

**TOWN OF SUNAPEE  
PLANNING BOARD MINUTES  
DECEMBER 21, 2023, 7:00 p.m.  
TOWN MEETING ROOM, 23 EDMONT ROAD**

**Members present in the meeting room:** Peter White, Joe Butler, Jeff Claus, Greg Swick, Ann Bordeianu, Suzanne Gottling

**Members present on Zoom:** Randy Clark

**Also present in the meeting room:** Craig Heino, Code Compliance; Michael Marquise, Town Planner; Allyson Traeger, Land Use and Assessing Coordinator

#### **CALL TO ORDER / ROLL CALL**

Chairman White called the meeting to order and conducted a roll call at 7:06 p.m. He appointed Ann Bordeianu to participate in place of Richard Osborne.

#### **REVIEW OF 2024 PROPOSED ZONING AMENDMENTS**

Chair White noted this is the fifth meeting to discuss the proposed zoning amendments. He explained the process of reviewing the amendments and accepting public comment. The proposed amendments have been vetted by the Town Council. He commended Mr. Marquise and Ms. Traeger for the work they have done compiling the amendments, the quality of which was noted by Town counsel.

Chair White reviewed the process that would be followed in this meeting. He noted public comment will be limited to five minutes for each resident and non-resident property owner, and two minutes for others. He requested speakers provide their name and address to determine whether they are residents.

##### **Amendment #1**

**Amend Section 2.10 – Zoning Map & Description of Districts, Section 2.30 – District Purpose and Description, Section 3.10 – Table of Dimensional Controls, Section 3.20 – Table of Dimensional Controls Overlayed, Section 4.10 – Permitted Uses – All Districts, Section 4.60 – Planned Unit Development, Section 4.80 – Workforce Housing Development, Section 5.30 – Signs – General Requirements – to create a new Georges Mills Village Commercial District (GMVC) within the same boundaries as the existing Village Commercial district but with different dimensional controls and uses.**

Chair White read the proposed changes and asked for Board comment.

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The Board discussed the intent of limiting a parking lot to 15 spaces. Mr. Marquise explained this was recommended by the committee that brought this amendment forward. He said it is intended for parking lots for commercial use, not accessory use.

Chair White opened public comment.

### Public Comment:

- **Richard Curtis of Georges Mills** owns the Post Office building. He asked why professional office and clinic spaces have been removed. Chair White noted they are permitted by special exception and Mr. Curtis said he would like to see this as a permitted use instead.
- **Stu Greer, Oak Ridge Road**, said he believes the idea behind removing professional office and clinic spaces had to do with the scope of an office or clinic, as a larger-sized one could be problematic, depending on its location in the district. He believes the intent is to allow the Town to look at these projects individually.
- **Mike, business owner at 6 Holmes Lane and resident**, owns a medical software technology company. He created an economic revitalization zone and is not sure where this use fits in the amendment. He asked if his business would be considered a professional office or clinic space. The ZBA approved 19 spaces when he purchased the building and he would like the amendment changed to include those spaces. He said reducing the number of parking spaces might create an additional problem for the community, as cars will have to park in other places, such as along the road. He questioned the 0.5 acre lot limitation. Chair White clarified the ZBA will not take away a pre-existing situation, as it is grandfathered. If the use changes, the grandfathered status is lost. He said the 15 space limitation applies to parking that is not attached to a business.
- **Chris Whitehouse** noted the requirement is up to 15 spaces. He asked what happens with 16 spaces. Ms. Gottling said it is a permissible ordinance; if it is not clearly stated that a parking lot can have 16 or more spaces, it is not permitted. Mr. Whitehouse clarified it is not what it says but what it doesn't say that is important, and Mr. Claus agreed.
- **Peter Hoekstra** said rather than have this be a new district, there should be a comprehensive look at the entire area of Georges Mills, not just the circle. He said everything that happens is dependent on people traveling at 30 mph, which does not occur. So, the number of parking spaces does not matter. He suggested not putting this on the ballot, but utilizing a public/private partnership to look at Georges Mills in total. He recommended not moving forward with this amendment.
- **A resident** said this is an existing district. She said the reason for this amendment is to protect the character of the existing dimension. This does not change the dimension, only the uses of it. She said the reason behind the special exception is they were thinking of parking lots mostly as a standalone but also as an auxiliary. She said it is not that it is not allowed; it has to come before the Board for approval. She said it falls into the shoreline overlay district, so some of the suggestions are to match that.
- **Lisa Hoekstra** asked for an example of an accessory use as permitted by right. Mr. Marquise explained there are uses that could happen with a property that aren't listed. She asked if everything that is permitted by right requires a site plan review. Mr. Marquise clarified only

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if it is more than two units residential or commercial. She echoed Mr. Hoekstra's request for a comprehensive look at the Georges Mills area.

