

**MINUTES
CHARLESTOWN PLANNING BOARD
OCTOBER 18, 2016**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Thomas Cobb (Ex-Officio); John Bruno, Richard Lincourt, Doug Neill, Rose Smith-Hull

Alternates Present: James Jenkins, Duane Wetherby, Patricia Chaffee

Staff Present: David Edkins – Administrator
Regina Borden – Recording Secretary

CALL TO ORDER & SEATING OF ALTERNATES: Mr. Frizzell called this meeting to order at 7:00 PM. He advised that meetings are recorded and asked that anyone wishing to speak identify themselves for the record. The full PB was present therefore there was no need to call on the alternate members.

APPROVAL OF MINUTES OF OCTOBER 4, 2016:

Mrs. Francis moved to approve the Minutes of the October 4, 2016, Planning Board meeting, as presented. Mrs. Smith-Hull seconded the motion. Mr. Lincourt noted that on page 3, second paragraph, first line, change “She is wondering how many veterans there are in this community that can service this health care facility” to “She is wondering how many veterans in this community will get serviced by this health care facility”. With seven members in favor, the minutes were approved as corrected.

WHELEN ENGINEERING CO., INC. – 60,000 Sq. Ft. Light Manufacturing Building – Old Claremont Road – Map 106, Lot 4 – Zones F-1 (Industrial/Business) and E (Mixed Use): Mr. Frizzell advised that this application was deferred to the December 6, 2016, PB meeting.

BLUE STREAM AQUACULTURE NH, LLC – Commercial Fish Farm – Burma Road – Map 201, Lot 3 – Zone E (Mixed Use): Mr. Frizzell reported that the PB members received a set of revised plans from this applicant. Mr. Edkins and Mr. Bruno met with Mr. Malandrinos of Blue Stream Aquaculture and went over these revised plans. These plans are acceptable in terms of what he is looking to do.

Mr. Frizzell opened the meeting to the abutters.

Mr. Kevin Hall, abutter, questioned how much water will this project be using. We are in a drought. Mr. Frizzell replied it is not a lot of water because they recycle it. This area has always had water problems. Mr. Malandrinos explained that they have concrete raceways; when they start the operation it will use about 160,000/gallons but after that they will be using about 0.25 gallons per minute per filtration system. Mr. Hall does not want to end up with a dry well. Mr. Frizzell noted that Mr. Hall is quite a distance away from this project. Mr. Hall asked how this will affect everybody in the future. *Ms. Chaffee came into the meeting.* Mr. Malandrinos said

they have identified 180 gallons of shallow water on the site. They are looking for 8-to-15 gallons per minute. There will be three wells; two are back-ups. Mr. Bruno asked Mr. Hall if he has a bed-rock well. Mr. Hall's is in the ledge. Mr. Bruno explained that typically bedrock wells in ledge are not in an aquifer as most of the water is coming from bedrock fractures. They are probably not in the same fracture. The applicant is looking for about 10/gallons per minute; that is not a high demand. There was discussion relative to the distances the abutters are to this site, the elevation and topography plus water storage. Mr. Hall expressed concern about future growth in the area as there are building lots which means more wells. Mr. Bruno felt this would not affect their water. If it was a large development then there might be concern. At that time they would monitor surrounding wells. Mr. Frizzell said there is a Town water main in that area. Mr. Cobb referenced the new Bull Run well; they are pulling 730,000 gallons a day with no effect on surrounding wells. There is also a water system in North Charlestown. Mr. Edkins mentioned that DES states that a typical home would draw 150/gallons per bedroom per day. Mr. Cobb pointed out that this applicant will be drawing water from a different source and using less than an average home.

