



**PETERBOROUGH
NEW HAMPSHIRE
Peterborough Planning Board**

1 Grove Street
Peterborough, NH 03458
Office:(603) 924-8000 x 104
Email: ocd@peterboroughnh.gov
Web: www.peterboroughnh.gov

**AGENDA
PUBLIC HEARING
Monday, April 10, 2023 at 6:30 PM
Select Board Meeting Room**

1. Call meeting to order and introductions.
2. Minutes of March 13
3. **6:30 PM – Public Hearing – Scenic Road Application** for routine tree trimming maintenance in the areas of Carley Road, Crosby Road, Gulf Road, Old Greenfield Road, and Slab Road, all located within the Rural District and Groundwater Protection Overlay Zone, as proposed by Dane D’Arcangelo, arborist and representative for Eversource Energy.
4. Other Business
5. Adjourn



TOWN OF
PETERBOROUGH

OFFICE OF
PLANNING & BUILDING

1 Grove Street
Peterborough, NH 03458
Tel: 603-924-8000 x 104
Fax: 603-924-8001
Email: ocd@townofpeterborough.us
Web: www.townofpeterborough.com

STAFF REPORT

TO: Planning Board
FROM: Danica Melone
DATE OF WRITE-UP: Tuesday, April 4, 2023
PREPARED FOR: Monday, April 10, 2023
RE: SCENIC ROAD APPLICATION FOR TREE TRIMMING & MAINTENANCE

Overview

Eversource application for routine tree trimming maintenance in the areas of Carley Road, Crosby Road, Gulf Road, Old Greenfield Road, and Slab Road, all located within the Rural District and Groundwater Protection Overlay Zone.

Completion

It is my recommendation that the Board consider accepting this application as substantially complete and open the public hearing.

Tree Warden Comment

Town Tree Warden Swift Corwin reviewed this proposal and will be providing his report for this meeting.



TOWN OF
PETERBOROUGH

PLANNING BOARD
APPLICATION

DO NOT WRITE IN THIS SPACE
Date Application Received: 2/28/23
Date Fees Paid: 200.00
Clerk: DM
Case Number: SR 2023-01

**SCENIC ROAD
HEARING
APPLICATION**

Office of Planning & Building
1 Grove Street
Peterborough, NH 03458
Office: (603) 924-8000 ext. 104
Fax: (603) 924-8001
Email: ocd@peterboroughnh.gov
Web Site: www.peterboroughnh.gov

INSTRUCTIONS FOR SUBMITTING A COMPLETE APPLICATION

1. This form is used for all applications to the Planning Board for approvals of any repair, maintenance, reconstruction, or paving work done by the State, the Town, any utility, or other person with the intent to erect, install or maintain poles, conduits, cables, wires, pipes or other structures on the roads listed below, which are designated Scenic Roads:

- Carley Road
- Cornish Road
- Crosby Road
- Four Winds Road
- Gulf Road
- Old Dublin Road
- Old Greenfield Road
- Old Jaffrey Road
- Old Town Farm Road
- Powersbridge Road
- Slab Road
- Windy Row

2. Enclosed is a checklist of submission items required for the Office of Planning & Building to process the application and the Planning Board to hold a public hearing. The checklist is considered to be the minimum requirements necessary for the application, but the Board reserves the right to request additional information, if deemed necessary to make an informed decision.

3. The Planning Board holds public hearings on the second Monday of each month. The filing deadline for these meetings is generally the third Tuesday of the prior month; please see the posted schedule for each month's filing deadline.

4. Notice of the public hearing will be posted twice in the newspaper of record, and first-class letters will be sent to those property owners in the area that appear to be most affected by the proposal. The applicant is responsible for all notification fees. Staff of Office of Planning & Building will work with the applicant to develop the abutter list.

5. The Planning Board will approve or disapprove the application within sixty-five (65) days of acceptance of the application. When possible, the Board will take action during the same meeting that an application is determined by the Board to be complete.

6. The applicant shall receive a copy of the minutes from all Planning Board meetings pertaining to the application and the Notice of Decision for the application.

Please fill out in its entirety:

Applicant: Eversource Energy, represented by company Arborist Dane D'Arcangelo

Address: 19 Production Ave

City: Keene State: NH Zip: 03431

Phone: 603-303-6199 Email: Dane.Darcangelo@eversource.com

Property Owner Name(s): Many

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Primary Contact: _____

Phone: _____ Email: _____

- Applicant Owner Attorney Surveyor/Engineer

Project Name: Routine Maintenance Tree Trimming

Street Address: Carley Road, Crosby Rd, Gulf Road, Old Greenfield Road and Slab Road

Parcel ID Number(s): _____

Proposed Project (Please Be Specific):

Please see accompanying documentation.

