

**Washington Planning Board**  
**Meeting Minutes**

June 3, 2014

- 0.0 Assembly: 6:30PM
  - 0.1 Members present: Crandall, Cook, Marshall, Schwartz
  - 0.2 Alternates present: Kluk
  - 0.3 Members and Alternates Absent: Dagesse, Terani
  - 0.4 Visitors: Ed Thayer

Schwartz motioned for Kluk to sit in for Dagesse, Cook seconded and all voted in favor.

- 1.0 **Minutes:** Minutes from May 6, 2014, Crandall requested a few minor changes, the board agreed to the changes, Schwartz will correct and repost. Marshall motioned to approve, Cook seconded and all voted in favor.

As Chair, Crandall decided to take up New Business, 3.1, at this point because Ed Thayer was in attendance to discuss the issue with us.

- 3.0 **New Business:**

- 3.1 Ed Thayer spoke to us about a new Private Access, Drainage, Maintenance & Installation Policy that he had drafted to help clarify the town's policy with regard to private accesses off town roads, their drainage, maintenance and installation. He feels that in light of recent driveway and private road access questions that have come up the towns needs a clearly stated policy for dealing with these issues. He sent us an email 3 or 4 weeks ago about the Barteveian culvert issue and asked if he could meet with us about it. He spoke with Crandall and they decided Thayer should write up a draft policy that would cover his concerns. He explained that he has not had any clear direction on the owner/town relationships and was looking for more direction and flexibility. He drafted the document and sent it to us to look over. Thayer read through Section I Purpose, he requested that we add a line about a property owner needing to ask permission to excavate in the right-of-way and that the town can ask for a bond if needed. He said he asks for an as-built plan after the work is done to keep in his files in case something comes up later. Thayer requested that we add his document for Permission to Excavate into the Driveway Permit application. He requests we require filling of a new driveway permit for fixing or upgrading an existing driveway and consider waiving the fee for doing this. Marshall said that if we do this then when the town needs to do something later they will have diagrams for whatever work was done by the homeowner. It was agreed that we will work on incorporating the two documents together and Schwartz will post the Excavation Permission document to the PB document web page with the Driveway permit application. Thayer wants to add something about regulation authority and have the Selectmen have some authority as his boss. Marshall stated that if anything becomes an issue and something needs policing it is the Selectmen who would need to handle it especially if there was litigation, he wants the Selectmen kept in the loop. Crandall asked whether the whole RSA statute needs to be written out as a part of this document but everyone felt it was a good idea to have it in there. Crandall questioned in Section #3 whether or not Thayer needed to work with the Planning Board on every request. He feels that Thayer should assess requests ad then come to us when needed. Thayer was fine with this and he requested that we include "or his designee" in case he is not in town his designee could make a decision. Thayer mentioned we could add words stating that fees will be waived

for maintenance for any previously permitted or existing driveway for the Driveway Permit application. In Section IV Drainage Easements Thayer said that in his roads class he was taught to get easements anytime he can. Kluk asked if there are certain conditions where you want a drainage easement? Thayer said that where drainage structure drain onto someone's property we need an easement because within 5 years without an easement the property owner can ask us to remove the structure. After that they are prescribed and will stay in place. The property owner usually benefits by having the structure in place. Crandall was concerned that the document said we have to make a decision on appeals immediately. Thayer said decisions could be set aside and decided later (30 days). Thayer recommends we have a public hearing about the policy before adoption, even though it is not required. Everyone agreed. Cook made a motion to accept the draft of the Private Access, Drainage, Maintenance & Installation Policy with changes we agreed to, Kluk seconded the motion and all voted in favor. Schwartz will make the changes to the document and send it to PB members and Thayer. Thayer suggested we do the changes to the Driveway Permit application at the same time. We will review everything at our next meeting and set a date then for a hearing.

We then discussed the Barteveian culvert issue. Crandall wrote a draft follow up letter to the Barteveian's because we never got a response to our letter sent last fall about an easement. He read the letter to us giving them until July 15<sup>th</sup> to enter into and easement with the town. A few changes were suggested. We will send Thayer a copy of both letters for his files.

We discussed the Snow Road issue. An abutter is claiming that the town installed the existing culvert, which is now in need of replacement. The RSAs say that it is the abutter's responsibility to replace the culvert. Thayer said that winter maintenance is not considered regular maintenance, so even if the road had been plowed at some time in the past it is still a private road and not maintained by the town. Crandall asked how Snow Road was designated. Thayer said that there are no records of class designation or layout by the town, no documentation that it isn't a private road. The burden is on the abutters to prove it is not a private road. Crandall will answer the abutter's email about the issue. Thayer suggested referring to RSA 236:13, which applies to culvert maintenance.

We thanked Thayer for attending and advising us and went back to our agenda, returning to Old Business.

## 2.0 **Old Business:**

### 2.1 **Master Plan Update Committee status report -**

Kluk said the committee has been working on the focus group materials, which had been sent out to the board for approval. Crandall asked if anyone had questions or problems with the documents. Kluk explained that each focus topic had definitions, messages from the community survey that dig deeper and then we had handouts that will be available to all workshop participants. Kluk said the questions are for the facilitators to spur discussion within the group. Crandall asked if Planning Board members go will they be assigned randomly to groups also? Kluk said that members would float and be listeners, as will any Selectmen who attend. Marshall wants the discussions to go deep and come up with ideas. The MPUC is meeting next tomorrow at 2PM in the Town Hall to continue working on the workshop topics and get the PB feedback on the materials. We felt that no further meeting was necessary on the materials as they were approved by the board.

