

Canaan Planning Board

Minutes

Special Public Meeting on November 3, 2007

10:05 Call to order by Andy Musz.

Members Present: Andrew Musz (Chair), John Bergeron, Joe Frazier, Pete Gibson (Alternate), Cliff Rudder (Alternate), and Charles Townsend. About 25 people attended in the public seats.

Andy Musz – The reason for the meeting is to get public input on whether a zoning ordinance should be prepared again for a vote on the 2008 town warrant, and if so to receive input on changes which would make it more acceptable to the voters.

Jim Laffan – The zoning ordinance should be presented again. The Town needs an ordinance before the next surge in housing. We are becoming a bedroom community for new Lebanon/Hanover business employees. The Planning Board has little power to control large developments that are coming. Townspeople were not sufficiently educated about the ordinance before the last vote.

Milt Wilson – There are hard feelings among people that it is coming back again so soon.

Ted Fontaine – There is no new information available at this meeting. Can't fathom cluster housing – putting more houses on property as a way to preserve open land.

John Bergeron – Cluster housing allows a developer to put housing in a smaller area, surrounded by protected and undeveloped land. Developers sometimes prefer to have shorter roads and intensive use of the area that is most attractive for development. Neighbors like to have new developments shielded from view.

Ted F. – Last year there were two rural district designations. Where are the Rural 1 and Rural 2 districts in the ordinance now?

Andy M. – If there ever was discussion of two rural designations, it was early in the preparation process and eliminated well before the preparation of last year's proposed ordinance.

Cliff Rudder – Zoning does not have to be bad. Snowball growth has to be prevented. But if it were presented again, the people who were against zoning would be stronger against it than before.

Ruth Conwell – We need zoning, but it should not be on the ballot this year. There should be opportunities for public input.

Sharron Chiodo – How would the 180-day limitation of residence in RVs affect their use at Crescent Campsite?

John B. – As the ordinance is written, vehicles can remain in place for longer than 180 days, but no single resident would stay in one more than 180 days.

Sharron C. – Ordinance as it is written could be misconstrued by future officials.

John B. – We may be able to fine-tune the wording.

Ted F. – If a residence burns down and the owner has to live in an RV while it is being reconstructed, do they have to leave it after 180 days? There should be a clause that allows exceptions.

How will the zoning ordinance affect ability to make new water and sewage connections in the Canaan Village area? No connections are available now.

Andy M. – Zoning has no bearing on this. Capacity of the Town septic plant already restricts new development in the septic area. The select board is struggling with how to increase the capacity.

Cliff R. – Would the ordinance affect how long a family uses an RV on their own land? Residents should not be restricted on their own land.

Andy M. – The ordinance can allow living in an RV if the public wants it.

Helen Skeist – Taking out the section on RVs makes sense.

In judging an ordinance people should think of a large undeveloped parcel that they know, and think of the worst thing that could happen there. Would you wish there were some regulation of how it could be changed?

Carole Cushman – The minimum of 75 feet frontage in Canaan Village concerns some people. The two-acre minimum front lot size in the rural areas has some people concerned.

Ted F. – If I wanted to divide a five-acre lot, I should be able to decide to put the three acres in the front where I live and put two acres into the new back lot. The 50-foot front lot frontage doesn't make sense.

John B. – The 50 feet is the setback that would be required for new construction on rural lots, not a road frontage. It controls how close to a lot line a building may be placed.

Andy M. – The Planning Board has limited responsibilities. A zoning ordinance would add site plan review, the ability to consider what occurs on a property as well as subdivision.

Ted F. – We don't want big-city controls. We won't become a big city because of the steepness and wetness of most of the Town land.

Milt W. – Beautiful homes are being built in Canaan without zoning. The PB should not worry about RVs and should allow people to do what they want. The business next door to the fire station is over 35 feet high. It would not be allowed under the proposed ordinance, and it's a good addition to the town.

Andy M. – State law requires a zoning ordinance to include a maximum height. The fire department recommended 35 feet considering the equipment they have.

Milt W. – The ordinance expands on state wetland regulations. The State regulations are already very stringent.

John B. – The ordinance sets a 75-foot limitation for construction near wetlands, the same as the State. The State regulates what can occur in a reservoir itself, but has no regulations covering the watershed.

Joe F. – The Source Water Protection Study made the recommendations for additional protection of the watershed.

Milt W. – The 3-acre lot size is unnecessary.

Telecommunications are essential, and should not be limited.

John B. – The intent is to limit towers where antennae could be hidden in current structures.

Milt W. – Why should the Historic District have different regulations on towers than the rest of Town?

Joe F. – Telecommunication antennae could bring income to the Town if they were mounted in the Town House steeple.

Milt W. – Non-conforming structures on a building's foundation should be allowed without regulation.

John B. – A person rebuilding within a year can use the grandfathered building location. The ordinance would have required the specified setback if rebuilding took more than a year.

Helen S. – The ordinance might be changed to allow rebuilding at the same site while the property has the same owner. Or if that would not be legal, there could be a 30-year limit to allow an owner time to rebuild.

Milt W. – Home-based business is the backbone of the economy. Why should there be a limit of two non-resident employees?

Andy M. – The intent was to distinguish between a home-based business and a commercial enterprise. Currently operating home-based business would not be affected.

Gary Moses – We need to protect opportunities for home-based business. We need to allow time for everyone in town to work together and be involved in planning a new ordinance, not just the representatives of the older generation who are speaking here.

Andy M. – Last year we advertised and had 12 public meetings like the one today, asking for input. We need to base a proposal on the input from the people who do take part. Today we have heard concerns about some specific issues that we need to look at further.

Joe F. – In developing the ordinance we were very concerned about small business, and wanted to plan for home-based businesses that grow. All parts of the Town need to be active, and we need to get neighbors involved in planning.

Milt W. – People do not go to meetings. They vote. They voted against zoning, and they won't like to see it come up again.

Ted F. – If the PB had brought the original proposal and shown the changes we were proposing, and had maps and sent them out so everyone knew what the PB was proposing, we wouldn't be wasting so much time.

Gerald Shambo – The Town has only grown by 1,200 people in 50 years. It used to have a lot more business than it has now. Our taxes grow every year and we can't afford them. Zoning would make real estate taxes go up. Only a small elite wants zoning.

Milt W. – Controversy at a meeting is good. The PB should not move toward zoning this year, but should keep getting input.

Cliff R. – There should be a booth at Old Home Days to broaden public understanding of the issues and to inform public opinion.

Denis Salvail – The Town voted against zoning and should not have to vote again. If we have a problem with a neighbor, it should be resolved by talking with the neighbor. Natural regulation can solve problems without intrusive controlling ordinances. If the PB got information out, decisions would not be made by a few people.

12:15 The meeting is adjourned. The Planning Board will consider what it heard at its next regular meeting on November 8.

Respectfully Submitted,

Charles Townsend