- **Cindy Courier (ph), resident**, asked if an office is replaced by another office, would the parking requirement remain the same. Chair White said yes, as long as it is the same use. She said this is not a very big commercial zone and there is not much available land.
- **Dean Sibotti (sp), 1049 Lake Avenue**, said if the Board is hearing that numerous businesses are grandfathered, they might be going down the wrong path.

Chair White closed public comment.

Chair White asked for Board input. After discussion, the Board agreed professional offices and clinics should be permitted by right. Mr. Claus asked why the size limit was set at 2,000 square feet. Mr. Marquise noted this was a recommendation. The Board discussed whether it would be preferable not to have a square footage limitation. They agreed to define the parking lot as for primary use.

A Board member said while he agreed with Mr. Hoekstra's comment, the amendment will add momentum and help come up with a larger solution. Chair White encouraged residents to get involved in moving initiatives like the one suggested by Mr. Hoekstra forward. The Board discussed attempts that have been made to address the speed issue.

The Board agreed to move this amendment to the January 11, 2024, meeting.

### **Amendment #2**

**Amend Section 2.30 - District Purpose and Description – Water Resources Overlay District – Shorelines - to add Otter Pond Brook to the list of protected waterways. The State of New Hampshire DES considers it a fourth-order stream similar to the Sugar River, which is already named.**

Chair White asked for Board comment. Ms. Gottling asked if it truly is a fourth-order stream. The Board discussed where it is defined as such and the importance of this definition. Mr. Marquise noted the correct definition of GIS is Geographic Information System, not Service.

Chair White asked for public comment.

- **Kirk Bishop, resident and co-chair of the Watershed Committee of LSPA**, said there is no debate about what a fourth-order stream is and shared the technical scientific definition. He said there is no question that Otter Pond Brook is a fourth-order stream. He said there are implications and restrictions from the New Hampshire DES that make this definition important and he would like this language to remain.

Chair White closed public comment.



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Mr. Claus moved to approve Amendment 2 to be moved to the ballot. Mr. Butler seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.

### Amendment #3

**Amend Section 3.10 – Table of Dimensional Controls – Maximum Residential Density – to allow for a greater density in Village (Commercial & Residential) Districts by changing requirement to 1 dwelling unit per 7,000 square feet of land area.**

Ms. Bordeianu expressed concern that this is inconsistent with the Master Plan survey results. These state there is overwhelming support for single-family housing, duplexes, triplexes, and quads; however, once the density increases, the support drops significantly. The Board discussed the challenge of providing more housing without high density.

Mr. Marquise noted many of the survey questions were Town-wide, while this will only affect small portions of the Town. He said it affects roughly about 150 parcels, most of which are under an acre and some of which are commercial. He said some of these parcels already have duplexes and triplexes on them. He estimated a maximum of approximately 140 dwelling units could be added, if everyone did something.

Mr. Claus noted in the survey results, a possible method of adding workforce and affordable housing was to provide cottage and bungalow courts.

The Board discussed the 7,000 square foot requirement and how it was derived.

Chair White asked for public comment.

- **A resident** said in another location, the lot size was changed from 9,000 to 6,500 square feet and new five houses were built on a particular street. Mr. Marquise noted the amendment does not change the minimum lot size in this district, which will remain at 0.5 acres. This amendment will allow for more units, not more lots.
- **Chris Whitehouse** noted in the GMVC, the maximum residential density is listed as 1 du/7,000 sf. He asked if this amendment fails, will it still be allowed in Georges Mills. Mr. Claus said it is not uncommon to have different density requirements in different districts.
- **A resident** asked how 7,000 square feet equates to acreage and was told it is a third of a half of an acre. She said her understanding of this amendment is to encourage pocket communities and suggested changing the language to reflect this.
- **Michelle (online)** asked about the implications of 8,500 square feet versus 7,000 square feet in terms of dwelling units. She requested data be provided so that residents could make an informed decision and understand the worst case, if the density were to be maxed out. She suggested identifying the 140 properties and analyzing the data to see how this amendment would actually affect the Town, specifically the infrastructure.
- **Mike, business owner at 6 Holmes Lane**, expressed concern that if he sells his property and wants to change the use to residential, the grandfather status would no longer exist, and this

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requirement will affect the resale value. Mr. Marquise said this requirement would need to be met, although it is less strict than the current requirement. Mike believes his ability to sell his property will change, based on the amendments being discussed. Mr. Marquise agreed the first amendment, if passed, would affect future use, if a property is sold and the grandfathered status is lost. Chair White noted the amendments are not imposing restrictions; they are providing clarification.

