

1 **TOWN OF LYNDEBOROUGH**
2 **PLANNING BOARD**

3 **December 20, 2018**

4 *Approved*

5
6
7 **7:30 PM Call to Order & Roll Call**

8
9 **Members present:** Chairman Tom Chrisenton, Vice-Chair Paul Best, Larry Larouche,
10 Bob Rogers, Bret Mader, Selectmen's Rep. Mark Chamberlain, and Alternate Julie
11 Zebuhr. Ms. Zebuhr will sit on the Board.

12
13 **Public present:** Building Inspector/Code Enforcement Officer Leo Trudeau

14 **New Business**

15 **Public Hearing to accept proposed Zoning Ordinance Warrant Articles**

16 The Board had a general discussion of the minor changes to the Zoning Articles.

17 **VOTE: Bob Rogers moved, Bret Mader seconded to accept the minor corrections.**
18 **Motion passed unanimously in the affirmative.**

19 **VOTE: Bob Rogers moved, Mark Chamberlain seconded to accept the corrected**
20 **version of the Zoning Articles. Motion passed unanimously in the affirmative.**

21 **VOTE: Bob Rogers moved, Paul Best seconded to place the changes on the**
22 **Warrant Article with a favorable Planning Board recommendation. The motion**
23 **passed unanimously.**

24 The final wording is as follows. The proposed warrant article changes will replace the
25 existing zoning articles:

26 **200.02 Accessory Dwelling Unit.** recodify as voted on March 2018 to a new Section at the
27 Planning Board's discretion

28
29 **200.05 Automobile Graveyard**

30 Any lot or portion of a lot which is maintained, used, or operated for storing, keeping, buying, or
31 selling wrecked, scrapped, ruined, dismantled or abandoned motor vehicles or motor vehicle
32 parts. (3/9/99)

33
34 **404.00 Exclusive Optional Method of Developing Large Tracts of Land (3/18/00)**

35 As an exclusive optional method of development, not a required process of subdivision, any lot
36 of record may be subdivided in accordance with the following criteria: (3/18/00)

- 37 A. the average size of the subdivision lots shall not be less than 25 acres with a minimum size
38 of 10 acres.;
- 39
- 40 B. the lots shall be accessed by a private road constructed to meet the minimum standards
41 established in the *Town of Lyndeborough Street and Road Standards*.
42
- 43 C. no further subdivisions would be permitted using roads existing as of January 1, 1997 to
44 meet zoning frontage requirements. Further subdivision will require adequate frontage on a
45 Class V or better highway constructed after January 1, 1997, as required by the zoning
46 ordinance in force at the time of any further resubdivision. (3/18/00)
47

48 **408.00 Soil-Based Zoning Requirements (Overlay District) (3/18/00)**

49 All lots in the Rural Lands 1 or Light Industrial zoning districts with less than 5 acres shall
50 require a minimum of 2 contiguous acres of “slight” and/or “moderate” limitations rated soils for
51 septic tank absorption fields, as determined by the USDA Natural Resource Conservation
52 Service criteria and published in Table 11 of the “Soil Survey of Hillsborough County, New
53 Hampshire”, issued October 1985. A Site specific soil survey conducted by a NH Certified
54 Professional Soil Scientist may be required by the Planning Board to ensure that the
55 requirements of this section are met. Contiguous shall mean any area undivided by wetland,
56 ponding (seasonal or perennial) or seasonal or perennial drainageways. Lots of record shall not
57 be affected by this soil-based zoning for residential usage.
58

59 All lots in the Rural Lands One (*RLI*) or Light Industrial zoning districts with less than 500 foot
60 frontage shall require a minimum of 2 contiguous acres of “slight” and or “moderate” limitations
61 rated soils for septic tank absorption fields, as determined by the USDA Natural Resource
62 Conservation Service criteria and published in Table 11 of the “Soil Survey of Hillsborough
63 county, New Hampshire”, issued October 1985. A Site specific soil survey conducted by a NH
64 Certified Professional Soil Scientist may be required by the Planning Board to ensure that the
65 requirements of this section are met. Contiguous shall mean any area undivided by wetland,
66 ponding (seasonal or perennial) or seasonal or perennial drainageways. Lots of record shall not
67 be affected by this soil-based zoning for residential usage. (3/18/00)
68

69 [Note of Clarification: This section 408.00 does not apply to the Village District, section 500.00;
70 Rural Lands 2, section 800.00; Rural Lands 3, section 900.00; or the Large Tracts of Land,
71 section 404.00.]
72

73 **601.00 Permitted Uses.**

74 The following uses and their associated accessory uses are permitted in the Light Industrial
75 District subject to all other applicable provisions of this Ordinance and Site Plan Review and
76 approval by the Lyndeborough Planning Board.

- 77 • Light manufacturing;
- 78 • Research and/or testing facilities;
- 79 • Offices;
- 80 • Newspaper and printing facilities;
- 81 • Warehouses;
- 82 • Retail stores;

- Banks;
- Personal service businesses including but not limited to service or repair of jewelry, appliances or other personal or household items, photography studios, beauty/barber shops and tailors.
- Utility structures less than 200 square feet in area.

