

**MINUTES  
CORNISH PLANNING BOARD  
JANUARY 7, 2010**

The Cornish Planning Board met on Thursday, January 7, 2010, at 7 pm in the Cornish Town Office. Members present were Bill Lipfert, Chair, Troy Simino and Peter Storrs; Gwyn Gallagher and Mary Mancuso, Alternates; Merilynn Bourne, Selectwoman; and Heidi Jaarsma, Secretary.

Public Hearing re: Proposed Amendments to the Zoning Ordinance

The hearing had been duly warned. No members of the public were present.

The Board reviewed amendments. Bill Lipfert suggested deleting the word ‘temporarily’ from the definition of private campsite. Troy Simino made a motion to change the maximum total occupation of a campsite in a calendar year to 120 days and to change the camping permit’s period of validity to thirty days, with three opportunities for renewal. Peter Storrs seconded the motion.

The Board discussed limiting the time period that an empty recreational vehicle could be parked on a lot without a residence. The Board did not include the time limit in the amendment

Bill Lipfert called a vote on the motion to change the maximum total occupation of a campsite in a calendar year to 120 days and to change the camping permit’s period of validity to thirty days, with three opportunities for renewal. Heidi Jaarsma read Amendment No. 2 with the proposed changes, attached. The vote of the Board on the motion was 7-0 in the affirmative.

A second hearing will be held on Tuesday, February 2, 2010. The February 4, 2010, meeting of the Planning Board was cancelled.

New Maps

Bill Lipfert presented the new maps of zoning districts and overlay districts. Class VI designations on the map were inaccurate. Heidi Jaarsma and Merilynn Bourne volunteered to check the new map against the old Class VI road map in the Selectboard Office.

Respectfully submitted,  
Heidi M. Jaarsma

**2010 AMENDMENTS  
TO THE CORNISH ZONING ORDINANCE  
PROPOSED BY THE CORNISH PLANNING BOARD  
TO BE SUBMITTED TO THE TOWN CLERK ON FEBRUARY 2, 2010**

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The amendments to the Cornish Zoning Ordinance proposed by the Town of Cornish Planning Board are outlined below. The additions are ***bold and in italics***, and the deletions are ~~crossed-out~~.

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Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Cornish Zoning Ordinance?

AMENDMENT NO. 1

The Planning Board's Amendment No. 1 brings the wording of the criteria for the granting of a variance as listed in the Cornish Zoning Ordinance in line with the wording of the criteria for the granting of a variance as listed in State RSA. The Zoning Board of Adjustment currently uses the State criteria.

Specifically, Amendment No. 1 involves the following:

Revise Article X.G. to read:

G. Variance - The Board of Adjustment may authorize the issuance of a permit for a variance from the terms of this Ordinance only where the Board finds that all of the following conditions apply:

- ~~1. No diminution in the value of the surrounding properties would be suffered;~~
- ~~2. Granting the permit would be of benefit to the public interest;~~
- ~~3. Denial of the permit result in unnecessary hardship;~~
- ~~4. By granting the permit substantial justice would be done; and~~
- ~~5. The use must not be contrary to the spirit of the Ordinance.~~

- 1. The variance will not be contrary to the public interest;***
- 2. Special conditions exist such that literal enforcement of the provisions of the ordinance would result in an unnecessary hardship;***
  - a. For an applicant seeking a use variance the applicant shall demonstrate that:***
    - i. The zoning restriction as applied interferes with the landowner's reasonable use of the property.***
    - ii. No fair and substantial relationship exists between the general purposes of the Zoning Ordinance and the specific restriction on the applicant's property.***
    - iii. The variance would not injure the public or private rights of others.***



Add to Table 4.1:

	Village	Residential	Rural
<u>Business Use</u>			
<i>Construction Trailer/Office*</i>	Y	Y	Y
<u>Non-Business Use</u>			
<i>Private Campsite*</i>	Y	Y	Y

*\* Limited time periods; excepting the provisions of IV.8a, Subsection (10) permit shall be required from Cornish Selectboard*

Y = Use permitted by right, provided that all other requirements of State Law and this Ordinance have been met and a Zoning Permit has been issued.

SE = Use permitted by special exception provided that approval has been granted by the Zoning Board of Adjustment.

N = Use not permitted.