Chair White closed public comment.

Ms. Gottling asked for clarification regarding the 7,000 square foot requirement, that three dwelling units would fit into a 0.5 acre. This was verified. Mr. Marquis said for three or more units to be constructed on a lot, they would have to go through site plan review. The Board discussed how this amendment could increase density, and the difficulties in providing affordable housing.

**Mr. Swick moved to approve Amendment 3 to be moved to the ballot as presented. Mr. Claus seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

### **Amendment #4**

**Amend ordinance by deleting Article III, Sections 3.40(l) & 3.40(n) – Additional Requirements; amend Article II, Section 2.30 – District Purpose and Description – Water Resources Overlay Districts; and add Section 4.34 – Steep Slope District – Specific Provisions – to create a new steep slope overlay district that will regulate construction on slopes exceeding 15%.**

Chair White read the proposed changes and asked for Board comment.

Mr. Marquise described the 15%, 25%,<sup>SP</sup> and 35% slope areas, noting this amendment replaces what is currently in the ordinance; it is not a new addition. He shared a map showing these areas, which will be an overlay on the GIS.

### **Public Comment:**

- **Stu Greer, resident and co-chair of the Watershed Committee of LSPA,** said this amendment has the support of the LSPA.
- **Chris Whitehouse** said this is an exclusionary ordinance that will make it harder for someone without the means to hire an engineer to do anything with their property. He said a lot of the ordinances are designed so that only a certain demographic can afford them and they persecute poor people. He said it is an exclusionary practice. Chair White explained this amendment is topography based, which is not discriminatory. The Board agreed certain issues require the services of an engineer, including slope construction and wetlands.
- **Kirk Bishop, resident and co-chair of the Watershed Committee of LSPA,** respectfully disagreed with Mr. Whitehouse. He said building responsibly and protecting water resources requires engineering, which costs money. The price of not doing it right exceeds the price of doing it right. Mr. Marquise reiterated that some of these rules are already in the Town requirements.

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Chair White closed public comment.

**Mr. Butler moved to approve Amendment 4 to be moved to the ballot as presented.**

Ms. Traeger pointed out two changes were needed.

**Mr. Butler amended his motion to approve Amendment 4 to be moved to the ballot, with the change in the definition of GIS and to change the word "endure" to "for" in Section 4.34(A)(4). Mr. Swick seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

**Amendment #5**

**Amend Article III, Section 3.50(I) – Special Exceptions – to clarify language in subsections 4 and 5 on how this exception may be applied to the relocation of non-conforming structures.**

Chair White read the proposed changes and asked for Board comment.

Mr. Marquise shared changes in wording that the Town Council requested.

Chair White asked for public comment; there was none.

Chair White closed public comment.

**Mr. Swick moved to approve Amendment 5 to be moved to the ballot, with the noted revisions. Mr. Butler seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

**Amendment #6**

**Amend Article IV, Section 4.33(B)(8)(b)(I)(1) - Shorelines - Specific Provisions – by applying the cutting exemptions listed in 4.33(B)(8)(b)(VII) to 4.33(B)(8)(b)(I)(1) and adding hazardous trees to the list trees exempt from Planning Board review.**

Chair White read the proposed changes and asked for Board comment; there was none.

Chair White asked for public comment; there was none.

Chair White closed public comment.

**Mr. Butler moved to approve Amendment 6 to be moved to the ballot as presented. Mr. Claus seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

**Amendment #7**



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**Amend Article IV, Section 4.33 – Shorelines – Specific Provisions – Erosion Control – to limit what is allowable within the 50' shoreline buffer.**

Chair White read the proposed changes and asked for Board comment.

