



TOWN OF DEERING

Planning Board
762 Deering Center Road
Deering, NH 03244

UNAPPROVED

Planning Board
Minutes
October 11, 2023

Members Present:

Katherine Jenkins - KJ (Chair), Steve Diers (ex officio), Olivier Raoust, Mike Stone... more to be added.

CNHRPC: Matthew Monahan (via Zoom)

Public Present: None.

The Chair KJ calls the meeting to order at 6:59PM.

New Business:

Mr. Monahan introduces the "Proposed Deering Zoning Changes and Regulation Changes for 2024".

- Two major items: **Flood Ordinance** and **Watershed Protection Ordinance**.

**Please note some proposed changes may be added, removed, and subject to change in the future.*

Flood Ordinance-Related Changes:

- FEMA flood insurance program requires that towns include specific languages in their zoning ordinances because they provide insurance to communities active in the flood program. We are eligible for flood funds only if we include the specific languages, should the town get affected by a flood. If no changes are made, we risk losing that eligibility.
- Affected Areas of **Zoning Ordinances**:
 - **ARTICLE 4, SECTION 3 National Floodplain Development**
 - **4.3.1 Introduction, PART A**
 - **4.3.2 Definition of Flood Plain Terms**
 - It was emphasized that the term “Substantial Improvement” was recommended by the insurance program to be changed.
 - Planning Board discusses on whether this change directly affects the Town of Deering, and while Deering has a small percentage of flooding, we must adopt the changes in order for those who are using the flood insurance programs so that they receive the benefits of the insurance. And so that the Town receives FEMA flood disaster funds. This change impacts an individual’s eligibility for a mortgage as well as one may be required to have flood insurance.
 - The Building Inspector would be directly administering the flood issue. The Planning Board should not be involved unless it was regards a site plan or subdivision application.
 - The Planning Board agrees that the [Deering Natural Resources Inventory \(link\)](#) found under the Conservation Commission webpage to be posted and available under the Planning Board webpage as well.
 - **4.3.3 National Flood Insurance Program Requirements, ITEM VII**
 - **3.11.2 Additional Requirements**: Added new item #16, #17, and #18
- Affected Areas of **Subdivision Regulations**:
 - **Section 9. Special Flood Hazard Areas**: added statement and revised items 9.2 and 9.3

KJ will run the first public hearing in November regarding the three major changes: Zoning, Site Plan, and Subdivision Regulations.

Discussion on Flood Ordinance changes ends at 7:29PM.

Watershed Protection Ordinance-Related Changes:

- Mr. Monahan explains that in the past we needed a RSA defined permit so that the Planning Board could implement it and that is where the conditioning use permit (CUP) process comes from.
- The purpose of the Watershed Zoning Changes is to lay out the CUP process.
- When a building permit is issued, there also needs to be a conditional use permit, and a Notice of Decision to say that they received it.
- Anytime there is a zoning change, we want to run it through the attorney.
- Affected Areas of **Site Plan Regulations**:
 - New sections added **3.13, 3.13.1, and 3.13.2**; these should tie back to the zoning regulations as well as provide a list of required items to be submitted with the CUP application. The review criteria is listed here with the elements that the CUP will need to be approved by the Planning Board.
 - New sections added **3.13.3 and 3.13.4**; Waiver Process and the requirements for all Conditional Use Permits that would be waived by the 3.13.3
 - It was pointed out that **3.13.4 letter D** that the septic tanks are to be pumped every annually; it was corrected that Deering requires every 3 years, however the Planning Board concludes that the writing to state that the all septic tanks are pumped annually in accordance to health ordinances.
 - Added **3.13.5 Hydrological Study**
 - Required to be as part of a CUP application unless waived by Planning Board
 - Enforcement Methods:
 - Step 1: approval process where conditions are put down
 - Step 2: building inspector verifies when he gets it
 - Step 3: complaint process
 - Planning Board discusses that there should be a definition of fertilizer and listing of it as a prohibited use within a certain number of feet of the reference line. Mike offers to do further research on this.
 - Planning Board discusses salt use procedures and whether they should be referenced in the ordinances. May include in the health ordinances. Steve offers to do further research on this. Working with towns with MS-4 and asking what they did with their salt use procedures may point us in the right direction.

Discussion on Watershed Protection Ordinance changes ends at 8:27pm.

Old Business:

Reviewed September 13, 2023 Minutes

New Business for Beginning Review: N/A

Steve motions to adjourn, seconded by Olivier. All in favor. Meeting adjourned at 8:30pm.