**Planning Board Work Session**

**December 6, 2016**

Approved April 4, 2017

**Members Present:** Bruce Healey, Chair; Bill Weiler, Deane Geddes, Mike Beaton, Members; Russell Smith, Ex-officio Member; Ken McWilliams, Advisor.

**Additional Attendees:** John Greenwood, Newbury Code Enforcement Officer; Katheryn Holmes, chair, Newbury Conservation Commission; June Fichter, executive director, Lake Sunapee Protective Association (LSPA); Nancy Marashio, chair, LSPA Watershed Committee.

Mr. Healey called the meeting to order at 7:00 p.m.

**ADMINISTRATIVE BUSINESS**

**Amendment Schedule for Town Meeting**

Mr. McWilliams reviewed the schedule for moving amendments forward, including the public hearing dates, publishing Public Notices for same, amending proposed amendments if needed, Board approval of the proposed amendments, and sending the final amendment language for inclusion on the Town Meeting ballot.

The Board reviewed and discussed the two amendments under consideration: Amendment #1 Wetlands definition (to make the town definition consistent with the state definition); and, Amendment #2 ADU (to change the town ordinance to comply with state RSA change effective July 1, 2017).

There was no discussion on Amendment #1 Wetlands.

**Accessory Dwelling Unit (ADU) Amendment**

The Board discussed the proposed Amendment #2 ADU. Areas of concern included possible restrictions regarding attached versus unattached ADUs, lot size restrictions for adding an unattached ADU, and the potential for increased density.

There was significant discussion about the potential impact of ADUs on the town’s overlay districts, particularly those closed to the lake and other waterbodies. There was concern raised about the number of streams throughout the town and how those areas should be viewed as sensitive areas when considering the development of ADUs in those areas.

Mr. Weiler pointed out that the proposed amendment affords more oversight in the aforementioned sensitive areas.

Mr. Greenwood noted that each project is examined individually and the characteristics of the land and property are taken into consideration.

There was discussion regarding how ADUs might affect existing septic system designs.

The Board reviewed the proposed changes to 4.10.1 regarding adding the requirement of obtaining a Special Exception if the proposed ADU is in the Shoreland Overlay District. Mr. Geddes, Mr. Smith, Mr. Weiler, and Mr. Healey agreed with the proposed change and Mr. Beaton did not agree.

The Board reviewed 4.10.2 and 4.10.3. Mr. Healey noted that the Town Assessor is in the process of developing a list of all existing ADUs in town. Discussion continued on 4.10.4 – 4.10.10 regarding proposed changes. Mr. Healey noted that town counsel was consulted regarding the suggested wording of the changes to ensure appropriate conformity with the state RSA while accurately reflecting the unique topographical situations within Newbury.

There was further discussion regarding appropriate water supplies for ADUs, septic systems for same, ranges of square footage for the size of ADUs, and attached and unattached ADUs. Also discussed was the definition of a bedroom, the difference between a finished lower level of a house and an ADU, and whether LLCs or Trusts may be considered primary owners.

Ms. Fichter, Ms. Marashio, and Ms. Holmes voiced their appreciation to the Board for the thorough work done on the ADU amendment noting that the proposed regulations will greatly enhance the long term protection of Lake Sunapee and the surrounding watershed.

**Site Plan Review Regulations**

Mr. Healey discussed the proposed changes to site plan review regulations, specifically adding a Design Review requirement. He noted that approval for adding a Design Review requirement must be obtained at Town Meeting. Discussion followed.

It was concluded that Mr. Healey will discuss this matter with the Town Administrator regarding whether a warrant article is needed or not.

Mr. Smith made a motion to adjourn. Mr. Geddes seconded the motion. All in favor.

Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Meg Whittemore

Recording Secretary