**Lancaster Zoning Board**
**Location: Lancaster Town Hall**
**November 29, 2023**

**Call To Order**: Chair Linda Ogle opened the meeting at 1830H and led the Pledge of Allegiance.

**Roll Call:**
**Regular Members Present**: Chair Linda Ogle, Vice Chair Tricia Frenette, Steve Young, Nate Kenison, Les Hilton
**Absent:** None
**Alternate Members Present:** Donald Freddette, Melissa Potter
**Absent**: None
**Others Attending**: Robin L Irving (Land Use Coordinator), Benjamin Gaetjens-Oleson (Town Manager, Master Plan/Housing Committee), Kathy Jean Lavoie (Selectperson), Greg Westcott (Planning Board), Maggie Jones (Master Plan/Housing Committee, Planning Board)

**Minutes:**
Les Hilton moved to approved the August 30, 2023 minutes as written. Les Hilton seconded the motion. All members voted to approve the August 30, 2023, meeting minutes as written, no one opposed. *Motion passed.*

**Appointments:** None

**Public Hearings:** None

**OTHER BUSINESS:**

**Land Use Permits:** LUC Irving announced the most recently issued land use permits: 1) #23-082 Ronald Crane at 23 Garland Rd; demolition of existing deck and replacement in-kind, 2) #23-084AR Travis McNally & Caroline Krouse at 683 Main St.; construction of a garage/workshop. RENEWAL, AMENDED to reduce garage size and include separate carport, 3) #23-083 Adam & Jennifer Adair at 20 Brook Rd., installation of a rooftop solar array, 4) #23-086 Peter Bouchard at 26 Bunker Hill St., demolition of existing shed and repurposing of log to construct a garage, 5) #23-085R Mollie Ann White & Michael Fahey at 15 Church St., conversion of existing garage into ADU and existing single-family dwelling into 2 units, RENEWAL, 6) #23-074 Christopher & Nichole Miles at 76 Third St., installation of a mobile home onto an existing slab, 7)#23-081 CN Brown Energy at 215 Main St. (Big Apple); removal of UST and replacement with AST on concrete pad; 8) #23-087 Leo Enos Sr. at 69 Mechanic St., construction of concrete block storage bins. These bins are similar to the ones located on the former Lancaster Floral property. A land use permit was required because the bins were situated within the shoreland protection buffer, 9) #23-088 Lancaster Rotary Charities at 56 Main St., construction of memorial pavilion in the park, 10) #23-089 Michael Johansson & Tracey Tibbetts at 78 Brook Rd., construct additional heated bay onto existing garage, 11) #23-090 Don Freddette at 166 Portland St., repair of house sills & demolition of existing deck and replacement with smaller deck, 12) #23-091 Brenda Stewart at 143 Stebbins Hill Rd., construction of 2-bay garage, 13) #23-095 Lancaster Historical Society at 226 Main St., construction of temporary seasonal greenhouse and kiosk dba North Woods Garden Center/Alan Brasseur. This permit is subject to the property owner's approval. It is not likely that the operation will be permitted at this location again, 14) #23-094 Vernon Matson & Kim Marie Crane at 441 North Rd., construction of single-family dwelling on full foundation, 15) #23-092 Rick Albert/Helrick Realty LLC dba

Mountain View Donuts Inc. aka Dunkin' at 198 Main St., internal demolition and renovation, 16) #23-093 Michael & Tyler Flores at 13 Langevin Dr., construction of reinforced concrete ICF 2-bay garage, 17) #23-098A Wayne & Tricia Frenette at 96 Page Hill Rd., AMENDED permit for pavilion to include cookshack extension, 18) #23-099 Rebecca More/Weeks Lancaster Ind. of Trust at 60 Weeks Rd., repair of gable soffit, replacement of shingled roof with metal roof and extension of eaves, 19) #23-100 James & Jacqueline Mitchell at 36 Arthur White Rd., installation of Reeds Ferry Shed, WITHDRAWN because applicant verified that a variance is required, 20) #23-102R2 Alan & Joanne Savage at 493 Main St., construction of self-storage units, SECOND RENEWAL, 21) #23-101A2 Brenda Stewart at 143 Stebbins Hill Rd., AMENDED permit to include 3 decks around new single-family home, 22) Charles Fitch III, John Fitch & Marilyn Foss obo Fitch Fuel Co. at 178 Summer St., construction of a pole barn as an extension of existing building, 23) #23-092 Garett Savard & Marie Lorraine at 138 Elm St., installation of rooftop solar array, 24) #23-103A Easter Seals New Hampshire at 525 Prospect St., AMENDED permit to include construction of a storage shed in addition to interior renovation, 25) #23-105 Joel & Stephanie Dupuis at 550 Main St., demolition of rear woodshed and construction of additional garage bay for the tire business, 26) #23-106AR Alan & Jolene Ball at 157 Elm St., AMENDED permit to reduce single-family home square footage and include 3 decks, RENEWAL, 27) #23-108A Boo's Storage at 13 Mechanic St., AMENDED permit to include demolition of entire structure, 28) #23-104 Bob Cummings/D'Amico Associates obo Mountain Lake Campground at 485 Prospect St., demolition of existing rec hall and replace in-kind with an addition, and 29) #23-107 Daniel Copson at 93 Elm St., demolition of existing garage, construction of rear deck, and basement renovation.

**Other permits:** Sign Permit #23-010 Rick Albert/Helrick Realty LLC dba Mountain View Donuts aka Dunkin at 198 Main St., replacement of polycarb panels on the building sign, the pole mounted sign, and the ground-mounted entrance/exit signs.

