

**Town of Goshen
Planning Board
Minutes of November 15, 2018
FINAL**

Planning Board members present: Alicea Bursey (Chair), George Hebert (Vice Chair), Fred Smith, Bruce Nadeau, and Stephen Bursey

Guest(s): Don Bailey, Shaun Carroll, Jr.

Meeting called to order at 7:00 p.m.

Public Meeting

Chair Bursey began the public hearing by addressing the purpose of the meeting which was to discuss proposed changes to the Zoning and Building Ordinances and to the Excavation Regulations. There will be no official changes to the regulations during this meeting. All proposed changes will go to the Town Meeting in the spring and be voted upon by the Town.

Motion 1:

Bruce Nadeau made a motion to discuss proposed changes for Side and Rear Setback changes in the Zoning and Building Ordinances. Fred Smith seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 1. No comments or concerns were made from the public or the board.

Bruce Nadeau made a motion to accept the proposed wording change to section D.2. Side and Rear Setback, page 7 of the Zoning and Building Ordinances to state as follows, "Side and Rear Setback: Minimum distance from the lot side lines and lot rear lines to any buildings shall be forty feet (40'), providing, however, **the minimum distance from lot side lines and lot rear lines to any small detached building (any building not larger than 100 square feet) shall be ten feet (10'), and submit the wording for the March 2019 Town vote. Fred Smith seconded the motion. All were in favor, Motion 1 of the Zoning and Building Ordinances will be voted upon during the March Town Meeting.**

Motion 2:

Bruce Nadeau made a motion to discuss proposed change for Outdoor Advertising also referred to as the signage regulations in the Zoning and Building Ordinances. George Hebert seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 2. No comments or concerns were made from the public or the board.

Bruce Nadeau made a motion to accept the proposed wording change to section E (Outdoor Advertising) subpart 1, page 21 of the Zoning and Building Ordinances to state as follows, "A larger sign, of up to **thirty (30) square feet in size, may be permitted by special exception, provided that the proposed sign is located on the premises of the business advertised, and is otherwise in compliance with all other restrictions set forth in the ordinance" and submit the wording for the March 2019 Town vote. Stephen**

Bursey seconded the motion. All were in favor, Motion 2 of the Zoning and Building Ordinances will be voted upon during the March Town Meeting.

Motion 3:

Bruce Nadeau made a motion to discuss proposed change for Outdoor advertising also referred to as the signage regulations in the Zoning and Building Ordinances. Fred Smith seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 3. No comments or concerns were made from the public or the board.

Bruce Nadeau made a motion to accept the proposed wording change to section E (Outdoor Advertising) subpart 2, page 22 of the Zoning and Building Ordinances to state as follows: **“Signage shall be placed no less than five (5) feet from the property line set back unless affixed to a building and not extending beyond or above the same by more than three feet (3’). At no time may signage impair or impede vision of traffic”** and submit the wording for the March 2019 Town vote. George Hebert seconded the motion. All were in favor, Motion 3 of the Zoning and Building Ordinances will be voted upon during the March Town Meeting.

Motion 4:

Bruce Nadeau made a motion to discuss proposed change for Outdoor Advertising also referred to as the signage regulations in the Zoning and Building Ordinances. George Hebert seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 4. No comments or concerns were made from the public or the board.

Fred Smith made a motion to accept the addition of the proposed wording change to section E (Outdoor Advertising) as follows:

- a.) If signage is intended to face in two directions, signage must be built back-to-back to ensure smallest footprint possible.
- b.) Home business signage is subject to provisions of V.E. and A.2.b.ii. Signs must be simple and are not permitted to be illuminated or have sound.
- c.) The following signs are prohibited: Neon, tubular gas, animated, flashing, noise making, changeable electronic message boards or signs that have lights of changing degrees of intensity, brightness or color, or intermittently or intensely lit signs that could present a potential distraction or safety hazard to passing motorists or pedestrians, except as otherwise provided herein. Temporary seasonal holiday decorations are not considered as part of this regulation.
- d.) Signage shall be allowed by variance and special exception in accordance with the appropriate requirements for the type of use granted.
- e.) Permanent advertising may be allowed only by special exception.
- f.) Billboards are prohibited.
- g.) Every attempt should be made to preserve the character and charm of the town when considering the design and installation of outdoor signage,

and submit the wording for the March 2019 Town vote. Bruce Nadeau seconded the motion. All were in favor, Motion 4 of the Zoning and Building Ordinances will be voted upon during the March Town Meeting.

Motion 5:

Bruce Nadeau made a motion to discuss proposed change for Outdoor Advertising also referred to as the signage regulations in the Zoning and Building Ordinances. Fred Smith seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 5. Clarifications were needed on the term non-conforming, but no other comments or concerns were made from the public or the board. Non-conforming was explained as anything not in compliance with current regulations.

