

Washington Planning Board

Meeting Minutes

June 7, 2016

0.0 Assembly: 6:30PM

- 0.1 Members present: Crandall, Kluk, Dulac, Schwartz and Williams
- 0.2 Alternates present: Terani and Hatch
- 0.3 Members and Alternates Absent: Russell
- 0.4 Visitors: Stephen Lowe, Mike Leedberg, Kristine Chidester, Ryan Curran

Crandall opened the meeting at 6:30PM.

1.0 **Minutes: June 1st working session**, Williams had a few corrections to the minutes to clarify a few statements, Terani and Crandall found a couple of typos. Schwartz will make the corrections. Williams motioned to approve the minutes with corrections, Kluk seconded the motion and all voted in favor.

2.0 **New Business:**

2.1 **Liquor License issue**, joint letter from BoS and PB to Liquor Commission for an extension of time, working meeting date, **Ryan Curran**, new application for business permit – Ryan Curran, Washington General Store, presented us with a new business permit for the store to include serving beer and wine as part of the counter service. Crandall said we would look through his application and suggested a working meeting to look at the questions about the liquor license. Ryan is invited to attend that meeting. We explained to him that we have to hold a public hearing on his application. Williams asked about the letter to the Liquor Commission, he said the law changed in the 1990's after the town voted in 1964 to be a wet town. Curran said he spoke to the Liquor Commissioner and the law hasn't changed for wet communities. Crandall said that the Liquor Commission can issue a license if no questions are raised within 15 days of application. The letter asks for an extension of time of 90 days to consider the issue; he stated that it might not take that much time. The PB has to go through the site plan review process and will need copies of all Curran's food licenses, septic plan and any other pertinent documents. The board read through the joint letter to the Liquor Commission requesting the extension of 90 days for consideration of the license. Curran asked about why 90 days are needed. Crandall said there are questions on parking and Williams said that parking is not a closed issue for the Liquor Commission and the town. Curran said it was his impression that the Liquor Commission blessed the parking and the restaurant when he met with the representative. Williams said when the BoS met with the Liquor Commission rep the issues were not closed. Crandall explained that Curran needs to also meet the town's Land Use Ordinance. Williams made a motion to approve the joint letter (previously signed by BoS Chair Tom Marshall) have Crandall sign it and send it off to the Liquor Commission, Kluk seconded the motion and all voted in favor. Crandall signed it and gave it to Williams for DeFosse to send. Terani asked about the 90 days and Williams said that we would get it done as soon as we can within that period of time, maybe by the July meeting. Kluk explained to Curran that the change of use triggers a site plan review and the board wants to meet to go through the site plan application to decide what is applicable and not for Curran's intended use. Curran stated that the septic design

is not a problem for 20 seats; we will need a copy of the septic design. Crandall said we are trying to make it easier for Curran, Kluk said, to give Curran some perspective, that it is a normal process for any business application and we have to take the proper steps to protect him and the town. Williams asked if this is the only change he sees making to the business. Curran said he doesn't want to change the store, as of now there aren't any other things he can think of. Kluk said he has changed his hours on the new application, she suggested he might want to expand the hours on the application in case he might want to stay open on certain days. Curran said now they have winter and summer hours within the hours he set on the application. Kluk asked if he was going to serve beer and wine during all hours of operation and whether would he have house rules about only serving alcohol with a food purchase. She asked if beer would be on tap and Curran said no, only bottles and there would be no beer and wine served outside. He said that he is arranging the store so the grocery and restaurant spaces are separate and he will be using separate registers for each section and operate under two separate licenses. Crandall said we want to move it along quickly and we should meet next Tuesday or Wednesday. We set Tuesday, June 14th at 2PM for a working meeting. Schwartz will notice for this meeting. Schwartz gave Curran a copy of the Site Plan Review and application documents.

3.0 **Old Business:**

3.1 **Ryan Curran, Business Permit**, official vote to approve –

Crandall stated that the signing he did was not done properly and we need to have a new vote for official approval. He said we had no time to notice for a meeting before they needed the permit for the closing. Crandall talked to Steve Buckley at NHMA and he said we didn't follow the Right-to-Know law in approving the permit by email consensus. Crandall presented a drafted motion to ratify his signing of the permit document. Schwartz moved the motion and Dulac seconded the motion. Williams said that Crandall had two board members urge him to do it properly and 36 hours were available. He feels that as the Chair, Crandall should be more careful about doing things by the book, things like this get a town sued. He feels Crandall should be more careful and diligent to do things right. Dulac felt it does point out how much time it takes to do things properly and we should be careful. Crandall had drafted a motion to ratify the signing of the permit as follows "The Planning Board ratifies the signing and approval of the Business Permit for Ryan Curran for the Washington General Store issued on May 9th, 2016. We also note that because this was a grandfathered permit with no changes, a site plan review was not conducted or required." Schwartz moved the motion as written, Dulac seconded and all voted in favor of the motion to ratify.