Zoning Districts & Overlay Districts

Zoning Districts (check all that apply):

- Business/Industrial District
- Commercial District
- Commerce Park District
- Downtown Commercial District
- Family District
- General Residence District
- Monadnock Community Health Care District
- Office District
- Rural District
- Village Commercial District
- West Peterborough District
- Retirement Community District

Overlay Zones and Districts (check all that apply):

- Bulk Fuel Storage District
- Floodplain District
- Groundwater Protection Overlay Zone
- Rural Gateway Overlay Zone
- Shoreland Conservation Zone
- Traditional Neighborhood Overlay Zone I
- Wetland Protection Overlay Zone

Scenic Road Hearing Application Fee

<i>BASE APPLICATION FEE</i>	
<ul style="list-style-type: none"> • All new applications shall be charged a fee of two hundred dollars (\$200) 	\$200.⁰⁰
<i>ABUTTER FEES</i>	
<ul style="list-style-type: none"> • Abutter notification is ten dollars (\$10) per abutter • Notification of all licensed professionals whose professional seal appears on any of the submittal documentation is ten dollars (\$10) per professional 	
<i>TOTAL APPLICATION FEE</i>	\$

AUTHORIZED SIGNATURES

I/We certify that this application is correctly and accurately completed in accordance with the Town of Peterborough's Zoning ordinance and the requirements of this application.

Dane D'Arcangelo

Applicant's Name Printed



Applicant's Signature

2/17/2023

Date

I, the applicant or owner's duly authorized agent, do hereby submit this plan for review by the Town of Peterborough Planning Board. I agree to be fully responsible for payment of all fees, costs, and expenses incurred with respect to this application.

Property Owner's Signature

Date

Property Owner's Signature

Date

****If the application is not signed or has been changed in any manner, it will not be processed****

To be filled out by Applicant		SUBMISSION REQUIREMENTS	To be filled out by Administration		
Submitted	Not Submitted		Submitted	Not Submitted	Waived
X		1. A plan or sketch showing the road or roads where the cutting is proposed.	✓		
	X	2. The location of all homes and/or businesses along the road(s) that would be affected by the cutting.			n/a
X		3. The location of existing lines, poles, and equipment on the road(s) in question, and off-site connections.	✓		
	X	4. The location of proposed new and/or relocated lines, poles and equipment.			n/a
	X	5. If the proposal involves a change in infrastructure (e.g. an upgrade to three-phase power), sketches must be provided to illustrate what the new infrastructure will look like.			n/a
X		6. A statement as to how the cut trees will be disposed of.	✓		
	X	7. Photographs of the road(s) in question are recommended.		✓	
	X	8. Any plans for the establishment of regenerative growth.			n/a

DM 3/1/23

February 17, 2023

Town of Peterborough
1 Grove St.
Peterborough, NH 03458

Dear Planning Board Members:

This letter is to inform the Town of Peterborough that Eversource is planning to trim trees around its power lines within the Town. This work is necessary to ensure the safe distribution of power and to improve reliability of electric service for our customers.

According to Eversource records Carley Road, Crosby Rd, Gulf Road, Old Greenfield Road and Slab Road have been designated as scenic roads by the Town.

Eversource tree trimming specifications call for removal of brush and limbs less than four inches in diameter which are located within eight feet to the side of, ten feet below or fifteen feet above conductors. Eversource requires permission from the Town and property owner to trim trees within the public right of way of a scenic road.

Eversource has contracted with Asplundh Tree Expert Company to perform the actual trimming of trees. Eversource requires that our trimming contractors contact each landowner where trees are to be trimmed prior to commencement of work on that property. Individual concerns will be addressed at this time. All work will be performed in accordance with accepted arboricultural standards. All brush and limbs cut on roadside locations will be chipped.

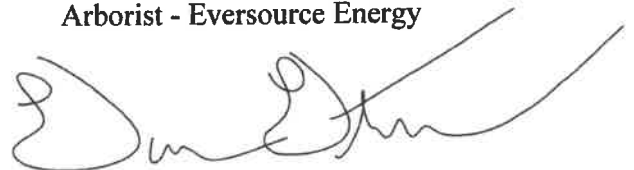
Please consider this letter to be a request from Eversource for a public hearing for the trimming of trees on these scenic roads within the proposed work area pursuant to RSA 231:158. Please inform this office of the time and place of said meeting so that we may have a representative present.

If you have any questions or comments, please feel free to contact me by e-mail at Dane.Darcangelo@eversource.com or telephone at 603-303-6199.