Mr. Marquise noted the non-mechanical means would not be helpful, if there were an existing structure within the buffer, and would require a variance. He suggested adding language to address this and move it to the January 2024 meeting. The Board discussed possible exemptions to allow structures, such as patios, within the buffer. Mr. Claus said to protect water quality, he feels addressing the impervious allowance might be more appropriate.

Chair White asked Mr. Marquise to adjust the language in this amendment.

Chair White asked for public comment.

### **Public Comment:**

- **A resident** noted the quality of the watershed is in decline and must be addressed.
- **Lynn** asked how this fits with the Shoreline Protection Act, as that buffer is 250 feet to a lake or stream. Chair White said this applies to the state-regulated 50-foot buffer, which does allow some construction within the buffer. Mr. Claus clarified the state restrictions, stating this requirement is more restrictive.
- **A resident** asked if mechanical means are only for removing a structure, and the answer was yes.

Chair White closed public comment.

The Board agreed to move this amendment to the January 11, 2024, meeting.

### **Amendment #8**

**Amend Article IV, Section 4.90 - Accessory Dwelling Unit – to allow for Accessory Dwelling Units (ADUs) to be placed in detached structures and require the owner to be in residence, if the ADU is used for a short-term rental.**

Chair White read the proposed changes and asked for Board comment.

Ms. Bordeianu asked for clarification of owner in residence and if "on-site" is considered as being on the property, not in the same structure. The Board agreed.

Chair White asked for public comment; there was none.

Chair White closed public comment.

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Mr. Butler moved to approve Amendment 8 to be moved to the ballot, changing "in residence" to "on the property." Mr. Swick seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.

### Amendment #9

Amend Article IV, Amend Section 4.95 – Short-term rentals – to confirm the maximum allowed occupancy, parking, and what accessory structures are allowed to be used as short-term rentals.

Chair White asked the Board and the public not to discuss the registration process, as it is not in this Board's purview; it is a Selectboard issue.

Chair White read the proposed changes and asked for Board comment.

The Board agreed this amendment is just to help clarify the requirements.

Chair White asked for public comment.

### **Public Comment:**

- **A resident** asked for justification for 16 people. He asked why this would be a problem, if the house can accommodate more than 16. He said it seems like it is creating unnecessary restrictions.
- **Chris Whitehouse** asked if existing short-term rentals are exempt from this, based upon the law that says the existing use of any building or structure is exempt. Chair White said that is a Selectmen's decision. Mr. Whitehouse said this is per law 674.19, which is a zoning ordinance. Chair White said Mr. Whitehouse is referring to grandfathering and the Selectmen decided STRs are not grandfathered; they are considered pre-existing. Ms. Traeger clarified that any short-term rental not registered by December 7, per the ordinance, is not grandfathered and will have to meet the regulations.
- **Lisa Hoekstra** reminded the Board that she submitted a public purpose petition a month ago, where 65 people stated they were not in favor of this proposed amendment. She asked the Board to acknowledge that this petition was submitted and still stands. She said these two amendments are discriminatory against a select group of people, as they target a select group of people. She asked the Board if they reviewed the New Hampshire RSAs she provided at the last meeting and Chair White said they did. She said the Lake Sunapee STR Association and their counsel state STRs are residential due to their use as residences and they are not businesses, but they are incorrect. She listed the RSAs referenced. She said the Board cannot choose which RSAs they enforce.
- **Peter Hoekstra, 25 Maple Street**, said on August 17<sup>th</sup>, this amendment was considered by the Planning and Zoning Board and written by Jamie Silverstein. He said he has not heard Ms. Silverstein speak about this amendment and asked why she has not addressed it. The Board explained she has not been at the meetings. Chair White asked why this was relevant. Mr. Hoekstra said GMVC is included in Amendment #1 and asked how a new district could be



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included in this amendment, if it has not been approved in a different amendment. Mr. Marquise explained they are considering it in advance. If #1 passes, it will be relevant. If #1 does not pass, it will return to Village-Commercial. Mr. Hoekstra said the occupancy restriction is discriminatory and does not know how it would be enforced. He asked for data on why STRs are being singled out, and said four people cannot sleep in one room. Ms. Bordeianu pointed out this was in an ordinance that was passed last year. Mr. Hoekstra said parking restrictions are not enforced in Town and STRs are being singled out. Mr. Bordeianu said the parking restriction was passed last year as one car per bedroom. She said the addition is in response to the STR feedback that some driveways can accommodate more than one car per bedroom.

