

Approved: _____ Approved with changes: 1/6/22

**Effingham Planning Board
Meeting Minutes
December 16, 2021**

Members Present: Theresa Swanick (chair), George Bull, Grace Fuller, Elaine Chick, Paul Potter, Lenny Espie

Members Absent: Gary Jewell

Others Present: Rebecca Boyden, Michael Cahalane (Health Officer)

Meeting called to order at 6:35 pm. Quorum present.

OLD BUSINESS – Review Zoning Amendment draft from 11/18/21

Discussed the following edits to the point of consensus:

3– Add NEW section on Septic Systems Approved 12/16/21

Section 609 Individual Subsurface Disposal Systems (Septic System) [Adopted 2022]

- A. Structures requiring a Building Permit must meet the requirements of the Effingham Health Ordinance.
- B. All new and replacement Individual Subsurface Disposal System (ISDS) construction must receive approval for operation from NH Department of Environmental Services.

4 – Amend Section 707 – APPROVED AT LAST YEAR’S HEARING, FAILED TO GET INTO WARRANT Approved 12/16/21

Section 707 Non-Conforming Lots [Amended 2004, 2015, 2022]

A non-conforming lot may be used for the uses permitted in the zoning ordinance in the district within which the property is located so long as the lot satisfies the following:

- A. The lot must have frontage or right of way capable of providing ~~sufficient access for emergency vehicles.~~
- B. The lot must be capable of supporting a well and Individual Subsurface Disposal System (ISDS) septic system, designed and installed in compliance with all then-current Town and State of New Hampshire Water Supply and Pollution Control Regulations.
- C. All structures and improvements must comply with the setback requirements contained in this ordinance.
- D. The lot ~~may be used for the location of a single family dwelling, provided that the lot~~ of record complies with the terms of this section and all necessary state and local permits can be obtained.

9- Add -- definition of VEGETATIVE BUFFER Approved 12/16/21

Vegetative Buffer or Barrier: A permanent strip of dense perennial vegetation established parallel to the lot line or fencing, including the following: 1) a minimum width for each barrier strip of 36 inches (either a solid strip 36 inches wide or two rows with staggered plantings totally 36 inches in width); 2) a minimum vertical height for privacy as defined in the Site Plan; 3) alignment as near to the lot line as practicable; and 4) plants having erect stems that are stiff enough to remain upright during heavy snow events. Examples of year-round privacy plants include privet, arborvitae, boxwood and the Thuja Green Giant Hedge. [Adopted 2022]

10 - Amend – replaces entire definition of SCHOOL Approved 12/16/21

School: An educational institution that has the following characteristics: 1) Its primary purpose is that of education; it has appropriately credentialed teacher(s) to give instruction; 2) It has at least one appropriately credentialed

administrator (usually a principal) who is responsible for all aspects of school administration including supervision and evaluation of staff, fiscal responsibility, student discipline and safety, supervision and evaluation of curriculum, and assessment of academic achievement and school accountability; and 3) contains enrolled or prospectively enrolled students. [Amended 2022]

11 – Replace 1402 in its entirety – Approved 12/16/21

Section 1402 RV Seasonal Use Permit [Amended 2013, 2015, 2020, replaced 2022]

- A. No Recreational Vehicle (“RV”) may be used as a permanent dwelling or residence in Effingham.
- B. To use an RV for the purposes set forth in this section, a landowner must first obtain an RV Seasonal Use Permit for the RV from the Zoning Enforcement Officer.
- C. A landowner may place one RV for non-commercial recreation purposes on his or her property for up to 150 consecutive days between April 1 and October 31. The RV must be either removed, or closed up and not in use as per Section 1401 for the other five months. Furthermore, all RV septic shall be decommissioned and winterized from November 1 until March 31.
- D. All RVs must be mobile and be legally registered. RVs must meet the setbacks for principal structures for the zoning district in which they are located. Lack or expiration of registration will void the RV Seasonal Use Permit. Any RV lacking valid registration must meet the Town of Effingham Zoning Ordinance for a structure.
- E. An RV must have adequate sanitary facilities. Applicant must demonstrate how solid waste and sewerage will be disposed of in a lawful manner per New Hampshire law and the Effingham Health Ordinance. Any unlawful disposal of solid waste or sewage will void this permit. Further, upon expiration of a permit under this section, an RV must comply with all aspects of section 1401 of this Article.

[To be replaced by the above text.]

Section 1402 150 Day Permit [Amended 2013, 2015, 2020]

A landowner may allow the use and placement of up to two Recreation Vehicles for Recreation purposes on his or her property for up to 150 days, even if not a campground. The landowner must obtain a permit from the Enforcement Officer in order to use a Recreation Vehicle for the purposes set forth in this section and such Recreation Vehicle must have adequate sanitary facilities, approved by the State of New Hampshire and the Town of Effingham as per RSA 216 I:4 II. The Enforcement Officer may issue multiple permits per year not to exceed 150 aggregate days per calendar year per Recreational Vehicle. Further, upon expiration of any permitted use under this section the Recreation Vehicle must comply with all aspects of section 1401 of this article. Recreation Vehicles must meet the setbacks, whenever possible, for principal structures for the zoning district in which they are located.

Motion to adjourn by: Grace Fuller Seconded by: Elaine Chick Motion Passed.

Adjourned at 8:30pm

Minutes prepared by T Swanick