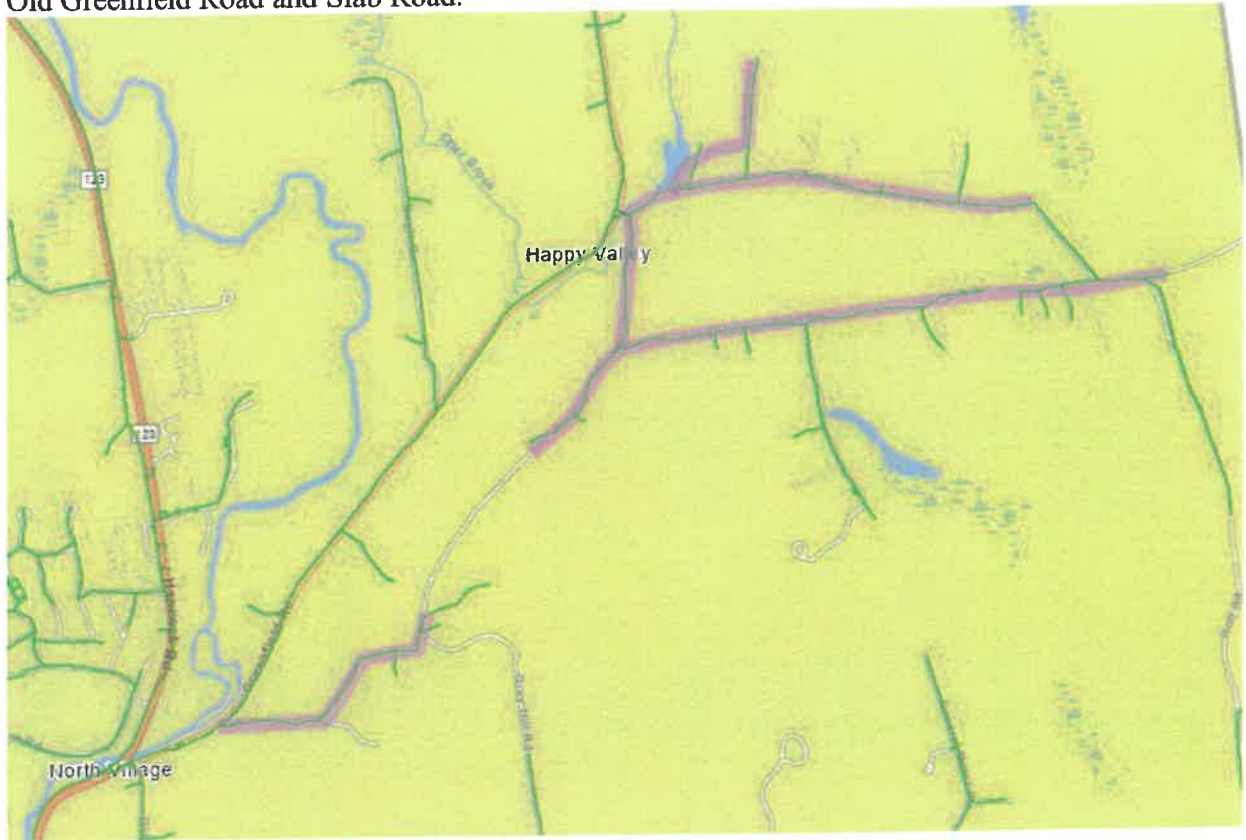
Thank you for your concern and assistance.

Respectfully,

Dane D'Arcangelo
Arborist - Eversource Energy



Map 1: Areas where the proposed trimming is indicated by the thick pink line. Green lines are the primary electrical conductors. Roads pictured are Crosby Rd, Gulf Road, Old Greenfield Road and Slab Road.



Map 2: Areas where the proposed trimming is indicated by the thick pink line. Green lines are the primary electrical conductors. Carley Roads is pictured.



Town of Peterborough

Application for Town Committees, Commissions, and Boards

Date: 3/31/2023

Name: Sean Thomson

Street Address: 17 Maple Ave
Peterborough, NH 03458

Mailing Address:
(If Different) _____

Daytime Phone: (413) 441-4673

Evening Phone: (413) 441-4673

Email Address: thomson.sean.aaron@gmail.com

Which Committee, Commission, or Board would you like to join:

- Agriculture Commission
- Capital Improvement Committee
- Conservation Commission
- Downtown TIF Advisory Board*
- Economic Development Authority
- Heritage Commission
- Master Plan Steering Committee
- Open Space Committee
- Planning Board**
- Recreation Committee**
- South Peterborough TIF Advisory Board*
- West Peterborough TIF Advisory Board*
- Zoning Board of Adjustment**
- Other: _____

*TIF Advisory Board members are nominated by the Economic Development Authority and appointed by the Select Board

**The Planning Board, Recreation Committee and Zoning Board of Adjustment appoint their own alternates – applications to these committees will be forwarded to the appropriate Chairperson.