Crandall asked the Board members if they felt getting a packet of documents on the

Thursday before the meeting was helpful and is a practice that should continue. Everyone felt it was a good idea.

2.2 **Warrant article #29** – Crandall stated that the questionnaires were essentially the same as the versions we had last month except the EOC was added. Cook commented that 2 of the towns on our list were at a seminar that she is attending this week. They complained to her about getting a six-page document to fill out. Marshall said that the two towns she was referring to were ones they reached out to talk to but didn't get ahold of them, he will try to reach them again. Marshall said the questionnaires have already been sent and went to eleven towns. He said the Selectmen added Lempster, Springfield and Unity to our list of Freedom, Jackson, Stoddard, Bridgewater, Sandwich, Dublin, Bradford, and Woodstock. Crandall said we are unique and some of these towns are not comparable. Marshall said that traffic counts are different because most of the towns have a major road going through them. Kluk said that Rt. 31 is designated as a scenic byway by the state. Cook asked why we chose Bridgewater and Woodstock? Kluk explained to Cook how we came up with our list of towns using information available to us and cross referencing many factors. Marshall read us the cover letter for the packet that went out. Kluk said it is a moot point to review the questionnaires since they already went out. Crandall said few changes were made. Schwartz asked if the towns were given a deadline to return their responses. Crandall said they asked that they be returned by the end of June.

2.3 Schwartz gave Cook her new Planning and Land Use Regulation book. Terani will receive his next month or pick it up from the office.

2.4 **New Application for Home Business for Site Plan Review -**

Schwartz made the changes agreed to last month and posted the documents to the website.

2.5 **Fence issue** – Joe Tapp called Dagesse to ask about what was done about the fence issue he brought to our attention late last year. We discussed it then and decided that it was not enough of an issue in Washington to warrant an ordinance. We will revisit the issue in the future if it becomes more of a problem. The state's RSAs cover the issue well enough for now.

2.6 **Business Permit** - Brian Colley, TM 14-71, 89 Grant Road, for a trash and recycling pickup business, was tabled until we receive updated information required for the application. Dagesse to contact Colley for the needed information.

### 3.0 **New Business:**

3.1 **Private Access, Drainage, Maintenance & Installation Policy**, see above

3.2 **Jim Hofford's Opinion Survey** – The Board reviewed Hofford's survey. Marshall said that the Selectmen discussed it and decided that it was premature to send it out before the surveys went out to the towns. They intend to use it at some point but it is too early now. Kluk said that since it is early June did the Selectmen have a newsletter drafted to go out to the town? Crandall said it is written and going out later this week, he feels it is not Planning Board business. Marshall said he could get us a copy but not tonight, it is going out "every door direct mail" late this week. Crandall had a copy and shared it with us. Crandall will thank Jim Hofford for his opinion survey.

3.3 **Upper Valley Lake Sunapee Regional Planning Commission Annual Meeting**, takes place on Wednesday, June 18, 2014, 5:00 to 8:00 PM, at the Goosefeathers Pub, Mt. Sunapee Resort, 1398 Route 103 in Newbury, NH if anyone is interested in going to it, please sign up on their website.

4.0 **Driveway permits –**

4.1 We reviewed an application for a permanent driveway for Joseph Emund, Valley Road, TM15-18. A sketch map was provided for a permanent driveway. Kluk asked if there was a building permit for Mr. Emund, none was found.

Thayer checked the site and made recommendations. We called Thayer to ask if he wanted an easement for the road cut mentioned below the driveway location. He thought it was a good idea since the town had a drainage cut to maintain. We made this a condition of approval. Crandall will call Mr. Emund tomorrow to discuss the need for an easement. Cook motioned to approve the permit with the conditions, Kluk seconded and all voted in favor.

4.2 We reviewed an application for a permanent driveway for Lynn Cook, off Deer Valley Road, TM 9-13, for logging. Thayer and Marshall checked the site and made recommendations. Cook recused herself from the matter, Schwartz made a motion to approve, Marshall seconded the motion and all voted in favor.

5.0 **Mergers:**

5.1 Donna Lanni, Monroe Circle, TM14-258 and TM14-259, received the new deed for TM 14-259, making both deeds match for the owner of the parcels. Cook checked the deeds and all was in order, Schwartz made a motion to approve the merger, Marshall seconded and all voted in favor. The new tax map number was determined to be TM14-248 and Crandall signed the merger. Schwartz will forward the paperwork to the Registry of Deeds.

6.0 **Communications:**

6.1 DES, copy of notice of application acceptance for septic system, 1124 Faxon Hill Rd., TM 15-57

6.2 DES, copy of notice of application acceptance for septic system, 116 Taylor Circle, TM 14-54

6.3 Intent to Cut, TM 3-3, Old Mountain Rd. (Bradford side), Dickinson/Danek

6.4 Intent to Cut, TM 9-42, E. Washington Rd, (thru 13-38) Eccard

6.5 Intent to Cut, TM 9-13, Deer Valley Road, Cook

6.6 Intent to Cut, TM 17-15, Smith Pond Rd., Niven

6.7 Copy of Wetlands permit application for seasonal dock and beach sand replenishment for Antonio and Patricia Jorge, 101 Point Road, TM 16-387.0 Date for next Planning Board meeting, June 3, 2014, at 6:30PM.

8.0 Adjournment: Time 8:30 PM  
Motioned by Cook, seconded by Marshall, all voted in favor.

Respectfully Submitted,  
Nan Schwartz