

**Town of Goshen
Planning Board
Minutes of January 30,2014**

Members Present: Doug O'Clair, Chair; Chip Ball; George Hebert; Ed Peckham

Chair O'Clair called the meeting to order at 7:00 p.m.

PUBLIC HEARINGS

Chair O'Clair explained that this meeting is a continuation of the January 16, 2014 public hearing. Tonight the Board will revisit Amendment Three with changes incorporated as a result of discussion at the January 16, 2014 public hearing. Proposed Amendments One, Two, Four and Five have been voted on by the Planning Board and will move forward as the majority of the Board agreed for a ballot vote on March 11, 2014. Proposed Amendment Six was eliminated for consideration on March 11, 2104 since it was the Board's consensus that the issue needed further study to create a workable amendment.

Amendment 3

There shall only be one building allowed for residential purposes on a lot; provided however that the Zoning Board of Adjustment may grant a special exception authorizing a second dwelling unit, either contained within or attached to a single-family dwelling, or within a detached accessory building on the same lot. In order to grant such a special exception, the board must find, in addition to other standards contained in this ordinance, that a finding that the following conditions are met.

- 1. The living space in the second dwelling unit shall not exceed 700 square feet*
- 2. The existing or proposed home is and will remain a single family, owner-occupied structure*
- 3. The existing or proposed home is currently conforming to zoning*
- 4. The existing or proposed home is currently or planned to be owner-occupied*
- 5. The property owner states that the accessory dwelling unit shall not be used as a rental unit*
- 6. The property shall have only one cub cut and driveway*
- 7. The accessory unit shares utilities in common with the primary structure*
- 8. Evidence of adequate septic capacity*
- 9. Adequate vehicle parking and turn-around on site*
- 10. That a site plan be approved by the Planning Board o insure that the accessory dwelling unit does not change the character or negatively impact the neighborhood.*
- 11. A deed addendum with approval conditions and including the restriction that the accessory dwelling unit shall not e used as a rental unit be executed and recorded prior to the issuance of a building permit.*

Mr. Ball commented that the use of a deed addendum is already in practice and is a good idea. He asked Chair O'Clair if this amendment would prohibit the in-law resident from contributing to the expenses incurred by the property owner for the addition unit.

Chair O'Clair stated that certainly the renter could and should contribute to the expenses, and that will have to be worked out between the tenant and homeowner. It is the hope of the Board that the homeowner will be honest and respect the intent of the ordinance.

Mr. Hebert made a motion to place the proposed Amendment 3 on the ballot for the March 2014 Town Meeting as written. Mr. Ball seconded the motion. All in favor.

Chair O'Clair informed the Board that since Mr. Howe could not be present, he submitted a suggested minor change to Amendment 2. He suggested that at the bottom of the paragraph delineating district boundaries, the words ...'and the remainder of Tax Map 412, Parcel 32.'" should be eliminated. Chair O'Clair explained that it is just a housekeeping issue since the Board's vote at the last public hearing.

Mr. Peckham made a motion to approve Mr. Howe's suggested revision as discussed. Mr. Hebert seconded the motion. Discussion followed.

After further discussion and clarification of the property boundaries of State owned land versus the Leasehold area, and based upon Ms. Bursey's motion at the January 16, 2014 hearing which specifically stated to keep "Leasehold" as part of the boundary description, the Board determined it was improper to remove ...'and the remainder of Tax Map 412, Parcel 32.'" as Mr. Howe suggested.

Mr. Peckham rescinded his motion. Mr. Hebert Rescinded his second. Amendment 2 will move forward as discussed on January 16, 2014.

MINUTES

The Board reviewed the minutes of January 9, 2014.

Mr. Peckham made a motion to approve the minutes of January 9, 2014 as written. Mr. Ball seconded the motion. All in favor.

The Board reviewed the minutes of January 16, 2014.

Mr. Peckham made a motion to approve the minutes of January 16, 2014 as written. Mr. Ball seconded the motion. All in favor.

PUBLIC HEARINGS

Guildhall Sand & Gravel, LLC - Lot Line Adjustment - Lear Hill Road - Tax Map Parcel 403, Lot 4.2 & Tax Map Parcel 204, Lot 15

The Board reviewed the application submitted by Guildhall Sand & Gravel, LLC and found all application requirements satisfied.

Chair O'Clair explained that on October 4, 2013, Guildhall Sand & Gravel, LLC received approval for a variance from the Zoning Board of Adjustment to create a non-conforming lot of less than three acres. In order for the applicant to comply with the three-acre minimum lot requirement, the property lines for Lot 204-15 could run along the Sugar River, creating a pan-handle shaped lot in the flood plain, or the additional acreage could extend into steep, undevelopable land. Either way, the building envelope would be the same as the proposed lot line adjustment. Consequently, there is no negative impact on the abutters or density, the well and septic is existing from a previous building.

Richard Fraser, representative for Guildhall Sand & Gravel, LLC, informed the Board that there is a State subdivision approval on record for this lot. The driveway, septic and well are all existing and operable.

Tom Dombrowski, Surveyor, reviewed the plans with the Board.

	Before Lot Line Adjustment	After Lot Line Adjustment
Lot 204-15	approx. 24± acres	approx 1.45 acres
Lot 403-4.2	approx. 44.5 acres	approx 67.05 acres

Both lots meet the minimum requirement for road frontage per building lot.

The Board reviewed the survey map and had no questions.

Mr. Peckham made a motion to approve the lot line adjustment as presented based upon the material and testimony provided. Mr. Hebert seconded the motion. All in favor.

OTHER BUSINESS

CIP

Chair O'Clair asked Mr. Ball if he had any updates for the Board regarding the CIP.

Mr. Ball stated that the Board of Selectmen have not had any direct discussion regarding the implementation of the CIP. The CIP issues have been put on the back burner since the school district issue have risen.

Chair O'Clair commented that the Board of Selectmen should be first to come to the Planning Board to discuss their list of ideas. Since the next regularly scheduled Planning Board meeting is too soon for the Board of Selectmen to organize their list, he suggested that Mr. Ball initiate discussion with the other Selectmen and plan to meet with the Planning Board on Thursday February 20, 2014.

Mr. Ball commented that he will address the issue with the other Selectmen at their next meeting.

Mr. Peckham made a motion to cancel the Planning Board's February 6, 2014 since there is no pending business to discuss. Mr. Hebert seconded the motion. All in favor.

Chair O'Clair expressed his regret that Mr. Peckham has chosen not to run for another term on the Planning Board.

Mr. Peckham commented that he appreciates Chair O'Clair's comments, but fulfilling his obligation as a Planning Board member is too difficult while being self-employed. He stated being a Planning Board member has been a good experience.

Mr. Peckham made a motion to adjourn. Mr. Ball seconded the motion. All in favor.

Meeting adjourned at 8:00 p.m.

Next meeting: Thursday, February 20, 2014

Respectfully submitted,

Linda Plunkett
Recording Secretary