

## PLANNING BOARD MINUTES

August 26, 2026

**APPROVED:** September 9, 2026

**AGENDA:** **OLD BUSINESS:** *Review Zoning Ordinance Amendments:*

- *Housekeeping Clause*
- *Innovative Housing Structures (IHS) (new)*
- *Article 3.2 – District Regulations – Family Day Care (new)*
- *Article VII – Definitions*
- *Article XV - ADUs*
- *Split Zones*

*Review Solar Ordinance*

**PLANNING:** *None*

**CASES:** *None*

**OPERATIONAL:** *CIP Committee Appointments*

*Review additional zoning amendments and new definitions required by the State for Child Care businesses and Innovative Housing Structures (IHS)*

**ATTENDING:** **Board:** *in person* - Steve Carten (Chair), David Shirley (Vice Chair), Glenn Huot, Scott Severn (Select Board Representative), and Brett Dunn (Alternate)  
*via Zoom* - None

**Absent:** Jeremy Fischer and Marc Bourassa (Alternate)

**Staff:** *In person* – Donna Sullivan (Land Use Administrative Assistant)  
*via Zoom* – Christina Goodwin (Town Administrator)

**Applicants, Professionals, and Public:**

*in person* – None

*via Zoom* – None

With a quorum present, Chair Carten called the meeting to order at 6:00 pm with a roll call. Alternate Brett Dunn was seated as full voting member for this meeting due to the absence of Mr. Fischer.

Chair Carten stated that he wished to move discussion of the Solar Ordinance to last, due to all the amendment discussion on the agenda. Ms. Sullivan suggested that they get the CIP Committee Appointments done first.

**PLANNING:** *None*

**CASES:** *None*

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### OPERATIONAL:

#### CIP Committee Appointments:

Ms. Sullivan shared the paperwork for the CIP Committee appointments. Discussion followed about the members listed, the staggered terms, and those Planning Board members who were present and serve on the CIP Committee as well. Mr. Carten is the Planning Board Representative and Mr. Severn is the Chair for the CIP. The appointment paperwork was signed by the following Planning Board members: Mr. Carten, Mr. Shirley, Mr. Huot, and Mr. Dunn.

Amendments and new definitions required by the State for Child Care businesses and Innovative Housing Structures (IHS): - **Note:** These were discussed as part of the proposed Zoning Ordinance Amendments under Old Business.

### OLD BUSINESS:

#### Review Zoning Ordinance Amendments:

Ms. Sullivan was asked to present the information and proposed Zoning Amendments to the Board. She indicated that along with amendments previously discussed, there were two NH House Bills that passed that do impact current zoning and will need review to amend zoning to comply with the intent of the Bills. She stated that the information about these bills was in their Board packets. She listed the sections of the Ordinance that are impacted by these House Bills and went over what would be mandatory changes for all districts with regard to Child Care and where the Town “may” opt to allow Innovative Housing Structures.

- ***Housekeeping Clause***

Ms. Sullivan displayed an example document and explained that this could be edited to fit Bristol. She explained that this will go on the Ballot and will allow for review and changes to the Ordinance to address minor typos or any NH RSA references information that becomes outdated or changed. She indicated that if adopted it would make these updates possible without having to provide separate amendment ballot articles for each change. She stated that this needs discussion and a vote.

Discussion followed about the example document format and language. It was agreed that the intent of the inclusion of this on the ballot was to allow for “non-substantive” changes like minor typos or RSA updates. Following discussion, Mr. Shirley suggested taking out the numbers and **changing** the language in the **purpose statement** to “*The intent of this clause is to allow correction of multiple minor typos or outdated state laws (RSAs) referenced across one or more articles, so voters don’t have to vote on multiple minor corrections or updates to referenced statutes.*” And to include a line at the end of the clause to indicate that substantive changes will not be permitted. Ms. Sullivan will make changes discussed. The Board members indicated that they did not need to see this again for review.

Chair Carten motioned to forward the amended article to legal counsel in preparation for Public Hearing and Ballot. Mr. Shirley seconded. The motion carried 5-0-0.

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- ***Innovative Housing Structures (IHS)***

Ms. Sullivan explained that House Bill 1681 added the new RSA 674:81. She referred the Board to the Bill information for this which was in their Board packets. She indicated that this bill requires Towns to define Innovative Housing Structures as a unique single residential unit. She specified the sections of the Ordinance that will require changes which include District Regulations, Definitions and Accessory Dwelling Units {ADU}. Discussion followed about the different districts where these can be allowed and districts that currently do not allow residential units except those allowed on upper levels of multi use buildings. Concern for allowance in the Historical District and Lake Districts was talked about. Categories of Innovative Housing that included yurts and tiny houses were referenced and discussed. There was discussion about whether allowing Innovative Housing Structure was required. Ms. Sullivan stated that the House Bill indicates that Towns *may* allow these, but Legal Counsel indicated that as soon as next year this could become required. More discussion followed with some members being inclined not to do anything for now for this particular issue because it is not required. It instead could be considered next year when more time could be spent on it and if it becomes a requirement. The Board decided to wait and see and not take any action this year on HB 1681.