Town of Peterborough
Committee Application

1. Please list any prior experience serving on any Public Boards, Commissions, or Committees (and approximate dates).

~~6 Years on the Development Review Board (DRB) in Greensboro Vermont (2012 to 2018), DRB is Zoning and Planning Combined. 3 Years on the Greensboro Vermont Select Board (2015 to 2018). Worked for Vermont State Government from 2008 to 2016 and served on many committees.~~

2. Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

~~The most applicable is the DRB mentioned above. This board reviewed both zoning and site plans, holistically, and was a judicial body in Vermont. Very similar to the planning board here in Peterborough, we reviewed applications, took testimony and evidence, researched against the Town Plan and Bylaws and rendered decisions based on that corpus of findings. I very much enjoyed the work and only left the board when we were moving.~~

3. Please provide a brief statement describing your interest in serving the Town of Peterborough.

~~I've always found town service to be fun and interesting and a way to give back to the community. In particular, it would be an honor to bring my DRB experience into service for the town.~~

4. Please list any professional qualifications, if any.

~~I'm a technology project manager by trade, which comes in handy for managing workloads and artifacts for board service.~~

Attach any additional information to this application and return to the Administration Office, Town of Peterborough, 1 Grove Street, Peterborough, NH 03458 or email to: administration@peterboroughnh.gov

PETERBOROUGH PLANNING BOARD
TOWN OF PETERBOROUGH
Monday, March 13, 2023
Peterborough, New Hampshire

Members Present: Andrew Dunbar, Sarah Steinberg Heller, Carl Staley, Lisa Stone, Gary Gorski, Blair Weiss, Bill Taylor and Stephanie Hurley

Also Present: Danica Melone and Laura Norton, Office of Planning & Building

Chair Hurley called the meeting to order at 6:30 p.m. with a welcome and introduction of the Board and Staff. It was noted the meeting was being streamed live to You Tube and Local Channel 22 for viewing. Chair Hurley then reviewed of the Rules of Procedure and the Peterson Civility Clause reminding all present that they needed to be respectful of each other's comments "even when you don't agree."

Minutes:

A motion was made/seconded (Taylor/Weiss) to approve the Minutes of February 13, 2023 and February 27, 2023 with corrections with all in favor.

Public Hearing - Conditional Use Permit Application for impacts to the Wetlands Protection Overlay Zone for maintenance which entails replacing 11 structures and includes temporary impacts to 3 wetlands and their buffers. The project will address structure replacements along 313 distribution line between Windy Row and continuing southwest to Wilder Street (Parcel No. U031-002-000), submitted by Normandeau Associates, Inc. on behalf of Eversource Energy.

A motion was made/seconded (Weiss/Staley) to accept the application as substantially complete with all in favor.

Jeremy Fennell and Doug XX introduced themselves as XX and XX for Eversource Energy and Elizabeth Oliver introduced herself as a Certified Wetland Scientist with Normandeau Associates Environmental Consultants.

Ms. Oliver gave the members a brief review of the proposed project which is to perform maintenance wooden structure replacements (poles) with metal ones along their 313 Distribution Line between Windy Row southwest to Wilder Street. "This will include replacing eleven structures and will result in temporary impacts to three wetlands and their buffers within the utility right-of-way" she said. It was noted that the replacements are necessary to continue provision of reliable power

to customers while maintaining safe operations and there are no Priority Resource Areas (PRAs) other than the designated prime wetlands and their duly established 100-foot buffers.

A graphic was projected with Ms. Oliver noting the route, the wetlands, their buffers and temporary construction matting, timber mats and upland gravel roads and other materials used in temporary wetland impacts. "We plan to access Windy Row for half of the structures and Wilder Road for the other half" she said. Ms. Oliver noted the historic stone walls they will encounter will be left as is by air-bridging with timber mats up and over them, noting placement of erosion controls as well.

Ms. Oliver concluded by noting their contractor will try to follow any remnants of existing roads rather than creating a new route and Mr. Fennell briefly explained how nonessential wetland matting and gravel will be removed, and the area revegetated.

Mr. Dunbar asked what the new structures would look like with Mr. Fennell describing weathered steel poles resembling a rusty, brown color.

Mr. Weiss asked if they would be the same height with Mr. Fennell noting "they are generally going to be about 5-10 feet higher due to standard changes."

Chair Hurley noted the Conservation Commission's request that the Eversource environmental monitor assess Pole #12 with their contractor to determine how to minimize impacts to a sensitive area's soils and also assess the possibility of a stormwater flush to the pole area and roadside swale given a paved roadside swale upslope that funnels from runoff in that area. The Conservation Commission also asked the work access to Pole #12 be done from the road rather than the access way running parallel if possible. A brief education on swales followed with Chair Hurley noting "I would like you to consider that" adding "and we should consider making it a condition of approval."

Conservation Commission representative Francie Von Mertens confirmed that in all likelihood their recommendation may not be possible they would like it considered. "So, trying to do that would be appreciated" concluded Chair Hurley.

With no other questions from the Board Chair Hurley then opened the hearing to the public.

Bruce Marcus introduced himself and asked about putting the line and conduit underground. Mr. Fennell cited the expense was a major concern adding their vegetative maintenance off the right-of-ways (“which are pretty good”) have lessened weather-driven problems with the lines. Mr. Fennell also noted problems can be more difficult with underground lines “because you cannot see it. It is a little complicated, but I understand your concern” he said.” When asked how long the new structures would last Mr. Fennell replied, “we’re hoping at least 50 years.”

With no other question from the public, Chair Hurley closed the public portion of the hearing.

