

**TOWN OF TUFTONBORO
PLANNING BOARD
December 19, 2019
MINUTES**

Members Present: Matt Young, Chairman, Bill Marcussen, Selectmen's Representative, Laureen Hadley, Kate Nesbit, Members, Carol Bush, George Maidof, Alternates.

Members Absent: Tony Triolo, Vice-Chairman, Gary Qua, John Cameron, Members.

Staff Present: Lee Ann Hendrickson, Administrative Secretary.

Chairman Young opened the meeting at 7:02 PM at the Town Offices, 240 Middle Road.

Chairman Young appointed Carol Bush, Alternate, to sit in for Gary Qua, Member, and appointed George Maidhof, Alternate, to sit in for Tony Triolo, Member.

I. Public Comment

None.

II. Consideration of Minutes

November 21, 2019

It was moved by Kate Nesbit and seconded by Laureen Hadley to approve the November 21, 2019 Tuftonboro Planning Board minutes as submitted. All members voted in favor. The motion passed.

III. Scheduled Appointments/Public Hearings

LFT Holdings, LLC and Mahnaz Mahidastiti

Tax Map #40-4-1-1

Site Plan Review; Retail Store (Pier 19)

Matt Young noted the application has been postponed to January 2, 2020 (at the Town House, 7 PM) due to issues associated with the abutter information that had been submitted by the applicant.

IV. Action Item

Planning Board Fee Schedule; Move to Public Hearing

The Board reviewed the proposed fee schedule and agreed to the following change;

- Place an asterisk next to "Payable to the Carroll County Registry of Deeds" and include a footer stating the "current fees are defined and required by the Carroll County Registry of Deeds and are subject to change at the discretion of the Carroll County Registry of Deeds."

It was moved by Kate Nesbit and seconded by Laureen Hadley to move the Planning Board Fee Schedule to public hearing on January 2, 2019 at the Town House at 7 PM. All members voted in favor. The motion passed.

V. Discussion Items

Appeal of Planning Board Decision by Camp Belknap (Farm Island Subdivision)

Matt Young referenced the summons of the Planning Board appeal filed with the Superior Court (YMCA Camp Belknap v. Town of Tuftonboro, et al); noting the Board is required to prepare a Certified Record for the court.

Staff noted the Acceptance of the Service/Waiver of Formal Service is not dated or signed; noting Justin Pasay, Planning Board Counsel, has agreed to accept service on behalf of the Town. She stated the Certified Record is due thirty days following the signature of such.

Carol Bush noted Camp Belknap had a letter of intent to purchase the property however has now submitted a formal backup offer. She stated David Winchester is the Power of Attorney for his two brothers and therefore has a fiduciary responsibility to them. She noted Mr. Winchester approached both Camp Belknap and Lakes Region Conservation Trust several times prior to the Mr. Owen and Ms. Pratt's Purchase and Sales Agreement however, neither organization acted on the proposed sale of the property.

Planning Board Membership

Matt Young stated Carol Bush and George Maidhof have been appointed by the BOS as alternates to the Planning Board and Gerry Maughn has completed the orientation process with Gary Qua. He noted the Board would request the appointment of Mr. Maughn.

Zoning Amendment; Section 3.6.F.13

Matt Young stated Jack Parsons has requested a zoning amendment to Section 3.6.F.13 to include outside storage. He stated Mr. Parsons feels there is a need to address outdoor storage such as boats (commercial). He stated the Board discussed the request and questioned the requirements that the Board wants to institute and whether the Board wants the use as a permitted use. He stated Mr. Parsons concern is that outdoor storage is currently happening with no way to control it. He stated the only place in the ordinance that outdoor storage is addressed is in Home Occupation.

Bill Marcussen asked whether Jack Parsons is referring to any outdoor storage or primarily boats.

Matt Young replied all outdoor storage such as equipment and boats. He referenced the document prepared by Gary Qua, see attached.

Kate Nesbit stated that what Mr. Qua is speaking to is not commercial. She asked if the Board can be that restrictive to require screening.

The Board discussed junk yards.

Matt Young stated he has no objection to outdoor storage.

Kate Nesbit asked Mr. Young if he would require screening of such.

Matt Young replied yes.

Bill Marcussen noted the Board previously discussed requesting counsel to review such.

The Board agreed to research language used by other towns that address outdoor storage.

Mountain Shadows Final Inspection

Staff stated HE Bergeron has performed the final inspections for both Mountain Shadows 2005 & 2006 however, noted outstanding issues and requested additional information from Staff prior to submitting a recommendation regarding the financial security.

VI. Informational Items

The Board received the following information; 2020 Planning Board Schedule.

Matt Young noted final approval was given to Albee/Pierce/Hooper Boundary Line Adjustment.

VII. Other Business

Steve Hunter Site Plan Review Compliance

Matt Young stated he spoke to Jack Parsons regarding such; noting Mr. Parsons has sought guidance from Attorney Rick Sager regarding how to proceed with such.

