

Town of Gilsum
PLANNING BOARD
MEETING MINUTES

January 11, 2024

Board Present: Vicki Ayers, Chair; Heidi Bukoski, Member; Tom Julius, Member; Bill Whyte, Member; Brian Bazarnicki, *Ex Officio*; and Carol Ogilvie, Alternate Member

Present via Zoom: None

Others:

CTO: Chair Ayers called the meeting to order at 7:00 P.M.

I. Minutes of 12/14/23

Vicki distributed the minutes and asked if anyone had comments or changes.

Motion by Tom Julius /second by Heidi Bukoski to approve the Minutes of 12/14/23 with all in favor.

II. Gordon Excavation Bond

The Gordons still haven't submitted the bond. The Select Board Chair has reached out; in addition, Vicki spoke to them on December 13, 2023 and was told that the bond would be submitted by the end of the month. She questions now whether the Board should hold a public hearing to revoke the approval. The Board discussed the process and whether a public hearing for this is necessary. Another option would be to hold them in violation and issue a cease and desist.

Brian asked if a public hearing is required in order to issue a cease and desist. Tom feels the simplest approach is the best, and the public hearing might be the simplest.

Vicki proposes that she will reach out and inform the Gordons that the Planning Board is considering holding a hearing to revoke the approval. She could let them know that at its February meeting the Board would set a date for a public hearing if they do not respond and fulfill their obligations.

Bill proposes consulting with the Town Attorney for guidance – whether to issue a cease and desist or revoke the planning board approval. Tom agrees with consulting Town Attorney. Brian suggested contacting the NH Municipal for (free) legal advice. Following additional discussion on options, the following motion was made:

Motion by Tom Julius /seconded by Bill Whyte to authorize Chair Ayers to send an email to the Gordons informing them that the Planning Board is going to consult the Town's Attorney regarding the issuance of a cease and desist order due to noncompliance with Item #3 of the Notice of Decision, with all in favor.

III. Public Hearing on Zoning Amendment

Chair Ayers opened the public hearing at 7:52 P.M. The Planning Board is proposing three amendments to the zoning amendment for the 2024 ballot, as follows:

- (1) Amend Article II, K, and that is to amend Article II, K, the provisions for Accessory Dwelling Units (ADU's). The purpose of this amendment is to: remove the requirement that an accessory apartment receive ZBA approval; to increase the minimum square footage; to clarify that they are allowed in detached structures; and otherwise bring the ordinance into compliance with state law.

The Board discussed a few points of terminology, but given the time constraints for the zoning ballot, decided to leave the language as posted.

Motion by Bill Whyte/seconded by Heidi Bukoski to move Amendment #1 to the 2024 ballot.

- (2) Amend Article XIII – Definitions, to amend the definition of Accessory Dwelling Units to be consistent with state law.

Motion by Tom Julius/seconded by Heidi Bukoski to move Amendment #2 to the 2024 ballot.

- (3) Amend Article XIII – Definitions, to remove the definition of “Family” from the Zoning Ordinance, as it is not used anywhere in the ordinance.

Motion by Tom Julius/seconded by Heidi Bukoski to move Amendment #3 to the 2024 ballot.

Chair Ayers closed the public hearing at 8:10 P.M.

IV. Steps Slopes

Vicki updated a map and put it in the One Drive. Slopes, soils, and parcels are shown. She created the map from NH Granit.

V. ZBA Ordinance Proposal

Vicki reported that Bruce Murphy withdrew his request for the Planning Board to propose changes to the Zoning Ordinance. Heidi stated that the Zoning Board has not met to discuss this; they will meet on February 15, 2024.

VI. Skove Dredge & Fill Application

Vicki asked if anyone had questions about the Skove Dredge & Fill Application; there were none.

VII. Other Business

Vicki reported that the Planning Board spent \$16 a month to have a Zoom account, and asked if the Board wanted to continue that expense, to which all agreed.

VIII. Agenda for Next Meeting – February 8, 2024

- A. Minutes of January 11, 2024
- B. Review of the Steep Slopes Map
- C. ZBA Proposals

Motion to adjourn at 8:33 P.M. by Brian Bazarnicki /second by Heidi Bukoski with all in favor.

Respectfully Submitted by:

Carol Ogilvie

Approved 2024

Victoria Ayers, Chair

Brian Bazarnicki

Heidi Bukoski

Tom Julius

Bill Whyte

Carol Ogilvie