Mr. Eugene Valley is not an abutter but provided some history on the first wells in the area. If this applicant starts pulling water from the area wells then Blue Stream Aquaculture NH and the Town would be responsible for allowing the applicant in. If the applicant starts expanding Mr. Valley will sue if they lose their water. With a dry fall the water will not come back during the winter. Mr. Frizzell remembers some of the stories Mr. Valley was telling us about a water shortage years ago. Mr. Hall does not want to go on Town water. Mr. Hall asked how far this applicant will be away from the river. Why can't they draw water from the river? Mr. Malandrinos said the river water would have to be treated. They are 500 feet from the river and about 30-40 feet (maybe up to 60-feet) above the river level.

Mrs. Francis asked what kind of information is available from the State on aquifers that would be reliable and available for future applicants to look at. Mr. Bruno said there is not enough information with sufficient detail; there are some maps and studies. Mr. Cobb said some studies were done when they were looking at the Town well site. Mr. Bruno explained the process used for the high yield wells. The chances of being in the same fracture are pretty small. Mr. Frizzell felt any large development would have to bring in Town water. Mr. Edkins noted that once a well is drilled it has to be registered with the State. Mr. Bruno added that the well has to be located on a site plan. Mr. Frizzell mentioned the threat about the Town being liable if the abutters' wells run dry. Mr. Edkins replied that the Town would not be involved as it would be a civil matter between neighbors. It would be very involved in that it would require a hydrologic study of surrounding wells in addition to other test results.

Mrs. Francis sympathizes with them as she has had to double the depth of her well this season and it is expensive. On Calavant Hill there has always been difficulty in accessing water. Mr. Malandrinos explained that one of the reasons they are drilling two deep wells is for security and supply. It would put them in a good position to reply to water supplies in the area because they could assess the effect on a near-by well for monitoring purposes. If someone came to them and said they were having problems with well issues and asked them to monitor their use then very quickly they could develop a credible plan to quickly confirm whether they were affecting the

aquifers in the area. Mr. Cobb can understand the concerns of Mrs. Francis and the abutters but from what this individual is saying it does not sound like he will not be a good neighbor.

Mr. Bruno moved to accept this application from Blue Stream Aquaculture, NH as complete. Seconded by Mr. Cobb. With seven members in favor, the motion was approved.

Mr. Skip Davis owns property below where Mr. Hall and Mr. Valley own their properties. Water runs downhill; there are springs that run there 24/7. This project is not going to affect anybody on the hill. He has never had a water problem.

Mr. Bruno recommends that they act on final approval for this application as Mr. Malandrinos has been here several times before this meeting.

Mr. Valley has a good well that has not run dry in 42 years. Mr. Hall asked if the PB members could address the issue of Town growth. Mr. Cobb explained that by putting in the Bull Run well the Water Commissioners looked to the future. Mr. Frizzell noted that the Town Water Department looks forward to be sure they have enough water. Mrs. Francis pointed out that in the more than 30 years she has been on this PB the population went from 4,900 to 5,100 people. We have grown 200 people in all these years.

Mr. Bruno moved to grant final approval to the Blue Stream Aquaculture NH, LLC application with the following conditions:

- **That the plans as presented be included in the approval along with the narrative;**
- **That all outside lighting be shielded and down lit;**
- **That turn-outs be maintained along Burma Road within sight of each other;**
- **That the brush be trimmed at Burma Road and Route 12-A to provide adequate site distances.**

Seconded by Mrs. Smith-Hull. With seven members in favor, the motion was approved.

PLANNING & POLICY ISSUES:

Zone E: Mr. Edkins asked if the PB members want to do anything about making changes in Zone E. It was pointed out that they had put a provision into the Zoning Ordinance last year that would prevent most of the uses that would have been objectionable in all zones town wide not just Zone E. He read this section under General Provisions 8.4.3. There was a consensus of the PB members that they did not see a need to do anything else at this time.