Mr. Severn motioned to table the decision response for HB 1681. Mr. Huot seconded. The motion carried 5-0-0.

Ms. Sullivan noted all the proposed amendments associated with HB 1681 and indicated these will be removed.

- ***Article 3.2 - District Regulations***

She explained that per House Bill 1195 the State now allows Family Day Care Homes and Family Group Day Care Homes “by right” on lots where residential use is permitted, and that Commercial Day Care Centers are now allowed “by right” on commercially zoned land now allowing these in all districts.

Discussion followed about the definitions of the home day care centers and commercial day care centers. State licensing would still be required but these would not be subject to Site Plan Review. Board members expressed concern for health and safety issues being missed without Site Plan Review or other permitting. Inspections by the State and the Town for health and safety and Home Occupation and Certificates of Zoning Compliance were discussed for applicability. Mr. Shirley raised a concern about septic system capacity for childcare centers in single family residences and it was discussed that State licensing may cover this issue with inspections by the State. Ms. Goodwin shared that the Health Officer also inspects Day Care facilities but not as often as the State. Ms. Sullivan will ask legal services whether there is a way for the town to require review of home-based childcare businesses if they no longer are subject to Site Plan review. Ms. Sullivan listed all the proposed amendments associated with HB 1195.

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- **Article 3.2 - District Regulations - continued**

Mr. Shirley motioned that the amended Article 3.2 as discussed with the exception of any references associated with Innovative Housing be forwarded to legal counsel in preparation for Public Hearing and Ballot. Mr. Severn seconded. The motion carried 5-0-0.

- **Article VII – Definitions**

Ms. Sullivan explained that the required definitions from the State for Child Care Center, Family Day Care Home, and Family Group Day Care Home per House Bill 1195 have been added to Article VII.

After discussion, Mr. Shirley motioned that the amended Article VII – Definitions as discussed with the exception of any references associated with Innovative Housing Structures be forwarded to legal counsel in preparation for Public Hearing and Ballot. Mr. Severn seconded. The motion carried 5-0-0.

- **Article XV - ADUs**

Ms. Sullivan presented the proposed article with previously reviewed and approved changes noting that the reference to Innovative Housing Structures in section 15.3.A.3 will be removed since the Board has decided to table that decision and take no action this year.

After discussion, Mr. Shirley motioned to forward the amended article as discussed with the removal of 15.3.A.3 to legal counsel in preparation for Public Hearing and Ballot. Mr. Carten seconded. The motion carried 5-0-0.

- **Split Zones**

Ms. Sullivan brought the maps up on the screen and explained the table and proposed zones.

Mr. Shirley mentioned that he thought it had been decided that Lot 221-022 on the map titled Summer Street CC-2 would remain split as it says in the table but the zoning district boundary would be adjusted so the upper part of the lot would reside entirely in the Rural zone while the bottom part would reside wholly in the Commercial Corridor district. Ms. Sullivan displayed the map and lot on the screen for review. The change will be made.

Ms. Sullivan explained the office process for change of maps and notification to property owners. She stated that property owners of lots that remain split do not receive letters of intention to change the zoning boundaries. It was determined that the owner of lot 221-022 should get a letter with an explanation.

After discussion, Mr. Shirley motioned to forward the Split Zone article with the correction to lot 221-022 as discussed to legal counsel in preparation for Public Hearing and Ballot. Mr. Huot seconded. The motion carried 5-0-0.

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### Review Solar Ordinance:

Ms. Sullivan displayed the latest drafts of the Solar Ordinance on the screen and explained that there were two documents. The one with the green highlighting is from Mr. Shirley and the one with the yellow and blue highlights is a combination of edits and information gathered from previous meeting discussions in yellow (from review of minutes) and Mr. Shirley's comments in blue. She stated that there was a combination of both in the purpose section.

Mr. Shirley suggested that the Ordinance is not yet ready for final review. He explained he would like to discuss his recommendations and edits from this draft. The Board reviewed his document section by section and either accepted Mr. Shirley's alternate text or made small edits based on discussion as follows:

18.1 – Purpose - Chair Carten indicated that originally Mr. Shirley expressed that he wanted to include specific RSA information here. Mr. Shirley indicated that based on discussion a concern for RSA changes he omitted these so there would be no need for amendment actions when an RSA is changed. A housekeeping clause was considered as an option for this issue and consulting Town Counsel was suggested. Others indicated that they were okay with excluding the references to RSAs and going with what Mr. Shirley suggested.

