

**Town of Northwood  
Planning Board Meeting  
October 12, 2023**

*No cases were heard at this meeting.*

**Chair Jandebeur called the meeting to order at 6:30 p.m.**

**Present:** Chair Jandebeur, Vice-Chair Judi Anthony, Selectman Representative Hal Kreider, Members Betty Smith, Karen Robinson, David Copeland, Don Manter, Alternate Bob Strobel.

**Voting Designation:** Chair Jandebeur, Vice-Chair Judi Anthony, Selectman Representative Hal Kreider, Members Betty Smith, Karen Robinson, David Copeland, and Don Manter.

**Town Staff Present:** Town Planner Mark Davie, Land Use Specialist Linda Smith, and Land Use Administrative Assistant Lisa Fellows-Weaver.

**Minutes**

***September 28, 2023***

**On a motion made by Ms. B. Smith, and seconded by Mr. Kreider, the Board voted to approve the minutes of September 28, 2023, as written. Motion passed; 6/0/1.** Ms. Robinson abstained as she was not at the meeting.

**NEW BUSINESS**

***Alternate Members***

Two letters of interest were received from Patrick Wycoff and William Dinsmore. Members had previously been provided with the letters.

**Mr. Kreider made a motion, seconded by Ms. B. Smith, to appoint Mr. Dinsmore as an alternate member to the Planning Board.**

Mr. Kreider stated that Mr. Dinsmore would be a good addition to the Board as he has a lot of knowledge, and his direct experience would be helpful.

Ms. L. Smith stated that she has worked with Mr. Dinsmore as an employee. He has had a lot of ideas on ways to improve the zoning ordinance going forward.

**The motion passed unanimously.**

Ms. L. Smith explained that currently the Board's procedures indicate the Board allows up to three alternate members; statute allows up to five alternate members. She stated the Board could amend the procedures to increase the number of alternates.

Mr. Copeland suggested that a thank you letter be sent to Mr. Wycoff for his letter of interest. He added that it should also be noted that the Board will be considering increasing the number of alternates soon.

Chair Jandebeur stated that he would like to have a discussion at the Board's next meeting regarding increasing the number of alternate members.

Alternate member Bob Strobel urged the Board to increase the number of alternate members. He stated that he is not able to attend as much as others and offered to resign to free up a seat to someone who may be able to attend more often.

Chair Jandebeur commented that he appreciates Mr. Strobel's position as an alternate as he is a valuable member with a lot of expertise to offer and he would like Mr. Strobel to continue to serve as an alternate on the Board.

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***Public Hearing – Capital Improvements Plan***

Chair Jandebaur opened the public hearing for the Capital Improvements Plan for 2024.

Mr. Strobel was present representing the CIP Subcommittee.

With no comments, Chair Jandebaur closed the public hearing.

**On a motion made by Mr. Copeland, and seconded by Mr. Kreider, the Board voted unanimously to accept the Capital Improvements Plan, as presented.**

***Continued Discussion of Zoning Amendments***

Discussions continued relative to the following items for potential ordinance changes:

**Floodplain Ordinance**

Mr. Davie previously provided verbiage from the Office of Planning and Development (OPD); updated maps indicated that there has been a change in Northwood. In addition, floodplain regulations are missing from subdivision and site plan regulations. The Board agreed to accept the recommendations from OPD, as presented, which include the following:

- “Base Flood Elevation” has replaced the term “100-year” flood zone, or the elevation of surface water resulting from a flood that has a 1% chance of occurring in a given year.
- The Town of Northwood now contains Zone AE in addition to Zone A.
- Adjustments to definitions of various structures, activities, and flood terminology.

**On a motion made by Mr. Copeland, and seconded by Mr. Kreider, the Board voted unanimously to accept the recommendations for the Floodplain Ordinance, as presented, and recommend this change to move forward for public hearing.**

**Shoreland Setbacks: Section III Definitions; section VI.A(4)(a) Wetland Overlay setbacks.**

Confusion has arisen from shoreland setbacks referring to dripline/overhangs of structures as opposed to building footprints.

Additionally, Board members have expressed interest in redefining septic systems as *not* “structures” such that stricter dimensions can be prescribed to further protect Northwood lakes.