Accessory Dwelling Units: Mr. Edkins had included in the PB packets the information received from the Office of Energy and Planning on “Planning for Accessory Dwellings”. He had copies of the email that Mr. Lincourt had previously emailed to them. This information was received at an Upper Valley Lake Sunapee Region Planning Commission meeting. Mr. Edkins had also distributed copies of the RSA, Chapter 674:71 on “Accessory Dwelling Units”. There are three things they need to address. Do the PB members want to allow detached accessory dwelling units and, if so, under what conditions? Mr. Edkins said there used to be a section in the

Subdivision Regulations that they could have a separate ADU but they had to be able to show that the property could be subdivided in the future. There was also a condition that the ADU had to be occupied by a family member or caregiver. That became a problem when the family member or caregiver was no longer there and the property owner wanted to rent it. When that became a problem those conditions were deleted from the Subdivision Regulations. Mr. Bruno pointed out that they could state that the two units need to indicate they could be subdivided by having their own well, septic and meeting the set-backs or there could be a condition that they could have an ADU but it can never be subdivided. Mrs. Francis referenced the OEP notice and feels Charlestown is in good condition in terms of affordable housing. Mr. Edkins noted that we allow one and two family dwellings now in all districts except the Watershed Zone. Mrs. Francis said they should look at building an attached “L” or expanding the main dwelling back. Mr. Cobb noted that some people want a supplemental garage with an apartment. Mr. Frizzell recommended they look at the problems they had in the past. Ms. Chaffee went to a NH Municipal Association training session on ADUs. There are two different perspectives: one criterion is that it has to have an interior door between the two units; and second that it has to be smaller than the primary house. They also mentioned that the primary dwelling has to be the unit for the owner. Mr. Edkins pointed out that the new law becomes effective on June 1, 2017. Mr. Cobb suggested defining an attached building as “something attached with a roof, foundation and workable doors to the two units”. There was discussion relative to various definitions on “attached”. Mr. Edkins summarized that they can be in compliance with the law with the understanding that they would allow an ADU in the Watershed Zone. Mr. Bruno felt they would have to have an amendment that the voters could approve and say “Within the Watershed Zone in order to meet the minimum requirements of the State statutes”. It should be on a contiguous foundation or a slab. Mr. Edkins will have a simple draft of this ready at the next meeting. They can address other issues such as “detached” down the road.

ADMINISTRATION & CORRESPONDENCE:

Next PB Meeting –November 1, 2016: Mr. Edkins reported that at the next meeting they will have a Boundary Adjustment application involving the Town’s Pine Crest Cemetery and Twin Maples Mobile Home Park. This was necessary to do some water line work on the Twin Maples MHP and the Town’s fence at the Pine Crest Cemetery. The Town gives them some property and Twin Maples MHP gives the Town some property; it squares off the lots. It will have to be approved by the PB first but then go before the Town voters in March. The Town can neither convey nor accept property without Town voter approval.

New Maps: Mrs. Francis asked if the PB members could have up-to-date new colored maps of the zoning districts. Mr. Edkins said it is possible and not too expensive. He has to find out if the new map has been created to include the expanded Drinking Water Protection area and the other zoning changes that were made.

NON-PUBLIC PB SESSION:

Mr. Frizzell moved to enter into a Non-Public Session pursuant to RSA 91-A:3 II to discuss (a) Personnel with just the seven PB members. Mrs. Francis seconded the motion; on a roll call vote with all in favor, the motion was approved at 8:38 PM.

The regular PB meeting resumed at 9:09 PM.

Mrs. Francis moved that the Minutes of the Non-Public Planning Board Session of October 18, 2016, be sealed. Seconded by Mr. Frizzell. With all in favor, the motion was approved at 9:09 PM.

ADJOURNMENT:

There being no other business, Mrs. Smith-Hull moved to adjourn this meeting. Mr. Bruno seconded the motion. With seven members in favor, the meeting was adjourned at 9:10 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 10-24-16

(Note: These are unapproved Minutes. Any corrections will be found in the Minutes of the November 1, 2016, Planning Board meeting.)