

**TOWN OF JAFFREY, NH
PLANNING BOARD
Zoom Meeting Minutes
November 10, 2020**

The Right to Know Checklist was displayed on Zoom prior to the meeting. Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Present: Chairman Meyers, Dupuis, McKenzie, Despres, Peard (alt)

Present vis Zoom: Belletete, Dillon, Merrell, Taylor (alt)

Staff: JoAnne Carr, Director of Planning and Economic Development, Becky Newton, David Chamberlain

Others via Zoom: Beth Royce, Holly Royce Reich, Brian Palmer

CALL TO ORDER – Chairman Meyers called the public hearing to order at 6:00 pm.

PRELIMINARY CONCEPTUAL - None

MEETING MINUTES APPROVAL

On a **motion** by McKenzie, seconded by Dupuis the minutes of October 13, 2020 were approved as amended. (6-0-0) KD, AM, LM, SD, MD, JB

PUBLIC HEARING – ACCEPTANCE

PB 20-15 Judith Royce Rev. Trust 2016 &
Charlie Palmer Rev. Trust 1993 & Priscilla Palmer Rev. Trust 1993, Owners
243 & 303 Gilmore Pond Rd, Map 226, Lot 21 & 22
Zone: Rural without Town Water

Technical Subdivision - The applicant proposes a technical subdivision between lands of 226/21 and 226/22.

W Taylor recused himself

On **motion** by Dupuis, seconded by Belletete to accept the application as sufficiently complete. (6-0-0) KD, AM, LM, SD, MD, JB

PUBLIC HEARING – NEW

PB 20-15 Judith Royce Rev. Trust 2016 &
Charlie Palmer Rev. Trust 1993 & Priscilla Palmer Rev. Trust 1993, Owners
243 & 303 Gilmore Pond Rd, Map 226, Lot 21 & 22
Zone: Rural without Town Water

Technical Subdivision - The applicant proposes a technical subdivision between lands of 226/21 and 226/22.

Presentation: Holly Royce Reich

The applicant is proposing a lot line adjustment to convey a .07 acre parcel of land from Royce 226/22 to Palmer 226/21. This area is identified as Exclusion Area B on the plan provided. The parcel has no road access, public water or sewer.

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Brian Palmer stated he was in favor of the transfer.
No comment from the Planning Board.

Chairman Meyers closed the public hearing

DECISIONS

PB 20-15 Judith Royce Rev. Trust 2016 &
Charlie Palmer Rev. Trust 1993 & Priscilla Palmer Rev. Trust 1993, Owners
243 & 303 Gilmore Pond Rd, Map 226, Lot 21 & 22
Zone: Rural without Town Water

Technical Subdivision - The applicant proposes a technical subdivision between lands of 226/21 and 226/22.

On a **motion** by Despres, seconded by Belletete to approve the technical subdivision as presented per testimony given and plan provided. (6-0-0) KD, LM, AM, SD, JB, MD

OTHER

Zoning – the zoning subcommittee, comprised of J Carr, A Meyers, M Dillon, A Meyers and W Taylor, met to discuss proposed zoning changes.

L McKenzie suggested moving preliminary conceptual items to the end of the meeting.

Minor changes were suggested for Rules of Procedure including:

- 2) Change of meeting time to 6:00 pm.
- 4) Preliminary conceptual items will be discussed after the conclusion of previously scheduled hearings.
- H) Additional materials requested by the Board shall be submitted no less than two weeks prior to the public hearing.

On a **motion** by McKenzie, seconded by Despres, to take the updated Rules of Procedures to public hearing (6-0-1) KD, LM, AM, SD, JB, MD EM Abstained

Site Plan Regulations updates include: (see attached)

- Sec. III, Procedure, Pg 93
- Sec. II, Definitions, Pg 124
- Sec. IV Subdivision Procedures, Pg 128

On a **motion** by Dupuis, seconded by Dillon, to take the updated Site Plan Regulation to public hearing (7-0-0) KD, LM, AM, SD, JB, MD, EM

Zoning changes include adding a definition of workforce housing as defined in RSA 674:58-61.

