

Town of Albany, NH
Planning Board Public Meeting
Monday December 18, 2017

Meeting called to order at 7:02 pm by Chairman Tara Taylor.

Present: Chairman Tara Taylor, Vice Chairman Adrian Simons, Peter Carboni, Rick Hiland, alternate Morris West.

Absent: Sean Wadsworth

Morris West appointed as a voting member for the Dec 18, 2017 meeting in Sean Wadsworth absence.

Public hearing for minor administrative changes to the zoning ordinance opened at 7:08pm

Changes include:

Addition of: *For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective association, as defined in RSA 356-B:3 XXIII to Section II. DEFINITIONS 1. ABUTTER.*

Addition of Section II. DEFINITIONS 2. **ACCESSORY DWELLING UNIT**. *An "accessory dwelling unit" (or "ADU") is a residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.*

Addition of reference: *RSA 21:34-a II* to Section II. DEFINITIONS 4. AGRICULTURE and FARMING.

Addition of reference: *RSA 21:34-a I.* to Section II. DEFINITIONS. 9. FARM.

Removal of the word *Permitted* from Section II. DEFINITIONS. 26. SPECIAL EXCEPTIONS. To now read as follows: A specific use of land or buildings that is permitted when clearly defined criteria and conditions as set forth in this Ordinance are met. Special Exceptions may be granted by the Zoning Board of Adjustment in accordance with **RSA 674:33 IV**.

Addition of reference: *RSA 216-I:1 VIII* to Section II. DEFINITIONS. 29. TRAILERS
Recreational vehicles.

Removal of the word *residential* in Section III. LAND USES PERMITTED. B. COMMERCIAL/RESIDENTIAL ZONE. 2. Lot Requirements. b. Exception. To now read as: b. Exception: As of the date of passage of this amendment, any lot of record with a

minimum of fifty (50) contiguous feet of frontage on Route 16 in the Town of Albany may be used as a commercial lot provided that it is sufficient in size to accommodate the proposed use as determined by criteria established in the Site Plan Review Regulations.

Addition of the words: *road line* and removal of the word *lot* in Section III. LAND USES PERMITTED. B. COMMERCIAL/RESIDENTIAL ZONE. 2. Lot Requirements. C. Setbacks. To now read as follows: Setbacks: Every building placed on a lot shall be a minimum of twenty-five (25) feet from the road line or right-of-way line, whichever is closer, and a minimum of twenty-five (25) feet from the rear and side property lines.

Addition of the words: *road line* and removal of the word *lot* in Section III. LAND USES PERMITTED. C. LIGHT INDUSTRIAL ZONE. 3. Setbacks.

To now read as follows: Setbacks: Every building placed on a lot shall be a minimum of twenty-five (25) feet from the road line or right-of-way line, whichever is closer, and a minimum of twenty-five (25) feet from the rear and side property lines.

Addition of the words *Light Industrial and Commercial uses* to section III. LAND USES PERMITTED. C. LIGHT INDUSTRIAL ZONE. 4. Site Plan Review.

To now read as follows: Site Plan Review and approval by the Planning Board shall be required for Light Industrial and Commercial uses.

Adjustment of the words *If, in the opinion of the Planning Board* to the words *If, upon review of the Planning Board* and replacement of the word *shall* with the word *may* in Section IV. GENERAL REGULATIONS. A. ACCESS ROADS. To now read as follows: Every person who sells, or offers for sale to the public, a parcel of unimproved land for use as a building lot, now or in the future, shall, if said parcel does not have direct access to a state, town or other public road, first submit plans or blueprints to the Planning Board showing the parcel to be sold or deeded as well as all roads and/or rights-of-way giving access to said parcel from a road open to public use. If, upon review of the Planning Board such roads, or rights-of-way, provide a means of practical, usable access to the parcel for the owner and for supplying of municipal services, the Planning Board may approve the same.

Addition of the words *prior to March 9 1982* to Section IV. GENERAL REGULATIONS. B. NON-CONFORMING USES. 1. Existing Uses. To now read as follows: Existing Uses of land, buildings or structures in the Town of Albany prior to March 9 1982, may be continued and shall not be affected by the provisions of This Ordinance.

Addition of the words *in all residential zones* in Section V. HOME OCCUPATIONS AND HOME BUSINESS. A. Intent. To now read as follows: Intent: A home occupation, as defined below, is a permitted use in all residential zones. A home business may be allowed as a Special Exception by the Zoning Board of Adjustment in order to provide economic opportunity and diversity in the employment available to Town residents; to support the variety of uses characteristic of small towns, and allow for reasonable growth. At the same time, the ordinance intends to ensure that the quiet, uncrowded, and scenic features of the Town are preserved, and that neighborhood character is maintained.

Chairman opened up public comment. No public comments.

Board Comment:

Rick suggested that someone be present on the day of voting to help answer any questions from the public.

Tara closed the public hearing at 7:09pm

The next meeting is set for January 8th2018.

Rick made a motion to adjourn to meeting at 7:15pm, Adrian seconded the motion and it passed 5-0.