

**MINUTES
CORNISH PLANNING BOARD
JANUARY 23, 2007**

PUBLIC HEARING RE: PROPOSED AMENDMENTS
TO THE TOWN OF CORNISH ZONING ORDINANCE

The Town of Cornish Planning Board held a Public Hearing on the six (6) proposed amendments to the zoning ordinance on Thursday, January 23, 2007, at 7 pm in the Cornish Town Office. Members present were Cheston Newbold, Chair, Bill Lipfert, Gail Pillsbury, and Peter Storrs; Larry Dingee, Gwyn Gallagher, and Jim Littlefield, Alternates; and Heidi Jaarsma, Secretary.

Amendment No. 1

The Planning Board's Amendment No. 1 revises the dimensional standards for telecommunications facilities by giving specific reference points from which the height limit of a new telecommunications facility can be measured and increases the height limit for new telecommunications facilities in order to provide reasonable opportunities for telecommunications service in Cornish. Amendment No. 1 also designates the Cornish Planning Board as the regulatory authority in the case that artificial lighting of a telecommunications tower is required by the Federal Aviation Administration.

Fred Sullivan asked if this would have affected the recent case before the Zoning Board. Heidi Jaarsma said that Verizon Wireless would not have been able to argue that the rise in elevation behind the proposed site was a point from which the proposed tower's height limit could be measured since this amendment gives a radius and specific points of reference.

Amendment No. 2

The Planning Board's Amendment No. 2 eliminates the 100 foot buffer between the edge of the Regulatory Flood Plain and sewage disposal systems.

Fred Sullivan asked if this change would have prevented the need for a variance on the former Sullivan property on Route 120. The Board said that it would have.

Amendment No. 3

The Planning Board's Amendment No. 3 prohibits commercial extraction of groundwater to ensure future availability of public and private water supplies.

Joan Littlefield asked if this would apply to a use incidental to business. The Board said that it would not apply to an incidental use such as watering plants in a greenhouse, irrigating fields, washing cars, etc. The prohibition only applied to selling water as a commodity. Mrs. Littlefield said that a large business could use a lot of water and should be regulated.

Bill Wall also spoke in favor of further protection of water resources.

Amendment No. 4

The Planning Board's Amendment No. 4 adds a residency requirement to the General Provisions under Automotive Repair Garage.

Heidi Jaarsma said that there were differing opinions between the UVLSRPC planner she had consulted and Town Counsel regarding this amendment, but that Town Counsel had said that it was not discriminatory.

Stu Hodgeman asked if the Board felt the change was that important. Cheston Newbold said that the Board had heard comments requesting the change.

Fred Sullivan did not agree with the proposed amendment. The Town needed the tax dollars that business could bring in.

Bill Wall advocated for a light industry zone in Town.

There was a discussion regarding which businesses have a residency requirement. Only cottage industry and expanded cottage industry do in all zones. Bill Lipfert said that the Board should review the residency requirement in the Village Zone this year. Bill Wall asked the board if it at sometime it would discuss the creation of a light industrial zone.

Fred Sullivan asked for a sense of the Board indicating support for the amendment. The Board was in support 5-3 of the amendment with Larry Dingee, Gwyn Gallagher, and Heidi Jaarsma against.

Amendment No. 5

The Planning Board's Amendment No. 5 clarifies the residency requirement in the General Provisions under cottage industry.

Fred Sullivan asked if this amendment was connected to Amendment No. 4. It was not, Cheston Newbold said; the language was clarified but the effect of the sentence remained. Bill Lipfert noted that the header was missing from this amendment. It will be added before submission to the Town Clerk.

Amendment No. 6

The Planning Board's Amendment No. 6 defines windmill. Currently windmill is not defined in the Ordinance. Windmills are exempted from the 35 foot height limit in the Cornish Zoning Ordinance (Article V.D.1).

Heidi Jaarsma said that this would not prevent any non-functioning windmill with a height of less than thirty-five feet.

Fred Sullivan asked if this would prevent someone from selling power back to the electric company. It would not.

Stu Hodgeman said that wind farms would not be allowed under this definition. Heidi Jaarsma said that if the ordinance were to include wind farms, some of the same language regarding setbacks etc. under Telecommunications should apply.

Bill Wall informed the Board of the size and scope of the average wind-powered generating plant.

Adjournment

Bill Lipfert made a motion to adjourn. Troy Simino seconded the motion, and the vote of the Board was in the affirmative.

Respectfully submitted,
Heidi M. Jaarsma

MINUTES CORNISH PLANNING BOARD JANUARY 18, 2007

The Cornish Planning Board met on Thursday, January 18, 2007, at 7 pm in the Cornish Town Office. Members present were Cheston Newbold, Chair, Bill Lipfert, Gail Pillsbury and Troy Simino; Larry Dingee, Gwyn Gallagher, and Jim Littlefield, Alternates; Merilynn Bourne, Selectwoman; and Heidi Jaarsma, Secretary.

