

Town of Albany, New Hampshire
Planning Board Monthly Meeting Minutes
PUBLIC HEARING
Monday, November 18, 2013 7:00 P.M.

Next Meeting: Work Session Monday, November 25, 2013 7:00 P.M.

The Planning Board Public Hearing Meeting was held at the Albany Town Hall.

Present: Chairperson Josephine Howland, Vice Chairperson Mike Helmers; Tara Taylor, Adrian Simons, Peter Carbone, Alternate; Selectmen Representative Jack Rose, Matt Parker, Alternate; Theresa Ann Gallagher, Recording Secretary

Absent: David Maudsley, Technical Advisor; Joe Ferris, Alternate

Also attending were: Alan and Leah Valladares, Jeff Gagnon, Sara Young-Knox, Steve Knox, Leroy Grant, June Joltson, Kathy Finney

Chairperson Josephine Howland called the Planning Board Public Hearing to order at 7:00 P.M.

Approval of the Agenda: Chairperson Josephine Howland asked for a motion to approve the proposed agenda for the November 18, 2013 Public Hearing meeting. Selectmen Representative Jack Rose made a motion to approve the agenda as proposed; Tara Taylor seconded. Chairperson Josephine Howland asked all those in favor of accepting the agenda as proposed signify it by saying "Aye". All were in favor. None opposed.

PUBLIC HEARING 7:00 PM

Kathleen Finney asked why the Noise Ordinance is not listed on the agenda; Chairperson Josephine Howland explained that the Noise Ordinance is an item that the Board of Selectmen passes, and although the Planning Board created the ordinance, it was given to them to review. Selectmen Representative Jack Rose reported that the ordinance was well written by the Planning Board, but they have one question and have given it to the Town of Albany's Attorney, Jae Whitelaw, to review and make sure it is compliant. They are waiting for a response. Theresa Gallagher mentioned that it is posted on the Albany Town website. Chairperson Josephine Howland reported that the Code Enforcement Officer job description also is something that the Board of Selectmen handle, and that also has been given to them to review.

Chairperson Josephine Howland reviewed the changes in the Ordinances:

Building Height Limitations – the reason for the change was to coincide with the standards set by the Conway Fire Department. Chairperson Josephine Howland asked if there were any public comments or questions; there were none.

Commercial Setbacks – Formerly the building had 25 feet all around, and now it is changed to 100 feet from the center of the roadway, and 50 feet on all other sides of the building. Jeff Gagnon asked a question about the 50 feet setback; where did it come from? Chairperson Josephine Howland explained that it was researched, looking into what the other towns have, and also to help keep the open space concept and rural character of the Town. Leah Valladares commented that this ordinance will cause some commercial lots to be unbuildable. Chairperson Josephine Howland explained that anyone can always go before the ZBA for a waiver if they have

a hardship due to the change in the setbacks. The green space to make the Town more rural is in line with the people's preference from the survey they completed in 2010. Leah Valladares pointed out that the commercial zoning area is restricted to two certain areas along Route 16. Tara Taylor pointed out that it is a residential/commercial zone. Leah Valladares wanted to clarify the intent of the change in the ordinance; it is shrinking lots so that the owner cannot build a commercial building. Chairperson Josephine Howland pointed out that it depends on the size of the lot. Adrienne Simmons explained that the ordinance creates more distance from commercial buildings to residential buildings in order to prevent a problem with noise and lighting. Jeff Gagnon asked about the 100 feet between buildings on two separate lots; if someone already has 25 feet, is there any way to shrink the 50 feet to 25 feet? Chairperson Josephine Howland said the owner can go before the ZBA for a waiver. Every situation is different, and the Planning Board is trying to plan fairly for the Town's residents. Steve Knox reminded everyone that this is the second time this ordinance has been presented before the voters, and it should stay as it is. Three are some businesses that are grandfathered. Chairperson Josephine Howland asked if there were any more comments or questions. There were none.

Sign Permit Fee – Chairperson Josephine Howland explained that the fee of \$5.00 is removed from the sign permit regulations in three places; it is changed to saying a permit fee is required. This is to allow the CEO to adjust the fee to match the cost of travel and doing the work for the sign permit. Chairperson Josephine Howland asked if there were any more questions or comments. There were none.

There were no changes recommended to the wording of the ordinance changes as presented to the residents for public comment.

Adjournment: Chairperson Josephine Howland asked for a motion to adjourn the Public Hearing meeting at 7:22 P.M. A motion was made by Tara Taylor to adjourn the Public Hearing meeting at 7:22 P.M.; seconded by Selectmen Representative Jack Rose. Passed unanimously.

Respectfully submitted,

Theresa Ann Gallagher

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Recording Secretary