



Town of Plymouth

Planning Board Meeting

Plymouth Town Hall

Plymouth, NH 03264

December 18, 2014

FINALo01-08-15

MEMBERS PRESENT: Mike Ahern (Chair), John Kelly, Jack Scarborough, Bob Dragon (Alternate), Bill Bolton (Selectmen's Representative, and Rebecca Hanson (Conservation Commission Representative).

OTHERS PRESENT: Sharon Penney, Plymouth Town Planner

ABSENT/EXCUSED: John Randlett (Vice Chair)

CALL TO ORDER: Mike Ahern called the meeting to order at 6:30 p.m. Roll call of members was completed. Mr. Bob Dragon was appointed as a voting member.

GENERAL PUBLIC COMMENTS:

None

ADMINISTRATIVE MATTERS:

Site Plan Review - New Mountain Homes, LLC PID 212-037:

Application by New Mountain Homes for site plan review of a change of use of an office model home on a developed lot to add an *additional* use as a tourist home. It is located at 568 Tenney Mountain Highway in the Industrial/Commercial and Agricultural Zone.

- Mr. Bob Wildes is a representative of New Mountain Homes. He referenced back to a meeting in May 2014 when New Mountain Homes asked for commercial use to rent out as office space. Since May, Mr. Wildes believes that the real estate market in Plymouth has declined. New Mountain Homes is concerned about who rents their homes and if their homes will be sold because there's been little interest from buyers in the market. New Mountain Homes, seeking opportunity to increase operating income, looked into the town's zoning ordinance and is interested in using model homes as tourist homes, which means that people would be welcome to rent for a short-term period (12+ days). Parking is available. In a tourist home, full kitchen facilities are not allowed. New Mountain Homes would disconnect the stove in the singular model home being considered for this request.
- Mr. Bob Dragon made a motion to accept the site plan review application. Mr. Bill Bolton seconded his motion. All in favor.
- Ms. Sharon Penney added that if the additional use were approved, the previous use would not be negated but would remain in conjunction with the new use.

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- Mr. Bolton asked that if the intent is to close the kitchen, what kitchen amenities would be available? Ms. Penney said that the stove would be removed, but renters would be allowed to use the microwave, refrigerator and other kitchen amenities.
 - Mr. John Kelly asked what would be the objection to selling and removing the model home? Ms. Penney said that it is the applicant's prerogative and Mr. Wildes said that the model home could be dismantled. Mr. Kelly also asked: what would prevent someone from moving into the home and reattaching the stove? If someone did reconnect the gas stove, he/she would be violating town regulations. Mr. Kelly asked: what if the planning board made a motion that declared what New Mountain Homes can and cannot do? Ms. Penney said that conditions could be attached to the notice of decision if the application were approved.
 - Mr. Bolton doesn't like the location for the model/tourist home.
 - Mr. Scarborough likes the convenience of the model/tourist home and thinks it will attract tourists because it is in the business district of Plymouth.
 - Mr. Kelly asked whether New Mountain Homes intends to add or change signage in front of the model home? Mr. Wildes said that nothing would be changed, other than adding "Tourist Home" to an existing sign to advertise to renters.
 - Mr. Ahern asked: do other tourist homes include kitchen use? Ms. Penney said that the ordinance could be amended, but for now, the definition of a dwelling unit versus a temporary rental unit centers around the lack of a 'full' kitchen. The pivotal point in this definition is 'full cook stove.' This is how the zoning code enforcement officer defines 'dwelling unit, therefore the gas stove cannot be operated and must be disconnected. Mr. Ahern feels that the renter should have a gas stove available to use. Ms. Penney advises the board to not violate existing zoning by making an exception in this case for use of a full kitchen.
 - Mr. Ahern asked: is a vacation home a better name? She doesn't recommend that the board should alter tourist home to vacation home at this point in time without actually putting a fair amount of discussion and thought into the definition change which has not happened so far. Mr. Dragon finds that it is a temporary situation and he doesn't think it is a problem to utilize this space and still follow regulations.
 - Mr. Scarborough made a motion to approve the application; seconded by Mr. Dragon. All in favor, except for Mr. Kelley who abstained from voting.