Bruce Nadeau made a motion to accept the addition of the proposed wording change to section E (Outdoor Advertising) as follows: “Every sign lawfully in existence at the time of adoption of these regulations may continue in existence and be maintained by the owner of the premises, but may not be changed in any of its dimensions or character or be moved, unless it is made to comply with these regulations. In the event there is a change of ownership of the premises, a change of tenants, or a reconstruction of a sign, then all signs must be brought into compliance with these regulations.

Any non-conforming signs, the use of which had been discontinued for a period in excess of ninety (90) days, shall not be reestablished, restored, or repaired unless it is made to comply with these regulations” and submit the wording for the March 2019 Town vote. Fred Smith seconded the motion. All were in favor, Motion 5 of the Zoning and Building Ordinances will be voted upon during the March Town Meeting.

Motion 6:

Bruce Nadeau made a motion to discuss proposed change for the definition of “operation” in the Excavation Regulations. George Hebert seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 6. The board addressed Mr. Carroll, Jr, directly regarding the proposed changes and he did not see any problems with the changes. No further discussion was made.

Bruce Nadeau made a motion to accept the addition of the proposed wording change and change the definition of operation to state as follows: ““OPERATION” For the purposes of Sections III.4-a.O and P of these regulations, the term “operation” includes the operation of any heavy motorized equipment or vehicles or the use of back-up warning devices or other noise-generating devices. It includes excavation activities, as well as any activity ancillary to excavation, such as land clearing or reclamation, which generates noise from power equipment such as bulldozers or chainsaws, **except those allowed by conditions specifically noted in the permit. The term does not include the use of personal passenger vehicles to access or inspect the site or normal conversation”” and submit the wording for the March 2019 Town vote. George Hebert seconded the motion. All were in favor, Motion 6 of the Excavation Regulations will be voted upon during the March Town Meeting.**

Motion 7:

Bruce Nadeau made a motion to discuss amending section III. 4-a Operational Standards addition of “Warm Up Period” definition in the Excavation Regulations. no discussion. Stephen Bursey seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 7. No comments or concerns were made from the public or the board.

Bruce Nadeau made a motion to accept the addition of the proposed wording change as follows: “ The warm up period is the 15 minutes immediately preceding, the by established town regulation, or by permitted exemption, start time of excavation activities. See section III.4.a. Operation Standards section P for additional guidelines” and submit the wording for the March 2019 Town vote. George Hebert seconded the motion. All were in favor, Motion 7 of the Excavation Regulations will be voted upon during the March Town Meeting.

Motion 8:

Bruce Nadeau made a motion to discuss proposed addition of an explanation of “Warm Up Activities” in the Excavation Regulations. Fred Smith seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 8. Mr. Carroll (recognized by the board) suggested that the word “loader” be changed to “equipment” to allow for equipment other than loaders to be in compliance with the regulation. The board agreed to this suggested change. No further discussion was made.

Bruce Nadeau made a motion to accept and add the “amended” definition of warm up period as follows: “Warm up activities are limited to the warm up of equipment engines only and may be conducted as long as the equipment is located in such a location/position that noise from this preparatory activity will not be noticeable to abutters and neighbors. The use of the warm up period is granted by conditional permitting only at the approval of the Planning Board” and submit the wording for the March 2019 Town vote. Stephen Bursey seconded the motion. All were in favor, Motion 8 of the Excavation Regulations will be voted upon during the March Town Meeting.

Motion 9:

Bruce Nadeau made a motion to discuss amending section III.4.a Operational Standards item P in the Excavation Regulations. Stephen Bursey seconded the motion. All were in favor.

Chair Bursey read the motion and opened the floor for discussion on motion 9. No comments or concerns were made from the public or the board.

Bruce Nadeau made a motion to accept the amended wording of section III.4-a Operational Standards item P as follows: “No “operation” as defined in Section III.1 of these regulations shall take place on Saturdays, Sundays, or legal state and federal holidays; **with the exception of Columbus Day. Columbus Day is excluded from this list of holidays and work may be performed on this day” and submit the wording for the March 2019 Town vote. George Hebert seconded the motion. All were in favor, Motion 9 of the Excavation Regulations will be voted upon during the March Town Meeting.**

Chair Bursey closed this portion of the public hearing.

Review of November 1, 2018 Meeting Minutes

Bruce Nadeau motioned to accept the minutes from November 1, 2018. Fred Smith seconded the motion. All were in favor, minutes approved ‘as is’.

Member Discussion

The board discussed the current member situation; they agreed to continue the search for members and alternates. This will remain a standing item until filled.

Other Business

- The next meeting will be the first Thursday of the month - December 6, 2018.
- **Fred Smith motioned to cancel the second meeting in December. Bruce Nadeau seconded the motion. All were in favor, the December 20th meeting has been cancelled.**

Standing items

- Town Meeting Preparations
- Member Discussion - seeking alternates

Bruce Nadeau motioned to adjourn the meeting; George Hebert seconded the motion, all were in favor.

Meeting adjourned at 7:28p.m.

Respectfully Submitted,

Melissa Salinardi
Recording Secretary