A motion was made/seconded (Heller/Taylor) to approve the request for a Conditional Use Permit for impacts to the Wetlands Protection Overlay Zone for maintenance which entails replacing 11 structures and includes temporary impacts to 3 wetlands and their buffers. The project will address structure replacements along 313 distribution line between Windy Row and continuing southwest to Wilder Street with the condition Eversource Energy and their contractor consider the Conservation Commission’s request regarding pole #12 in their letter dated March 8, 2023 with all in favor via roll call vote.

Public Hearing – Petition Zoning Amendments:

- a. Repeal Section 245-24.7D3b(iii), which regulates only Single-Family or Duplex Residential Freestanding Solar Energy Systems and reads as follows: The system shall be located to the rear property line when feasible. In any event, not part of the system may be placed closer to the front property line than the part of the house closest to the street, provided however, that the system need not be setback further than 100 feet from the front property line.”
- b. Amend Section 245-24.7D3a(vi) to remove screening requirements for only Single-Family or Duplex Residential Freestanding Solar Energy Systems and not the other larger Freestanding Solar Energy Systems governed by the ordinance to read as follows: “The systems, *with the exception of Single-Family or Duplex Residential Freestanding Solar Energy Systems*, shall be located to minimize visual impacts to abutting properties and the road.”

Greg Blake introduced himself and said, “I think there was an error in the original solar ordinance in 2017 or 2018 in the sense that very small, residential scale, ground-mounted arrays were lumped in with much larger ground-mount structures and this an attempt to correct that error.”

Mr. Blake went on to say “ground-mount structures are treated very differently

than roof-mount structures.” He cited the components of the ordinance (single-family or duplex; multi-unit residential or non-residential; shared/community and enterprise solar energy systems) as they got larger and larger “and it seems appropriate to me to have scrutiny on larger solar systems or farms (big things) but if someone wants to put a small array next to their house, they should have to only observe the setbacks required by their zoning district. So in the Rural District it makes no sense to have a solar array 100 feet from the road when another structure of a pool or a tennis court can be 50 feet from the road, that’s all.”

A brief discussion of Mr. Blakes’s request followed with topics of homeowner flexibility and discretion of where systems may be placed as well as environmental and financial impacts. Chair Hurley read the goals of the ordinance (minimize the disturbance of environmentally sensitive lands and the productive capacity of agricultural lands; protect the character of the town’s rural and scenic lands and protect the public’s health, safety and welfare) and noted her gut feeling was amending the ordinance was really to protect the applicant from providing screening of sorts. She noted that personally she does not like the looks of ground-mounted solar systems. “Reasonable people can disagree about the beauty of these things” replied Mr. Blake adding “and sometimes ground mounts are the only choice.”

Chair Hurley noted she still thought screening was appropriate with Mr. Blake replying, “screening is very vague the way it is written, there is so much subjectivity around it and these are very small arrays. I agree totally with larger structures that consume large amounts of land, but this is small stuff” he said. Mr. Taylor agreed the ordinance was targeting large scale solar arrays. Mr. Gorski noted he found nothing offensive in looking at solar panels. Ms. Heller noted she felt screening should be left to the homeowner.” I think we have a chance to potentially improve upon this ordinance and also to protect resident’s right to be able to do what they want with their property” she said.

With no other questions from the Board Chair Hurley then opened the hearing to the public.

Dori Drachman introduced herself and noted her support of the project. She noted the town’s renewable energy plan and how this may make it easier for residential solar arrays in the future if the ordinance was amended as proposed.

Francie Von Mertens introduced herself and told the members she was on the original committee for the solar ordinance “and we were aware of residential versus large scale systems, we were very mindful of that.” She went on to mention

she thought Part B. of the amendment may be an attempt to eliminate any screening at all. After a brief discussion on “The systems, *with the exception of Single-Family or Duplex Residential Freestanding Solar Energy Systems*, shall be located to minimize visual impacts to abutting properties and the road.”

Mr. Blake noted that language was in the original ordinance and the *italicized* text was his amendment language (which) was to **exempt** single-family or duplex residential (only) freestanding solar systems from the mandatory 100-foot setback.

Bob Harrington (Barry Smith?) introduced himself and told the members in general he was in favor of making it more flexible for homeowners and solar arrays, but he was not sure if part B. was achieving what you want, noting the sentence to provide screening was still in the language. Mr. Taylor noted the screening would still apply to larger systems but exempts single-family and duplexes. Defending his point Mr. Harrington noted “later on” and read a sentence about screening “which does not seem to be affected by what is said here.” He then read the last sentence of *Freestanding Solar Energy Systems, General Standards*, “the existing vegetation or other site characteristics cannot be preserved or do not exist to adequately screen the system, additional landscape screening shall be provided” to the members. “That still seems to apply to everybody” he said. Mr. Blake reiterated his attempt to simply exempt single-family and duplex residences.

