

Washington Planning Board

Meeting and Public Hearing Minutes

August 1, 2017

- 0.0 Assembly: 6:15PM
 - 0.1 Members present: Crandall, Hatch, Dulac, Schwartz and Williams
 - 0.2 Alternates present: Kluk
 - 0.3 Members and Alternates Absent: Terani and Russell
 - 0.4 Visitors: Kristine Chidester, Alan Chidester, Seth and Noah Chidester, Joyce and Lou Borey

Crandall called the Public Hearing to order at 6:15PM.

- 1.0 **Public Hearing for Chidester Subdivision** – Crandall asked if there were any persons opposing the subdivision, no one spoke up at this time. Alan Chidester gave us a letter of support from abutters, Bill Royce and Cindy Couitt. He said the surveyor researched the utility right-of-way and found that it doesn't exist anywhere, except as a mention in the deed. Crandall looked through the application and checked off all open items that needed to be added on the plot plan (square footage, locus map, 4 lots, etc.), since we last reviewed it. Dulac made a motion to accept the application as complete, Hatch seconded the motion and all voted in favor. There being no other public in attendance to comment Crandall closed the Public Hearing at 6:25PM.

Crandall called the Meeting to order at 6:30PM.

- 2.0 **Minutes:**
 - July 5, 2017** – No corrections were mentioned, Hatch motioned to approve the minutes as written, Williams seconded the motion and all voted in favor.
 - July 17, 2017 working meeting** – Correction mentioned to remove typo, Hatch made a motion to approve with correction, Crandall seconded the motion and all voted in favor.
- 3.0 **New Business:**
 - 3.1 **Meeting place for PB during TH construction** – Williams suggested and it was decided that we would hold our future meetings at Camp Morgan Lodge during the Town Hall construction period. Williams predicted we would need to meet there through March or longer depending on construction progress. Schwartz will let Deb know.
- 4.0 **Old Business:**
 - 4.1 **Beth Gallagher** – Rescinded her Business Permit Application from consideration after last month's meeting due to a mortgage issue.
 - 4.2 **Chidester:** Hatch made a motion to approve the subdivision, pending receipt of the mylars, Dulac seconded the motion and all voted in favor. Kristine Chidester provided the checks for the fees and Registry. Schwartz will take the mylars to the Registry after Crandall signs them.
 - 4.3 **Kirsten & Elizabeth Halverson business permit:** The Halverson's provided the maps we had requested for the business permit application. Schwartz also provided the abutter list. Kluk asked if they wrote a narrative or said how many people or how often they were expecting to have guests. Schwartz said we also need to have them fill out the application for site plan review. Schwartz will print

it out and get them to fill it out at the site walk. Crandall asked to set a time for a site walk. We set August 4th at 9am as the time, Schwartz will notice for this and Crandall will check with the Halverson's and let us know. We will meet at the house at 511 Faxon Hill Road.

- 4.4 **Lou and Joyce Borey cistern issue** – The Borey's came in to discuss with us their need to install a cistern on their property. A previous board approved their subdivision with the requirement that before any of lots 6 through 10 were sold they would need to install a 10K gallon cistern for fire department needs. The requirement and location for the cistern is shown on the registered mylar for the subdivision plan. They are proposing the use of a nearby pond on the corner of their lot TM 16-77-11, as an alternative to constructing the cistern. Dulac said we would need to speak with the Fire Chief to see if it would provide an equivalent water source. He thought we would then need to register it with the Registry of Deeds.

Joyce asked if we received a driveway permit application from Lavoie, who is interested in buying the lot that is triggering the need for the cistern. Schwartz said we had not received anything from him. Williams said that if they still owned the property, they would have to apply and sign the driveway permit. She said the location of the driveway is flagged already. Schwartz said they could get a permit to fill out from Deb.

Schwartz will contact the Fire Chief to take a look at the pond and cistern issue. Kluk asked about the setback for the pond from the road and Joyce stated it is up their driveway.

