

**WESTMORELAND PLANNING BOARD  
MINUTES OF NOVEMBER 16, 2020**

Present: Lauren Bressett, Bruce Smith, Tim Thompson, Alison Fissette, Jim Starkey,  
Clay Stalker- rep. Selectmen, Elaine Moore – Clerk

Excused: Larry Siegel, Russ Austin. Elaine Moore was seated for Larry Siegel.

Chair Lauren Bressett called the meeting to order at 6:30 pm.

Bruce Smith moved to approve the minutes of October 19, 2020, seconded by Jim Starkey with the following change. Minutes should read: ‘Small Structures were discussed. Alison Fissette made a motion to add to the definitions of Structures: Portable, Small, and Temporary, Under Section 104 Terms, the following sentence, “Cannot be used as a dwelling.” Seconded by Bruce Smith, all in favor, so passed. Motion made by Jim Starkey for Section 2:03 to read as follows: No permit will be required for portable or temporary structures. (as defined under 104 Terms) or for maintenance of an existing building or structure. Seconded by Bruce Smith. **The vote was 4 approved with 2 not in favor.**’ The minutes with changes noted were unanimously approved.

The board reviewed proposed ordinance changes in preparation for a December hearing on the proposed changes. Lauren questioned if we should put complete sections on the ballot or just the items with changes. To put in complete sections will make the Ballot every lengthy. Board all agreed to put the changes only. The following will be presented at the December hearing:

**Proposed Ordinance Changes 2020**

Items to be deleted shown as *delete*. Items to be added shown as **bold underline**

**Section 104 Terms**

Structure, Portable: A tool shed, hen house, gazebo, etc. that can be moved intact, is off the ground and does not exceed 160 square feet. **Cannot be used as a dwelling.**

Structure, Small: Any structure that is less than 160 square feet and is permanently attached to the ground and cannot be moved intact. **Cannot be used as a dwelling.**

Structure, Temporary: Anything constructed or erected for less than 270 days in any twelve month period. **Cannot be used as a dwelling.**

**301.7 Transferability**

~~No~~ Permits issued hereunder shall be transferable to a subsequent owner. Variances or Special Exceptions for non-residential uses are transferable to the subsequent owner provided that land use does not change and further provided that the new owner certifies that there is no change in the previously permitted land use on a town form furnished by the Zoning Administrator.

**407.2 Accessory Dwelling Units (ADU)**

A. An Accessory Dwelling Unit (ADU) shall be secondary and accessory to a one family dwelling **or as part of an accessory building that also has a non-residential accessory purpose.**

B. Only one ADU shall be allowed per lot. The ADU shall be ~~part of~~ **located within** the primary dwelling **or an accessory building.**

E. Two means of egress from the ADU shall be provided. **If the ADU is in the primary dwelling there must also be** ~~as well as~~ an interior door **connecting the two spaces**. Any necessary additional entrances or exits shall be located to the side or rear of the building whenever possible.

H. **Adequate provisions shall be made for water supply to the ADU.**

M. **ADU** occupancy is limited to two (2) people per bedroom.

**438.3** ~~Dust or Dirt~~ ~~No permanent use shall emit dust or dirt that is considered offensive.~~

~~SECTION 438.4~~ ~~Smoke~~ ~~No permanent use shall emit any smoke in excess of Ringlemann Chart No. 2.~~

~~SECTION 438.5~~ ~~Noxious Gases~~ ~~No permanent use shall emit any noxious gases which endanger the health, comfort, safety or welfare of any person, or which have a tendency to cause injury or damage to property, business, or vegetation.~~

### **Air Quality**

**All permanent uses shall comply with the air quality standards and regulations of the NH Department of Environmental Services.**

~~SECTION 438.6~~ ~~Vibration~~ ~~No permanent use shall cause, as a result of normal operations, a vibration that creates displacement of 0.002 of 1”.~~

~~SECTION 438.8~~ ~~Fire, Explosion or Safety Hazard~~ ~~No permanent use shall cause a fire, explosion or safety hazard.~~

**439** Storage of Flammable Liquids

The storage of any highly flammable liquid ~~in tanks~~ above ground ~~with unit capacity greater than 550 gallons shall be prohibited, unless such tanks up to and including 10,000 gallon capacity are placed not less than 80 feet from all property lines, and unless all such tanks of more than 10,000 gallon capacity are placed not less than 200 feet from all property lines. All tanks having a capacity greater than 550 gallons shall be properly retained with dikes having a capacity not less than 1½ times the capacity of the tanks surrounded.~~ **must be in compliance with the National Fire Protection Association (NFPA) Codes 30 and 31 and the NH Department of Environmental Services.**

**Building Ordinances Section 2:03** No **building** permit will be required ~~for small, portable or temporary structures (as defined under Section 104 Terms) or~~ for maintenance of an existing **permitted** building or structure. A building permit issued by the Building Inspector prior to project commencement shall be required for:

- 1) New buildings and new structures constructed of any materials.
- 2) Alterations (as defined under Section 104 Terms) of buildings and structures.

The board had a final discussion of the proposed Change of Use Form. The vote on whether this form was ready to be passed on to the Selectboard was approved with 6 in favor, 1 opposed.

Planning Board Budget for 2021. Bruce Smith moved to approve presenting the budget exactly like last year's budget in the amount of \$1,969, seconded by Tim Thompson. All in favor, so voted.

Bruce Smith moved, seconded by Alison Fissette to adjourn. Meeting adjourned at 7:35 PM.

Respectfully submitted,  
Elaine Moore, Clerk