VIII. Public Comment
None.

It was moved by Kate Nesbit and seconded by Laureen Hadley to adjourn the December 19, 2019 Tuftonboro Planning Board meeting. All members voted in favor. The motion passed.

There being no further business before the Board, the meeting adjourned at 7:49 PM.

Respectfully Submitted,
Lee Ann Hendrickson
Lee Ann Hendrickson

Zoning ordinance Town of Tuftonboro, NH

Section 3

3.5 Table of Uses go to 3.6 F.13. 13) Storage Buildings

Amendment ask's to include Storage and/or Storage Buildings

The Zoning Ordinance for 3.6 F.13 currently calls for a "Special Exception (S)" in District LDR, MDR, LKR, NHB and OSB

All Special Exceptions are subject to the provisions of Section XVII Pg. 72

The question here is do we add Storage and/or Storage Buildings. Both are two different definitions and need to be addressed. Or does the PB feel that the definitions in Section XVII Pg. 72 are sufficient for ZBA to decide?

Storage Buildings

Purpose

Storage Facilities have characteristics with commercial uses. The Town of Tuftonboro would need to provide regulations to appropriately site Storage Facilities while maintaining the desired character of the community and existing neighborhoods.

District Regulations

As referenced above the districts need to be reviewed as to which districts are permissible. There would need to be granting of a conditional use permit by the planning Board.

Standards

The planning Board would need to evaluate the application for compliance with the following standards (Examples only)

- 1) All Storage buildings under 200 sq. Ft. would be permitted by the codes officer as non commercial storage building and shall meet all required set back requirements.
- 2) The use of the premises shall be limited to storage only, and shall not be used for manufacturing, fabricate, process goods, service of repair boats, vehicles, trailers, small engines or of similar repair activities.
- 3) Building sizes shall be limited to 10,000 SF in the approved district. (Dependent upon District)

- 4) No retail sales of any kind.
- 5) No storage unit shall be considered premises for the purpose of assigning a legal or business address.
- 6) Electrical service shall be for lighting and climate control only. No electrical outlets are permitted inside individual storage units. All electrical fixtures will be secure type fixtures.
- 7) If the facility abuts residential zoned property, all set backs will double. Loading doors, bays and docks shall have appropriate permanent visual mitigation's not to be visible to the residents.
- 8) The Self Storage facility shall utilize building materials and Architectural features which fit into the context of the surrounding properties; character-the look and feel of the place.
- 9) In order to promote visual compatibility with the surroundings, storage facility buildings shall incorporate landscaping/screening and architectural design features such as: massing; proportions; facade modulation; exterior building materials and detailing; varied roofline; pedestrian scale.
- 10) As part of the Site Plan Approval, all landscaping and Fences required by the Planning Board must be detailed by the applicant upon Final Application Review Process. Fences will be required to be minimum 6 FT in Height and a style that enhances the surroundings. No cloth style fences will be allowed. Landscape hedges shall be 4 ft tall and must grow to 6 FT within 3 years with no more than 5 FT of spacing between each. All driveways and parking ares shall be paved (asphalt). An entrance gate shall be locked after hours and must have similar ecstasics to other planned items.
- 11) The Planning Board shall also adhere at its digression, to the Zoning Ordinance 17.8.2 Special Exceptions A. & B.

Outdoor Storage

- 1) All outdoor storage of merchandise or commodities (not including motor vehicles) shall be screened by any lot which is in a residents district by a strip of least 4 FT wide, densely planted with shrubs or trees that are the type that may be expected to form a year round dense screen at least 6 FT high within (3) years, or by an opaque wall, barrier for uniform fence at least 6 FT high above finished grade. Such screening shall be maintained in good condition at all times. These screenings may be interrupted at times by normal entrances and exits and shall have no sign hung or attached thereto than those permitted in the district. As part of the Site Plan Review, the Planning Board may require additional screening beyond that set forth in this section if it is determined it is necessary r appropriate.

2) Open storage of recreational vehicles, boats and storage pods is permitted subject to the following;

- A) Storage shall occur only in the designated area which is clearly delineated for open storage.
- B) Such area shall not exceed 10 percent of the lot or parcel area.
- C) Such area shall be screened from view from property zoned for detached residential single family use and public property, including the public right of way.
- D) Storage will not occur in public parking spaces, drives, parking lanes nor within required setbacks.
- E) No vehicle maintenance, washing or repair shall take place.

Comment:

Storage facilities are intended for storage only. Should the Planning Board consider keeping them in the NHB zone only, the semi commercial corridor of Melvin Village and CenterTuftonboro. Storage at private residence (for pay) should not be allowed, nor should special permits be issued for them? Storage (not for pay) at private residence and or private property needs to be considered and defined, how many boats, trailers or what ever, cars are the only item defined. Especially if the lot falls within an established neighborhood.