1001.00 Permitted Uses.

Any of the following uses that require a permit by NH DES are also permitted by this Ordinance.

- A. Forestry operations and management in accordance with best management practices;
- B. Agriculture in accordance with agricultural best management practices.
- C. Water impoundments and wells;
- D. Drainage ways - streams, ditches or other paths of normal water runoff;
- E. Wildlife refuges;
- F. Parks and recreation uses consistent with the purpose and intent of this Ordinance;
- G. Conservation areas and nature trails; and
- H. Open space as permitted by the Subdivision Regulations and other sections of this Ordinance.

The Planned Residential Development (PRD) was discussed.

VOTE: Bob Rogers made a motion, Larry Larouche seconded to accept the changes to the Planned Residential Development (PRD) and place it on the Warrant Article with a favorable Planning Board Recommendation. Paul Best voted no. The motion passed 6-1-0.

The final wording is as follows. The proposed Warrant Article changes will replace the existing Zoning Articles:

1101.00 Purpose:

To provide an alternative pattern of land development for single-family homes in the Village District (V) and along a corridor 1000 feet either side of State Route 31 in the Rural Lands One-RL1 district.

It is intended to encourage the preservation of open space and, at the same time, provide for a greater variety of housing types and affordability, with similar densities and more inclusive building permits than permitted elsewhere in the Zoning Ordinance, without causing an increase to Town maintained roads.

It is planned that in a PRD, the setbacks for dwelling units in a PRD in the Village District shall be the same as required in Section 502.03 of the Lyndeborough Zoning Ordinance. The setbacks for dwelling units in a PRD in Rural Lands One District (RL1) shall be the same as required in Section 702.03 of the Lyndeborough Zoning Ordinance except that no dwelling unit shall be less than 300 feet from Route 31 nor more than 1000 feet from Route 31.

The dwelling units shall be constructed in clusters that are in harmony with neighborhood developments and housing and with the natural surroundings. These clusters shall not detract from the ecological and visual qualities of the environment, or from the value of the neighborhood or Town. Every PRD unit shall be occupied by an owner occupant who is at least 55 years of age or older and should add to the variety of housing types in Lyndeborough to accommodate the Master Plan purposes. The overall site design and amenities should enhance the quality of living for the residents of the development and, in general, the neighborhood and Town. The Planning Board shall determine whether the proposed PRD, namely the site plan or layout, number, type and design of the proposed housing is suitable to the neighborhood within which it is located and is consistent with the Master Plan and reasonable growth objectives.

1102.00 Conditions:

An applicant for approval of a proposed PRD* shall make application to the Planning Board in the same fashion as specified in the Subdivision regulations. In the course of review of the proposal, the Board shall hear evidence presented by the applicant and all those requiring notice and determine whether, in its judgment, the proposal meets the objectives and purpose set forth above, in which event the Planning Board may grant approval to the proposal, subject to reasonable conditions and limitations as it shall deem appropriate.

1102.01 Minimum Net Tract Area. Planned Residential Developments may be permitted on single or adjacent tracts of land, under one owner, or to be brought under one owner, which have a net tract area* of no less than twenty (20) buildable acres.. Irrespective of the net tract area size, the PRD shall not contain more than twenty (20) dwelling units. Net tract area shall mean the total area of the tract, or tracts, less the area of wetlands, identified flood plains and areas of slope equal to or greater than 20%. To maintain comparable densities, as calculated using existing Lyndeborough zoning regulations, (as determined by the soil based zoning section 408.00 of the zoning ordinance), PRD septic systems are to be of the “shared- type, located in the Open Space on soils that are rated “slight to moderate” as spelled out in the Hillsborough County West published soils survey.

Selectman Mark Chamberlain will ask for the Selectmen’s recommendations on these articles.

On Thursday, Chairman Chrisenton will review the placement of the Zoning Articles on the Town Warrant with T/A Russ Boland.

Growth Ordinance:

Any action on the Growth Ordinance has to originate with the Capital Improvements Committee. No action was taken tonight.

Old Business:

None

163 **Correspondence:**

164 The Piscataquog River Association Advisory Committee is looking for two volunteers.
165 No one from this Board was interested. T/A Russ Boland will inquire if anyone on other
166 committees in town is interested.

167
168 **Minutes:**

169 November minutes were tabled to the next meeting.
170

171 **Next Agenda:**

172 The next agenda was reviewed. It will be the same as this agenda, minus the Zoning
173 Hearing.
174

175 **Adjournment:**

176 **VOTE: Bob Rogers moved, Larry Larouche seconded to adjourn at 8:07 p.m.**
177 **Motion passed unanimously.**
178

179 Respectfully Submitted,
180
181
182
183

184 Tom Chrisenton, Planning Board Chair
185

186 TC/kh