



**Town of Henniker
Planning Board
Wednesday October 11th, 2023, 6 PM
Community Center**

Members Present: Chairman Scott Dias, Vice-Chair Heidi Aucoin, Kyle Carson (late), Keith DeMoura, Alternate Paul Mulcahey, Selectmen Rep Bill Marko
Member's Excused: Dan Higginson, Ryan Haley, Selectmen Rep Alternate Neal Martin
Recording Secretary: Hank Bernstein
Guests: Mike Greene

Item #1 Call to order

Chair Dias called the meeting to order at 6 PM and started the meeting with the Pledge of Allegiance.

Item #2 September 13, 2023, Meeting Minutes – Review and approve

K. DeMoura asked for confirmation of the correct on the lot numbers of PB Case 2023:05. **B. Marko moved to approve these minutes, seconded by H. Aucoin. Motion carried unanimously.**

Item #3 Projects of Regional Impact

No projects of regional impact.

Item #4 Public Hearings

- a. PBCase 2023:07 Proposed installation of two ground mounted solar array panels on a 18.5 acre property adjoining a single family home, use allowed by Conditional Use Permit, Map 8 Lots 577, Zoned RN, Applicant/Owners David & Tina Weed. **Application Acceptance and Public Hearing.**

S. Dias shared background on this case. The Building Inspector sent a letter to the property owner, noting that the proposed installation appears to be fully installed at this time. The Board is hearing the case for the Conditional Use Permit. **B. Marko moved to accept the application for the case, seconded by K. DeMoura. Motion carried unanimously.**

The property owner, David Weed, and Chris Porter from Porter Electrical spoke on the matter. Mr. Weed shared that it was not their intent to be noncompliant. They were under the impression that the paperwork had been filed correctly. They realized that there had been an oversight and apologized. Mr. Porter noted that they had to hire out a solar foundation company that had lengthy lead times and once they showed up, they wanted to get the project up and running. Mr. Porter shared that he has done many roof mounted solar projects but this was his first ground mounted solar project.

S. Dias noted that the Board goes through this process fairly frequently with the purpose of informing abutters and giving them opportunity for input. He noted it was unfair to the neighbors to skip this process. S. Dias asked if Mr. Weed had a plan for this project. Mr. Weed shared a formal landscape plan.

Kyle Carson arrived and joined the Board at 6:12

The Board reviewed and discussed the landscape plan with Mr. Weed and the present abutter, Mike Greene. Mr. Greene asked if there was a way to hide the array from his sight. Mr. Greene, Mr. Weed, and the Board discussed adding year-round foliage that would not interfere with the solar array but would blocking it from the road. Mr. Weed shared that he would discuss with his landscaping contractor. M. Fougere noted they would need at least six to eight trees depending on spacing.

FINAL

The Planning Board discussed with Mr. Porter their dissatisfaction with the oversight in the permitting process. M. Fougere agreed that there were mistakes, but the Board is here to review the plan. The building and electrical permits will be worked out with the Building Inspector.

P. Mulcahey asked Mr. Greene if he had any other concerns. He did not.

S. Dias closed the public hearing at 6:40 PM

The Planning Board discussed that there may be fines applied to the permits associated with this project, but it will be up to the Building Inspector to decide.

B. Marko moved to waive Article IV General Provisions for this project, seconded by K. DeMoura.

Motion carried unanimously.

M. Fougere noted suggested stipulations.

- Submitted landscaping plan to show exact location of solar array and the road.
- Submitted proposed planting scheme with evergreens, preferably six to eight feet tall.

S. Dias shared that he would not like to see this project drag on for a long time, and gave a reasonable completion date of June 15th, 2024.

B. Marko moved to approve PB Case 2023:07 with the stipulation that the applicant submit an amended landscaping architectural plan within 30 days which includes the discussed screening and the roadway. The foliage screening to be complete by June 15th, 2024. Seconded by K. Carson. Motion carried unanimously.

Item #5 Work Session

M. Fougere shared a digital presentation on potential zoning changes. Discussion ensued. The Planning Board focused on changes to the CR and CR1 zone, with the intention of making that area more appealing to potential commercial and industrial businesses. They discussed potential areas that would be appealing for new businesses, and how this might impact existing businesses and residences. The Board questioned the impact of changing the entire CR1 zone. M. Fougere noted that the only difference between the two zones was the limit to subdivision size- this change would not reduce use, only increase it. **The Planning Board consensus was to present a warrant article to the voters changing the CR1 zone to the CR zone.**

The Planning Board discussed updating the definition of campground and making clear the definition of seasonal in the zoning regulation. **The Planning Board consensus was to present a warrant article to the voters defining seasonal relative to camping as November 1st to April 30th.**

The Planning Board discussed changes to the wetlands ordinance, which currently reads that no part of a wetland can be part of the minimum lot requirement for subdivision. **The Planning Board consensus was amend Article XXII Wetland Conservation ordinance 133-116 Special Provisions B, to allow 1/3 of the minimum lot area to be wetlands. Currently 100% of the minimum lot area required for a zoning district must be upland.**

The Planning Board discussed the use of temporary camping trailers during the construction of a home.

M. Fougere shared with the Board the updates to the Federal Floodplain. The Town must adopt these changes.

K. DeMoura moved to adjourn at 7:44 PM, seconded by B. Marko. The motion passed unanimously.

Respectfully submitted,

Hank Bernstein
Minute Taker

Minutes Approved: