

Town of Albany, New Hampshire  
Planning Board Monthly Meeting Minutes  
Wednesday, January 23, 2013 7:00 P.M.

Next Meeting Wednesday, February 13, 2013 7:00 P.M.

The Planning Board Meeting was held at the Albany Town Hall.

Present: Chairman Steve Knox, Vice Chairperson Josephine Howland, Tara Taylor, Mike Helmers, Alternate; Selectmen Representative Sara Young Knox; David Maudsley, Technical Advisor; Theresa Ann Gallagher, Recording Secretary

Absent: Selectmen Representative Jack Rose, Adrian Simons

Also Attending: Leah Valladares and Jeff Gagnon, residents

Chairperson Steve Knox called the Planning Board monthly meeting to order at 7:00 P.M.

Approval of the Agenda: Chairperson Steve Knox asked for a motion to approve the proposed agenda. Tara Taylor made a motion to approve the agenda; seconded by Vice Chairperson Josephine Howland. Chairperson Steve Knox asked all those in favor of accepting the agenda as proposed signify it by saying "Aye". All were in favor. None opposed.

Public Hearing: Three proposed zoning changes were presented for public hearing: Residential building height limitations; Commercial setbacks; Green space all around a property. (See attached)

Residential building height limitations are being reviewed for the fire safety issues. After much discussion, a suggestion was made to take out the first sentence, and start with "Residential..." 3<sup>rd</sup> line down. Also change "should" in the revised first line to "shall".

Commercial setbacks had some public input; Jeff Gagnon suggested that the 50 feet include parking spaces and 25 feet for green space. Leave it open and eliminate the wording "which includes space for parking". Leah Valladares agreed that the wording is confusing. The minimum of 50 feet from all properties should state "could include parking within 25 feet of the boundary line". This would allow the fire department to get around the property to get to the building and also other trucks to get to the building as needed.

Public Haring closed at 7:23P.M.

Chairman Steve Knox reviewed the changes for the wording of the first ordinance amendment regarding building height limitations – remove the phrase of the first sentence, "So as to preserve the largely rural, wooded character of the Special Highway corridor, and to maintain building heights well below the height of the mature tree canopy" and start with "Residential and commercial building heights shall not exceed...". Change "should" to "shall". Add "residential wind turbines" to the list of exceptions. Chairman Steve Knox asked for approval by the Planning Board to adopt the building height ordinance as changed to be put on eth ballot as stated: "Residential and commercial building heights shall not exceed forty-five (45) feet in height, measured in a plumb line from the highest point of the ridge line to the lowest point of finished grade around the foundation. Exceptions to this rule are church steeples, barn buildings, chimneys and/or antennas, masts, flag poles, solar panels, satellite

dishes and residential wind turbines.” Chairman Steve Knox asked if there was any further discussion; there was none. Chairperson Steve Knox asked all those in favor of adopting the building height ordinance to be placed on the ballot as stated to signify it by saying "Aye". All were in favor.

Chairman Steve Knox reviewed the suggested changes for commercial setbacks, removing the last five words, “which includes space for parking”, meaning that parking can be within the 25 feet boundary line, rather than the 50 feet. Chairman Steve Knox asked for approval by the Planning Board to adopt the commercial setback ordinance as changed to be put on the ballot as stated: “For the purposes of this section, setbacks will be measured from the center line of any road or right-of-way, property line, and the mean high water mark at a water course of body of water to the nearest portion or part of any building or any other structure. Signs are exempt from the provisions of this paragraph other than regulated by their own provisions above. The following setback requirements are established: All new commercial structures and buildings within the commercial district shall be set back a minimum of one hundred (100) feet from the center line of the roadway and a minimum of 50 feet from all other property boundaries.” Chairman Steve Knox asked if there was any further discussion; there was none. Chairperson Steve Knox asked all those in favor of adopting the commercial setback ordinance to be placed on the ballot as stated to signify it by saying "Aye". All were in favor.