- **Eric (online), 63 Hamel Road, property owner**, asked for clarification on the parking restriction and how it has changed. He asked how many cars can be in his driveway if he is staying in his home, which is also used as an STR. He said a parking plan should be on a case by case basis. He asked how parking is tied to the noise ordinance.
- **Lisa Albert (sp)** asked for clarification of the parking ordinance. She asked if the amendment is approved and contradicts the Granliden Community Association rules, which rules should STR owners follow. Chair White said if there were a conflict, the stricter rules would take precedence.
- **Patricia Freeman** said there are 10-12 people present and 17 people online, which represents less than 10% of the Sunapee residents who are homeowners. She said a very low percentage of people are weighing in on this amendment. She said there are no regulations for property owners on the number of people per bedroom, parking spaces per room, and length of stay or frequency of stay, while there are for STRs. She said she pays the same tax rate as everyone else. She said if the Town wants to limit her ability to obtain income from her property, she deserves a break. She said the Board is walking a slippery slope to go from two residents having an issue with noise to the need for affordable housing. She said she employs three Sunapee residents, which she will not be able to do, if she does not have an STR. She said STRs help support the local businesses.
- **A resident** said if the ~~state~~ <sup>9</sup> collects room and meals tax on an STR, that would make it a business.

Chair White closed public comment. He noted the Board has been advised that none of the proposed amendments violate any state RSAs.

Ms. Bordeianu said she believes the intent of most of the amendments is clarification. She said if the clarifications negate the original ordinances as far as grandfathering, she is concerned. Ms. Traeger clarified the requirements for STRs to be considered grandfathered. The Board clarified the date that the amendments become effective. Ms. Bordeianu withdrew her concern.

**Mr. Claus moved to approve Amendment 9 to be moved to the ballot as presented. Mr. Butler seconded the motion. A vote was taken. All were in favor except Mr. Clark, who voted in the negative. The motion carried 6-1-0.**

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### **Amendment #10**

**Amend Article IV, Section 4.95 – Short-term rentals – to limit the amount of time a short-term rental with an owner not in residence (STR-ONIR) may be operated to 120 days during a 12-month period.**

Chair White read the proposed changes and asked for Board comment.

Ms. Bordeianu said the proposed amendment is attempting to achieve the same goals the Board is trying to achieve: preserve and create housing for locals. She said this is a pro-housing proposal designed to alleviate the shortage of housing and long-term rental stock for residents and non-residents. She said Sunapee needs to protect their limited supply of housing, which can be done by discouraging future STR investments. The 120-day limit addresses the rapid growth of STRs in Sunapee, and their impact on housing and long-term rental availability and affordability for residents. She presented data on STRs that supports the 120-day limit. She asked the Board and community members to consider if more housing opportunities are needed for locals or more STRs. She said the 120-day limit is to discourage investors from turning the housing supply into STRs businesses.

Mr. Claus said this conversation is usually focused on homes around the lake, but homes elsewhere in Town are being purchased by non-residents as well. The Board discussed other towns that are enacting more stringent limits. Chair White reiterated this limit applies to owners not in residence, which is typically investors or other people who do not contribute to the Town.

Ms. Gottling said the issue originally came up as the former police chief was frustrated by incidents at the beach and parking that he believed were caused by non-residents.

Mr. Butler said he does not want to infringe on the property rights of individuals or corporations.

Board members said they would like to put this amendment on the ballot and let the residents decide what they want.

Chair White asked for public comment.

### **Public Comment:**

- **Dean Sibotti (sp), 1049 Lake Avenue**, said the United States Air Force and the U.S. tax code define residency as where the heart lies. He said the Board is trying to dictate to people who have worked hard and saved and bought homes with good intentions. He takes exception to the Board trying to mandate morality of what is good and bad. He said people who do not live in Town full time are not bad people and the Board has no right to tell people what to do. There is no need for a 120-day limit.
- **Chris Whitehouse** said the information shared by Ms. Bordeianu was incorrect and not relevant. He said misinformation is given out at Board meetings. He questioned the number of STRs in Sunapee. He said Chair White makes a living from building houses for



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people who do not live in Town year-round, so this is a conflict. He said there is a federal code that people have the right to convey their property. He said he does not know of any other businesses in Town that are limited to 120 days. He said this is a class tax to get rid of a certain demographic of people.

