

Town of Dublin



Planning Board Minutes

PO Box 277
Dublin, NH 03444
January 27, 2022

The Dublin Planning Board met in person and online for a public hearing on January 27, 2022, at 7:05 PM. Present in person were Chairman Bruce Simpson, Steve Baldwin, Caleb Niemela, Donna Garner and selectmen's representative Carole Monroe. Allen Hearn and Rick MacMillian, and Alternate Todd Bennett attended online via zoom. Alternates Kirsten Colantino, and Neil Sandford were also in the meeting.

At 7:05 PM Bruce opened the public hearing with an explanation of the proposals that the Planning Board is proposing to be made to the Dublin Ordinance.

Temporary signs in Dublin.

Bruce explained that you could have larger signs than before, up to 32 square feet, and they can stay up for a month. Only one sign per lot. Caleb shared that some had asked him about more than one sign on a lot for more than one event. Margot Sprague asked why they needed to be bigger. Caleb answered that with 101 running through people traveling at 55 mph would not notice. Margot proposed that she reads all signs regardless so there size. Caleb shared that the gas engine meet has had the larger size for years and it had worked quite well to have the 32 square feet.

Bruce asked for anyone online who wanted to speak and no one responded. Susan Phillips-Hungerford asked whether these proposals could be changed. Bruce responded that at this point there is not time for another hearing so it would have to go forward substantially as written or be withdrawn.

Grandfathered Use:

Bruce explained that if a use is abandoned later it can be restored or any other non-conforming use can be resumed with just a Special Exception. This new proposal would make any grandfathered use go away after a year of non-use. After a year of non-use then approval would have to granted as if you did not have the prior use. John Morris asked about uses on residential property. Bruce shared that it was rare that this provision would be applied to residential properties, and would only happen if it was clear the building was abandoned and the owners had demonstrated that they no longer had any interest in continuing the property as a residence, e.g., if they removed all the plumbing, heating, wiring, windows, doors, etc, and moved away, leaving the property to decay. The question was raised as to why it was being changed at this time. The answer was that is an anomaly in our ordinance that is a huge loophole for resuming other non-conforming uses.

Allen Pinney asked about a body shop that might stop being used and if it is sold would they have to start all over. Bruce explained that abandonment is where the use is not intended to be used again. Ashley Saari asked why the wording does not use the word abandonment, just ceasing in use. Bruce explained that the wording is intended to convey abandonment. Susan Peters shared that cases had come before the ZBA where a case like the body shop not being used she felt would receive favorable treatment.

Open Space Subdivision

Bruce explained that the original version was so complex that many people could not understand it. It included multiple kinds of open space for various areas. The idea was to simplify down to one kind of open space where 50% of the lot would be permanently conserved. The Planning Board could decide what kind of restrictions would be applied depending on the nature of the land. Bruce read the new wording that is being proposed. He explained the substance including the yield plan which determines how many lots could be put on the subdivision. The purpose is to put half the land in conservation and then use the remainder for the houses to be clustered closer together than in a conventional subdivision. 50% of wetlands could be included in the open space rather than subtracting all the wetlands and steep slopes and then conserving half of what is left. There would be no change in the rules protecting wetlands or building on steep slopes.

Donna Garner asked if the selectmen's letter could be read. Carole read the letter which advised that the Open Space Subdivision be not put forward at this late date since it did not have time for people to understand it and what it would really accomplish. It also alleged a lack of transparency on the part of the Planning Board. Bruce responded that the Board had notified the Town in the 2021 Town Report that it be working on an amendment to the subdivision ordinance over the course of the year, and that the proposed amendments were discussed at nine different meetings, all of which were open to the public and reported on in the public minutes.

Mrs. Wardlaw asked if there had been other public hearings on this issue. Bruce listed all the Planning Board Meetings where the board discussed it over the past year and there were many.

Joan Griffin asked if the Planning Board consulted with the Conservation Commission. Bruce responded that individual cases go to the Conservation Commission. Bruce responded that the change of the name does not change the purpose of the ordinance and the Planning Board has the authority over land use issues. He shared that this change does not substantially impact conservation because it is so similar to the original

Jay Schechter as the chair of the conservation commission expressed that the board is opposed to this change because it increases the density. Neil shared that running the numbers on different scenarios, he did not find a significant change in density in comparing the present ordinance to the new proposal.

Neil shared that one of the reasons behind this change is to make Dublin more affordable to younger families. The Master Plan indicates there is a significant decline in younger families and the Planning Board was trying to make things more affordable to attract younger families.

Dublin Christian Academy, represented by David Mazza, asked if the Conservation Subdivision Ordinance had ever been used. Bruce shared that Norm Davis as a developer threw up his hands in trying to follow the Conservation Subdivision ordinance and walked away from his plans to develop anymore in Dublin. So the answer was it has never been used. Others pointed out that many pieces of land have been conserved but not under this kind of development plan.

John Morris asked how it would make the houses more affordable since the cost of the Open Space would be included in the price of the house lots even if the lots were smaller. John shared three posters with different scenarios contrasting the old ordinance, the proposed new ordinance, and the impact of not counting steep slopes. He contends that it could increase the density significantly.

Maria Finnegan from Boulder Drive shared that she chose Dublin because of the way it looked and is one of the younger age group. She felt that she was glad to weigh in and be involved. She felt more time is needed to understand what is involved with this proposal.

Allen Pinney expressed that he is favor of smaller lots and felt larger lots go against conservation principles. He stated that he is in agreement with the proposal.

Donna Garner expressed that developing the Village District would more effectively draw younger families. She thought the board needs to do more proposals for promoting the Village District for younger families.

Ann Clarkeson spoke about the impact on wetlands and the importance of protecting them.

Carole read the purpose of the Planning Board in following up on the Master Plan. "To simplify the Conservation Subdivision" and make it more usable.

Joan Griffith expressed that it is unclear whether this is a large change or just a small tweaking.

Felicity Poole spoke from online to share her concerns in this proposal to properly protect the wetlands. She asked that the board withdraw this proposal so as able to figure out water issues.

Tim Stillman, Monument Road, spoke on zoom, but his online connection was lost shortly after he began to speak.

Mrs. Wardlaw, Learned Rd., "manage growth in the Village District" was purpose of the Master Plan and she thought there was not enough research done on this proposal by conferring with other towns and doing an environmental impact study.

Bruce closed the public hearing at 8:23 PM.

Donna proposed that the Open Space subdivision be withdrawn for this year. Seconded by Carole. There was discussion. Bruce appointed Neil to fill Rick's place and Kirsten to fill Allen's place as a full member for this meeting. Bruce called for the vote by a show of hands. Three favored (Donna, Carole and Kirsten) and three opposed (Caleb, Steve and Neil), so

Bruce broke the tie and voted in favor to withdraw the Open Space Subdivision proposal. The motion passed 4-3.

Carole moved to go forward with the other two proposals, seconded by Donna. The motion passed unanimously.

Motion to adjourn was made by Donna at 8:28, seconded by Carole and the motion passed.

Respectfully Submitted,

Neil R. Sandford, Secretary