

# Draft

## Planning Board Work Session

December 6, 2005

**Members Present: Barbara Freeman (Chair), Bill Weiler (Vice-Chair), Al Bachelder, Ron Williams, Clay Rucker (Alternate Ex-Officio), Deane Geddes (Alternate), Lacy Cluff (Alternate) and Ken McWilliams (UVLSRPC).**

### Administrative Business

Mrs. Freeman called the meeting to order at 7:10 p.m.

### Case: Adm1-037: Building Permit Fees

Mrs. Freeman said that the Selectmen would like to change the fees for obtaining a building permit. She said that the Planning Board was responsible for approving or disapproving those changes. She said that Dennis Pavlicek, Town Administrator, was here to review the changes.

Mr. Pavlicek said that the reason the Selectmen wanted to change the rates was because there had been a significant decrease in the number of building permits for new houses in the past six months.

Mrs. Freeman asked why fewer building permits would necessitate raising the fees.

Mr. Pavlicek said that with this decrease, the current fees do not cover the cost of the Code Enforcement Officer. He submitted the proposed fees (see attached) and went over each item.

Mr. Weiler asked why he chose to do the calculations in two steps.

Mr. Pavlicek said that he got this structure from other towns. He said that in the future they could change the \$60 per square foot or they could change the amount per thousand.

Mr. Weiler said that he felt that it was more complicated than it had to be.

Mr. Rucker said that they were going to have a lot of questions because it would be difficult for people to understand.

The Board agreed.

Mr. Weiler recommended just charging the fee per square foot.

Mr. Pavlicek said that he would change it to \$0.30 per square foot for residential and \$0.40 per square foot for commercial.

Mr. Geddes asked if the fees were the same if the structure was attached.

Mr. Pavlicek said that other permits would be \$0.15 per square foot.

Mr. Pavlicek said that they would also like to keep the processing fee.

Mrs. Freeman said that she felt that a garage should be included with new houses.

The Board discussed it and decided that garages should not be included with new houses.

Mr. Weiler asked how often there were plumbing or heating only inspections.

Mr. Pavlicek said not very often. The Selectmen were proposing a flat fee of \$75 for electrical, plumbing and mechanical.

Mrs. Cluff asked if a permit was needed for any electrical or plumbing changes.

Mr. Pavlicek said yes, but the fee was usually waived for small projects.

Mr. Pavlicek said that they would also like to change the regulations so that the Selectboard would have the authority to change the fees without coming before the Planning Board. He said that he was not aware of any other Planning Boards that approved building permit fees.

Mr. McWilliams agreed. He said that usually the Selectboard approved those changes.

Mrs. Freeman said that the Planning Board would take that under consideration and discuss changing that at the next Town Meeting.

Mr. Weiler asked how the Town would raise an income for the enforcement of zoning.

Mr. Bachelder asked if the Code Enforcement Officer was currently enforcing zoning.

Mrs. Freeman said that those topics were not on the agenda tonight, but that they could be discussed at another meeting.

Mr. Pavlicek said that he would be updating the fees and posting them in the lobby.

A motion was made to accept the changes to the building permit fees. It was seconded.

Mr. Williams recommended changing the commercial processing fee to \$100.

The Board thought that was too high.

With no further discussion, 1 was opposed. Motion carried.

Mrs. Freeman said that at the next meeting the Board would discuss enforcement and if the Selectmen should have jurisdiction.

**Case: 2005-013: Los Cuatro Amigos – Real Estate Office and Wellness Studio –  
Rout 103 – Map 020 Lot 059-155.**

Mrs. Freeman said that Karen Baker from Los Cuatro Amigos was here to see about possibly getting a temporary permit to occupy the space that was not under construction. She had pointed out to Ms. Baker that that space could not be occupied until she had a Certificate of Completion from the Planning Board.

Karen Baker said that the last time she came before the Board she had come during a work session because she needed to move quickly because she had a tenant that wanted to occupy the space. That space did not have to be renovated and she did not realize that none of the space could be occupied until the building was complete. She said that they had laid the timbers to the standards of their site plan so that there was an entrance and exit. They had also installed a walkway. She was also open to any additional suggestions. She said that they would also install enter and exit signs for proper flow of traffic.

Mrs. Freeman referred to Article 9.1 of Site Plan Review. She said that until a certificate of completion was issued a performance bond for unfinished improvements could be set up.