**Setback, Waterbody:**

<b>Current</b>	<i>Setback, Waterbody: The horizontal distance between a structure and the Reference Line as defined by RSA 483-B:4, measured at right angles or radial to the lot boundary.</i>
<b>Proposed</b>	<i>Setback, Waterbody:</i>

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	<i>The horizontal distance between a structure’s <b>dripline</b> and the Reference Line as defined by RSA 483-B:4, measured at right angles or radial to the lot boundary.</i>
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Mr. Copeland supported this proposal as the Town should be consistent with the State and change to 50 feet.

**On a motion made by Mr. Kreider, seconded by Mr. Copeland, the Board voted to accept the recommendations for the Waterbody Setback to be increased to 50’, with definition of the dripline, and recommend this change to move forward for public hearing.**

**Motion passed; 6/1. Ms. Anthony was opposed.**

<b>Current</b>	<i>Structure: ...having permanent or temporary location on or in the ground or water, including but not limited to, stationary or portable carports, swimming pools, tennis courts, parking lots, septic systems, fences, and stone walls...</i>	
<b>Proposed</b>	<i>Structure: ...having permanent or temporary location on or in the ground or water, including but not limited to, stationary or portable carports, swimming pools, tennis courts, parking lots, <del>septic systems</del>, fences, and stone walls... <b>This definition shall not include septic systems.</b></i>	As septic systems would no longer be structures, they would be held to the 75 foot setback prescribed in RSA 483-B:9.V(c)(2)(A)(iii)

Mr. Copeland suggested removing septic systems as structures. He noted that there is a potential that by doing this, septic systems could overall be better. He stated that this will allow ease for the property owners and will be more consistent with the State any additional issues would be dictated by the State.

Mr. Dinsmore commented that the State of NH regulates septic systems. He noted that this current requirement does cause some to go to the ZBA.

Mr. Kreider stated that he would like to be consistent with the State of NH.

Chair Jandebeur stated that he understands the requirement to go to the ZBA and prefers local checks and balances as well for more local control; he prefers to not give all that local control away as it is important.

**On a motion made by Mr. Kreider, seconded by Mr. Copeland, the Board voted unanimously to accept the recommendation for the definition of septic to be removed as a structure, as presented, and recommend this change to move forward for public hearing.**

**Zoning VI.A(4)(a) Setbacks [Wetland Conservation Overlay District]**

<b>Current</b>	<i>Structures shall not be placed within 20 feet of the edge of a wetland unless they are deemed necessary for a permitted impact as described in § VI(A)(4) or unless a Special Exception has been obtained in accordance with § VI(A)(5).</i>
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<b>Proposed</b>	<i>Structures, <b>including the extent of their dripline</b>, shall not be placed within 20 feet of the edge of a wetland unless they are deemed necessary for a permitted impact as described in § VI(A)(4) or unless a Special Exception has been obtained in accordance with § VI(A)(5).</i>
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**On a motion made by Mr. Kreider, seconded by Ms. B. Smith, the Board voted unanimously to accept the recommendation to include dripline, as presented, and recommend this change to move forward for public hearing.**

**Accessory Dwelling Units**

**Zoning IV.B(6)(d) Accessory Dwelling Units [Development on a single lot]**

With the release of the Regional Housing Needs Assessment early in 2023, there has been much discussion throughout the State and towns regarding ways to address the housing crisis' and provide greater age-friendly housing stock. The Board has discussed relaxing some ADU regulations, which could assist expediting the process for homeowners who wish to partake in this effort without impacting community character.

A lengthy discussion was held regarding the following proposal.

<b>Current</b>	<i>(9) The lot is 80,000 square feet or greater in area and has 150' or greater of contiguous frontage on a state or town road with a classification of Class I, II, or V as defined in RSA 229:5</i>	Delete in pursuit of reducing barriers to homeowners.
<b>Proposed</b>	<i>(9) The lot <del>is 80,000 square feet or greater in area</del> <b>and</b> has 150' or greater of contiguous frontage on a state or town road with a classification of Class I, II, or V as defined in RSA 229:5</i>	

Ms. L. Smith provided some history for the lot size. Mr. Dinsmore explained that this must be changed due to State statute, the Town must allow ADU's. He added that any lot that has an existing residential structure, on an undersized lot, and meets the setbacks can have an ADU, any lot that can have a building permit can have an ADU. He stated that the idea is to create more housing opportunities.