J Carr shared the metric HUD uses to determine income guidelines for workforce housing (see attached). She clarified that affordable housing is not the same as low income. The zoning subcommittee is considering allowing higher density in Gen Business A, providing it is considered workforce housing.

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After a lengthy conversation the consensus seemed to be to allow expansion in Gen. Business A and give further consideration to expansion in Res B. In addition, consider a “nuanced density” requirement and design criteria that would ensure attractive development.

The subcommittee will meet again to discuss proposed zoning changes in more detail and bring recommendations back to the Board in December. If needed a PB work session can be scheduled.

ZONING BOARD DECISIONS

ZBA 20-17 – Janet LaCroix, Technical Subdivision. Approved

ADJOURNMENT

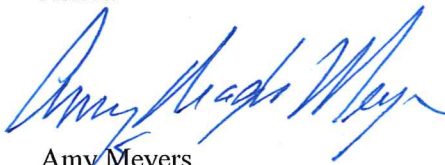
The meeting adjourned at 7:44 pm

Submitted:



Rebecca Newton
Recording Secretary

Attest:



Amy Meyers
Chair, Jaffrey Planning Board

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RULES OF PROCEDURE – SEE ATTACHED

SITE PLAN REGULATION UPDATES

Section III, Procedure F (3)

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Site plan approval shall be considered void if no substantial work is done on the project in two year's time. See Section IX of this regulation for Vesting of Approved Plans. ~~The Planning Board may specify the scope of work to be completed within a year's time that will constitute active and substantial development in order for the four-year exemption to apply. All conditions shall be noted on the plat.~~

APPENDICES: Conditional Use Permits

Add Workforce Housing CUP Application

SUBDIVISION REGULATION UPDATES

Section II Definitions (pg 124)

Bring in definition of Frontage (pg 4) as written in the Zoning Code – Section II, Definitions

FRONTAGE - The horizontal distance measured along a lot line dividing a lot from a street that meets the minimum requirements of Appendix A, Section III, to the Jaffrey Rules and Regulations to Control Subdivisions. Driveways to interior lots shall not be construed as frontage for the front lot.

Section IV Subdivision Procedures

(E) Expedited Review (pg 128)

- (3) The Board may waive certain plat requirements for minor and technical subdivisions. The Plan Review Committee ~~Building Inspector~~, in their ~~his~~ completeness review, may recommend to the Board in writing certain submission items to be waived. The Board reserves the final judgment in this matter.

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Jaffrey Planning Board

Rules of Procedure

RSA 676:1

Draft updates 9/15/20

1. The duties of the Planning Board are as described in RSA 674:1.
2. The Jaffrey Planning Board shall convene at ~~7:00~~ 6:00 pm, the second Tuesday of the month, unless otherwise provided.
3. Whenever the board wishes to consult with its Attorney in Executive Session as allowed by RSA 91A:3, it may do so by a motion passed by majority vote. No persons other than the board and its Attorney may be present during Executive Session as authorized by RSA 91A:3.
4. Between the hours of ~~7:00~~ 6:00 pm and ~~7:30~~ 6:30 pm the board may entertain informal discussion with prospective applicants. Such discussions are advisory, not binding; neither the applicant nor the board may be held to any information conveyed during such informal discussions.
5. Public hearings, RSA 675:7: Notice shall be given for the time and place of each public hearing held under RSA 675:2-4 and RSA 675:6 at least ten calendar days before the hearing. Not including the day the notice is posted nor the day of the public hearing.
6. Notice of public hearing shall be published in a newspaper of general circulation in the town and shall be posted in at least two public places in the town.
7. Preliminary to public hearing, the board shall review the report of its review committee and shall vote to determine whether or not to proceed to public hearing. A vote shall be taken regarding regional impact before proceeding to public hearing. Discussion shall be between the board and the applicant only, and shall be confined to whether or not to accept the application and proceed to public hearing.
8. If the board has voted to proceed to public hearing, the clerk shall read the notice of public hearing, stating where it was published and posted and on what dates.
9. The clerk shall also read the names of the abutters who were notified, and the Chairman shall inquire if there is anyone claiming to be an abutter who was not notified of the hearing. All inquiries or disputes shall be resolved before the hearing commences.