Add to Article IV:

**8a. Private Campsite - Private Campsites are allowed in all zones for limited time periods and excepting the provisions of Subsection (10) shall require a permit from the Cornish Selectboard.**

- 1. Excepting the provisions of Subsection (10), the owner of the associated lot shall obtain a permit from the Cornish Select Board prior to the occupation of a private campsite.**
- 2. Private campsites may be occupied only temporarily. Permits for temporary occupation of private campsites, where required, shall be valid for a maximum of thirty (30) consecutive days.**
- 3. Permits for the temporary occupation of private campsite, where required, shall be renewable a maximum of three (3) times, for a maximum total occupation of a private campsite of 120 days per calendar year. Each permit renewal need not immediately follow the previous thirty (30) day permit period.**
- 4. Excepting the provisions of Subsection (10), a maximum of one (1) private campsite per lot is allowed.**
- 5. A campsite permit application, where required, will be accepted by the Cornish Select Board only if accompanied by written sewage disposal and solid waste**

- disposal plans, describing the proposed method and location of sewage and solid waste disposal. Where disposal is off-site, a written authorization from the receiving facility or landowner is required.*
- 6. Private campsite placement shall conform to the setback requirements of the applicable Zoning District. The placement and condition of the campsite shall not be detrimental to the neighborhood or to property in the vicinity. Excepting the provisions of Subsection (10), location, condition and effective screening from neighboring homes and other land uses shall be as approved by the Cornish Select Board as part of the permit process.*
  - 7. Any electricity or plumbing from an external source provided to the recreational vehicle, tent or similar shelter shall be in compliance with all applicable codes. The method and appliance used to heat the recreational vehicle, tent or similar shelter shall be in compliance with all applicable codes.*
  - 8. The storage of an unoccupied recreational vehicle on private property is permitted provided all other State and local requirements are met. Tents and similar structures shall be collapsed when stored. Likewise, recreational vehicles, including campers and pop-ups, shall be stored in their fully collapsed, road-ready configuration, disconnected from all utilities.*
  - 9. A private campsite associated with the construction of a permitted single-family dwelling or duplex, shall be allowed for a period of twelve (12) months, provided that the building permit remains valid and that the private campsite is in conformance with all provisions of this section except for Subsection (3).*
  - 10. One or more private campsites used in conjunction with a residential structure on the same lot may be occupied for not more than thirty (30) days per calendar year without a permit. Where multiple private campsites on the same lot are used, the thirty (30) days per calendar year use limit applies when any of the campsites are occupied.*

Add to Article IV:

***8b. Construction Trailer/Office - Private construction trailers/offices associated with construction are permitted for a specific period of time, as determined by the Cornish Select Board, while a building permit is valid or until completion of the associated construction, whichever occurs first. Private construction trailers/offices shall conform to all codes and do not require permits.***

**CORNISH PLANNING BOARD  
JANUARY 21, 2010**

The Cornish Planning Board met on Thursday, January 21, 2010, at 7 pm in the Cornish Town Office. Members present were Bill Lipfert, Chair, Gail McKenzie, Troy Simino, and Peter Storrs; Larry Dingee and Gwyn Gallagher, Alternates; and Heidi Jaarsma, Secretary.

Approval of Minutes

Gwyn Gallagher made a motion to approve the minutes of December 17, 2009. Larry Dingee seconded the motion, and the vote of the Board was in the affirmative.

Charles Sullivan – Public Hearing re: Major Subdivision, East Road

*voting:* Bill Lipfert, Chair, Larry Dingee for Peter Storrs, Gwyn Gallagher for Cheston Newbold, Heidi Jaarsma, and Mary Mancuso for Gail McKenzie.

Kim DeMond, John Drye, Chris Paton, for Wayne McCutcheon, Charles Sullivan, and Fred and Shirley Sullivan also attended the hearing.

The Board found that the conditions to completeness made at the December 17, 2009, meeting had been met. With regard to condition no. 1, Fred Sullivan circulated a letter, on file, from the Selectboard stating that the Town right-of-way over the Class VI Road abuts the boundary of Lot 6.

Mr. Lipfert opened the public hearing. Mr. Lipfert reported from the site visit that boundary of the proposed 20+/- acre lot kept with natural features. Larry Dingee reported that access from East Road to the back lot was not feasible and that the Class VI access to that lot was not too steep and very doable. Troy Simino, in reference to language on the map, said that it was inappropriate to state that the road agent will issue a driveway permit. It was suggested that the be struck and the text read, 'It is understood that the section of Class VI Road providing access to Lot 6 will have to meet Town of Cornish requirements.'

Gwyn Gallagher said that he had concerns about the shape of the lots. Referencing Article I.A of the Cornish Zoning Ordinance, he stated that further subdivision would prevent the land from producing an agricultural livelihood in future generations. Mr. Gallagher suggested that a conservation easement would be viable option for the property. Charles Sullivan said that it was an issue for future subdivision. Fred Sullivan said that as one piece it had been hard to make a living off the land, and there was good soil between the rocks.

