



Canaan Planning Board
Meeting of January 25, 2021
Meeting and Public Hearing via Zoom
Minutes

Call to Order:

10:00 am John Bergeron called the meeting via the Zoom app to order.

Members Present:

John Bergeron, David Auerbach (alternate), Claude Lemoi, Thomas Oppel, Chuck Townsend, Andy Van Abs, Chris Wadsworth.

Others Attending:

Joanne Whalen, Bill Vanzandt, Tom Milligan

Public Hearing to Receive Comments on the Proposed Land Use Zoning

John Bergeron opened the meeting. He reviewed the process of development of the ordinance, and stated that at this point only editorial changes would be possible. He reviewed the changes that the board has approved based on comments at the earlier hearing.

Joanne Whalen expressed concern that passing the ordinance would create obstacles to rebuilding a nonconforming structure that had been destroyed prior to the passage of the ordinance. John Bergeron agreed that rebuilding would require a variance from the Historic District Commission. He suggested two workarounds. Obtaining a building permit prior to the passage of the ordinance would support the issuance of a variance, or with the abutter's approval of a nonconforming setback distance rebuilding would be allowed. Claude Lemoi suggested that a phrase could be added to the ordinance exempting structures destroyed prior to the passage of the ordinance from the five-year replacement limit.

Chuck Townsend inquired about the wording of the warrant article. John Bergeron said that state law required a specified single sentence warrant article that does not describe the purpose or the extent of the zoning ordinance. Claude Lemoi suggested that the article's wording will almost guarantee failure. Tom Oppel agreed that even if residents understood the need for the ordinance they would hesitate to approve it believing that it would lead to town-wide zoning. Andy Van Abs noted that his informal survey indicated that passage would be unlikely.

10:45 There being no further concerns, the hearing was closed.

John Bergeron presented to the planning board several reasons that the board should bring the proposal to the people of the town: Adoption would bring the town into conformance with N.H. legal practice; it would be consistent with Master Plan goals; it would create conditions for orderly growth within the Historic District; it would provide a measure of current residents' interest in having zoning in Canaan.

Tom Milligan supported the zoning ordinance arguing that it would help protect the value of Historic District properties because there is now no strong way to enforce regulations. The ordinance would be the best way to maintain current standards.

Tom Opiel observed that there has been an active discussion of the possibility of zoning on the Canaan NH Community Facebook page.

John Bergeron made a motion to put the proposed zoning ordinance on the town warrant for a March vote. Claude Lemoi seconded the motion.

Claude Lemoi asked what could we do to support its passage. Tom Opiel suggested the following tools: Provide a strong clear statement explaining it at the deliberative session; phoning residents; using a town-wide email and/or postal explanation; producing a flyer for distribution; running newspaper and/or Facebook advertisements.

Tom Opiel accepted a call to lead a committee to publicize the need for passage of the zoning ordinance. Tom Milligan volunteered to join the committee.

John Bergeron called for a vote on the motion to put the proposed zoning ordinance on the town warrant. Voting in favor of the motion were Chuck Townsend, John Bergeron, Chris Wadsworth, Tom Opiel and Claude Lemoi. Andy Van Abs abstained.

Adjournment

11:00 Andy Van Abs moved and Tom Opiel seconded the motion to adjourn the meeting. John Bergeron, Claude Lemoi, Thomas Opiel, Chuck Townsend, Andy Van Abs, and Chris Wadsworth voted to accept the motion. It was passed unanimously.

Respectfully submitted:

Chuck Townsend, Secretary