- **Lisa Hoekstra** said the Selectboard did not discuss the exemption that STRs must be registered by January 1. She said this was a decision made by the Town Manager. She asked how many STRs are registered. Ms. Traeger said she did not know, as she does not manage that. Ms. Hoekstra said she believes 20 STRs are registered. She said amendments #9 and #10 have muddied the waters and caused chaos with the registration process. She reiterated that 65 people via petition have expressed that they are against amendments #9 and #10 and asked the Board to acknowledge this. She asked how the 120-day limit will be enforced. She said there are long-term rentals in Town that are rented month to month, so April, June, September, November, and February are at or below the 30-day limit, so are technically STRs and should be addressed. She said the registration process is not legal and she suggested waiting for a year to allow things to settle out. She said a community group should be created to discuss STRs. She said STRs help with the tourism economy and tourism support services, which support the Town in a variety of ways.
- **Mike Pritella (sp), property owner, 9 Maple Street**, who lives in California, said his retirement plan for his family is to live in Sunapee. He purchased his house with the intent of using it as a STR so that he could afford it. He said he appreciated the work of the Board and asked them to rethink these restrictions.
- **Peter Hoekstra** noted Ms. Bordeianu referenced the Upper Valley Lake Sunapee Regional Housing Needs Assessment 2023. He said Jamie Silverstein wrote a report that included information from this 314-page report. He said from research he has done, 50% of people who bought homes in Sunapee were from New Hampshire and 35% were from Massachusetts. He noted the average price of properties for sale in Sunapee and asked if anyone in the room would sell their home for less than the appraised value to provide affordable housing. He said numerous people would like to table this subject. He said the 120-day limit is putting limits on businesses and it is not right.
- **Lisa Albert (sp)** asked the Board to take this amendment off the ballot. She feels there is anti-STR sentiment that would result in permanent residents approving this. She would like to be a permanent resident someday. She said she is a not investor; she lives out of state and owns a home in Sunapee that was purchased from her parents, who bought in Granliden in 1973. She has been coming to Sunapee for 50 years. She can only afford the home if it is rented out short-term and the 120-day limit will force her to sell the house. She cannot afford to rent the house out long term. She does not understand restricting people who want to call Sunapee home but cannot afford to.
- **Eric (online), 63 Hamel Road, property owner**, said he is jaded by the term "local," as a vast majority of Sunapee residents did not grow up there. He grew up ten miles away from Sunapee and considers himself a local. He is not an investor; their house is under an LLC for protection, which shows up as an investment. He pays taxes, so is contributing to the Town. He said this is not a housing shortage issue, as Sunapee has never been a start-up home town. He said they supplement their income by using the house in Sunapee as



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a STR. He said this amendment is designed to discourage STRs. He said things like this make him not want to retire in Sunapee. He asked that this amendment be removed.

- **Patricia Freeman** read a definition of "investor." She does not believe this is a proper term to use for people purchasing homes in Sunapee with the intention to retire there. She said she donates to local organizations, so she invests in the town. She noted as they live out of town, they do not tax local systems, even though they pay taxes. She said the Board is making it impossible and undesirable to retire to Sunapee. She said this is not an affordable housing issue.
- **Amy Slack (ph), 490 Edgemont, property owner**, lives out of state, has family in the area, and hopes to retire to Sunapee. She said they will not rent their house for nine months on a long-term basis, then remove the renters to utilize it as a STR for 120 days. She said by using it as an STR, they bring in people who support the local economy.
- **Catherine (sp), resident and property owner**, said she would like the amendment to go to the ballot, so the voters can decide.
- **Melinda Luka (sp), 14 Maple Street**, thanked the Board for their time. She feels Amendment #10 is putting the cart before the horse. More information is needed before this decision is made. She thinks it would be prudent to find out how many people rent seasonally first. She thinks it is a short-sighted amendment. She thinks most people want to retire to Sunapee and have to rent their houses to be able to afford them.

Chair White closed public comment.

Ms. Bordeianu said she has rented in Sunapee in the winter for ten years and there is a demand for seasonal rentals as well as six-month rentals (mid-term rentals). She noted there are other rental opportunities.

**Mr. Claus moved to approve Amendment 10 to be moved to the ballot as presented. Ms. Bordeianu seconded the motion. A vote was taken. The motion carried 4-3-0.**

### **Amendment #11**

**Amend Article VIII, Section 8.21(h) – Certificate of Zoning Compliance – Permit – to reduce the threshold for requiring certificates of zoning compliance for interior renovations to \$15,000.**

Chair White read the proposed changes and asked for Board comment; there was none.