Troy Simino said that he was not fond of the lot configuration, especially of Lot 4. Charles Sullivan said that the lots had been reconfigured, and that the Board had said it was an improvement.

Larry Dingee made a motion to accept the subdivision as presented on the condition that the wording regarding access to Lot 6 be changed to the following: 'It is understood that the section of Class VI Road providing access to Lot 6 will have to meet Town of Cornish requirements.' As part of the approval, the maximum 600' driveway length was waived. Heidi Jaarsma seconded the motion, and the vote of the Board was 3-1 in the affirmative with Gwyn Gallagher voting in the negative.

Respectfully submitted,  
Heidi M. Jaarsma

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**MINUTES  
CORNISH PLANNING BOARD  
FEBRUARY 2, 2010**

The Cornish Planning Board met on Thursday, February 2, 2010, at 7 pm in the Cornish Town Office. Members present were Bill Lipfert, Chair, Gail McKenzie, Cheston Newbold, Troy Simino, and Peter Storrs; Gwyn Gallagher and Larry Dingee, Alternates; and Heidi Jaarsma, Secretary.

Heather Meeks attended the hearing.

Public Hearing – Proposed Changes to the Cornish Zoning Ordinance

Bill Lipfert opened the hearing on two proposed changes to the zoning ordinance: 1) changes to Article X; and 2) Definition and regulation of private campsites and construction trailers.

*Private Campsites/Construction Trailers*

Larry Dingee asked why the maximum yearly occupancy had been reduced from 180 days to 120 days. He said that it did not take care of the good weather months, May through October. Peter Storrs said that four months was plenty of time and that town services were available to long term campers at hugely reduced taxation. Troy Simino said that he would be hard pressed think that allowing 120 days per calendar year would deny anyone anything. Larry Dingee said that with the 30-day permit, weekend campers would be limited in the use of their property.

Bill Lipfert opened the hearing to public comment. Heather Meeks said that she felt 120 day was too restrictive. She said that if the ordinance was meant to ameliorate a particular situation of year-round camping in town, it would restrict seasonal campers who maintain their lots well. While there is a need for some restrictions, she felt that a maximum yearly occupancy of 180 days would not restrict unreasonably a landowner's use of his or her property. Ms. Meeks said that the Town came across in a bad light under the proposed regulations.

Gwyn Gallagher brought up the issue of weekend campers, whose maximum occupancy would be less than 120 days on weekends. The current 30-day permit structure would not allow that use. Heidi Jaarsma said that 180 days per calendar year would have given

weekend campers enough leeway that use of their property would not be unreasonably restricted.

Gwyn Gallagher asked if the Selectboard had the discretion to deny a permit. Larry Dingee said that the Selectboard currently has tools to work with a bad situation and that septage was the main issue. Peter Storrs said that there was more to the issue than septage. Troy Simino said that you cannot have everything on every lot.

*Article X*

The Board reviewed the changes to the amendment suggested by Town Counsel.

Mr. Lipfert asked for a motion on the proposed amendment to Article X. Troy Simino made a motion to put the proposed amendment on the warrant. Cheston Newbold seconded the motion, and the vote of the Board was in the affirmative, 7-0.

Cheston Newbold made a motion to put the proposed amendment to define and regulate private campsites and construction trailers on the warrant. Troy Simino seconded the motion. Gwyn Gallagher said that he was troubled by the issue of weekend camping and that he would abstain. Heidi Jaarsma said that she was also troubled by weekend camping and that she had to consider public comment. Mr. Lipfert called for a vote, and the vote of the Board was 4-3 in favor of the amendment with Larry Dingee, Heidi Jaarsma, and Gail McKenzie voting in the negative.

Respectfully submitted,  
Heidi M. Jaarsma

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**MINUTES  
CORNISH PLANNING BOARD  
FEBRUARY 18, 2010**

The Cornish Planning Board met on Thursday, February 18, 2010, at 7 pm in the Cornish Town Office. Members present were Bill Lipfert, Chair, Gail McKenzie, and Troy Simino; Larry Dingee and Gwyn Gallagher, Alternates; and Heidi Jaarsma, Secretary.

Questions for UVLSRPC re: Maps

The UVLSRPC had asked the board about the Class designation of Old Turnpike Road and Stone House Road. The length of the Class VI designation was marked on the maps to be given to the Upper Valley. Heidi Jaarsma will ask Dan Flynn if Rocky Drive is a Town-maintained road.

Doug and Betty Miller – Preliminary Discussion re: Voluntary Merger, Annexation

The Millers discussed options, including cluster development, for their Tandy Brook Road properties. The Board reviewed the procedure for voluntary merger and reviewed the cluster subdivision regulations. The Millers were advised to see the Selectboard about current use options for the properties.

