

MINUTES  
PLANNING BOARD  
January 11, 2024 6:45pm  
In-person/Zoom

**Present:** Chair Deidre Daley- in person, Josh Muhonen (Co-Chair)-in person, Liz Freeman- in person, Bruce Ruotsala- in person, Craig Smeeth- in person, Tim Somero-in person Jennifer Minckler- in person.

**Citizens in attendance** – Sam Benedict –in person and Aaron Bertram- in person

Open meeting with the pledge of allegiance.

Roll Call taken by Deirdre Daley.

Chair Deidre reviewed the plan for the evening with the public hearing and goal to work through the language relevant to potential planning/zoning warrant articles. The Town Administrator would like to get the warrants sent to the DRA for review. Liz questioned the warrants having to go for review. Chair Deidre advised it could be because the Planning Board is quasi-independent that our timeline from the State of NH for Planning and Zoning states to get the warrants to the Town Clerk on 1/29/2023 Liz advised that she has never heard that the warrants are submitted to the Selectmen. Bruce asked if we are voting tonight and making a recommendation. Chair Deidre confirmed we would advance any warrants that are ready to the Town Clerk who puts on the ballot. Chair Deidre has asked the board to attend the deliberative session to help answer questions the townspeople may have.

**Minutes of December 20, 2023:** Motion to approve the minutes as amended by Bruce. Motion seconded by Tim. Roll Call vote. Motion carries.

**7:00 Public Hearing – Expiration of Pre 2013 Unexercised Special Exceptions and variances-** Chair Deidre opened the hearing and advised that the exact language of the warrants will be posted to the Dropbox. Chair Deidre advised that there was a group that came before the town that had a variance from 1988. In 2013, the state advised that if a variance or special exception is unexercised for 2 years, you have to go back to the ZBA for approval. This warrant article will allow for any variance or special exception being held prior to 2013 to be considered expired if it has not yet been exercised. Public comment closed.

Chair Deidre made a motion to move to the proposed amendment to reflect the following:

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*Amend the New Ipswich Zoning Ordinance Article XIV Board of Adjustment, by adding a new Section F. Termination of Unexercised Special Exceptions and Variances to read as follows:  
“Unexercised variances and special exceptions authorized before August 19, 2013 are scheduled to terminate on April 1, 2025, unless extended by the zoning board of adjustment for good cause.”*

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Motion seconded by Tim. Roll Call Vote. Motion carries.

Liz made a motion to approve the proposed zoning amendment to article XIV to add a new section F and to forward it to the Town Clerk for inclusion on the warrant. Tim seconded the motion. Roll Call Vote Motion carries. (Recommended by the Planning Board 6-0)

**7:15- Public Hearing on ADU (Accessory Dwelling Units)**-Chair Deidre opened the public hearing on the warrant article for ADU. She explained the changes as follows:

- That we defined the difference between attached and detached accessory dwellings that a property of more than two (2) acres could have two (2) ADUs as long as one was attached or no more than one was detached.
- Clarification of the language already in the zoning ordinance regarding having two parking spaces per unit. People could have more if it was a bigger unit but must be using the current driveway.
- The Planning Board added content on septic. The owner must show they have septic capacity. The people can have a pocket approval. For example, the septic is for 4 bedrooms and now you have approval of 5 bedrooms. If the system goes down you already have plans for a new septic.
- If a homeowner has extra bedrooms, they can for one (1) six (6) month period, sign an affidavit that they have extra bedrooms to share the capacity until they have a plan in place.
- Currently, an ADU must be owner occupied but some ownership is in trusts, so the change will not exclude trusts but one of the trustees must occupy one of the dwellings on the property.

Dee proposed to modify the proposed amendment by removing the note section after item five (5) and make the note paragraph (4) to **state**:

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NON-MUNICIPAL RESTRICTIONS: The granting of a Special Exception for an Accessory Dwelling Unit does not alter non-municipal restrictions, such as deed restrictions or HOA limitations on the property.

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Liz made a motion to approve the change and renumber paragraph 4 and renumber the remaining paragraphs. Bruce seconded the motion. Roll call vote. Motion carries.

Public Comment- no comments made. Tim asked the audience if this makes sense and what does it mean. Aaron said it sounds alright. Craig asked if he wanted to make a bedroom for his grandfather why does he need an ADU. Chair Deidre said he doesn't unless he wants a separate dwelling unit. Discussion continued on what an ADU actually is.

Motion to close public hearing by Chair Deidre. Motion seconded by Bruce. Roll Call vote. Motion carries.

Bruce made a motion to approve the amendment to **Article XIII section N** and forward to the Town Clerk for inclusion to the town warrant. Motion seconded by Josh. Roll Call vote. (Recommended by the Planning Board 6-0)

The Board determined the changes are non-substantial and therefore did not require a second hearing.

Proposed amendments to the Floodplain Development Ordinance (from hearing 12/6/2023 at 7:30):

Chair Deidre reviewed the draft of New Ipswich Planning Board Warrant Article Language to make changes... She began with the update to the New Ipswich Flood Plain Regulations which states:

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*Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town of New Ipswich Zoning Ordinance as follows: amend the Floodplain Development Ordinance as necessary in order to comply with requirements of the National Flood Insurance Program by modifying, deleting and adding definitions, as well as updating various dates and references?*

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Chair Deidre reviewed the draft for Expiration of Pre 2013 Unexercised Special Exceptions and Variances which states:

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*Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Town of New Ipswich Zoning Ordinance as follows: amend Article XIV, by adding a new Section F. Termination of Unexercised Special Exceptions and Variances which provides for the expiration of unexercised special exceptions and variances dated prior to August 19, 2013, as authorized by RSA 674:33, IV(c), which would go into effect one (1) year after posted notice by the Planning Board?*

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Chair Deidre reviewed the draft for Accessory Dwelling Units and there was discussion on verbiage which resulted in the following:

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*Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Town of New Ipswich Zoning Ordinance as follows: amend Article XIII Section N Accessory Dwelling Units in order to provide expanded housing by allowing a second Accessory Dwelling Unit by special exception on lots of two (2) or more acres as long as one of the units is an Attached Accessory Dwelling Unit, and to also clarify owner residence requirements, and to remove language that is inconsistent with NH RSA:72?*

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#### **Selectmen's Report & Chairman/Land Use Report:**

The Selectman was absent so there was no report.

The Land Use reported that the gravel pit letters are going to be delayed in mailing out.

Chair Deidre reported that we had set aside working on the application for subdivisions and it was not realized that we did not yet include language that the Engineer letter has to accompany things and be submitted within 7 days prior to the hearing. The revised plans for the next hearing for Brookhaven on January 17, 2024 was submitted to Jen on January 16, 2024 but not with the Engineer review. Chair Deidre advised the plans came in on the day they were due so Bert could not provide report but he will try to complete over the weekend to get to the board. Chair Deidre asked the board if they want to move forward next week or if she should contact the applicant to defer because the process wasn't followed. The Land Use Clerk advised that the PDF were not received until 4:25pm but the applicant's engineer was advised earlier in the day by telephone that PDFs are needed. Chair Deidre advised we need the recommendation of the Engineer, before we can take action. She will contact the applicant to advise the Board has not received any updates from the Engineer.

**8:10 Public hearing on Work Force Housing-** Liz believes this is an important issue but feels it deserves more study. Craig was in agreement. There was review of the individual elements of the proposal regarding yield plan incentives, lot size, deed restrictions to ensure ongoing affordability and capping the project size to ensure building in a reasonable time frame.

A goal would be integrated diversity of type of homes options for buyers. Conversation continued regarding additional options the board may want to consider such as tiny homes or changing yield plan calculations.

After much discussion by the board, Chair Deidre asked the public if they had any more comment. Sam agreed to delaying and setting up committees to work on this topic. Further work on the workforce housing and affordable housing will be deferred further into 2024.

Motion to close public comment by Tim. Motion seconded by Liz. Roll call vote. Motion carries.

Discussion was initiated on numbering the warrant articles. Articles to be numbered as follows:

Article 1 will be ADU

Article 2 will be Floodplain

Article 3 will be Expiration of Pre 2013 Unexercised Special Exceptions and Variances

The meeting for January 25, 2024 is to be cancelled as there is no need for it.

The cemetery meeting was cancelled for next week to be continued at a future date.

Motion to adjourn at 8:55pm by Josh. Motion seconded by Craig

Respectfully submitted,  
Jennifer Minckler  
Land Use Administrator