3.2 **Mike Leedberg and Stephen Lowe, annexation:**

The board went through the application and reviewed the plat finding everything was complete and the annexation deed was provided. Mike Leedberg is dividing his lot TM 14-363 on Cooledge Road between himself and his neighbor, Stephen Lowe, they own TM 14-361 and TM 14-362 separately. We set the hearing date for July 5th at 6PM. Schwartz will notice for the hearing and let Leedberg know of the fees.

3.3 **Municipal Buildings Project:**

Dulac spoke about the meeting he and Crandall had with the BoS last Thursday. They met for about 45 minutes and he wrote up a summary of the meeting. He said the answers to our questions speak for themselves, there were also questions not asked directly but he felt that there is support for us from the BoS. He feels there are some things on the BoS want list that we may see as needs, such as the

Town Hall foundation that they are now seeing as a want, not a need. They said they would go along with a stabilization plan with associated costs. Dulac said we can go to them with any ideas, keeping them abreast of our efforts, they don't want any surprises. They said that whatever plan we come up with by September 30th, they may go along with but not necessarily. He said our questions were answered but there may be others. Crandall said it was a pleasant meeting but he feels the BoS will go along with us as long as we go along with their ideas. He thought they would only support the Safety building this year, anything else we suggest they won't go along with. Williams disagreed, saying they may go along with something larger as long as it fits their \$2 to 2.5M, needs not wants. Schwartz asked if the BoS is looking for a "one and done" or can we come up with a larger plan (with a larger cost) that is phased. Williams said they don't want to hear a \$3.5M plan. Dulac asked if the Schoolhouse is off the table? Williams said no, they want to hear what needs to be done, the full monty (at \$3.5M) is the problem paid for by entirely by taxes. We need to look at a lesser nut that covers needs. Williams said that T. Marshall said that he can speak for the BoS and there is movement on the board. They have had a conversation about \$400-500K for the Schoolhouse. Kluk had cost figures from the 2015 MBAC committee, which included numbers for phasing, which she shared with us. She wanted to talk about Wayne Reissle, who is doing work on the Schoolhouse. She spoke with him and he told her about the repair work he has been doing on the building recently and some of the issues he has uncovered. There are structural problems with the foundation, footings sills causing sagging and he found the furnace had no filter in it and the ductwork in the crawl space was rotted out heating the crawl space instead of the first floor. He feels there is work that needs to be done soon. He is happy to give us a tour. We decided to set a meeting with him for Wednesday, June 15th at 9AM. Kluk will contact him to confirm. Schwartz will notice for the meeting. Schwartz suggested we have a structural engineer look at the building next, if warranted. Terani said everyone should go over the reports done previously on the building. Schwartz said that Bill Cole's 2010 report did not reflect the problems found by Reissle. Crandall stated that the Schoolhouse building isn't historical and could be torn down and replicated instead of repairing it. Crandall asked if Cole should be invited to come along on the tour but we decided just to meet with Reissle at this time. Kluk asked about the missing furnace filter and said that we need proper oversight and maintenance on our town buildings. She suggested that the DPW crew could take over doing these tasks on a schedule. Terani asked about the suggested budget question for professional assistance and felt the BoS answer was weak. Dulac said they identified available money that they control and there is flexibility in their budget so we can go to them if there is a need. Terani said it smacks of distrust and we can't go running to them every time we need decisions. Schwartz said they meet weekly and this isn't a problem. Williams said that the BoS will consider what ever we come up with as a plan and budget and we can talk to them anytime. Schwartz asked about their meeting with Anthony Costello. Williams said he came up with 5 ideas for placement of the Safety building barn on the property. He was considering a building that was no longer back to back bays but a building now six bays long, to get away from the wetlands. Williams said he had sketches for them and he will share those with us. The BoS liked one in particular that played off of moving the barn and using the existing building, bringing it close to the existing. Schwartz said he isn't an architect. Williams said he works with

architects to site buildings and that is what he is looking at. Schwartz asked if he is being paid for his time and Williams said no. Terani said that he an Anthony Costello, who has his own civil engineering business, met in the CML parking lot the day of the primary voting and had a long discussion about Anthony's concern with the wet lands and different grading as well as the distance between the buildings. Terani's concern is the resulting logistic issues with the buildings so far apart especially in the winter, which Costello also shared. Terani is also concerned about parallel efforts going on. Williams said we need to take a vote to go with this project then the PB will be in the loop. Schwartz requested a vote. Terani said we need to talk about the definition of planning, what we are trying to accomplish and our scope of responsibility along with a budget to follow through with. Dulac agreed with Terani and said we will never get all this work done, we need to call in experts to help make decisions, he feels there are too many "lake people" on the board, He feels we don't have the expertise on the board, much has been done but much is still to be done. He thinks we should pick the projects and split them up to get it done. Kluk asked if he means we will only shoot for 2017 Town Meeting. Dulac said yes but he thinks there is not enough time. Crandall thinks much has been done and we can use all that.