Respectfully submitted,  
Heidi M. Jaarsma

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**MINUTES  
CORNISH PLANNING BOARD  
MARCH 18, 2010**

The Cornish Planning Board met on Thursday, March 18, 2010, at 7 p.m. in the Cornish Town Office. Members present were Bill Lipfert, Chair, Gwyn Gallagher, Mary Mancuso, and Peter Storrs; Troy Simino, Selectman; and Heidi Jaarsma, Secretary.

Reorganization

Heidi Jaarsma nominated Bill Lipfert for Chair and Gwyn Gallagher for Vice-Chair. Peter Storrs seconded the nomination, and the vote of the Board was in the affirmative.

Bill Lipfert nominated Heidi Jaarsma for Secretary. Mary Mancuso seconded the motion, and the vote of the Board was in the affirmative.

Approval of Minutes

January 21, 2010: Peter Storrs made a motion to accept the 1/21/10 minutes with the addition of Mary Mancuso to members present. Gwyn Gallagher seconded the motion, and the vote of the Board was in the affirmative.

February 2, 2010: Peter Storrs made a motion to accept the 2/2/10 minutes as presented. Gwyn Gallagher seconded the motion, and the vote of the Board was in the affirmative.

February 18, 2010: Troy Simino made a motion to accept the 2/18/10 minutes as presented. Gwyn Gallagher seconded the motion, and the vote of the Board was in the affirmative.

Frank and Marion Roberts – Preliminary Discussion re: Major Subdivision, Root Hill Road

Frank & Marion Roberts and Mike & Tammy Bergeron attended the discussion.

The Roberts presented a proposed subdivision of their Root Hill Road property to the Board. The current plan proposed using the Class VI portion of Root Hill Road to access the new lot. The Board told the Roberts that they would need to see the Selectboard about the Class VI portion of Root Hill Road. They would also need to show an entire boundary survey on the plan.

Other Business

New Maps: Heidi Jaarsma said that the only comment received at Town Meeting re: the new maps was a request that discontinued roads not be shown. The Board decided not to show discontinued roads or private drives on the map that could ultimately become the Official Town Map. A new map showing all roads including discontinued and private

drives marked as such was suggested. The Board asked Troy Simino to show the new maps to the road agent to get his feedback.

Respectfully submitted,  
Heidi M. Jaarsma

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**MINUTES  
CORNISH PLANNING BOARD  
APRIL 1, 2010**

The Cornish Planning Board met on Thursday, April 15, 2010, at 7 p.m. in the Cornish Town Office. Members present were Bill Lipfert, Chair, Gwyn Gallagher, Mary Mancuso, Gail McKenzie, and Peter Storrs; Troy Simino, Selectman; and Heidi Jaarsma, Secretary.

John Dryfhout – Report to Board re: Broadband Forum

John Dryfhout made a report to the Board regarding the recent Broadband Forum. He discussed the Fast Roads project, which proposed to establish a fiber-optic trunk line in Southwestern New Hampshire. He handed out materials to the Board. He suggested that the Board contact Julia Griffin about the next Fast Roads meeting in May.

Respectfully submitted,  
Heidi M. Jaarsma

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**MINUTES  
CORNISH PLANNING BOARD  
APRIL 15, 2010**

The Cornish Planning Board met on April 15, 2010, at 7 pm in the Cornish Town Office. Members present were Bill Lipfert, Chair, Gwyn Gallagher, Mary Mancuso, Gail McKenzie, and Peter Storrs; Cheston Newbold, Jr., and Jay Young, Alternates; Troy Simino, Selectman; and Heidi Jaarsma, Secretary.

Approval of Minutes

Peter Storrs made a motion to approve the April 1, 2010, and the March 18, 2010, minutes. Mary Mancuso seconded the motion, and the vote of the Board was in the affirmative.

Dan Michaud – Preliminary Discussion re: Subdivision, NH Route 120

Dan Michaud discussed options for his NH Route 120 property. He would like to put a second house on the property and either keep the existing house as an accessory apartment or subdivide. The Board explained the criteria for an accessory apartment and the subdivision process.

The Board looked at a 1973 subdivision of the property in question and a 1975 correction to the meets and bounds of the original subdivision. It was the opinion of Board members that since the 1975 plat did not change the intent of the 1973 plat, the parcel was a lot of record as of March 1974 and the proposed two-lot subdivision would be a minor subdivision.

Mr. Michaud was referred to the Selectmen's office with questions regarding current use.

Other Business

Gwyn Gallagher accepted the position of driveway inspector.

Troy Simino asked the Planning Board for nominations to the Zoning Board.

Respectfully submitted,  
Heidi M. Jaarsma

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