- 4.5 **Municipal Buildings project update:**

Williams stated that the Town Hall construction is beginning August 21st. They got numbers from Milestone and they are a little below budget. The construction will keep us out of the building for 6 to 7 months. Contractors are hard to get right now but Milestone has bids and the people to do the work. They will have the contract and GMP from Milestone later this week or next. The office trailer is in place and Deb is coordinating the move. The Selectmen, administrator, tax collector and town clerk will all be in the trailer. Lynda and the assessors will be in the Schoolhouse with the PD.

The Schoolhouse has had a structural assessment by a structural engineer and Drasba and they are writing a report on their findings. Williams said that the frame "torking" that was suspected by an earlier contractor was not a concern and the building's condition is OK but needing some work to be done. He said no work is likely to be done this year; it is too late and hard to do during TH construction. Dulac asked that if "torking" isn't a problem but the foundation is an issue can we talk about doing the foundation? Kluk said we should wait until the report comes out and then talk about it. Crandall said Drasba will give recommendations. Williams stated that this board has no authority, that responsibility sits with the BoS. Kluk reminded Williams that we can recommend items for the Capital Improvement Plan (CIP), so it is our responsibility. Dulac is concerned that we did a lot of work last year on the building projects and to get things passed at Town Meeting and now we have no authority to be part of the decision process.

Williams said that on the Fire/Rescue building, there is not great news. The wetlands permit was approved by NHDES but the Army Corp of Engineers now has the permit with 30 days to comment on it. He said if they wait they are done for the year. Costello and the wetlands scientist are working on the Corp to get the permit signed off on. Thursday they had a meeting with Ed Thayer and they

decided to go ahead and do the cistern and pump house this year and all other site work next year. Hatch asked about the Army Corp and if they always comment on site plans. Schwartz said usually on larger and municipal projects, they do. Williams said Army Corp has 18 or 20 more days to comment. Crandall asked if they got a loan or bond. Williams said they got a bond so they have to use the money by the end of the year (December 31st). If they don't move forward they will have to take the money and put it away for use next year. Hatch asked if they have plans from Morton yet, Williams said next week, probably. Schwartz asked what happens to the price from Morton if there is a delay. Williams said it would add 2 to 3% to the cost.

4.6 **Master Plan** – this is a placeholder.

4.7 **LUO Changes** –Hatch said he, Kluk and Schwartz met on July 17th and came up with some recommendations on the RV issue. Schwartz passed out a copy of their draft. Hatch said that one issue was trying to make things logical for the two different scenarios. We wanted to make the time periods match for both recreation and construction. 60 days doubling to 120 days (with a pump out receipt provided between the 2 periods) allowed for recreational purpose and removal after the permitted period. The other scenario is tied to an active building permit and visible signs of construction progress. This allows renewable 60-day periods (with pump out receipts) during the 2 years the building permit is in effect (and 1 extra year with BP renewal). Kluk said this gives emphasis on environmental concerns and asks for pump out receipts every 60 days. Hatch asked Williams how often they get pump out receipts. Williams said not often, they don't give out many RV permits and get no pump out receipts. Crandall is happy with the 60-day periods and asked if we should run it by the BoS. Williams said he will show it to the board but he is opposed to what was drafted. He thinks we should think about what it takes to regulate it, the BoS doesn't have the energy to enforce these things and it was better before. Hatch said that we had a 90-day period before but they wanted a whole season, which 120-days gives them. Pump out receipts have always been in the ordinance and are ammunition for enforcement. Hatch said he thought Williams would like it but Williams said no. Kluk said the teeth are there if someone calls to complain. Williams said last month he shared that there is stuff in the LUO that they can't enforce; the Police can't enforce it for them either. The Board needs to understand the issues; 90-days is too short. Kluk said we have no flexibility now. Williams said we are creating more regulation and more enforcement without payback. Dulac feels Police can visibly observe. Williams said no. Kluk said PB should present and BoS can comment. Kluk asked if we need to take a vote, Crandall motioned to take what was drafted and get feedback, then vote later, Hatch seconded the motion and 4 voted in favor, with Williams abstaining. Hatch will meet with the BoS on Thursday to present and discuss.