Mr. Staley noted the exemption has been stated and did not need to be repeated. “The whole thing applies to screening with the exception of single-family and duplex residences, I don’t see that as unclear” he said. Ms. Heller asked about the next step with Ms. Melone explaining the amendment will go to ballot “no matter what” but the Planning Board’s vote to recommendation to approve or not is stated on the ballot. Joanne Carr introduced herself and noted her support for the amendment to protect the interest the single-family and duplex homeowners. Mr. Weiss asked about specification of particular level of generation in kW DC (which is a part of the ordinance) with Mr. Blake noting he didn’t think for this conversation it was pertinent but should be thought of generally in the future.

In conclusion, Mr. Staley noted that if the Board recommended *not* to accept the amendment “and we have already voted as a town to basically do all we can to promote alternative energy and still let people say “*no I don’t like the way (the ground-mounted systems) look, I don’t want to see them*” seems to be converse and you can’t really have both. It is like telling the town we don’t support it and I do, on the roof or on the ground.”

With no additional questions from the public Chair Hurley then closed the public portion of the hearing.

A motion was made/seconded (Weiss/Staley) to recommend support for the repeal of Section 245-24.7D3b(iii), which regulates only Single-Family or Duplex Residential Freestanding Solar Energy Systems and the amendment of Section 245-24.7D3a(vi) to remove screening requirements for only Single-Family or Duplex Residential Freestanding Solar Energy Systems and not the other larger Freestanding Solar Energy Systems with all in favor but Mr. Dunbar, who abstained via roll call vote.

A motion was made/seconded (Taylor/Heller) to open the Public Hearings on proposed zoning amendments with all in favor via roll call vote.

Public Hearing on Proposed Zoning Amendments:

- A. To amend** the definition of abutter under section §245-4 to include “For purposes of notification, an abutter is the owner of any property, excluding street rights-of-way, within 100 feet of the applicant’s property. Determination of the names and addresses shall be based on the Town’s property tax records.” This change will allow applicants to use an automatic, abutter tool on the Town’s Parcel Viewer to create their abutters list.

Ms. Melone gave a summary of the amendment and showed an example of an abutter function of the Parcel Viewer Program and how property owners can use the tool to identify their abutters for purposes of notification for an application to the Planning or Zoning Boards. She used a model from York, Maine’s Parcel Viewer. “Not only can it create a list it can create a template for labels” she said. A brief discussion of how the 100 feet from an applicant’s property boundary was established (and why) as well as avoiding unintended consequence by reaching out too far followed.

With no other questions from the Board Chair Hurley then opened the hearing to the public.

Ms. Drachman asked about the 100-foot reach and whether or not that was enough with Ms. Melone noting the reach extends not from the center of the applicant’s lot but from their property’s boundary line in each direction and across bodies of water. “Going 200 feet you will likely pick up more parcels than what is directly adjacent” she said. Ms. Heller added that the Board did not just discuss the option “we visually got out and played with what it would look like and a reach of 100 feet was not an arbitrary number, it was more than adequate.” Ms. Laurenitis asked

if there were other towns in New Hampshire that are using this definition of abutter and function with Ms. Melone noting “out of the 86 clients in New Hampshire we are the only ones *not* using this tool.” Mr. Staley noted “it seems to be just turning a button on the software and the tool is available, this is a good idea.” Chair Hurley added “and the people in town can use this to gather abutters for any kind of a project.”

With no other questions Chair Hurley closed the public portion of the hearing.

A motion was made/seconded (Heller/Taylor) to move the amendment to ballot as written with all in favor via roll call vote.

B. To rescind section §245-6 Family District and replace all lots, or portions thereof, with the General Residence District; in cases where only portions of lots are currently zoned as Family District (such as the first 200 feet) shall be rezoned to be fully General Residence District; and to include the permitted uses allowed under the Family District to be added to section §245-7A under General Residence District and to §245-8A under Rural District, where “all permitted uses allowed in the Family District” are also allowed.

Ms. Melone began with “between two weeks ago and now, I have raised concerns with this amendment as written because my original understanding was that anywhere with even a portion of Family District would become General Residence and upon further research where Family may be replaced to General Residence in kind (where strips of Family exists as a buffer to the road, it would be replaced with General Residence to blend in with that district directly behind the Family strip). She pointed out examples of Family lots in West Peterborough and parts north such as Sand Hill Road and General Miller Road where the lots are much larger and suggested the proposal to read *everything Family District lot is rescinded and replaced in kind by General Residence* “that removes a lot of the concern that I have about rezoning lots that would not be appropriate.” She concluded by noting she was willing to wordsmith this amendment further if the Board wished to do so. When asked about the change in the language, Ms. Melone referred to the amendment itself and Chair Hurley read it “to rescind section §245-6 Family District and replace all lots, or portions thereof, with the General Residence District; in cases where only portions of lots are currently zoned as Family District (such as the first 200 feet) shall be rezoned to be fully General Residence District.”

