Planning Board Minutes
December 7, 2011

The Board convened at 7:00pm with the following present: J. Mullen, P. Hardyman, H. Morse and Mackenzie Greer and Brian Domina.

The Board began reviewing the draft changes to the definitions in the Protective By-Laws. Discussed was whether the wording "major portion" listed under Farm Stand was enforceable. As the building inspector is the official enforcement officer for the permitted uses, it would be up to him/her to investigate any use that appeared to violate the permitted uses and report violations to the Select Board. Under Motor Vehicle Repair & Service Station, a limit of two fueling stations was added. Under Retail, a size restriction was struck from the definition.

The Board interrupted their review of the draft revised By-laws for Michael Parsons of Kelly, Granger and Parsons to present two Form As for sub-division of land owned by Cindy Lapshere that fronts on Leffingwell Road. The first parcel is 20.03 acres and the second one is 30.334. As both lots met the road frontage and acreage requirements the Board approved both Form A's.

Mr. Parsons then presented a plan for an Approval Not Required on Lot 3 owned by Hal Crine. Mr. Crine had previously sold the parcel (14.293 acres) to Mr. Schnopp. The parcel is land-locked, i.e., it has no road frontage, and thus, it is not a buildable lot.

The Board returned to its review of the draft revised By-laws that would create Village Center Districts. There was a lengthy discussion on 5.2.3 which deals with the size of a lot for the second dwelling and if, in the future, technology becomes advanced enough could the lot size be smaller. Brian indicated that the right for a variance on the property could be applied for under the existing Protective By-laws.

There was also discussion on 5.3—Conversion of an Existing Structure without meeting the Dimensional Requirements. 5.3.1—states that the original structure has not been enlarged within seven (7) years of the proposed conversion. It was agreed that 7 years was a long time and that instead it would be inserted that it could only be 30% of the original footprint.

The Board also discussed the application of the draft By-law to existing structures.. Example: A dwelling unit is in a barn, if another part of this same barn is converted to a shop (or shop or home occupation), Are there now two principal uses on the same property, if not which is the primary use? Brian stated that there could only be one principal use on the property. How does the by-law address mixed use in a single structure? The consensus was that the Board of Selectmen would review a non-conforming use through the Special Permit review process according to potential health and/or safety risks posed by the use. In rural areas, the use would be subordinate to the primary use and would be by Special Permit with the Board of Selectmen or under Miscellaneous Uses in the Table of Permitted Uses.

Add to the Table of Permitted Uses: Permitting of accessory uses: 1) Principal use by-right, 2) if accessory by right, or 3) if consistent with the principal dwelling. Also, add "General Accessory Uses" under E: Miscellaneous Uses.

The Board discussed the Intensity Table. The following standards were set:

- Rural Residential District:
  - Front setback=40 feet; and

    - Height restriction = 35’.
- Village Center District:
    - Front setback = 0’
    - Side and rear setbacks = 10’
    - Height restriction = 35’.

On 4.4.2, the Board approved the front setback as the average of the 5 closest existing buildings. On 4.4.2.2, the maximum setback would be 35’ if no buildings exist on the same side of the street within 100 yards of the subject lot.

Both Brian and Mackenzie will come back to the next meeting with the final draft of the Village Center Zoning.

The DLTA grant is being distributed and the Board will apply for a grant to continue its work with BRPC on these By-law revisions.

With all business concluded, the meeting was adjourned at 9:45pm.

Submitted by:

Tara White
Secretary