

Town of Groton – Zoning Board

January 14, 2019 Meeting Minutes

Glen Hansen stated I am the self-appointed chair as we have no other members. I am officially opening this meeting on January 14, 2019 at 3:01PM. Present with me are Ann Joyce, Robert Ellis aka (Bubba), Gary Easson & Peter Smith all of whom reside in the town of Groton & have done so for at least one year. The purpose of this meeting is to appoint members to a functioning zoning board which we have not had in a while. As the sole member of the zoning board, I appoint Ann Joyce to the zoning board. At this time, I will conduct a brief interview with each applicant: Why do you want to be on the board?

Bubba: Everybody stepped down & the town needs this board & it is important to get things done. We will be following the current zoning ordinance. Glen Hansen motioned to appoint Bubba Ellis, Ann Joyce seconded so voted.

Gary Easson: I was a loud voice against the paramilitary group trying to set up in town. A little zoning is good. Glen Hansen motioned to appoint Gary, Bubba Ellis seconded, so voted.

Peter Smith: There is a need for members of the board jump in & get my feet wet with small town politics. I believe I have a grasp of what the town wants in terms of zoning. Glen made a motion to appoint, Ann Joyce seconded, so voted. Three members live on private roads & 2 live on public roads.

Glen, I am a member of the planning board also & have basically sat on the zoning board since the beginning of its inception. Sara reached out to the attorney to help draft an **APPLICATION FOR APPEAL RSA 674:41 II**, due to the lack of zoning board members. We need zoning that is more accurate to follow than what we have had in the past. Where are previous zoning board meeting minutes? We should have guidelines from the previous boards. In the past, we have had a paramilitary camp-voted down, Maxam Northeast, explosive management facility that passed, a small portion of it is in Groton but the majority is in Hebron & Alexandria. Glen is a contracted employee for Maxam, if any applications come forth from them, Glen would have to recuse himself from the vote. He can participate in the discussion but not the vote. We also had the wind farm, David Madden & a subdivision on North Groton Road for a seven-lot subdivision that passed. Keep it a rural residential community feel in Groton. We enjoy the luxury of having our small businesses at our properties & both Gary & I would like to keep it that way. Standard application for appeal, if someone applies to the planning board & an appeal is necessary, it then goes to the zoning board to request a special exemption. It is cut & dry, does not affect the neighbors or the environment, fit in the land structure that it is going in. The vote would be yes or no. If the vote is no, the applicant has the right to go to the supreme court & the board would have to go to court to testify to explain our vote.

Glen read the current Zoning ordinance we are following: **TOWN OF GROTON Zoning Ordinance**

1. The Town of Groton shall be designated a Rural Residential Development Town
2. The purpose of this Town shall be to provide rural and residential housing as well as agriculture and timber management
3. All residential uses and all uses accessory to residential uses shall be permitted. Additionally, all uses associated with home use, such as a home business, agriculture and the buildings and structures accessory to such uses shall be permitted.

4. All other uses, specifically commercial uses, industrial uses and primary uses of land which are primarily non-residential in nature shall require a special exception to be granted by the zoning board of adjustment. In order to grant a special exception, the board must find that:

a. The uses will not be detrimental to the character of the town; b. The use will not be injurious, noxious or offensive to the town and no nuisance or unreasonable hazard will result; c. The use will not be contrary to the public health, safety or welfare of the Town by reason of undue or adverse traffic impacts, will not cause undue risk to life or property, will not be unsanitary or unhealthful, and will not create other adverse conditions; d. The specific site is appropriate for the use and the location and size of the use, the nature of the operations involved will be in harmony with the orderly development of the town, there exists adequate water, sewer or septic service to the site, and there exists access to the site and parking;

5. In granting a special exception, the board of adjustment may impose such conditions as are appropriate to assure compliance with these regulations.

6. No person shall undertake any commercial use or construct or cause to be constructed any structure, within the Town, except in compliance with this regulation.

7. These regulations shall not apply to any legally established existing structure or use of land.

8. A board of adjustment shall be appointed by the Selectmen.

9. This ordinance shall be effective upon its passage.

Precedents have been set by using these guidelines. Tread very lightly how this is going to go. Until the new proposed zoning ordinance is presented to the town, everything is up in the air. Deb Johnson thinks there is a freeze on - hold on all permits. The Select Board/Planning Board has been enforcing the notice of limits of municipal responsibility and liability on private roads. The planning board came to the highway department for the format & stipulation details for road construction were given to an individual on a private road that were not followed. Building permits have been required since the 70's. Tighten up the building permits, who oversees them & inspections of them. No licenses to build. Building a new construction, the state fire marshal may visit you. Supposed to build to state code.

Glen made a motion to approve the application for appeal RSA 674:41 II. Glen made a motion to accept Bubba seconded, so voted.

Do we accept any applications or are we in a holding pattern? Can we accept an application legally? We can review the application, have a public meeting, any abutters can speak to it? Answer to these questions should be provided in writing. We cannot vote on it because we need a building permit? The building permit will not be there because it was referred to the zoning board for a special exemption.

Cannot discuss any application amongst ourselves, must be in an open meeting. If more than two people, it becomes a meeting. A quorum must be met with an odd number of people with one not included.

Next meeting February 4, 2019 at 3 PM. Glen Hansen made a motion to adjourn meeting 3:52 PM.