

**SBVD PLANNING BOARD  
MEETING MINUTES  
November 6, 2019**

**PRESENT:** Members: Ted Xavier, Joel Spiller, Robert Gossett, Don Hawkins, Bob Weisner  
Building Inspector Steve Keaney;

**ABSENT:** Alternates: Larry Deshler, Bill Howley, SBVD Planner Tom Morgan

**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 9/9/2019 meeting were distributed and reviewed.

**Motion to approve minutes:**

**Bob Gossett**

**Motion seconded:**

**Joel Spiller**

**Motion passed by voice vote.**

**PRESENTATION:**

**Proposal by Julie LaBranche of the Rockingham Planning Commission to audit the SBVD zoning, Site Plan and Sub-Division Regulations to ensure compliance with recently implemented Federal MS4 Regulations.**

Julie explained that recently adopted MS 4 regulations to control erosion, storm water and illicit discharge are the responsibility of the Town of Seabrook but that the MS4 regulations require Town and District zoning ordinances to comply with the MS4 regulations. Any storm water that discharges into lakes, rivers or tidal waters are subject to the MS4 regulations and must be monitored by the Town of Seabrook. New development in the Town and District must also comply. Julie is proposing to review the SBVD Zoning, Site Plan and Sub-division regulations, make recommendations where changes are needed and to propose those changes to the SBVD PB. The RPC has funds to help member towns audit their regulations to ensure compliance with MS4. There will be no cost to the SBVD or its tax payers for the audit. The target will be the end of 2019 to complete the audit.

**Motion to accept the RPC proposal:**

**Don Hawkins**

**Motion seconded:**

**Bob Weisner**

**Motion passed by voice vote.**

**PUBLIC HEARING:** None

**OLD BUSINESS:**

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

The PB had a discussion about strengthening the wording in our ADU ordinance. Currently one of the criteria for approval of an ADU is that it will not be used for short term daily and weekly vacation rental. At a previous meeting a PB member asked if a property owner could move into the ADU and use the main house for short term rentals. The PB thought that violated the stated purpose of the ADU ordinance but agreed to ask for a legal opinion. The SBVD lawyers thought the ADU regulation was defensible in court but recommended changing the regulation to more clearly state the board's intention.

The PB received proposed wording from Planner Tom Morgan and from legal counsel Laura Spectra-Morgan. The PB agreed to use the following wording to modify the zoning ordinance:

**“Neither the principal dwelling unit nor the ADU shall be utilized for short term daily or weekly vacation rental space.”**

The PB agreed to hold a public hearing at the next PB meeting scheduled for January 6, 2020 before voting to adopt the new language. Notice for the public hearing will be posted.

**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:**    None.

**OTHER:**

- The fence at 175 Atlantic Ave is still standing. Steve said the developer will take it down in the near future.

**NEXT PB MEETING:**

The next regular meeting of the PB is January 6, 2020 at 7 PM.

The meeting was adjourned at 8:00 PM.

Submitted by,

Don Hawkins