Mrs. Freeman said that she could have an independent person come up with a value for the unfinished work and Ms. Baker could have a bond or letter of credit issued in that amount.

Mr. Rucker asked about safety concerns. He was concerned about the public with the construction equipment.

Ms. Baker said that there was not a lot of equipment, but that they could rope off the left portion of the parking lot as a safety feature.

Mr. Williams asked about sanitary facilities.

Ms. Baker said that they were not in place yet, but that the tenant was okay with that.

Mr. Rucker asked what the Town's liability would be if the Board were to allow this space to be occupied without a Certificate of Completion and someone were to get hurt.

Mr. McWilliams said that the Code Enforcement Officer should look at safety when inspecting.

The Board agreed to have the applicant provide them with an estimate of the cost of the work to be completed and provide a letter of credit.

Ms. Baker said that she could provide the Board with estimates that were given to the bank for the construction loan.

The Board felt that would be adequate.

Mrs. Freeman asked that she fence off the side of the parking lot that was under construction. She said that when Ms. Baker submits the letter of credit, she would send a letter giving her permission to occupy that space before receiving a Certificate of Completion.

Mr. Weiler said that the parking for that site was based on the owner of the wellness studio working with individuals, not classes.

Mrs. Freeman said that she was out of town for that hearing and said that the Board could research that.

Ms. Baker said that the classes were in evening when the real estate office was closed. She said that there were daytime classes, but that they did not have a lot of people.

### **Case #: Adm1-061 - Master Plan – Community Attitude Survey**

Mrs. Freeman said that Mr. McWilliams needed to finalize the survey.

Mr. Williams said that he thought the survey had improved significantly. However, he did not understand what was meant by re-establishment in item d., question #3.

Mrs. Freeman suggested just saying “along route 103 and 103B”.

Mr. McWilliams said that he recommended setting up along a continuum, agree, strongly agree etc., for questions 2, 3, 4, 5, 6, 9, 10, 11, 12, 16, 17, 20, 21 and 23. This was a request made by Jim Powell.

Mrs. Freeman was concerned that if they get just a small sample that it would be really watered down.

Mr. Williams said that he thought that it would be still be just as valid.

Mrs. Freeman asked if having a continuum would take more time.

Mr. McWilliams said that it would take a lot more time.

Mr. Geddes said that he worked on the watershed survey and felt that having a continuum was the best approach even if it took more time.

Mr. Rucker suggested finding a middle ground by decreasing the number of questions that they use a continuum on.

The Board agreed that was a good idea and decided to determine which questions they should use a continuum on as they went through the survey.

Mrs. Freeman asked that Item 4 include no new development of commercial uses as an option.

Mr. Weiler said that was covered in item 3.

Mrs. Freeman said that she would like to include it in item 4 to be consistent.

Mrs. Freeman said that she would like question 8 to say “presuming that further residential development must occur in Newbury, which of the following types of residential development would you like to see.”

Mr. McWilliams said that it should also say “and where.”

Mrs. Freeman suggested that question 8 just say mobile homes, not manufactured.

Mrs. Freeman said that plastic should be removed from question 13 because the Town did not currently recycle plastic.

Mr. Williams suggested adding regular articles in the newspaper under question 14.

Mrs. Freeman thought that everyone was going to have a positive view on question 15 if they were not going to have to pay for it.

Mr. Weiler said that the cost would be so great that the Town or State would have to fund it, but then the regular maintenance would be paid for by the users.

The Board agreed and therefore decided to take out “...which would be paid for by the users.”

Mr. Williams suggested saying “operations and maintenance would be paid for by the users of the system.”

Mrs. Freeman suggested changing the wording on question 20 to “screening hillside development from lake.”

Mr. Weiler said that they should ask if they support enforcement of this.

Mrs. Freeman said that the Board needed to work on a mechanism for enforcement. The final responsibility needed to be clarified otherwise the Board was doing all this work for nothing.

The Board agreed that the following questions should have a continuum: 2, 3, 4, 9, 12, 20, 23.

Mrs. Freeman said that the Board wanted to have the survey available online.

Mr. Geddes said that it would be costly to have it be interactive.

Mrs. Cluff said that the Board could find a volunteer to do it. She said that she would ask Bill Cluff if he was willing to do it.

The Board decided to have the survey go out after the holidays.

**A motion was made to adjourn. It was seconded. Meeting adjourned at 9:00 p.m.**

Respectfully Submitted,

Lacy L. Cluff  
Recording Secretary