



Special Town Council Meeting Minutes

Thursday, June 29, 2023, at 7:30 PM, in the Matthew Thornton Room



Call to Order

Chairman Rothhaus called the meeting to order at 7:30 pm. Present at the meeting were Chairman Rothhaus, Councilor Healey, Councilor Hunter, Councilor Koenig, Councilor M. Murphy, Councilor N. Murphy, and Town Manager Paul Micali. Vice Chair Harrington was excused.

Pledge of Allegiance

Chairman Rothhaus led the Pledge of Allegiance.

Public Comment

1. Consideration to Initiate Zoning Ordinance Amendments

Submitted by Town Council Chairman Finlay Rothhaus & Vice Chair Nancy Harrington

The Town Council to consider initiation of Zoning Ordinance amendments relative to mixed use development to be referred to the Planning Board for recommendations, pursuant to Charter Article XI (11-5) and RSA 675:2.

Community Development Director Tim Thompson was present to discuss the zoning ordinance amendments. He began by stating that there has been significant concerns over the ordinance, particularly the mixed-use developments and how it regards residential density. He shared the following information via PowerPoint presentation:

Rational for Examining Mixed Use Section of Zoning Ordinance

- Concern regarding residential density allowances being granted in the Conditional Use Permit (CUP) process
- Concern regarding mixed of uses (amount of residential development compared to non-residential development within projects)
- Upcoming Master Plan process represents an opportunity to examine policy goals as it relates to future mixed use projects

Options Available to the Council

- Status Quo
 - Take no action on the ordinance
- Revise Mixed Use CUP section of the ordinance
 - Will take several months of research, ordinance language development, and public hearings
- Repeal current Mixed Use CUP section, determine appropriate course of action regarding mixed use development following completion of the new Master Plan
 - Initial repeal can take effect quickly, allow for thorough discussion through Master Plan

Proposed Repeal Language

- Section 2.02.4.D to be revised to read as follows (eliminating all current language in the section, replace with the below):

D. Mixed Use Developments Permitted in the 1-1 District by Conditional Use Permit-
REPEALED

All previously approved Mixed Use Conditional Use Permits (CUPs) that existed at the time of this section being repealed (~~x/x/2023~~) shall be subject to the requirement of the former Section 2.02.4.D (as existing in the Zoning Ordinance revised as of January 14, 2021). Any proposed modifications or amendments to those previously approved CUPs shall be required to comply with the requirements of the underlying Zoning District they are located within and/or with the provisions of Section 9 Non-Conforming Uses.

Process for Amendment

- Town Council Initiative
 - The Council requests a zoning amendment process begin
 - The Council then needs to refer the proposal to the Planning Board
 - Planning Board holds a public hearing and makes a recommendation to the Council (note that once the amendment is posted for a public hearing it becomes effective for any new development proposals)
 - Town Council 1st Reading & Introduction of the proposed amendment
 - Town Council 2nd Reading and Public Hearing
 - Town Council 3rd Reading and vote on adoption

Councilor Koenig asked why Mr. Thompson is recommending the amendment option, in which he stated this is a way for them to better understand the needs and desires of the community, and the current master plan is nearly 10 years old and needs revision to better reflect these changes.

MOTION made by Councilor Koenig and seconded by Councilor N. Murphy to adopt the proposed zoning amendment to section 2.02.4.D in the form presented to the Council at this meeting and to provide the zoning amendment to the Planning Board for its review and recommendation. Upon receipt of the Planning Board's recommendation, the Council will review the recommendation and consider an ordinance to amend pursuant to Town Charter Section 5.

MOTION CARRIES 6-0-0

ADJOURN

MOTION made by Councilor Koenig and seconded by Councilor Hunter to adjourn the meeting.

MOTION CARRIES 6-0-0

The meeting adjourned at 7:41pm.

Respectfully submitted by Jennifer Steagald