18.2 – Definitions - Chair Carten suggested not repeating Solar Energy System as part of the definition and instead shorten it to *"a system that"*. Other definitions for Alternative systems were discussed and clarified. Mr. Dunn asked if the repetition of "Solar Energy System" should be changed to just *"system"* with all these definitions as well. Mr. Shirley explained that for some, the definitions specified the different types of Solar Energy Systems so it may be better not to change some of these. The definitions in yellow for Accessory Solar Energy System and Principal Solar Energy System were discussed to be removed. Mr. Shirley's alternative Behind the Meter and Front of the Meter definition were accepted. After additional discussion, it was determined that where it makes sense, the definitions will not repeat *"Solar Energy System"* within the definition to be consistent throughout. The Solar Resource definition will be removed. For Roof Mounted and Ground Mounted systems the definition language *"that portion of"* was clarified and accepted due to possibilities of combination systems. Balcony Mounted and Carport Mounted systems definitions were accepted.

Mr. Shirley indicated he wanted to have some discussion about the next section concerning Off-Grid systems. Discussion included possible issues with the definition if people get creative such as having a garage system or heating system that is Off Grid and their home connected to the grid. Recognizing that most understood that Off Grid meant not connected at all to the grid, scenarios were discussed as well as possible permitting issues with Fire and Safety and other requirements. The Board consensus was that even with the possibility of a combination of systems, there would be possibilities of an Off Grid system so the definition should remain.

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### Solar Ordinance - 18.2 – Definitions - continued

Discussion followed with Board acceptance of the remaining edits made by Mr. Shirley to definitions for Screening, Small Scale Systems, Large Scale Systems and for the removal of the Energy Storage System definition. With regard to the language in the Screening definition, the Article 18.3.G definition for Protected Public Views was discussed which included roadways, Historic District walkways and from the water and beaches on Newfound Lake and Pemigewasset River views.

Article 18.3 – General Use and Siting Rules - items discussed included whether the 200 yard setback for screening needed change. This was changed to 100 yards. Roof Top Panel Height restrictions were discussed to be clarified for compliance with the maximum height of 28 feet in the Lake District restrictions. Mr. Shirley provided new language to clarify this restriction where panel heights are addressed. Adjustment to the end of the sentence of 18.3.C was revised to remove redundancy.

Article 18.6 - General Standards for Large Solar Systems - discussion cited the need to address setbacks and height restrictions and keep to district setbacks and height restrictions already in place with the Zoning Ordinance. Mr. Shirley's edits were accepted for this section.

Ms. Sullivan will write these edits to complete another draft for review at the September 23rd meeting.

### MINUTES:

The Draft August 12, 2026 Meeting Minutes were reviewed. Mr. Severn noted a couple of typos on **Page 2** as follows:

- In the paragraph starting with, "Chair Carten asked..." the number "21" should be **changed to "31"** to be the correct reference to the applicant's address of 31 Lakeside Road.
- And in the last paragraph, **change "26MPH02" to "26MPHP02"** to be the correct case number as shown in other places.

Chair Carten motioned to approve the minutes as amended. Mr. Severn seconded. The motion carried 5-0-0.

**COMMUNICATIONS:** *None*

### REPORTS:

**HISTORIC DISTRICT COMMISSION (HDC)** – Ms. Sullivan reported that the HDC will meet on September 8<sup>th</sup> to hear a case for Jeff Goodrum who is tearing down the old Norton building and replacing it with a three-story structure that will have retail on the ground floor and apartments above.

**CIP COMMITTEE** – Mr. Severn reported that the CIP has updated the spread sheet substantially and intended to include a section for building maintenance but will have to wait until next year to fully include that.

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**CONSERVATION COMMISSION** – Ms. Sullivan reported the BCC will meet on September 2nd to hear a presentation from Resilience Planning.

**LAND USE** - She also stated that Land Use is running smoothly and applications are being processed at a consistent pace.

**SELECT BOARD** - No Report

**BOARD COMMENTS:** *None*

**STAFF COMMENTS:** *None*

**NEXT MEETING:** September 9, 2026

### **ADJOURNMENT:**

With no other business before the Board, Mr. Severn motioned to adjourn at 7:59 pm. Chair Carten seconded. The motion carried 5-0-0.

Respectfully submitted,  
Janet Cote, Land Use Associate