

**TOWN OF DUNBARTON, NH  
PLANNING BOARD PUBLIC HEARING**

**January 15, 2020, 6:00 p.m. at Dunbarton Town Offices**

**IN ATTENDANCE:** Chairman Ken Swayze, Alison Vallieres, Chuck Frost, Ex-Officio Mike Kaminski, P/Z/B Department Administrator Donna White. Zoning Board members Jim Soucy and Dan DalPra were in the audience. There were no other members of the public present.

Chairman Swayze opened the meeting, noting that a quorum is present, and all would be voting members. He turned the hearing over to Zoning Ordinance Review Committee chair Chuck Frost.

Mr. Frost opened the public hearing for proposed zoning amendments, noting that notice was published in the Concord Monitor, on the Town's website, and at three points at the Town Offices. He explained that the committee has been meeting regularly since last spring, reviewing the Zoning Ordinance for accuracy, clarity, and any need for amendment. Mr. Frost said the committee is proposing five amendments to go before voters in March, none being major changes.

Mr. Frost read the first proposed amendment as follows: Are you in favor of the adoption of Amendment #1 as proposed by the Dunbarton Planning Board for the Town of Dunbarton Zoning Ordinance as follows: to add Definition: General service establishments – *A commercial establishment where the primary purpose is the rendering of service and repair activities rather than the sale of goods (Examples include, but not limited to, upholstery/furniture repair, bicycle shop, caterer, small appliance repair, taxidermist, locksmith, computers, dance/art/music/gymnastics/wellness instruction)*

It was explained that the reason for adding this definition is to clarify the use, general service establishments, which is listed in the Table of Uses. Donna informed the group that the office occasionally gets inquiries about such matters and how it would be helpful to have examples to reference.

Noting that Mr. Soucy and Mr. DalPra had copies of the proposed amendments, Ken Swayze suggested allowing them to address any of the amendments they may have questions or comments on, rather than Mr. Frost reading each one individually. It was agreed to forego the reading of each amendment.

Amendment #1 (listed above): Jim Soucy pointed out that a 'commercial establishment' is not defined in the Zoning Ordinance and spoke about 'commercial use' as defined in the Ordinance. There was discussion about potential confusion, the need to be specific and consistent, and how best to word the definition. Dan DalPra suggested that the word 'repair' be added to the examples of bicycle shop and computers, clarifying they are not referring to sales. It was suggested that 'commercial establishment' be changed to 'business activity' and a note be included that this use does not apply to home occupations.

Amendment #2: Are you in favor of the adoption of Amendment #2 as proposed by the Dunbarton Planning Board for the Town of Dunbarton Zoning Ordinance as follows: to add Definition: Personal service establishments – *A commercial establishment where the primary purpose is the rendering of a service to individuals rather than the sale of goods (Examples include, but not limited to, barber/beauty shop, shoe repair, dry-cleaning/laundry services, tailoring/dressmaking, massage, tattooing, tanning)*

The discussion was similar to that of Amendment #1, with the same change suggested. Dan DalPra suggested deleting 'barber/beauty shop' as that use is listed separately in the Table of Uses.

Amendment #3: Are you in favor of the adoption of Amendment #3 as proposed by the Dunbarton Planning Board for the Town of Dunbarton Zoning Ordinance as follows: to amend Article 4, Section A, 6 (a) Home Occupations with the following changes: A) Item 1 - change "dwelling unit" to "residence"; B) Item 5 – add "and accessory buildings"; C) Last paragraph – delete "i.e. a business conducted out of the home that cannot meet the above criteria. Such development shall adhere to the Dunbarton Sign Ordinance requirements."; and (D) Last paragraph – add "special exception".

Dan DalPra asked about accessory structures being included. Donna explained that the office sometimes receives inquiries from homeowners who may do woodworking or similar crafts that aren't conducive to being done in the dwelling, but more suitable to be done in a barn, shop, or garage. The thought was that it would be best to have it spelled out, with something to refer to when inquiries came in. The current wording in the Ordinance refers to the principal dwelling and land used for outside purposes. The group talked about the potential size of some home occupations if based on 33% of the dwelling and accessory buildings. Citing a variety of examples of building sizes, it was suggested that a cap of 2,500 square feet be added to the proposed amendment.

Jim Soucy pointed out that the Ordinance does not include a definition of residence. He suggested defining 'residence' or leaving the wording as 'dwelling unit'.

Amendment #4: Are you in favor of the adoption of Amendment #4 as proposed by the Dunbarton Planning Board for the Town of Dunbarton Zoning Ordinance as follows: to amend Article 4, Section C, 1 (d) by adding the following at the end of the paragraph: *"The Building Department may, if certified plot plan is deemed unnecessary, waive this requirement for existing, grandfathered, lots of record, having equal or greater than required acreage of the underlying district, that are non-conforming due to having less than the required frontage, provided the required building setbacks can be met."*

Amendment #5: Are you in favor of the adoption of Amendment #4 as proposed by the Dunbarton Planning Board for the Town of Dunbarton Zoning Ordinance as follows: to amend Article 4, Section C, 1 (d) by adding the following at the end of the paragraph: *"The Building Department may, if certified plot plan is deemed unnecessary, waive this requirement for existing, grandfathered, lots of record, having equal or greater than required acreage of the underlying district, that are non-conforming due to having less than the required frontage, provided the required building setbacks can be met."*

Dan DalPra asked why the Building Department would need to waive the requirement if it wasn't necessary. Donna referred to the full text of the sections, pointing out that 'building permit applications for construction on a non-conforming lot **must** be accompanied by a certified plot plan.' and 'building permit applications for exterior additions to non-conforming buildings and structures.....**must** be accompanied by a certified plot plan.' She noted that examples of each situation in #4 and #5 were discussed during the review committee's sessions, and it was felt that the requirement of a certified plot plan could be an unnecessary expense to the property owner if application/plan details meet zoning requirements.

Because of time constraints this evening and the need for revisions of the proposed amendments, the public hearing will be continued to Wednesday, January 29<sup>th</sup> at 6:00 p.m. The proposed Planning Board Rules of Procedure, also on this evening's agenda, will be heard at that time.

The public hearing adjourned at 7:00 p.m. to allow the start of the Board's regular monthly meeting.

Respectfully submitted,  
Donna White