Conditions of Approval:

- Short-term Renters Only
 - Removal of stove
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Boundary Line Adjustment for the Episcopal Church of NH PID 105-05

The Bishops of the Protestant Episcopal Church in NH through his agent, John March, LLS proposed a boundary line adjustment of 1.11 acres from PID 105-05 to be conveyed to and annexed by PID 212-011 owned by R.E. Montague, Inc. The parcels are located at 263 and 295 Highland Street, respectively, in the Agricultural Zone.

- Mr. March is the agent for the Church. If the boundary line change is approved, the lot line would disappear which is shown in the plan.
- Mr. Ahern asked Mr. March what the shape of the lot would be and ask Ms. Penney for her opinion on the completeness of the application. She said that

the application is complete. Mr. Scarborough made a motion to accept the application and Mr. Bolton seconded the motion. All in favor.

- Mr. Ahern opened the public hearing at 7:08 p.m.
 - Mr. Ahern called for a motion.
 - Mr. Bolton made a motion to approve the application, seconded by Mr. Scarborough. All in favor.
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Correspondence: None

NEW BUSINESS:

First public hearing on proposed zoning ordinance changes:

- Ms. Penney figured that in order to publish in the Record Enterprise under the RSA timeline, the notice will have to be placed by December 31, 2014.
- Public hearing must be held before or by Tuesday, January 20, 2014.
- Mr. Dragon made a motion to approve that date; seconded by Mr. Bolton. All in favor.
- Ms. Penney also suggested that the board members ought to set the second date for the second hearing which may or may not be needed. She recommends Tuesday, February 3, 2014.
- Mr. Scarborough made a motion to approve date; seconded by Mr. Bolton. All in favor.

UNFINISHED AND OTHER BUSINESS:

Mr. Ahern addressed zoning board changes that Mr. Scarborough and Mr. Bolton were charged to research and make.

- Mr. Bolton and Mr. Scarborough have briefly conversed, but need more discussion. However, Mr. Bolton said that if the definition of tourist home is to be altered, bed & breakfast should be added to the existing definition. Ms. Penney said that New Mountain Homes is protected by the grandfathered definition on their recent approval, even if the board proposes new changes tonight. The changes must be approved at town meeting.
- Mr. Kelly asked: what is the difference between a tourist home and a motel? There's not a definition for motel in the zoning ordinance.
- Mr. Bolton stated that there is a definition in the ordinance which also includes hotel.
- Ms. Penney stated that the header for the definition should include both terms if the definition includes both terms.
- Mr. Ahern states that the board doesn't need to be concerned with the North American Classification Code in depth. Mr. Miller disagrees because if the codes are not right, then the town won't be in compliance.
- Mr. Kelly feels that tourist home should include motel in the definition, but the other board members didn't agree because there's a difference in numbers of potential occupancy between both terms.
- The board declined to act on proposed changes to the zoning definitions.

PUBLIC COMMENTS:

- Mr. Miller addressed the North American Classification Code. If someone applies to the for a planning board approval, he/she must be in compliance with this standard. He believes that a definition should be created to better define tourist home because some board members are talking about different shelters, such as bed & breakfast, tourist home and motel. Ms. Penney finds that the codes should have some similarities but the
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Board should not be basing their zoning definitions primarily on another systems code, while Mr. Miller thinks that the formation and implementation of one code could be useful.

ADJOURNMENT:

- Mr. Bolton made a motion to adjourn; motion seconded by Mr. Scarborough. All in favor. Meeting adjourned at 7:29p.m.

PLEASE NOTE:

The public is invited to attend all meetings of the Planning Board. During official public hearings, the public is welcome to speak. For other items the public may speak at the discretion of the chair/board. Files on the applications and items above are available for inspection in the Planning Department in Town Hall, from 8:00 a.m. to 4:30 p.m., Monday through Friday. These applications and items are subject to change prior to final action. Contact the Planning Department if you have questions or comments about these or any related matters or if you have a disability requiring special provisions for your participation at 536-1731 or you can e-mail the Town Planner, Sharon Penney at: spenney@plymouth-nh.org.

Respectfully Submitted,
Jaseya Girona