Terani said he has a problem with question 3 concerning the payoff of the School bond. He had a conversation with Linda Musmanno, Chair Person of the WES School Board and feels it is a moot question as the bond will be paid off in August of 2016 with the allotted money including interest and is a closed issue. Dulac said most School boards expand their budget to include extra funding once a bond is paid off, in his experience. Schwartz said that our School board doesn't function this way; they have to justify all their budget items. We can go talk to them. Terani said that everyone should read the Task Force report, section 4 and how it was handled in that complex financial analysis. Williams asked what are we doing, we need to decide what we are doing. Dulac made a motion that we engage in working toward a warrant article for the 2017 Town Meeting concerning the town building projects, Crandall seconded the motion and all voted in favor. We will shoot for September 30th but if we take a little longer that is OK.

Schwartz asked if we wanted to form a committee to work on this so that alternate members would be full voting members for this effort. Kluk asked if we need to pull in some members of the public to help with the effort. Williams said we would have to ask NHMA if making a committee of the PB is legal. Dulac said that a lawyer at the conference said that alternates could participate fully up to the vote. Hatch said he is OK with not having a vote; we should be unanimous in our presentations. He feels it is important to take into consideration the comments make by the public; we should be the arbiters for the town. Crandall said that if Terani and Hatch were OK with it we would go without a committee.

3.4 **Corvus Tactical Training Facility proposed development in Bradford:**

Schwartz said there is no big news on this but there is an effort being made to put a conservation easement on the property. Williams said that he heard that the Corvus people sent word to Bradford saying they were going somewhere else.

3.5 **Spring Planning and Zoning Conference:**

Kluk commented that it was a really good conference this year and she shared a handout from the Legal Update session, which includes ADUs, agroturism and signs, several issues we are working on this year. Dulac commented that he noticed that the things we are concerned with discussing are also concerning to other towns.

- 3.6 **Sign Ordinance Update:**
Schwartz will contact UVLSRPC again. Kluk wants to set a hearing date to put pressure on. We decided to shoot for our August PB meeting. Schwartz will send the proposed ordinance to members.
- 3.7 **Master Plan:**
We are working forward on several LUO items and adding the index to the LUO.
- 3.8 **Building Permit issue:**
Williams said that the BoS is taking a look at the building permit. Schwartz said we need to work on definitions for the LUO concerning alterations to buildings.
- 3.9 **Accessory Dwelling Units:**
Kluk said we should read about them in the handout, she is working on drafting an ordinance. Hatch asked about the authority to do this. Schwartz said that the state passed a law allowing these and we can come up with some things that we can allow or not, such as detached or attached units, side entrances, occupation by unrelated people, etc. Kluk said DES is coming up with guidelines/rules for septic. Williams asked if they are two family homes. Schwartz said the ADU is always subordinate to the main unit. Crandall wants our ordinance to be as restrictive as possible. We will try to keep it simple.
- 4.0 **Driveway Permits:**
- 4.1 Sheila Anderson, TM 18-9 and 18-12, Russell Pond Rd. off Jefts Road, driveway for logging, Ed checked, Jim checked, bond posted for logging use of town road (King Street). Schwartz said they are doing some improvements to Jefts Road to get the logging trucks in and out. Kluk asked who polices the conditions put on driveway permits? Williams said he thinks Thayer checks things before the bond is released. Schwartz motioned to approve, Kluk seconded, all voted in favor. Crandall signed the permit.
- 4.2 John Antoniak, TM 12-48, Mill Street (near bridge) existing driveway upgraded from woods road, Ed checked, no culvert required. He lot is still owned by Borey, so the permit was sent back to have him sign it. There is no news; we haven't received the application back from them. Dulac asked why this is still on our agenda. Schwartz said it is an open item so she keeps it on the agenda so it isn't forgotten. Dulac wants it off the agenda; Schwartz will remove it if the Chair agrees.
- 4.3 Kristine Chidester dropped off a driveway permit application for a lot on Millen Pond Road. Schwartz will pass it to Ed Thayer and Crandall to take a look. We will take it up at our July meeting.
- 5.0 **Mergers:**
- 5.1 Elizabeth Harvey, 2100 E. Washington Road, TM 23-25 and TM 23-26, fee paid, deeds provided. Schwartz said all the paper work was in order, Kluk made a motion to approve, Dulac seconded, all voted in favor. Crandall signed the document and Schwartz will send it to the Registry of Deeds.
- 6.0 **Communications:**
- 6.1 Intent-to-cut, Mata, Halfmoon Pond Rd, TM 5-1
- 6.2 Intent-to-cut, Anderson, Jefts Rd., TM 18-9 and 18-12
- 6.3 Intent-to-cut, Rubega, Kingsbury Hill Rd., TM 17-8
- 6.4 Letter from Sullivan County Commissioners, introducing their new UNH Cooperative Extension field specialist, Carolyn Sweet.
- 7.0 **Meeting date for next Planning Board meeting, July 5, 2016, at 6:30PM**

10.0 **Adjournment:** Time: 8:50 pm
Motioned by Williams, seconded by Crandall, all voted in favor.

Respectfully Submitted,
Nan Schwartz