Chair White asked for public comment.

### **Public Comment:**

- **Chris Whitehouse** said it appears the Board is attempting to justify jobs. He said this amendment is merely a money generator. The Board said no fee is being required. Ms. Traeger noted this allows for more oversight to ensure everyone is following the zoning ordinances and alleviate some of the after-the-facts that could have been caught, if they had applied this way.

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Chair White closed public comment.

**Mr. Claus moved to approve Amendment 11 to be moved to the ballot as presented. Mr. Butler seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

### **Amendment #12**

**Amend Article VIII, Section 8.25 – Revocation or Lapse of Building Certificate – to extend validity of Certificate of Zoning Compliance to 24 months.**

Chair White read the proposed changes and asked for Board comment; there was none.

Chair White asked for public comment; there was none.

Chair White closed public comment.

**Mr. Claus moved to approve Amendment 12 to be moved to the ballot as presented. Ms. Gottling seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

### **Amendment #13**

**Amend Article XI – Definitions – Marina – to update the definition of a Marina**

Chair White read the proposed changes and asked for Board comment; there was none.

Chair White asked for public comment.

### **Public Comment:**

- **Stu Greer, Oak Ridge Road**, asked about the intent of this amendment: why it is being amended, who it benefits, and what the implications are. He said the addition of "waterfront" seems to restrict future business by saying a marina must be located on the waterfront. He questioned "principal use," asking if this implies other uses are allowed. Mr. Claus explained this came from the Zoning Board in relation to one incident. Mr. Greer asked if changing the ordinance for one incident is overkill. Mr. Claus explained companies away from the waterfront can still conduct business, just not under the "marina" classification. Ms. Gottling clarified businesses away from the waterfront can still use the name "marina" in their title. The Board agreed to remove the word "principal" to avoid any confusion.
- **Suzanne** asked if repairs and servicing should be occurring on the waterfront, which could be environmentally unsound. <sup>MS.</sup> Chair Claus said this is already in the definition. Mr. Butler noted many boats are repaired on the water when in a slip, so this would be difficult to restrict. The Board agreed it is a valid concern; however, the industry has been doing this

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for a long time. Suzanne stressed it is important to protect the water quality, as the lake is vital to the town's economy.

- **Chris Whitehouse** asked if there was a definition in the ordinances for "waterfront." Mr. Claus read the definition.
- **Eric (online), 63 Hamel Road, property owner**, said people who work on boats on the water know what they're doing, there are safety measures in place, and it has been done for a long time.

Chair White closed public comment.

**Mr. Butler moved to approve Amendment 13 to be moved to the ballot as amended, striking the word "principal." Ms. Gottling seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

### **Amendment #14**

**Amend Article XI – Definitions – Structures – to address what constitutes a temporary structure and require that they be on-site for no more than 90 days in a 12-month period.**

Chair White read the proposed changes and asked for Board comment. Mr. Clark asked to change "does not include temporary structures" to "shall not include temporary structures."

Chair White asked for public comment.

### **Public Comment:**

- **Chris Whitehouse** asked if an existing shed is a temporary structure. Mr. Marquise said if a permit was issued, it is a permitted use. If it is erected without a permit, it can remain for 90 days and then must be permitted.

Ms. Traeger noted this amendment is intended to clarify the number of days required to align with the Certificate of Zoning Compliance fee schedule.

Chair White closed public comment.

**Mr. Claus moved to approve Amendment 14 to be moved to the ballot as amended, changing "does not" to "shall not." Mr. Butler seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

### **Amendment #15**

**Amend Article XI – Definitions – Structures, Minor – to limit the number of platforms/stairs that can be considered minor structures and add bob-houses/ice-fishing shanties to the list.**

Chair White read the proposed changes and asked for Board comment; there was none.



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Chair White asked for public comment; there was none.

Chair White closed public comment.

**Mr. Swick moved to approve Amendment 15 to be moved to the ballot as presented. Ms. Gottling seconded the motion. A vote was taken. All were in favor. The motion carried unanimously.**

**ADJOURNMENT**

**Mr. Swick made a motion, seconded by Mr. Claus, to adjourn. The motion carried unanimously.**

Meeting adjourned at 11:54 p.m.

Respectfully submitted,

Beth Hanggeli  
Recording Secretary

*Patricia White - CHAIR.*

*Suzanne Gottling*

*Randall Claus*

