

**SBVD PLANNING BOARD  
MEETING MINUTES  
June 3, 2019**

**PRESENT:** Members: Ted Xavier, Joel Spiller, Robert Gossett, Don Hawkins, Bob Weisner  
Alternates: Larry Deshler, Building Inspector Steve Keaney; SBVD Planner Tom Morgan

**ABSENT:** Bill Howley

**MEETING OPENED:**

The meeting was called to order at 7:00 PM. Ted Xavier led the meeting in the Pledge of Allegiance.

**MEETING MINUTES:**

Minutes from the 4/1/2019 meeting were distributed and reviewed.

<b>Motion to approve minutes:</b>	<b>Bob Weisner</b>
<b>Motion seconded:</b>	<b>Bob Gossett</b>
<b>Motion passed by voice vote.</b>	

**PUBLIC HEARING:** Ted Xavier opened the public hearing at 7:05 PM

**Proposed Revision to the SBVD Subdivision Regulations 4.504 Scale:**

Don Hawkins gave some back ground to the proposed change. At the April 1, 2019 meeting an applicant pointed out that the existing subdivision regulations pertaining to scale made the plot plan on small lots nearly impossible to read. Noting that most of the lots at the beach were 5000 sqft, he suggested changing the regulations to allow a smaller scale. After discussion with the SBVD Planner the PB agreed to change from 20 feet to the inch to 10 feet to the inch. The subdivision regulation was changed to read as follows:

**4.504 Scale** – The plan shall be drawn at a scale no smaller than 100 feet to the inch, and no larger than ~~20~~ 10 feet to the inch.

Ted Xavier asked if any of the PB members had questions. There were none. Ted then asked if there were any questions or comments from the public. There were none. Ted then asked for a motion.

**Motion to approve the change to section 4.504 of the Subdivision regulations as listed above:**

**Motion by:**

**Joel Spiller**

**Motion seconded:**

**Bob Weisner**

**Motion passed by voice vote.**

The public hearing was closed at 7:15 PM

**OLD BUSINESS:**

**A. Continue discussion on ADU as short term vacation rental**

Tom Morgan was asked to look into the subject and to propose changes to the ADU part of the Zoning Regulations targeting the 2020 SBVD Annual Meeting.

**B. Update on possible zoning change to increase building height for houses in the flood plain.** Further discussion of this subject was postponed to a future meeting.

**NEW BUSINESS:**

**Voluntary and Involuntary lot mergers:** At the last PB meeting the board discussed if an applicant who built over the lot line between two lots had to come back to the PB to reinstate the original lot line. The Town had merged the two lots in their records. The board decided we needed a legal opinion so Don Hawkins contacted Naomi Butterfield at Mitchell Municipal Group for an opinion (attached). Some of her comments are listed below.

Section 1 of the RSA includes several definitions. 1(c) is the definition of "Voluntary Merger" and reads as follows:

**"Voluntary merger" and "voluntarily merged" mean a merger under RSA 674:39-a, or any overt action or conduct that indicates an owner regarded said lots as merged such as, but not limited to, abandoning a lot line.**

Building over the lot line is effectively abandoning the lot line. The examples we have been talking about are not really involuntary mergers. They are in fact voluntary mergers based on the actions of the owners.

**OTHER:** None

**NEXT PB MEETING:**

Our regular meeting date of September 2, 2019 is Labor Day so the next meeting of the PB will be Monday September 9, 2019 at 6:00 PM. The commissioner's meeting will follow at 7:00 PM.

The meeting was adjourned at 7:25 PM.

Submitted by,

Don Hawkins