

EPPING, NH PLANNING BOARD MEETING MINUTES

THURSDAY December 10, 2015

PRESENT – Joe Foley, Paul Spidle, Heather Clark, Brian Reed; Planner Brittany Howard; Secretary Phyllis McDonough.

CALL TO ORDER: Chairman Foley called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE TO THE FLAG

DISCUSSION Cory McPhee – Zampa’s Restaurant

Cory McPhee came before the Board for guidance on a proposed expansion of Zampa’s Restaurant. He explained Jones & Beach engineered the site for parking spaces and to accommodate for a 1,750 square foot building addition. He stated he’s before the Board for guidance.

Howard stated the Planning Board previously approved the lighting, signage and parking; architectural would have to be approved and would need to come back before the board.

McPhee stated the seating capacity would be expanded to approximately 114 seating.

The Board is in agreement for McPhee to come before the Board with an amended plan and architectural.

PUBLIC HEARING: Subdivision
Owner/developer: Craig Cormier
Location: 67 Mast Road, Tax Map 031 – Lot 025-003

Chairman Foley read notice of a Subdivision hearing by Craig Cormier. There were no abutters present.

Spidle moved, Clark seconded the motion to accept the plan. The motion carried unanimously.

Joe Coronati from Jones & Beach came before the Board with the proposal for a property on Mast Road. He explained the property is rectangular with enough frontage for two lots; the house existing house on the property is on one side of the lot, which makes it acceptable for a two lot subdivision. He stated everything conforms to zoning; the existing house, well and septic would all be on one lot with no easements; the new lot has enough room for its own well and septic. He explained test pits have been done and wetlands have been delineated. He noted they are waiting for State Subdivision approval.

Spidle moved, Clark seconded the motion to approve the plan subject to the approval of State Subdivision approval and Town driveway permit. The motion carried unanimously.

PUBLIC HEARING: Site Plan
Owner/developer: Farnese/Doumit
Location: 100 Shirking Rd. Tax Map 035 – Lot 029

Chairman Foley read notice of a Site Plan hearing by Farnese/Doumit. There were no abutters present.

Clark moved, Spidle seconded the motion to accept the plan. The motion carried unanimously.

Scott Cole from Beals Associates came before the Board with the proposal on a 1.3 acre parcel that was a previously approved site plan in May of 2009. He explained at that time, the owner decided not to go forward on the application.

Cole showed the new site plan for a proposed 6,000 square foot building; 500 square feet of the building is office space and the remainder is an industrial. He noted there are 10 parking spaces, and stated on the previous application the building was allowed by a Variance within the 55 foot front setback and on this application it is lessened. He explained there is still a valid septic system with a proposed wetland impact which has been reduced from the prior application of 709 square feet to 598 square feet with the proposed building is parallel to the road. Cole explained the buffering impact to the wetland is 8,900 square feet which is also a reduction.

Cole explained an application was made to the Conservation Commission the drainage system in the rear is a collection system, swales long enough, and a lighting design at each end of the building and landscaping and also showed landscaping.

Cole stated the previous wetlands permit has expired and is in the process of receiving a new permit.

Clark questioned if the two entrances are the paved. Cole stated they will be after the building is completed.

The Board agreed to hours of operation 7:00am to 6:00pm, six days a week and closed Sundays.

Spidle moved, Clark seconded the motion to approve conditional use permit on the wetlands impact.

Spidle moved, Clark seconded the motion conditional on the DES permit, meeting with the Conservation Commission, town driveway permit and signage. The motion carried unanimously.

PUBLIC HEARING: Impact Fees - School

Chairman Foley read notice of a Public Hearing for Impact Fees to the School portion.

Type of Structure	Per Dwelling Unit	Per Sq. Ft. Living Area
Single Family Detached	\$4,723	\$2.62
Attached and 2+ Family	\$3,036	\$2.76
Manufactured Housing	\$3,379	\$3.15

Clark moved, Spidle seconded the motion to approve the School portion of the Impact fees. The motion carried unanimously.

PUBLIC HEARING: Zoning Ordinances

Chairman Foley read notice of a Public Hearing for Zoning Amendments.

The amended Zoning Ordinances are attached to these minutes. The following motions were made:

Clark moved, Spidle seconded the motion to accept the proposed first amendment Article 6 Section 6. The motion carried unanimously.

Clark moved, Spidle seconded the motion to table the proposed second amendment. The motion carried unanimously.

Spidle moved, Clark seconded the motion to delete the proposed third amendment Article 6 Section 13. The motion carried unanimously.

Clark moved, Spidle seconded the motion to accept the fourth amendment Article 2 Sections 6 & 7 to permit kennels in the Industrial Commercial Zone. The motion carried unanimously.

Spidle moved, Reed seconded the motion to approve Article 4 as amended. The motion carried unanimously.

Spidle moved, Clark seconded the motion to approve the fifth amendment Energy Efficiency Zoning. The motion carried unanimously.

Clark moved, Spidle seconded the motion to accept the sixth amendment Article 6 Section 7. The motion carried unanimously.

Clark moved, Spidle seconded the motion to accept the seventh amendment Article 6 Section 16, Article 12. The motion carried unanimously.

The Board agreed on the “sequence” of Zoning Amendments to be listed on the ballot:

1. First proposed amendment – Article 6 Section 6
2. Fifth proposed amendment – Article 22
3. Fourth proposed amendment – Article 2, Section 6 & 7
4. Seventh proposed amendment – Article 6, Section 16; Article 12
5. Sixth proposed amendment – Article 6, Section 7

NOTICE OF DECISION FOR SIGNATURE RE: Exeter Road Solar, LLC and Cloutier Pine & Pond Subdivision. The Notices of Decision was duly signed.

