

Town of Hill
Planning Board Minutes
17 June 2021

In attendance: Bob Helmers, Shawn Bresnahan Tom Whitman, Marshall Bennett
Public: Dave Thompson, Gene and Gail Seip, Chris Gronski (selectman), Richard and Jean Reed, Lucy Natkiel, Mike Munson, Frank Razzaboni, David Riley, Tom and Cathy Angeley, Steve Taylor, Lee Herterich, Cory and Becky Corliss, Mark and Tammy Allen, Chris Seufert, Don Reese, Steve Thompson

Meeting opened at 7:08

As most attendees were present in regards to the special exception for the gravel pit, chair began by informing public that legal counsel was being consulted to resolve procedural concerns related to the special exception. At this point, there was little the board could say until the procedural concerns were resolved.

A general discussion followed which indicated considerable confusion over the process. Frequent references were made to site plan review regulations. As gravel pits are not listed in the special exception for rural residential zone, residents questioned how a gravel pit could be allowed. Also, objections were made that the pit would be a commercial operation which is not allowed in the rural residential zone and would also be subject to site plan review. The appropriate order for the two boards to act was also discussed.

The board noted that since Hill zoning ordinance does not address earth excavations, a gravel pit would be allowed by special exception in accordance with NH RSA 155E. Mr. Bresnahan read the entirety of RSA 155E:4, III and also showed residents a handbook for excavations regulations (NHOSI) noting availability on internet. Mr. Helmers stated that the ZBA cannot require an applicant to obtain additional permits (ie: Site Plan) before holding a hearing for a special exception. Planning board stated that the applicant must obtain a special exception from the ZBA. If the special exception is approved, then the planning board would hold hearings for the excavation permit and site plan permits.

Chair called an end to discussion and most residents left, but likely with a sense of confusion and frustration.

During discussion, Ms. Natkiel, an abutter, noted that a portion of road by her property was damaged when improving road accessing to the site. Mr. Bresnahan noted that landowners can maintain or improve road by property, but as a good neighbor, should have informed her.

Also noted was the existence of town excavation regulations. Chair noted that the town had the regulations in hard copy form. They had not been converted to digital format. He was not certain if they had ever been approved. Some members of the public expressed concern over inaccessibility of regulations. Mr. Helmers said he would try to find the regulations and determine if they had actually been approved, and make them available to public. He noted that the town earth excavation regulations were basically a re-iteration of RSA 155E.

At the June ZBA meeting, applicant had stated they would provide a link to the site plans on the town website. This apparently has not been done.

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Cory and Becky Corliss had been denied a building permit for an enlargement of an accessory building by selectmen because the intended use is for a home business in the rural residential zone. After some discussion, board decided the Corliss's obtain a site plan permit.

Mark and Tammy Allen own a property near the Cass Mill Bridge that has an existing three season cabin. They would like to add two additional camper trailers and intend to use the property primarily as a camp. The new camper trailers would likely be classified as dwellings (mobile homes). The zoning ordinance was consulted to determine if any provisions for camps were included. Finding none that seemed to fit this situation, a second unit could be allowed by special exception, but a third would not be allowed, in which case, the property would need subdivision. A suggestion was made that two of the units could be attached to each other or the existing cabin. The planning board suggested that the Allen's meet with the selectmen who would determine if that was a viable solution. The Allens departed about 9:30 p.m.

Mr. Thompson, chairman of ZBA, arrived near the end of discussion with Mr. and Mrs. Allen. Board informed him of consultation with legal counsel and stated he would be forwarded a copy of the response at which point the town should know how to proceed. Mr. Thompson expressed concerns about which board should act first in the case of a special exception. He also made numerous comparisons between the need for site plan review regulations in the commercial and rural residential zones. Mr. Thompson noted exception in RSA 155E that excavations are not allowed in residential areas. A short discussion of the name "rural residential zone" contrasted with the actual conditions at proposed site followed. Mr. Bresnahan suggested legal precedent would favor actual site conditions. Mr. Helmers stated that the entire western half of town is uninhabited, but included the rural residential zone. Mr. Thompson expressed concerns as how the ZBA could determine impacts. Mr. Helmers ended the discussion and Mr. Thompson departed.

Additional hard copies of the excavation plans were distributed to members. The applicant had originally only supplied one set of plans and it was difficult for the entire board to work with one set.

Meeting adjourned at about 9:45 p.m.

Robert Helmers
Planning Board Chair
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