

**TOWN OF SUNAPEE
PLANNING BOARD AGENDA
FOR THURSDAY DECEMBER 10, 2020
7:00PM at the TOWN MEETING ROOM
23 EDMONT ROAD**

- *Citizen Input: In accordance with the Governor's Emergency Order #12, citizens access to the meeting at Town Office is limited for meetings. The meeting will be streamed live on the internet via the Town's website at https://townhallstreams.com/towns/sunapee_nh. If citizens have input for the Board/Committee please submit to Michael Marquise, Town Planner at michael@town.sunapee.nh.us no later than 3:30 pm on the day of the meeting. Citizens may also call into the meeting via the zoom number. To be on the agenda via zoom, contact the Town Office for log in information.*

1. Call to Order/Roll Call

2. Disqualifications/Appointment
2021 Zoning Amendments

Revisions to Agenda

3. Consultations-subdivision of 962 Route 11-Parcel ID-0211-0018-0000
4. Other Business
5. Review of Minutes
6. Signing of Mylar's

NOTE: In the event the meeting is cancelled, the Agenda will be continued to the next scheduled Planning Board meeting.

This is the tentative agenda for publicly noticed hearings and there may be consultations and other business items added prior to the hearing. Please see the town website or bulletin boards at the Town Office and Abbott Library for the final Board agenda.

**Town of Sunapee Planning Board
Sunapee, New Hampshire
Notice of Public Hearing**

Notice is hereby given that the Sunapee Planning Board will hold a Public Hearing on Thursday, December 10, 2020 at 7:00 PM at the Town Hall to receive public input on the amendments to the Town of Sunapee Zoning Ordinance.

- ***Citizen Input:** In accordance with the Governor's Emergency Order #12, citizens access to the meeting at Town Office is limited for meetings. The meeting will be streamed live on the internet via the Town's website at https://townhallstreams.com/towns/sunapee_nh. If citizens have input for the Board/Committee please submit to Michael Marquise, Town Planner at michael@town.sunapee.nh.us no later than 3:30 pm on the day of the meeting. Citizens may also call into the meeting via the zoom number. To be on the agenda via zoom, contact the Town Office for log in information.*

The Board will also be seeking input on amendments to the Town of Sunapee Subdivision Regulations and Site Plan Review Regulations. The full text for each amendment is available below.

Zoning Amendments

Amendment #1

Article III, Section 3.20 – Table of Dimensional Controls

Amend ordinance to add lot coverage numbers for Mixed Use I - Shoreline

The full text will be as follows:

Shoreline Impermeable	40%
Shoreline Permeable	
+ Impermeable	80%

Amendment #2

Article III, Section 3.50 (g) & (h) plus Article XI Definitions to change the height of a minor fence from five (5) feet to six (6) feet or less. This would also eliminate the Special Exception for fences placed two feet from the boundary line.

The full text of the amended sections will be as follows:

Section 3.50 (g) DELETED

Section 3.50 (h) The ZBA may allow a fence over 5 6 feet in height (measured from the ground level) to be placed on a boundary line provided that

- (1) The landowners of the properties for which the fence is providing a boundary apply as co-applicants to the ZBA;
- (2) The subject property boundary is delineated by a licensed land surveyor;
- (3) Such fence in the judgment of the ZBA will not adversely affect other neighboring properties;
- (4) An agreement between subject owners is filed with the *Sullivan County* Registry of Deeds indicating that the proposed fence location is acceptable to all parties and such agreement will run with the property's chain of title.

Zoning Amendments (cont)

Amendment #2 (cont)

Article XI – Structure, Minor – a minor structure is exempt from the terms of this Ordinance and shall not require a Certificate of Zoning Compliance. Minor structures shall include the following:

- 1) Fence measuring ~~less than 5~~ 6 feet high or less from the ground surface provided that the fence is constructed in such a manner as to allow the fence owner the ability to maintain both the fence and the fence owner's land, if any on the neighbors side of the fence
- 2) Mail Box
- 3) Flag Pole
- 4) Dog House
- 5) Thirty-two (32) square foot open platform and associated stairs, which is no more than 4' off the ground and is used for access to a structure
- 6) Gym/swing sets for private residential use
- 7) Pergolas (8' x 10' maximum footprint)