**Planning Board Decisions:** LUC Irving announced that the Planning Board revoked 2 site plans for Daniel Benoit's property at 600 Main St.; the first revoked site plan was for operation of a salvage yard, and the second revoked site plan was for use of a Quonset hut for residential purposes which was determined to be used commercially in conjunction with the salvage yard.

**Training Topic(s)/Material(s):** The Board members and Master Plan/Housing Committee attendees engaged in review of the proposed zoning amendments for 1) Short-term rentals, 2) Accessory Dwelling Units "ADUs," 3) Manufactured Homes, and 4) Recreational Vehicles.

a) **Short-term rentals:** Members agreed that STRs should be permitted in the Commercial and Central Business Districts; STRs may be permitted by Special Exception in the Residential, Agricultural, and Commercial/Industrial Districts. Whether by right or by Special Exception, short-term rental units shall not be Accessory Dwelling Units. The group also agreed that an annual registration and licensure process should be required. This registration process shall include an on-site inspection by the Fire Department. There was some discussion about whether the inspection parameters should be included in the ordinance or whether the ordinance should refer to an LFD and Health Officer policy (smoke/CO detectors, emergency egress, NO basement spaces unless egress, fire extinguishers, occupancy limits based on square footage, maximum allowed vehicles, septic capacity). They also agreed that fees should be handled as a reference as well so that a fee schedule can be more fluid and not require a warrant article to be changed (language to the effect that fees set as determined by authorized body). Fees should be set for inspections, with first inspections being higher.

b) **Accessory Dwelling Units (ADUs):** Through a Conditional Use Permit process, the group agreed that one ADU should be permitted per single-family home, limited to 2BR and 1000 sf (rather than 1200 sf). Conversion of existing housing stock to ADU with square footage that exceeds 1000sf should be addressed in the language of the permit application. The group emphasized that the primary single-family home shall be occupied/domiciled by the property owner. They further stressed that the off-street parking shall not be within the setback. The group agreed to strike the requirement that and ADU have an interior door connecting an attached unit. ADUs shall not be rented as STRs.

c) **Manufactured Housing:** The group agreed that the foundation provision must be amended to provide options because requiring a full poured or masonry basement is limiting. The dimensional specs in the definition of manufactured housing appears to refer to single wide mobile homes; the group suggested creating separate definitions for single-wide versus double-wide. Required utilities should spell out "water" and "sewer/septic" as part of "plumbing." In the Manufactured Housing Subdivision, the language referring to "affordable" housing should be struck. Tiny Home square footage capped 600 sf is acceptable. The maximum square footage of a cottage should be changed to 1000 instead of 1300 sf. The cottage court section, while it could be included in the manufactured housing section, should either be moved or repeated in the new cluster housing section. The language should stress that all new mobile homes shall have a concrete slab, so insertion of the word "existing" manufactured housing would help drive home the requirement for skirting etc. for manufactured housing not sited on a foundation. Everyone was in agreement that single-wide mobile homes shall be permitted in parks and the designated areas. The designated areas should not be expanded. The group felt that double-wide mobile homes should be permitted within the Agricultural District; the mobile home shall be situated on a foundation in the amended definition so long as it conforms with the State regulations. Finally, the group agreed that all new manufactured housing subdivisions shall include the 35% open space provision AND the 50-ft buffer strip provision. These provisions provide some semblance of privacy to the homeowner and creates more aesthetically pleasing and recreationally functional parks.

d) **Recreational Vehicles:** Some definition or distinction of micro-minis, a form of mobile tiny home, should be outlined. These micro-minis are marketed as tiny homes but are really rec vehicles. Perhaps it can be a definition that addresses being on a chassis rather than square footage because the tiny home definition currently allows the structure to cap at 600 sf. These might be covered under "travel trailer" except they don't fold or pop up. Everyone agreed that rec vehicles shall not be used as permanent dwellings. A suggestion was made that any rec vehicle being used as a temporary dwelling shall comply with setbacks. Someone asked about the definition of junkyard; LUC Irving responded that the State junkyard regulations state that more than 2 unregistered vehicles on the premises constitutes a junkyard. Irving asked whether rec vehicle registration should be required. After an extensive discussion, the group's suggestion is to include language that all rec vehicles must be registered or shall be taxed as a dwelling upon failure to register, and this dwelling requires a permit from Land Use. There was some confusion about whether occupancy required connection to sewer/septic services. The existing ordinance states that occupancy over 14 days triggers connection to sewer/septic while the amendment

seems to allow a permit to occupy up to 6 months "provided that proper sanitary facilities, as defined by RSA 216-I:4, are available." 216:I-4 pertains to recreational campgrounds and parks with 2 or more rec vehicles and not to singular vehicles. Given this, it seems that there is no requirement for sewer/septic connection of a lone rec vehicle being occupied up to 6 months. The language is confusing and needs to be more definitive. Given that a temporary permit must be issued for use as a temporary dwelling, requirement for connection to septic/sewer may be a condition of approval driven by the facts of the application.

General changes include making sure that Land Use Office is the permitting authority and striking all references to a building inspector.

LUC Irving distributed the 2024 meeting schedule. She pointed out that the December meeting fell on Christmas Day, so the meeting is scheduled one week earlier.

**Other:**

**Les Hilton moved to adjourn the meeting at 2034H. Steve Young seconded the motion. All Board members agreed to adjourn the meeting at 2034H, no one opposed. *Motion passed.***

Respectfully submitted,
Robin L. Irving, Land Use Coordinator

Approved:

Linda Ogle, Chairman of the Lancaster Zoning Board of Adjustment