

BOARD OF SELECTMEN

SEPTEMBER 18, 2007

**JOINT WORKSHOP
MEMORIAL BUILDING**

7:00 P.M.

Selectmen Present: Bob Anderson, John Chiarella and Neal Huntoon

Zoning Members Present: Bernard Manning, Bill Sullivan, Gene Hayes and Cynthia Hayes.

Planning Members Present: Mike Howard, Kevin Lee, Ken Rodgers, Ken Jacques, Darrin Patten, Peter Keene and Andy D'Amico.

Others Present: John Trachy, Jeff Milne, and Courtney Daniell from the Upper Valley Lake Sunapee Region Planning Commission.

Bob called the meeting to order. Bob stated the Selectmen requested the joint work session to review Article V of the Zoning Ordinance. The Selectmen would like input on how best to proceed with existing home business and commercial business compliance with the Ordinance. Home Business was a permitted use when Zoning was adopted in 1987. Jeff stated that the definition of a home business at that time was pretty standard for many towns in the State.

Bob stated that the Board has been reviewing what type of information to present to the public informing them of the regulations that exist, and how best to proceed with compliance. Zoning amendments defining home occupations and home business were approved in March 2006. The Selectmen also discussed home business and commercial use descriptions.

Ken Jacques stated the spirit and discussion at the time the regulations were reviewed was not to discourage these uses, but to create a baseline of what exists in town. A baseline would provide the information necessary to review compliance and growth. The changes made in 2006 clarified the definitions of home occupations and home business. Businesses that do not fall into the category of home occupation or home business would most likely be a commercial use. Commercial use requires a Special Exception by the Zoning Board and a Site Plan Approval by the Planning Board. Home business requires Site Plan Approval. The intent of the amendments was not to penalize operators.

Board members discussed the possible use of an inventory-like form that would provide information to let the Selectmen know what is out there.

Board members discussed the focus needs to be on getting commercial operations in compliance since they have not been in compliance since the Zoning Ordinance was adopted in 1987. The Ordinance spells out what they can and cannot do.

Cynthia Hayes stated she thought all residents should be sent an informational letter letting them know what regulations exist.

Neal discussed how the process should take place. The amendments began with the Planning Board and the with voter approval. Enforcement is the responsibility of the Selectmen. He stated he is not interested in shutting existing business down.

Bill stated the regulations are in existence, and this is what the businesses must do. The objective is not to shut down what exists. As the executive arm of the town the Selectmen should be the ones to send out the letters. The Planning Board would get involved in the consultation/permitting process.

John stated he felt an inventory form of some sort should be included with the letter.

Courtney Daniell indicated the Selectmen should check into the legality of sending an inventory form that would be attached to a specific parcel of land and then use it for compliance. Courtney will look into this, and it will be reviewed by the Local Government Center.

The Board discussed scheduling a date for a joint session where owners can speak with members of Planning, Zoning and Selectmen. B. stated it had been discussed in a prior meeting he had with the Selectmen that a public session might include an opening statement by the Selectmen, followed by the Planning Board and Zoning Board explaining their roles and ordinances. They also discussed having a presentation by a zoning administrator from another town. The also discussed having a moderator oversee the meeting.

Bob stated the Selectmen will work on composing a letter to go to all residents. They will ask legal counsel at the Local Government Center to review the site plan and zoning ordinance to determine what if any grandfathering status there might be. They will ask the LGC to review the proposed letter as well. They will inquire as to whether an inventory form is advisable. Once the letter has been completed, a date will be set for a review session with residents.

John Trachy inquired as to whether the Board would need to consider making a formal ordinance that business inventory would be required on an annual basis. The Selectmen stated they would like to review this with legal counsel before making any further decisions.

With no further business, the Board voted to adjourn at 8:20 p.m.

Respectfully Submitted,

Janet Roberts,
Administrative Assistant