Ms. Stone asked about the permitted uses in the Family District with Ms. Melone noting that all permitted uses currently listed in the Family District be carried over to any lot rezoned by this amendment. As the members briefly reviewed the permitted uses in the Family District Mr. Taylor interjected that while he supported the amendment, he had reservations with it as it stood “It is just too fluid, we haven’t nailed it down” he said adding “I don’t think we’ve spent enough time vetting it and any or all its potential consequences or shortfalls.” He noted he did not want a public perception of such an amendment being crammed in at the last minute and having it fail. “Personally, I think that section should be removed completely” he concluded. Ms. Melone noted the reason she was stewing about the change was to be able to get rid of the strip zoning (the first 200 feet being Family District in many areas with another zone completing the lot) “because that is such a pain to any resident who has that on their property as well as us as staff and this is the only way to amend this proposal without having to notice each person having that change and every abutter around them” (Close to 200 notification letters would have to go out that night). This is as close as we could get it this year without taking it off the table” she concluded.

Chair Hurley noted the existence of other areas of zoning that may be affected by this change and told the members she did not feel they had fully considered all those ramifications. She also mentioned the goals of the Master Plan (concentrate density in the downtown, connections to town water and sewer lines. Walkable and likeable and protection of the rural areas), she cited many Family Districts that were way out of town “and I just think that this follows the Master Plan” she said adding “I don’t think it is a way to get infill development and we can find another way. I don’t think this does anything to get us affordable housing. I think we just need more time.” Chair Hurley concluded by mentioning the subject of ADUs in the Family District and how people can work with that. “To me it is not just an easy switch” she said adding “I think you need a more encompassing look at the whole thing. I don’t think this is a well-organized or thoughtful change at all and I am really against it.”

Ms. Heller began with “ultimately if this is not the year, it is not the year” adding the amendment came up in October of last year and they’d had adequate time to discuss it “but we were led away from it again and again by the people running our meeting. I feel some of the things said here are definitely opinion and not fact about what is protective and what is restrictive, what is inclusionary and what is exclusionary. It is important to understand not all members of the Board agreed on what those things are. I don’t want to push something through that most people are not happy with, but I do want to say that this was brought up months ago and we were willingly led away from it over and over and over again. I don’t want to

pretend this is something that came up last minute. This is not a sweeping change as it has been characterized, it is not, and it came up months ago but we were led away from it.” Ms. Heller reiterated the desperate need for a zoning rewrite with the existing ordinances defective and exclusionary. “It is very frustrating” she concluded.

Ms. Stone mentioned ADUs and gave a brief review of how ADUs differ from two-family residences in the market. She told the members 75% of rent for a two-family rental is considered income while ADUs do not change the economic financing ability a homeowner wanting to sell as ADU rent money is not considered income for their mortgage. So being able to label things “two-family” we actually increase affordable housing because people can buy that house with less of their own income” she said.

Mr. Staley noted he was in favor of the amendment “and the reason is because the reasoning behind the Family and General Residence Districts is very cloudy.” He noted his home was not in any district when it was built (he is in the Family District now) “because there was no zoning.” He went on to say the Family District in 2023 isn’t rational with many of the lots not meeting the criteria for the district in the first place. H suggested creating data that shows how many lots actually do meet the criteria. He agreed the amendment may be a bit rushed “but I really don’t want this to go away because as it is now (the Family District) it just does not make sense, it is not rational. Getting that data will let us have something on the ballot that people can see and get behind.” He noted Chair Hurley had made a point last meeting about a perception of a rush by the Planning Board and the potential for people to reject it and then reject everything else they have been working on “so I am willing to continue to work on this for next year.”

With no other comments from the members Chair Hurley opened the hearing to the public.

Ms. Von Mertens commented on several projects approved by the Planning Board as well as conceptual presentations and noted “with so much talk about housing it may be helpful to the Board to have that list.”

Ms. Carr noted her concerns with the amendment “and being aware of unintended consequences.” She noted the permitted uses in General Residence allowed multi-family “which I think is what we are getting at.” She acknowledged strip zoning had its problems “it is hard to understand it is hard implement and it is hard to regulate.” She also spoke briefly about multi-family buildings (four or more units) and the requirement that any parcel with two or more dwellings per acre and her

concern of the potential of incremental spidering of the town's water and sewer infrastructures. "So, I agree we need to deal with the strip zoning but I am not convinced we need to expand our density into the rural areas" she said adding "the zoning issues we have is a conundrum."

Ms. Drachman told the members she was heartened to hear they want to continue to work on this and figure it out and make something happen. "Everyone talks about affordable housing but there is always a "but" so I hope you do continue and come to a vote next year."

