated. Scott Williams stated he would hate to see downtown irredeemably altered. Tom Hoopes thought that Alton had come a long way in the last 25 years and was looking better, something which could not be said for some neighboring communities in the Lakes Region. Nic Strong noted that the Town could have an historic district or a heritage district both of which would be in zoning and would take time to craft. She noted that the 2007 Master Plan could be reviewed to see if there were any broad goals that would lend themselves to those kinds of protections. She noted that then the area to be covered would have to be considered and then

rezoned. Scott Williams asked if the Master Plan was available for purchase. Nic Strong stated that it was and it was also available online.

Paul Monziona stated that the discussion on this topic should remain alive but there were no specific zoning regulations to address at this time. He thought it should come up again next year and look at the Master Plan and see how that can move ahead.

Paul Monziona asked how many warrant articles were currently proposed. He noted Signs, Accessory Dwelling Units, Definitions, Special Exceptions Section 413, housekeeping items, cell towers, and thought that the committee was currently at seven or eight articles. He noted that the grouping of the amendments would drive the number of articles.

5. Draft Accessory Dwelling Unit Amendment

The committee had addressed this earlier in the meeting.

6. Discussion regarding Community Survey

Nic Strong stated that as asked by the committee she had posted the results of the Community Survey on the website and to publicize again the fact that the survey had taken place. She noted that as of 6/26/16 67 people had viewed the survey and as of this date 99 people had viewed it. The reason it was on the agenda for this evening was because she had received a question from someone with regard to the land across the street from MacDonalds who was interested in the results and who was wondering if there were going to be proposals on the ballot for rezoning based on the results. Nic Strong stated that she had explained that the ZAC was currently in session but had not yet determined to rezone any specific pieces of property. She noted that she wanted to give the committee an update on where that matter stood.

Paul Monziona stated that the Community Survey and rezoning and what the townspeople had to say about it would be very important for the committee to consider if by November the committee was also going to be bringing to the Planning Board some proposals for rezoning. He did not think that was doable this year. Paul Monziona stated that it was going to be very easy to get bogged down in all the individual zoning regulations so that the big picture issues were not focused on; the Community Survey and the Master Plan and historical downtown district. He noted that in this year, in this session, there were more zoning regulations that were out of compliance with state statutes than ever before to deal with. He noted that it made sense, therefore, that that's what was taking up the bulk of the ZAC's time and that would end up being the majority of what would end up as warrant articles. Tom Hoopes pointed out that the Supreme Court had made rulings that had to be addressed. Paul Monziona went on to say that he did not think there would be as many of this type of issue next year and more energy and time could be spent on some of the bigger picture items.

Scott Williams noted that a rezoning or Zoning Ordinance update was a two or three year commitment. Paul Monziona agreed and noted that the committee had not even started that yet. He thought that would be a good start for 2017, noting that the amendments currently under discussion would be enough to take to the voters just to get compliant with state and federal law.

OLD BUSINESS

1. Old Business-
 - None
2. New Business-
 - None
3. Approval of Minutes-

July 12, 2016

Tom Hoopes moved to approve the minutes of July 12, 2016, as written. Scott Williams seconded the motion and it PASSED unanimously.

August 23, 2016

Paul Monzione noted that none of the other members had been present at that meeting and Lou LaCourse was not present this evening. Paul Monzione noted on Page 1, Section III, in the second paragraph, next to last line, "...Apartments in the Lakeshore Residential zone and it cannot be larger..." should read "...Apartments in the Lakeshore Residential zone and *where allowed* it cannot be larger...".

Scott Williams asked if the minutes needed approving since it was not an actual meeting. Paul Monzione stated there were not enough people present to approve them because those present this evening would all abstain.

To the extent that the minutes of August 23, 2016, needed approval, Paul Monzione stated that, as amended, they were acceptable to him.

SET DATES FOR FUTURE MEETINGS

- September 27, 2016, at 6:00 p.m.
- October 11, 2016, at 6:00 p.m.

PUBLIC INPUT

Open to the public. None at this time. Closed Public session.

Nic Strong noted for the record that this was Traci Cameron, Planning Secretary's last meeting. The ZAC members thanked her for all her help with ZAC. John Dever, III, stated that Traci had been a huge help to the Zoning Board of Adjustment with the application packet preparation and other administrative duties.

ADJOURNMENT

At 8:15 p.m. Scott Williams moved to adjourn. Tom Hoopes seconded the motion and it PASSED unanimously.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Nic Strong, Town Planner

Minutes approved as written: September 27, 2016