Amendment #3

Article IV, Section 4.33 (B)(8)(a)(I) – Erosion Control

Amend ordinance to incorporate the newest publication on erosion control titled, “New Hampshire Stormwater Manual” , published by the New Hampshire Department of Environmental Services

The full text this section as amended with be as follows:

Erosion and sediment control plans shall be required for all construction, filling, grading, dredging, and other activities requiring land disturbance within the Shoreline Overlay District. The erosion control plan shall incorporate the design standards from the ~~publication Stormwater Management and Erosion & Sediment Control Handbook for Urban and Developing Areas in New Hampshire, prepared for the DES by the Rockingham County Conservation District in cooperation with the USDA Soil Conservation Service, August 1992,~~ most current version of the *New Hampshire Stormwater Manual*, a copy of which is on file in the Planning/Zoning Office. In accordance with these standards, new structures shall be designed to prevent runoff over exposed mineral soil.

Zoning Amendments (cont)

Amendment #4

Article XI – Definitions – Farming

Amend ordinance to make it clear what constitutes farming that is allowed by right in the Rural-Residential and Rural-Lands district. Also defines what agricultural uses are exempt from the ordinance.

The full text of the new definition will be as follows:

Farming – The commercial use of a parcel of land as defined by RSA 21:34-a of the NH Statutes. Any hobby or subsistence farm whose products are intended primarily for the consumption of the landowner or tenant, with only the occasional sale of surplus produce or livestock, are allowed in all districts and exempt from the terms of this Ordinance.

Subdivision Regulation Amendment

Amend Section 3.07 (A) **Boundary Line Agreements/Annexations**

The current wording of this section requires that a boundary line agreement must have a review and approval from the Planning Board. This amendment will recognize that all boundary line agreements that meet the criteria of RSA 472:4 may be completed without any action of the Planning Board provided a copy of the survey is placed on file with the Town of Sunapee Planning Board.

The full text of Section 3.07 (A) as amended will be as follows:

Section 3.07 (A) Boundary Line Agreements/~~Annexations~~ *Minor Lot Line Adjustments*

In cases where the proposal is a boundary line agreement or minor lot line adjustment, which will not create additional lots, the applicant shall ~~apply to the Board for review and approval~~ *proceed as follows:*

- (i) *Boundary Line Agreements: If the boundary line agreement meets the criteria set forth in RSA 472:4 then it does not require any action of the Planning Board provided that a copy of the agreement (and any accompanying survey) is placed on file with the Town of Sunapee.*
- (ii) *Minor Lot Line Adjustments: The applicant shall apply to the Planning Board for review and approval. The application shall be considered at a regular meeting of the Planning Board. No public notice will be required for such a proposal, except the normal notifications of the Planning Board meeting. A mylar and four copies shall be submitted to the Planning Board on or before the posted deadline date of the meeting which the plan will be considered. The applicant shall pay an administrative fee of \$75.00 to the Town of Sunapee at the time of submission.*

Site Plan Review Regulation Amendment

Amend Article V, Section A3 Application Requirements

The current wording of this section requires that a signature block be placed on the plans that include the Police & Fire Chiefs, Road Agent, Superintendent of the Water & Sewer Commission, and designee of the Conservation Commission. The section will be amended to reflect the process of Peer Review which occurs on a monthly basis. All comments are directed through that process and a final sign off is completed once the project has been constructed.

The full text of the amended section will be as follows:

A3. Appropriate signature block for the signature of the Planning Board Chair.~~person, Police Chief and Fire Chief, Road Agent, Chairperson or Superintendent of the Water and Sewer Commission and designee of the Conservation Commission.~~ *The various department heads including the Police and Fire Chiefs, Road Agent, Superintendent of the Water and Sewer Department, representative of the Conservation Commission, and Zoning Administrator shall pass along verbal or written comments to the Planning Board via the monthly Peer Review process. The final site plan improvements shall be signed off by all of the above department heads prior to occupancy per Article XII of these regulations*