

Town of Tamworth
Land Use Regulation Committee

*** draft MINUTES ***

October 12, 2010

Meeting called to order at 7:05 pm by Nicole Maher-Whiteside

Members Present: Nicole Maher-Whiteside (7:29 PM), David Little,, Robert Abraham, Becca Boyden, Peg Huddleston, Lianne Prentice

Members Absent: Nat Scrimshaw

Minutes of October 6, 2010 – reviewed; one spelling correction noted. David moved to approve, Peg seconded, APPROVED .

Bob chaired the meeting until Nicole arrived.

The meeting opened with review of changes that had been made to the document. Bob is uncomfortable with requiring a homeowner association (section 4.4c). Peg is in favor of keeping it. Bob would like to do further research. This item is tabled for later discussion.

Grandfathering: Discussion about which RSA this is written under – RSA 674:16 or RSA 674:19

Bob would like to use language from RSA 674:28. David would like to use an excerpt from the groundwater protection ordinance. Bob is in agreement with that, but would like to have 674:19 listed under the statement of authority.

Consensus is reached at:

Adding a separate article (Article 4) to read, Pursuant to the provisions of RSA 674:19, any lawful use of the land or a building thereof at the time of the adoption of this ordinance may be continued, with normal repairs and maintenance permitted, although such use does not conform to the provisions of this ordinance, provided, however, that:

- 1.) A non-conforming use shall not be changed to another non-conforming use;
- 2.) A non-conforming use shall not be enlarged or expanded or made to be less conforming;
- 3.) A non-conforming use which has been discontinued for two years shall not be resumed;
- 4.) Any non-conforming use destroyed by fire or other natural disaster may be repaired, replaced, or resumed within two years, in accordance with Sections 1 and 2 of this article.

Discussion resumed regarding common areas and homeowners associations (section 4.4)

There is a difference between common lands and conserved lands. Roads are built to town standards. Septics and wells are commonly owned property. Committee consensus is to seek additional information on this topic.

The draft of this ordinance will be presented to the Planning Board on October 13, 2010.

Holding a public hearing on November 3 was discussed.

A motion to adjourn was made by Becca at 8:18 pm. Lianne seconded. APPROVED