**On a motion made by Mr. Kreider, seconded by Ms. B. Smith, the Board voted unanimously to accept the recommendation to delete 80,000 sq. ft., as presented, and recommend this change to move forward for public hearing.**

<b>Current</b>	<i>(11) The accessory dwelling unit shall not increase any other nonconforming aspect of the lot or structure.</i>	Clarification.
<b>Proposed</b>	<i>(11) The accessory dwelling unit shall not increase any other nonconforming aspect of the lot or structure. <b><u>Existing nonconformity of the lot shall not be construed as to preclude an accessory dwelling unit.</u></b></i>	

Discussion ensued regarding sizes of ADU's and the primary structure.

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**On a motion made by Mr. Kreider, seconded by Mr. Manter, the Board voted unanimously to accept the recommendation to add verbiage for clarification, as presented, and recommend this change to move forward for public hearing.**

<b>Current</b>	<i>(5) The ADU shall not exceed whichever is greater; 1,000 square feet, or 25% of the proposed total combined living area of the primary and accessory dwelling unit</i>	Remove “25%” to ensure structure appears accessory to principal residence.
<b>Proposed</b>	<i>(5) The ADU shall not exceed <del>whichever is greater;</del> 1,000 square feet., <del>or 25% of the proposed total combined living area of the primary and accessory dwelling unit</del></i>	

**On a motion made by Mr. Copeland, seconded by Ms. Robinson, the Board voted unanimously to accept the recommendation of the new verbiage, as presented, and recommend this change to move forward for public hearing.**

<b>Current</b>	<i>(12) Exterior alterations of the single-family dwelling unit are allowed in order to accommodate the accessory dwelling unit. However, no such change is permitted that would alter the appearance of the single-family dwelling unit or lot to make it look like a multi-family or duplex structure.</i>	Difficult to enforce.
<b>Proposed</b>	<i><del>(Delete)</del></i>	

**On a motion made by Mr. Kreider, seconded by Ms. Robinson, the Board voted unanimously to accept the recommendation to delete this existing #12 due to enforcement issues, as presented, and recommend this change to move forward for public hearing.**

Discussion ensued as to the following proposals for Definitions:

<b>Zoning III Definitions</b>		<b>Notes</b>
<b>Current</b>	<i>...An accessory dwelling unit shall be within or attached to the principal dwelling unit by a shared wall.</i>	Effort to reduce barriers to homeowners and to clarify ability to use existing detached structures (such as a barn or garage) as well as construction of “tiny homes.”
<b>Proposed (Option 1)</b>	<i><del>(Delete)</del></i>	
<b>Proposed (Option 2)</b>	<i>...An accessory dwelling unit shall be within or attached to the principal <b><u>single-family dwelling or located in an existing or proposed accessory detached structure to a single-family dwelling.</u></b></i>	

Discussion continued relative to if an ADU should be owner occupied. Also discussed was whether there should be additional curb cuts as this could be a safety issue, and also the need to follow setbacks for ADU’s. Members agreed that an ADU should still apply basic components.

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Mr. Davie will update **Zoning III Definitions** for the next work session.

*Chair Jandebaur called for a recess at 8:00 p.m. Session resumed at 8:08 p.m.*

**Light: Section V.A(2)(g) Criteria Required of All Uses; V.B(1)(d) Performance Criteria.**

For reasons relating to safety, community character, and light pollution, the Board has decided that future development should be held to lighting standards that are more friendly to Northwood’s wildlife and the night sky as an asset.

<b>Current</b>	<i>Light sources must not cause a nuisance on adjacent properties or roads (nuisance shall include, but not be limited to glare). Lighting intensity shall be adequate to serve the needs of the business or residence it serves to avoid light trespass, and shall take into consideration the lighting levels of surrounding properties. For the purpose of this section, the needs of the business or residence do not include excessively high lighting levels that make the site a beacon to attract attention. The needs of the business or residence include, but are not limited to, the need for security and safety on site.</i>
<b>Proposed</b>	<b><u>Remove V.A(2)(g) and V.B(1)(d)</u></b> Create New <u>V.A(3)</u> .

Mr. Dinsmore stated that the biggest problem with lighting is enforcement of certain parts, loose definitions, and no measurable amount. He stated that residential and commercial are different.

All lighting sections were tabled. Mr. Davie will provide updated proposal for **Zoning V.A(2)(g) Light [Criteria Required for All Uses]** for the next work session.

**Short-Term Lodging**

Various, including Section III Definitions. See below.

“Adult Motel” and “Bed and Breakfast” are currently defined in the Zoning Ordinance while “Motel” and “Hotel” are currently defined in Site Plan regulations. “Short-term rental,” or units commonly associated with Airbnb and Vrbo, are undefined and have no further regulation regarding length of stay or owner-occupancy. While demand for these units has slowed since the pandemic, the Board has previously discussed and shown an interest in mitigation measures as they pertain to noise, town resources, and impacts on the local housing market.

<b>Zoning III Definitions &amp; Site Plan XI.B Definitions</b>		<b>Notes</b>
<b>Current</b>	<i>Adult Motel: A motel or similar establishment offering public accommodations for any form of consideration which provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions a substantial portion of the total presentation time of which are distinguished or characterized by an</i>	Hotel, Motel, Bed & breakfast from Wakefield

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	<p><i>emphasis upon the depiction of materials which meet the definition of "harmful to minors" and/or "sexual conduct" as set forth in NH RSA 571-B:1.</i></p> <p><i>Bed &amp; Breakfast: A use in which an occupied single family residence also offers for public hire rooms for overnight accommodation, and offers meals prepared in the kitchen of the residence. This use shall be subordinate to the residential use of the structure and lot.</i></p> <p><i>Hotel: Any building in which more than five (5) rooms are rented to more than ten (10) persons, said rooms being rented for sleeping purposes for compensation and reached from hallways common.</i></p> <p><i>Motel: A building or group of buildings containing rooms or apartments that are rented or hired out for sleeping purposes and which rooms have direct outside access.</i></p>	
<p><b>Proposed</b></p>	<p><b><u>All definitions must be found in III Definitions and should be found in Table V-I as desired.</u></b></p> <p><i>Hotel: "Short-term lodging accommodations offered to the general public at a daily rate and supervised at all hours by a person-in-charge. All rooms are accessed through an inside lobby and interior corridors, and include private baths but no individual cooking facilities. May include the following accessory uses: restaurant, bar, tavern, meeting/function rooms, and/or recreational facilities such as pools, fitness facilities, etc. May include food service to registered guests and the general public."</i></p> <p><i>Motel: "Same requirements as for "Hotel," except some or all guest rooms are accessed directly from the exterior of the structure, and not necessarily supervised at all hours by a person-in-charge."</i></p> <p><i>Bed &amp; Breakfast: "An existing structure or a new or existing single-family dwelling, in which the live-in owner or manager provides up to 8 guest rooms to the general public at a daily rate or on a short-term basis of less than 30 days. Guest rooms may have private or shared baths. Breakfast service is included in the daily rate and limited to registered guests only."</i></p> <p><b><u>Addition of the following definitions:</u></b></p>	

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	<p>Short-term rental, hosted: <i>An additional use of a one-family, owner-occupied dwelling where the owner is continually present on the premises during the period of the rental.</i></p> <p>Short-term rental, unhosted: <i>An additional use of a one-family, owner-occupied dwelling where the owner has vacated the premises during the period of rental.</i></p>	
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General discussion was held for this section and members agreed that Inn should also be included in this proposed amendment.

**On a motion made by Mr. Kreider, seconded by Ms. B. Smith, the Board voted unanimously to add Inn, to be included in Short-Term Lodging, and recommend this change to move forward for public hearing.**

**Shared Driveways**

Ms. L. Smith suggested discussing and proposing something in Zoning for shared driveways as it is currently only in the Subdivision and Site Plan Regulations. Mr. Copeland suggested that shared driveways only exist for line of sight and to avoid wetland impacts. Criteria of a shared driveway was suggested to meet, at a minimum, the emergency lane standards or the Rural Road Standards.

Mr. Davie will review “Shared Driveway” and provide a proposal for the next work session.

**INTERNAL BUSINESS**

**2024 Local Source Water Protection Grant**

Mr. Davie noted that there is a water grant available for the Town. He explained that the Strafford Regional Planning Commission could apply for this grant for the Town; it is \$25,000 - \$30,000. Criteria was provided for review.

Members agreed that SRPC should move forward and apply for the grant specific to septic systems around all lakes.

**On a motion made by Mr. Kreider, seconded by Ms. Robinson, the Board voted unanimously for SRPC to move forward with the grant application with funding for all lakes; SRPC to complete the grant application, grant requirements and receive the grant funding. This is a separate project from the SRPC circuit rider contract.**

**ADJOURNMENT**

**On a motion made by Ms. B. Smith, and seconded by Ms. Robinson, the Board voted unanimously to adjourn at 8:52 p.m.**

A TRUE RECORD ATTEST:

Lisa Fellows-Weaver,



Land Use Administrative Assistant