Hatch said that the committee also looked at 5.01 – building permits and structural alterations, when they met and we thought the intro paragraph was written out of order. We flipped the sentences and it made more sense. The new version would have to go to Town Meeting. Hatch said the structural alterations and structural parts definitions have been in the hands of the Selectmen but they haven't looked at them. Dulac asked about the changes. Crandall asked whether he would need a building permit if he were switching the location of his kitchen to the dining area. Kluk said we need to discuss internal changes that trigger the

need for permits. Hatch said conversion of a space to a bedroom would cause the need for a permit because of increasing the number of bedrooms and the load on septic systems. He said we were tasked by the BoS to come up with a definition for “structurally alter” and figure out when people need to get a building permit. He thinks an up front; a clear intro paragraph can help answer that question. Williams asked about the parentheses around “the exterior of” and Schwartz said she put them there to discuss whether to leave the words in or not. Dulac said the LUO should have some teeth and be clear. Crandall said the definition is not consistent with the LUO. Hatch said both are right, we should keep the exterior of in there. Dulac said when you have work done on your house a load-bearing wall is structural but other walls (partitions) are not and shouldn’t need a permit. Crandall suggested we just lose “internal or external” and stick with rearrangement of structural parts. He said “change of use in space” could be problematic, maybe we should lose this. Williams said we need a “structural parts” definition. Hatch suggested we add the structural parts to the structurally alter in parentheses, and lose windows, doors and floors since these are cosmetic in nature. Crandall suggested the committee work on it and bring it back to the board. Williams suggested the committee give thought to 8 to 14 scenarios that require a permit or not and use it as a test.

4.8 **Parking at the General Store:**

Williams said that the BoS is concerned about parking at the General Store along Rt 31. A neighbor has complained to Jim Grenier and NH DOT after being told that it is a state road and the BoS can’t do anything about complaints brought to them. Crandall said that a condition of the Business Permit was adequate parking and signs indicating where the additional parking is and that the driveways be kept open. Williams asked what is the process for dealing with non-compliance and do we have the authority to revoke someone’s business permit. Schwartz said we do but we are not going to do that. Hatch said that communication is necessary here, we should have a talk with Ryan, let him know that the authorities have been alerted and we that don’t want the state to get involved. Crandall said the Liquor Commission required a certain amount of parking. He needs proper signage and to encourage his clientele to use the spaces provided. Hatch and Dulac will go speak with Ryan and come to an understanding with him.

5.0 **Driveway Permits:**

- 5.1 Mark Dressel, 304 Old Marlow Road, TM 11-38, Ed checked, Jim checked. The permit was tabled until Crandall could speak with Thayer about the conditions he set on the driveway construction. Thayer will confer with Dressel during construction on whether a culvert is needed or not. Hatch made a motion to approve with the conditions in Thayer’s comments and his final approval of the construction of the driveway, Dulac seconded the motion and 4 voted in favor with Williams abstaining.
- 5.2 Shane Mulliner, 393 Faxon Hill Road, TM16-76 (Rte. 31, Mulliner’s business site to be accessed from Mill Street). Crandall sent a letter to Mulliner with our concerns and requesting information. He then spoke with Mulliner who told him that the driveway was to access a new log storage area off Mill Street and would not connect through to the other business site. He said he was avoiding the wetlands. Crandall filled in the use on the application. Hatch made a motion to approve the driveway, Crandall seconded and all voted in favor.

- 5.3 Peter Ofman, TM 16-94, East Washington Road, Ed checked, Jim checked. After Ed spoke with Mr. Ofman a map was provided to us and the lot was flagged and marked. Schwartz made a motion to approve, Hatch seconded and all voted in favor.

Kluk inquired about the driveway on East Washington Road with the black pickup parked in the ditch. Schwartz will check the permit and talk to Thayer.

5.0 **Mergers:** None

6.0 **Communications:** None

7.0 **Meeting date for next Planning Board meeting,** September 5, 2017, at 6:30PM or 6:15PM if a hearing is scheduled, we will meet at Camp Morgan Lodge (CML).

8.0 **Adjournment:** Time: 8:46PM
Motioned by Dulac, seconded by Crandall, all voted in favor.

Respectfully Submitted,
Nan Schwartz