MINUTES OF 11/12/15 FOR APPROVAL – Clark moved, Spidle seconded the motion to approve the minutes of 11/12/15. The motion carried in favor with one abstention.

BILL FOR PAYMENT BRUCE MAYBERRY \$1,800 – Spidle moved, Clark seconded the motion to pay the bill for \$1,800 impact fees.

ADJOURNMENT: Clark moved, Spidle seconded the motion to adjourn at 8:20pm. The motion carried unanimously.

Respectively Submitted,

Phyllis McDonough
Planning Board Secretary
Attachment/ Zoning Amendments

NOTE: THE NEXT MEETING DATE IS JANUARY 14, 2016 at 6:00 p.m.

ZONING AMENDMENTS -

1. Non-conforming structure

OLD TEXT:

Any non-conforming structure which is completely or substantially destroyed by casualty loss may be replaced with a similar structure which has the same building footprint dimensions and meets the setbacks of the previously existing structure. The structure may be rebuilt provided such construction is started within one year of the casualty loss and complete within two years of the casualty loss. The provisions of the Town of Epping Building Code, as amended, shall apply to any reconstruction.

NEW TEXT:

If a non-conforming structure is being replaced by the owner and the replacement structure cannot meet the zones required setbacks due to lot restrictions (grading, wetlands, existing structures, etc.) a similar structure which has the same building footprint dimensions and meets the setbacks of the previously existing structure may be constructed. The owner has one year after obtaining a demo permit to begin construction and two years from the demo permit issuance to obtain a certificate of occupancy for the structure.

If the non-conforming structure has suffered a casualty loss (fire, flood, etc.) a similar structure which has the same building footprint dimensions and meets the setbacks of the previously existing structure provided such construction is started within one year of the casualty loss and two years of the casualty loss to obtain a certificate of occupancy for the structure.

The provisions of the Town of Epping Building Code, as amended, shall apply to any reconstruction. The Building Inspector may require a foundation certification before and after to ensure the new structure is in the same footprint.

2. Home Occupation: highlighted is what we added

6.7 HOME OCCUPATION (adopted 3/13/2012)

6.7.1 Definition: A home occupation is a professional or service occupation or business carried out from the home which is **clearly accessory and subordinate** to the residential use of the property,

6.7.2 Where Permitted: Home occupations are allowed in any dwelling unit by permit only. The Board of Selectmen will issue a Home Occupation Permit.

1. A home occupation is to be located within the principle dwelling unit or in a building structure which is accessory to the principle dwelling unit.
2. The exterior of the building must not create or display any evidence of the home occupation, except a permitted sign. Variation from the residential character is prohibited.
3. A home occupation must not utilize more than twenty-five percent (25%) of the gross floor space area, including basement and accessory structures of the principle structure.
4. No more than two (2) non-residents may be employed with the Home Occupation.
5. No more than two (2) commercial motor vehicles may be parked overnight.
6. **No more than two (2) pieces of large/heavy commercial equipment (front end loader, bulldozer, excavator, skid steer, backhoe, etc.) may be parked overnight.**
7. Adequate off-street parking must be provided for the Home Occupation.
8. The Home Occupation must be owned and operated by the resident of the dwelling.

9. The Home Occupation must not offend by emitting smoke, dust, odor, noise, gases of any type, fumes of any type, glaring lights, refuse matter or any type or stockpile material.

6.7.3 Permitted Uses: Not more than one Home Occupation is permitted as part of the residential dwelling unit or its accessory structure. **Such use shall be clearly accessory and subordinate to the principle dwelling unit.**

1. Professional offices: medical, dental, legal, engineering, architectural offices, bookkeepers, accountants, secretarial services, insurance offices.
2. Tailor or seamstress.
3. Daycare centers (childcare or elderly)
4. Sale and display of arts and crafts.
5. Barber shops and beauty shops.
6. Hobby and antique shops.
7. Plumbers, electricians, heating/air conditioning, communication, computer, construction, site contractors, and landscaping businesses.
8. Occupations not listed above that are of a similar nature and only if the Board of Selectmen find that the occupation meets the provisions of this section.

3. Shed – highlighted is what was added

Sheds equal to or greater than 200 square feet shall require a building permit and shall meet all setback requirements for the zone in which they are located. Sheds less than 200 square feet and not on a permanent foundation shall not require a permit and shall meet the front setback requirements for the zone in which they are located. A shed is defined as: a simple roofed structure typically made of wood or metal, used as a storage space. This definition does not include the use of the structure for animal husbandry. Metal shipping containers or tractor-trailer boxes are prohibited as permanent sheds in the following zones: Residential, Rural Residential, Residential Commercial, West Epping Business District, High Density Residential, and Central Business District.

4. Kennels – highlighted is what was added

Permitted Use in the IC Zone

Definition:

KENNEL: Any structure or premise in which animals are kept, groomed, boarded, bred or trained for commercial use. If this is the primary use in the residential or rural residential zone Site Plan Approval shall be required. If this is in addition to a single family use, a dual use (special exception from the Zoning Board) shall be required.

**** The last sentence in this definition is how the zoning currently works. If you want 2 uses on a piece of property you need a dual use from the ZBA. I think this cover all the points that were discussed at the meeting regarding this issue.

5. Moving energy efficiency to site plan regulations.