Adopted by the Planning Board December 8, 2009. Revised September 2015

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10. Procedures for public hearing:

- A. If a quorum of board members is present, but less than the full complement of seven voting members, the applicant shall have the option to proceed or delay the hearing to the next regularly scheduled board meeting.
- B. The applicant outlines his proposal and the board may ask questions.
- C. The public is invited to ask questions or make comments or recommendations. All comments by the public are to be made to the Chair only; cross conversations with the applicant are not permitted.
- D. No one shall ask to speak a second or later time until everyone has had an opportunity to speak the first time.
- E. Persons recognized to speak shall first state their name and address.
- F. The Chair is responsible for control of the meeting and maintenance of order, using whatever resources are necessary.
- G. When the Chair is confident that everyone has had his or her say, he shall terminate the hearing by stating "This hearing is closed."
- H. If, however, the Chair is not satisfied that all the information necessary to a correct decision has been received s/he shall, with the assent of the board, continue the public hearing to a time, date and place certain and no further notice shall be required. Any materials requested by the Board shall be submitted no less than 2 weeks prior to the date certain of the continued hearing to allow time for staff review.
- I. Deliberation: The board shall discuss the testimony and materials presented with regard to the application. This process may be continued to a subsequent public meeting if necessary, subject to the limitation of 65 days allowed for final action on the application specified in RSA 676:4.I(c). When the board is in the deliberation mode it will not entertain comments from the audience or the applicant.
- J. Voting: When the deliberation is concluded, the Chairman shall entertain a motion from the board or introduce a motion on whether the application shall be approved, approved with conditions, modified or denied. After receiving a second, the motion shall be voted on by the board.
- K. Decisions: RSA 675:3. The Planning Board shall promptly issue its decision. If the decision is a denial, the board shall provide the applicant with reasons for

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denial. The written decision shall be placed on file with the Planning Board's office (Planning Board Clerk) within 5 business days of the vote.

11. Procedures for voting on routine matters

When discussing issues requiring consent of the board but not expected to be controversial, either of the two following procedures may be followed:

- A. For non-controversial and routine matters (e.g., approval of minutes) the Chairman may invoke the principle of unanimous consent. The Chairman shall introduce a motion and state "If there is no objection, we will adopt this motion". Provided that no member objects, the motion shall be considered adopted.
- B. In the absence of unanimous consent, the Chairman shall entertain a motion from the board or introduce a motion. After receiving a second, the motion shall be voted on by the board.

12. Participation of alternate members

Alternate members are encouraged to attend all meetings and fully participate in all discussions as non-voting members, including asking questions of other board members or applicants. In the event of the absence or disqualification of a regular voting member, the Chairman shall designate which alternate member shall vote in their place.

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ZONING:

Add to definitions:

WORKFORCE HOUSING - As defined in RSA 674:58-61 is housing for sale which is affordable to a household with an income of no more than 100% of the median income for 4-person household for Cheshire County as published annually by the U.S. Department of Housing and Urban Development. Also including rental housing which is affordable to a household with an income of no more than 60% of the median income for a 3-person household for Cheshire County as published annually by the U.S. Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing.

Edit the following :

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5.3.6 Inns, hotels, and motels, including restaurants operated in connection therewith (in the rural, Residence "B," and ~~commercial districts~~). Deleted as *commercial* is not a zoning district the uses are specifically allowed in the General Business and Industrial Districts.

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6.4 The lot size for two-family dwellings shall be twice that for single-family dwellings in the same district, except where served by both water and sewer in which case the lot size shall remain that for a single family dwelling.