Chairman Steve Knox reviewed the green space regulation amendment for the Site Plan Review, and asked approval by the Planning Board to adopt the green space regulation to be put on the ballot for the change to Site Plan Review regulations as stated: “The Site Plan Review regulations will include a requirement of 25 feet of green space from all of the boundary lines for a commercial property.” Chairman Steve Knox asked if there was any further discussion; there was none. Chairperson Steve Knox asked all those in favor of adopting the green space regulation amendment for the Site Plan Review to be placed on the ballot as stated to signify it by saying "Aye". All were in favor.

The Planning Board thanked Leah Valladares and Jeff Gagnon for attending the public hearing and for their input and suggestions.

Approval of the Minutes: Chairperson Steve Knox asked for a motion to accept the minutes from the January 9, 2013 Planning Board meeting; Tara Taylor made a motion to accept the minutes from January 9, 2013 meeting; seconded by Vice Chairperson Josephine Howland. Steve Knox asked if there are any errors or omissions. Correction: page 1 – “Ann Wolfe kept good records”; page 2 the first line “dual” should be “duo”. Chairperson Steve Knox asked all those in favor of accepting the amended minutes of the January 9, 2013 meeting, signify it by saying "Aye". All were in favor.

Chairman’s Report: Chairperson Steve Knox reviewed the budget for 2013 with the Planning Board. It was agreed to keep the budget as the same for 2013, except for the following: Secretary and Technical Advisor reduce from \$4,400 to \$3,500. Planning Board attendance from \$4,000 to \$3,500, Manuals and resources reduced from \$350 to \$250; Seminars and lectures increased to \$500.

Board of Selectman’s Report – None.

Correspondence: From Dave Sylvia, of the DOT, who wrote stating that there is no Driveway Permit on file for Almost There Restaurant; since there is no change in use, no driveway permit needs to be issued. After much discussion, the Planning Board agreed that the survey map for Almost There Restaurant that was approved in 1995 is grandfathered and remains accepted as is.

Master Plan: Chairman Steve Knox handed out a section for the Master Plan on “Future Vision” that he revised. He included the mission statement in this section, which includes preserving the rural character of the community (open space, woodlands, and low population density). The problem is that a lot of towns in New Hampshire want to preserve the rural character of the community, but they create zoning ordinances that do not promote that goal. He wants to make sure Albany doesn’t do that. Discussion continued on reviewing the Future Vision section for the Master Plan. Chairman Steve Knox said the Master Plan should make references to the fact that agriculture can be an opportunity to create jobs and businesses. Cluster housing and affordable housing also have to be addressed in the Master plan. “As Albany faces future plans’ refers to development of commercial property and growth. Take out the word “plans”. Second bullet, after water put “supply”. Next bullet, after “commercial” include “development”. Last bullet refers to cluster housing, which includes observance of the current ordinance of having two acres per lot. The septic systems and distance from the well on the properties will have to be regulated, and the two acres have to be buildable acres, not wetlands. The Albany Planning Board will address a plan for cluster housing in the future. Tara Taylor made some suggestions for the wording, and Chairman Steve Knox asked her to rewrite this section to make it flow and to make it clearer. She agreed to do that. The Planning Board agreed that the thoughts in this section are excellent.

Update on “Almost There Restaurant”; Jack Whigham will be meeting with the ZBA at the end of the month. He will have to have his license renewed in August, which is for 86 seats. The Board of Selectmen will address this issue.

Chairman Steve Knox suggested working on the Master Plan during the next meeting in order to complete it as soon as possible this year.

(Theresa Gallagher asked if there has to be another public hearing for the changes that were made to the ordinances by the Planning Board; David Maudsley, Technical Advisor, said no due to the fact that the changes were minor, for clarification, and the intent of the ordinance did not change.)

Adjournment: Chairman Steve Knox asked for a motion to adjourn the meeting at 8:35 P.M. A motion was made by Tara Taylor to adjourn the Planning Board Meeting at 8:35 P.M.; seconded by vice Chairperson Josephine Howland. Passed unanimously.

Respectfully submitted,

*Theresa Ann Gallagher*

Recording Secretary