Ms. Laurenitis cited a letter to the Planning Board stating her strong objection to the proposed amendment for a number of reasons, especially the impacts on the Rural District. "You are talking about hundreds of acres that can be rezoned" she said. Referring to Ms. Carr's comment about the town infrastructure and its capacity Ms. Laurenitis told the members "we don't know what that capacity is" adding many of the Family District lots are large and not on town water and sewer. "Changing them to General Residence could lead to multi-family development which requires town sewer for anything over two units per acre" she said adding "I think you are trying to move forward without a plan and I support waiting and getting more public input from people working with the Planning Board." Mr. Taylor interjected "we tried that, remember?" adding "we had a whole task force." Ms. Laurenitis asked if he was referring to the defunct Housing Task Force with Mr. Taylor replying "yup" adding "and that worked out grrrrreat."

Mr. Staley told Ms. Laurenitis he had read her letter and understood her concerns "and that is why I really want to have the ability to have the data and maps I talked about earlier, but by and large when I look at the Family District (by large) much of it is built, there are not a lot of lots." He noted the General Residence District has its own dimensional requirements and additional data would show where development could take place.

Ms. Heller interjected "again, I understand this not going to be the year and I understand that." She reiterated the need for a zoning re-write "it is archaic, extremely exclusionary, extremely classist and elitist and the Family District is the best example of that. I live in the Family District and I feel it is pretty outrageous and a relic and a descendant of what I would say red-lining to keeping out the poor people." She concluded "this amendment is part of a larger plan and I have never done anything in my life without taking it seriously and following through on it. This amendment was not rushed, it was dragged out. I come here having talked to my neighbors and peers and taking this step puts us in the position to do the work that our Master Plan is requesting. Hopefully we'll start our workshops in August

rather than later and we can get right to work on this, not just promise it and then leave it behind like we have done in the past.”

Ms. Laurenitis noted a general issue of referring to single family housing as being exclusionary. “Single family housing in Peterborough is lower density but it is not exclusionary” she said adding “and it seems like it is being used as a bias to get rid of single-family housing, and really we don’t even really have single-family housing because any single-family house can have an ADU.” Ms. Carr added “I know the goal is provide workforce housing and I’d like to see some guarantees that when we look at all the development projects in the last five years, we are not getting there. It is not that middle income, missing middle housing that we’ve been looking for because a builder is going to build what the market determines as fair, not workforce housing which is too expensive without government support. If we are going to go ahead with higher density development we need to have some caveats to protect the middle income and I have not seen that in our zoning.

Mr. Gorski talked briefly about a big change that could be done (that he liked) and that would be people converting a large house into three or four units “so you have a single-family house that turned into a multi-unit housing. I think that opens us up to a lot of little conversions that allow people to stay in their homes.”

With no additional questions or concerns Chair Hurley closed the public portion of the hearing.

A motion was made/seconded (Taylor/Weiss) to withdraw the amendment to rescind section §245-6 Family District and replace all lots, or portions thereof, with the General Residence District as written with Mr. Taylor, Mr. Weiss, Mr. Dunbar; Chair Hurley, Vice Chair Weiss and Mr. Staley for and Ms. Heller and Ms. Stone against.

- C. To amend** section §245-24.6E(2) Workforce Housing to remove “...however there may be no more than one such building permitted per lot in the Rural District.” This change will enable there to be more than one building on a lot in the Rural District as a part of a multi-family development.

Chair Hurley noted the definition of multi-family says five or more units “and we have been dealing with multi-family as three or more.” Ms. Melone noted five or more units relates to multi-family workforce and how the state defines multi-family workforce. “Here, for our purposes, multi-family for the Planning Board is three or more units which is true for the building code as well.” Chair Hurley noted that if there was going to be multi-family units it would be much nicer to have

multiple buildings rather than one long, stretched out building. A brief discussion of housing examples followed.

With no other questions from the Board Chair Hurley then opened the hearing to the public.

Ms. Von Mertens asked if the word “workforce” (multi-family workforce development) should be incorporated into the amendment. Mr. Taylor noted “this amendment is in the workforce housing section.” Chair Hurley interjected “the clearer for people reading it the ballot, the better.”

Ms. Carr briefly read from the multi-family workforce ordinance that noted “there may be no more than one such building permitted per lot in the Rural District.” A brief discussion of the density not changing “just how it is presented” followed. Ms. Carr concluded “so you are not amending the spirit of the ordinance” with Ms. Stone adding “no, and it gives more flexibility.”

With no additional questions from the public Chair Hurley closed the public portion of the hearing.

A motion was made/seconded (Heller/Taylor) to move the amendment to the ballot as written with all in favor via roll call vote.

D. To rescind §245-11.1 Office District, a defunct zoning district consisting of only two lots, to be rezoned as: U019-024-000 to the General Residence District and U008-025-000 to the General Residence District (previously proposed to be re-zoned as Family District.) The Office District is obsolete and both lots within this District are currently legal nonconforming under Office District regulations; these changes would allow those lots to be conforming and have greater flexibility to expand, add, change uses or structures on their properties.

Ms. Melone told the members “technically, this is off the table because of your last motion and the withdrawal of Amendment C.”

A motion was made/seconded (Taylor /Weiss) to take amendment off the table with all in favor via roll call vote.

The meeting adjourned at 8:35 p.m.