Paul and Beverly Duval – Completeness Review re: Minor Subdivision, Old Stagecoach Road

Beverly Duval requested a continuance of the Completeness Review to February 15th. Merilynn Bourne made a motion to continue to the 15th of February. Heidi Jaarsma seconded the motion, and the vote of the Board was in the affirmative.

David and Sonya Fielder – Continued Completeness Review and Public Hearing re: Access Approval, Town House Road

Chris Paton represented the Fielders at the hearing. Mr. Paton presented the map with the changes requested by the Board at the 1/18/07 Completeness Review. Heidi Jaarsma made a motion to accept the map as complete. Troy Simino seconded the motion, and the vote of the Board was in the affirmative.

Cheston Newbold opened the Public Hearing. No abutters were present. The Board discussed whether or not subdivision regulations regarding maximum slope and driveway length should apply to the access approval before the Board. Since the application was not for a subdivision, Heidi Jaarsma said that she felt those regulations did not apply; however, the Board had the right to put conditions on an approval to the application. The driveway regulations did apply, and Bill Lipfert pointed out the requirement for a suitable turnaround in the driveway regulations.

Larry Dingee asked what grade change would be necessary to bring the driveway grade to fifteen percent. Mr. Paton said 2.4 feet would be necessary and that it would be possible to cut and fill to attain a maximum grade of fifteen percent. Peter Storrs suggested requiring the upgrade for daily use. Chris Paton said that he could show the proposed profile on the plan.

Peter Storrs made a motion to accept the plan for access approval as presented on the following conditions:

1. Show the existing driveway profile and the proposed driveway profile with the slope of the proposed drive no greater than 15%.
2. Show a turnaround at the top of the proposed drive.
3. Remove the language regarding subdivision at the bottom of the plan.

Gail Pillsbury seconded the motion, and the vote of the Board was in the affirmative.

Jeff Lamoureux – Preliminary Discussion re: Site Plan Review, Straightaway Auto
Jeff Lamoureux and Bucky Demers discussed scheduling a Site Plan Review of Straightaway Auto.

Approval of Minutes

Merilynn Bourne made a motion to approve the 1/4/07 minutes. Troy Simino seconded the motion, and the vote of the Board was in the affirmative.

Other Business

Cheston Newbold discussed procedural matters regarding alternates and voting members. Members voting on each application will be noted in the minutes.

Heidi Jaarsma relayed a recent phone conversation with David Crane, head arborist for PSNH, and discussed RSA 231:158, cutting trees of imminent danger, and procedures for removal of trees along scenic roads. PSNH must receive permission from the Selectboard should they wish to cut a tree they feel is an imminent danger on a scenic road.

Respectfully submitted,
Heidi M. Jaarsma

MINUTES CORNISH PLANNING BOARD JANUARY 4, 2007

The Cornish Planning Board met on Thursday, December 21, 2006, at 7 p.m. in the Cornish Town Office. Members present Bill Lipfert, Acting Chair, Gail Pillsbury, Troy Simino, and Peter Storrs; Gwyn Gallagher and Jim Littlefield, Alternates; Merilynn Bourne, Selectwoman; and Heidi Jaarsma, Secretary.

Discussion re: Amendments to the Zoning Ordinance

The Board clarified the language in Amendment No. 1 (telecommunications facilities) and changed the method of calculating the height of the tree canopy.

Wording changes which clarified the Board's intent were made in the amendments regarding the definition of windmill and the residency requirement under general provisions for automotive repair. A similar clarification was made under the existing provisions to cottage industry and was added as another amendment.

Gwyn Gallagher circulated a suggested amendment regarding commercial water extraction. After some discussion, the Board proposed to add commercial water extraction to Article VIII, Prohibited Uses, and add a definition of commercial water extraction to Article II.

Approval of Minutes

Several changes were made in the 12/21 minutes. Jim Littlefield made a motion to accept the minutes of 12/21/06 as amended. Troy Simino seconded the motion, and the vote of the Board was in the affirmative.

Other Business

The criteria for conditional approval per the Subdivision Regulations were discussed.

Troy Simino pointed out that the Cornish Driveway Regulations state that a member of the Planning Board with the Road Agent make a site inspection and make a decision on approval. Mr. Simino will serve as the Board's designee. Bill Lipfert will act as deputy.

Heidi Jaarsma discussed the upcoming hearing schedule. The first hearing on the zoning amendments will be January 23rd. February 6th is reserved for a second hearing if necessary. Public Service of New Hampshire has stated its intention to apply for a hearing under RSA 231:158 in order to do work on scenic roads in Cornish. The tentative date for the hearing is March 15th.

Respectfully submitted,
Heidi Jaarsma