

Westmoreland Planning Board  
November 11th, 2014  
Approved minutes

❖ **Call to Order, Seating Members**

Present: Lauren Bressett, June Hammond, Bruce Smith, Steve Houle, Mark Hayward, Dawn Lincoln  
6:32 Jim Starkey arrived.

Lauren Bressett called the meeting to order at 6:30pm

❖ **Review of Minutes:** September 9th 2014

Dawn Lincoln made a motion to approve the minutes as read, June Hammond second, all voted in favor, Bruce Smith abstained, motion passed.

❖ **Old Business**

1. Chris Walker U1 lot 5A

Alison Fissette stated she had not heard from Chris Walker in this past month.

2. Board members reviewed the report from NHDHR which included pictures of the balloon test from Bill Fletchers residence on Thompson Road in reference to proposed tower on map U1- lot 8.

3. Dawn Lincoln had drafted the proposed ordinance changes for board members to review. Board members reviewed and made a few minor grammar changes, also noted will need to update the tables #503,504,505,506 if the town votes to accept the proposed changes.

Dawn Lincoln made a motion to approve recommended changes to the ordinances and schedule a public hearing on the proposed changes. Jim Starkey second. Motion passed.

Will schedule 1<sup>st</sup> public hearing for December regular meeting. Draft changes are attached to these minutes.

Some discussion ensued in reference to the new law passed this year, **Chapter 161 (HB1210)**. Will need to check with Joann LaBarre to see if she can let us know how many districts this will apply to, as additional cost due to the noticing will result.

❖ **New Business**

- Graves Trucking, Inc application for site plan review/RSA 155-E permit.

Dick Frasier, representing Graves Trucking Inc, emailed Alison on 11/11/14, informing her that the material for the planning board was at the town hall. Alison Fissette felt this was a lot of material for one person to review and board members agreed.

Dawn Lincoln made a motion to have Alison Fissette and Lauren Bressett do a preliminary review of the application material, Jim Starkey second. Motion passed all voted in favor.

➤ **2015 Budget**

Board members reviewed last year's budget and proposed the following for 2015.

Clerk	\$1300
Printing	\$ 500
Noticing	\$400
Supplies	\$200
Postage	\$400

Discussion ensued regarding Southwest Regional Planning Commission membership. Bruce Smith stated the Master Plan update committee has indicated their services could be used with the update. Lauren Bressett said the Conservation Commission also indicated that they would like the town to reinstate membership. Board members questioned what the service would cost; estimated cost would be around \$1900

Board members requested Lauren Bressett get answers from SWRPC:

1. What has or will SWRPC do for Westmoreland?
2. What has Westmoreland requested from SWRPC?
3. Is there a value to put to portions of their service?
4. Are there services that can be contracted outside of membership, if so, what are the rates?

Bruce Smith made a motion to adjourn, Steve Houle second, motion passed, Jim Starkey abstained.

Meeting adjourned at 8:20 pm

Respectfully submitted  
Alison Fissette  
Planning Board Clerk

## **Proposed Ordinance Changes**

### **TERMS**

*Explanation: The current (2014) Terms for Home Business and Home Based Occupation contained a level of detail that is better suited to the general ordinance section. Therefore, the Planning Board recommends moving the detail to Section 403.*

Home Business: Business activity which is carried on by the residents of the premises and not more than two additional on-premise employees, is clearly secondary to the use of the premises for dwelling purposes, and uses a minor portion of the principal or accessory structure(s).

*Explanation: Inserted "Based" to help clarify the difference between Home Business and Home Based Occupation.*

Home Based Occupation: Occupational activity, generating no external evidence, which is carried on only by the residents of the premises, is clearly secondary to the use of the premises for dwelling purposes, and uses a minor portion of the principal or accessory structure(s).

*Explanation: Recommend adding Premises since term was used but not defined.*

Premises: A house or building with its land and outbuildings.

### **ORDINANCES**

*Explanation: Moved details from Terms to Section 403. Restructured to include new sections 403.1 and 403.2 to further clarify the requirements and differences between Home Based Occupations and Home Businesses.*

SECTION 403 Home Based Occupation and Home Business

Shall both be considered an accessory use as long as such activity does not have a detrimental effect on the residential character of the neighborhood, is clearly secondary to the use of the premises for dwelling purposes, and does not cause obnoxious or excessive noise, smoke, odor, or other objectionable conditions that are detectable at the boundary of the property.

*Explanation: Inserted "Based" between home and occupation. Due to the intended low impact of a Home Based Occupation and the current (2014) restriction that no external evidence is permitted, the Planning Board is recommending that no signage be permitted for Home Based Occupation.*

SECTION 403.1 Home Based Occupation

Nothing in this ordinance shall prevent a resident from using a minor portion of the principal or accessory structure(s) for a Home Based Occupation. A Home Based Occupation shall:

- a. Be carried on only by residents of the premises.
- b. Involve only a service provided or a product produced by those residents on the premises.
- c. Be operated entirely within a minor portion of a principal or accessory structure.
- d. Result in no external evidence of the occupational activity, including no signage.
- e. Be considered a residential use.

*Explanation: Clarified allowed parking before having to use side or rear yards.*

#### SECTION 403.2 Home Business

Business activity exceeding the standards of a Home Based Occupation shall obtain a Special Exception from the Zoning Board of Adjustment. A Home Business shall:

- a. Be carried on by residents of the premises and not more than two additional on-premise employees.
- b. Be operated within a principal or accessory structure and not have external storage of supplies and equipment visible from any adjacent highway or dwelling unit.
- c. Provide off-street parking. If parking in addition to two business owned vehicles, two employee vehicles, and the first two customer vehicles is necessary, it shall be located in side or rear yards.

*Explanation: Since determining specific parking requirements for varying uses, the Planning Board recommends allowing the option for a Special Exception.*

#### Section 428 Off-Street Parking

For every building hereafter erected, altered, extended, or changed in use, there shall be provided year-round off-street parking spaces at least as set forth below, unless a Special Exception is granted.

*Explanation: Listing items makes it easy to unknowingly create a loophole. Instead of listing specific materials, the general term "earth materials" is recommended.*

#### Section 441 Extraction of Earth Materials

In accordance with RSA Chapter 155-E, in any district, the removal of earth materials.....

#### **TABLES**

*Explanation: Make tables consistent by allowing Home Business by Special Exception in all districts.*

Add "Home Business" under "allowed by special exception" to Table 503 and 505. Strike sentence after home business in 506.

*Explanation: Allow a one-family dwelling to be built in the Commercial/Industrial district without a Special Exception. The process of obtaining a building permit and compliance with other ordinances is still required.*

Table 502: Strike “all uses by special exception” and replace with “Uses”, like other tables, with column on left for “Permitted uses” and right for “Allowed by Special Exception”. Move #26 “1. Single Family Residence and 2. Home Based Occupation” to “Permitted uses”. All other uses to be under “Allowed by Special Exception”.

*Explanation: Change all “Single Family Residence” to “One-family Dwelling”, since the former is not in Terms but the latter is.*

Table 502/503/504/505/506 – replace “Single Family Residence” with “One-family Dwelling”

Table 504/506 – replace “Two Family Residence” with “Two-family Dwelling”

Table 506 – replace “Multi-family Housing” with “Multi-family Dwelling”

*Explanation: Insert “Based” between Home and Occupation.*

Table 503 Permitted Uses #6

Table 504 Permitted Uses #5

Table 505 Permitted Uses #4

Table 506 Permitted Uses #5