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6.3 Minimum lot sizes for multi-family buildings and apartment houses except in the General Business District where Section VI 6.1 shall control, whether units are rentals or single, cooperative, or condominium ownerships:

6.3.1 One acre for the first living unit in a building, plus one-half acre for the second living unit in a building, plus an additional five thousand (5,000) square feet for each additional living unit in a building.

6.3.2 There shall be a maximum of eight (8) living units in a building, except in the rural districts where the maximum number of units shall be limited to four (4) per building.

6.3.3 In General Business A where town water and sewer are available there shall be a maximum of 8 units per acre for Workforce Housing Developments permitted by Special Exception/Conditional Use Permit (CUP provided for in RSA 674:21). Workforce Housing applications will

Commented [JAC1]: This calculation requires a minimum of 2 acres for 6 units, whether on water/sewer or not.

Commented [JAC2]: If the lot is served by water and sewer, propose allowing an 8 unit building on 1 acre providing it qualifies as workforce housing. Note workforce is not low-income – see chart. Should be a conversation for next year.

Commented [JAC3]: And as set out in the Master Plan Vision and Community Character Chapter – to encourage housing diversity.

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be subject to Site Plan Review and the standards of site development therein.

Special Exception/Conditional Use Permit Standards

The project design shall meet all of the following standards:

- Provides for workforce housing as specified in (<http://www.gencourt.state.nh.us/rsa/html/LXIV/674/674-58.htm>)
- Renovation of historic structures or, in the case of a tear down, replication of the existing vernacular building structure
- Building structure and massing is in keeping with the neighborhood architecture and traditional Jaffrey design, such as Cape, Colonial, New Englander
- Provides adequate parking for residents and guests (in rear or on side of building) that does not detract from the streetscape
- Provides infill development
- Utilizes existing infrastructure (water/sewer/utilities)
- Contributes to pedestrian access to public and community amenities
- In keeping with the 2019 Town Resolution to "Promote green infrastructure and sustainable building and energy practices", the following design and construction guidelines especially benefit workforce housing by lowering operational costs:
 - Receive Energy STAR Multifamily Certification, Version 1.1 (Rev.02) for new construction or renovations
 - Dense pack insulation only in walls (fiberglass batts not permitted)
 - Tightness limit not to exceed 3 air changes per hour (3ACH50). tested and verified by a third party in accordance with ASTM E 779
 - Balanced mechanical ventilation with energy or heat recovery for each unit
 - Addition of a rain screen between cladding and weather resistant barrier (WRB)

Criteria for granting a waiver to the Design Standards (all criteria must be met):

- The waiver will be in the public interest
- Owing to special conditions, a literal enforcement of the ordinance will result in unnecessary hardship
- The spirit of the ordinance will be observed
- Substantial justice will be done
- The waiver does not diminish the value of surrounding properties

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Commented [JAC4]: Discussion for the Committee and PB whether to allow by SE or CUP

Commented [MD5]: The advantages to ES Certification include:
1.Housing which is more energy efficient, ie lower operating costs
2.Performance based results and Eversource will pay for Design Review, two inspections, blower door testing
3. It's a National Standard, with educational resources designed to 'raise the bar' for better construction practices
4.Rebate for each unit as well as appliances and lighting

Commented [MD6]: Required by NHIFA when their funds are involved. Makes it far easier to hit tightness limits and reduces comfort and heat loss issues commonly found with fiberglass batts

Commented [MD7]: ES Cert includes the cost of the blower door test, as well as technical guidance to achieve this envelope tightness limit (ETL) which is per the 2015 IECC, Residential Section R402.4.1.2 2015. An amendment was passed by the State to revert to the 2009 IECC until July 2022.

Commented [MD8]: Energy Recovery Ventilation is required per 2015 IECC Section C403.2.7 and relevant for residential units with ATL of 3ACH50.

Commented [MD9]: Per IBC 2015, Section 1405.3.4

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Conditional Use Permit for Increasing Housing Density

With respect to granting a CUP :

The enabling statute for innovative land use, CH 674:21 requires standards.

674:21 Innovative Land Use Controls. –II. An innovative land use control adopted under RSA 674:16 may be required when supported by the master plan and shall contain within it the standards which shall guide the person or board which administers the ordinance. An innovative land use control ordinance may provide for administration, including the granting of conditional or special use permits, by the planning board, board of selectmen, zoning board of adjustment, or such other person or board as the ordinance may designate. If the administration of the innovative provisions of the ordinance is not vested in the planning board, any proposal submitted under this section shall be reviewed by the planning board prior to final consideration by the administrator. In such a case, the planning board shall set forth its comments on the proposal in writing and the administrator shall, to the extent that the planning board's comments are not directly incorporated into its decision, set forth its findings and decisions on the planning board's comments.

The project **design** shall meet all of the following standards:

- Provides for workforce housing as specified in
(<http://www.gencourt.state.nh.us/rsa/html/LXIV/674/674-58.htm>)
- Renovation of historic structures or, in the case of a tear down, replication of the existing vernacular building structure
- Building structure and massing is in keeping with the neighborhood architecture and traditional Jaffrey design, such as Cape, Colonial, New Englander
- Provides adequate parking for residents and guests (in rear or on side of building) that does not detract from the streetscape
- Provides infill development
- Utilizes existing infrastructure (water/sewer/utilities)
- Contributes to pedestrian access to public and community amenities

Criteria for Granting a Waiver (to one of the above standards):

- the waiver will be in the public interest
- owing to special conditions, a literal enforcement of the ordinance will result in unnecessary hardship
- the spirit of the ordinance will be observed
- substantial justice will be done
- the waiver does not diminish the value of surrounding properties

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CONDITIONAL USE PERMIT APPLICATION: WORKFORCE HOUSING

Date Received: _____ Amount Paid: _____

Planning Board Clerk's Signature: _____

Application must be filed with the Planning Board clerk at least 30 days before Planning Board scheduled meeting.

1. Property description:

Street Address _____
Tax Map # _____ Lot # _____ Zone _____

2. Owner(s):

Name _____
Address _____
Phone _____ Fax _____

3. Applicant:

Name _____
Address _____
Phone _____ Fax _____

In the event that the applicant is not the land owner, suitable evidence of agency must be submitted with the application.

4. Abutters:

Attach a separate sheet listing by Map and Lot number, each owner's name and mailing address of all abutters within 300 ft of the property.

The list of abutters MUST include any holders of conservation, preservation or agricultural preservation restrictions in accordance with RSA 676:4(I)(d).

5. Name & Address of Licensed Professionals (as applicable):

Engineer _____
Land Surveyor _____
Architect _____
Soil Scientist _____
Attorney _____

6. Proposed Use:

- a. Identify the types of housing proposed (i.e. single family, townhome, etc.)

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- b. How many units are proposed, and how many of the dwelling units will be designated as workforce housing?
- c. At what price point will the workforce housing units to be sold; or if rental units are contemplated, what is the anticipated monthly rent cost?
- d. Attach any plans or sketches relating to the proposed use separately.

7. Facts supporting this Request:

Attach separately a comprehensive written statement demonstrating that the request meets the following factors:

- a. Provides for workforce housing as specified in (<http://www.gencourt.state.nh.us/rsa/html/LXIV/674/674-58.htm>);
- b. Renovation of historic structures or, in the case of a tear down, replication of the existing vernacular building structure;
- c. Building structure and massing is in keeping with the neighborhood architecture and traditional Jaffrey design, such as Cape, Colonial, New Englander;
- d. Provides adequate parking for residents and guests (in rear or on side of building) that does not detract from the streetscape;
- e. Provides infill development;
- f. Utilizes existing infrastructure (water/sewer/utilities);
- g. Contributes to pedestrian access to public and community amenities.

8. Certification:

I hereby certify that all information provided in support of this application is true and accurate to the best of my knowledge and belief:

Applicant's signature _____ Date _____