

Washington Planning Board

Meeting Minutes - Draft

September 4, 2018

0.0 Assembly: 6:30PM, Town Hall

0.1 Members present: Crandall, Hatch, Dulac, Krygeris and Schwartz

0.2 Alternates present: Terani

0.3 Members and Alternates Absent: Kluk

0.4 Visitors: None

Crandall opened the meeting at 6:30 PM. He asked Terani to sit in for Hatch who was scheduled to arrive late.

1.0 Minutes: August 7th meeting – Crandall asked if there were any comments on the minutes. Krygeris caught a few things to correct and Hatch found several typos, Schwartz will correct. Krygeris made a motion to approve as corrected, Dulac seconded the motion and all voted in favor.

2.0 New Business:

2.1 Mingary yoga business – Crandall spoke about the web information about the yoga retreat that is going to take place in September. They are using multiple properties that they own to house the participants. We wrote to them last year after the 2017 yoga retreat and said that if they were planning to hold it again they would need to apply for a business permit. Krygeris asked if each house would be a separate business. We felt that was not the case, it is one business. Dulac said that Cummings doesn't feel that it is a business because it only happens once a year. Crandall said that they are charging for accommodations and yoga and it is a three day event. Dulac asked what penalties would apply if they don't comply. Crandall said the Selectmen would deal with levying penalties and the LUO states \$275 per day. Krygeris said the BoS could adjust penalties. Schwartz said that we asked them to come in twice but they have ignored us. If they don't believe it is a business they need to come in and make their case to us. Crandall said we should refer this matter to the Selectmen. Schwartz made a motion to refer the matter to the Select Board. She said if you are charging money for something it is a business. Dulac asked what makes it a business and added that he would recuse himself from any vote because he is related to Cummings. Terani asked what the LUO definition of a business is. Schwartz read the pertinent parts of the LUO aloud. Dulac doesn't think it is an ironclad description of a business. Crandall said we invited them to come to our meeting to speak with us and they chose not to. Crandall seconded Schwartz's motion to refer to the BoS, all voted in favor with Dulac recusing himself from the vote. Crandall will send the documents to the BoS.

3.0 Old Business:

3.1 Business Permits and term limits – Crandall asked if we want to establish term limits for business permits or not. Krygeris asked about Chute's business. Schwartz said we need to contact the new owners of Chute's business to transfer the business permit to them. Crandall said that limits are one way we can see if they are still in business and whether the business has changed. Krygeris suggested sending them a copy of their original application. Schwartz said that might be difficult for the businesses that were permitted many years ago. Crandall

- asked if we want to move forward with limits or not. Hatch is not sure what it would achieve but thought we should keep the list updated each year. He thinks those in violation wouldn't let us know and if there is an obvious change we can take it on a case-by-case basis. Crandall thinks a local business is in violation because of outside display. Crandall asked if they should amend the permit to include outside display. Krygeris asked why we are permitting businesses; he thinks it is to protect the neighbors and neighborhoods. They have a right to complain if there is a problem. Schwartz thinks they are a legitimate business that is trying to make a go of it. Krygeris thinks there is a duplication of effort here, the BoS enforce and there has to be a complaint. Crandall said we would leave the permitting as is for now.
- 3.2 LUO suggested change** – Krygeris said that the BoS looked into the issue and WLA is dealing with it at this point through their deed restrictions enforcement, because the LUO doesn't deal with multiple under 50 sq. ft. buildings. Hatch thinks the best way to deal with it is to strike the 50 sq. ft. limit. He asked about setbacks and Schwartz said these buildings have a lesser setback but they do have a setback that needs to be observed. Hatch said that at the ZBA he had a conversation with an abutter who didn't object but an existing foundation after surveying was found to have a setback problem. He was concerned about the closeness of buildings if he chose to build on his property. Crandall asked if we support the change in language. Hatch made a motion to make the change as written and bring it to Town Meeting for a vote, Crandall seconded the motion and all voted in favor. We will discuss the parking issue further.
- 3.3 CIP** – Schwartz said that she has received a few CIP request forms and is waiting for more by the September 12th return date. The Town Hall workers are requesting air conditioning after a very uncomfortable summer. Krygeris said that he was pushing to get a heat pump system for TH that would have heated and cooled the building, but the BoS decided against that. Schwartz asked if that could be added on to the system after the fact. Krygeris wasn't sure. Schwartz is working on updating the CIP document for 2019.
- 3.4 Anna Anelli's business permit application** – Crandall hasn't had any word from Anelli on her health permitting from the state. We will keep her application tabled until we hear from her.
- 3.5 Town Center Vision Subcommittee** – Crandall said we are meeting again tomorrow morning with Penny Whitman and Jared Reynolds from UNH Cooperative Extension. The architect we spoke with is coming up with numbers for the Schoolhouse and suggestions for phasing the project with priorities. Krygeris said he hasn't been able to attend the meetings but said he thinks a problem is that the town is divided up into lake associations, who want to be by themselves. Crandall said the town is fractured by many groups. Schwartz said that tomorrow's meeting is about community engagement. Crandall said that it has been suggested to enlarge the committee and get more people involved.
- 3.6 Municipal Buildings project update** - Krygeris said that he got the BoS to agree to spend \$400 to analyze the insulation from the Schoolhouse. The Health Officer got a sample and sent it out. Krygeris said that in talking to Mike Otterson that formaldehyde insulation was put in a lot of houses around town. Dulac said that the long view on the Schoolhouse if we go to Town Meeting with a recommendation for left over funds we need numbers from the architect to know what we need for cost. Crandall hopes the PB or subcommittee comes up with a plan for March for what to do and how to pay for it.
- 3.7 Master Plan** – this is a placeholder.

3.8 ZBA report – Hatch said that when a case brings up a bigger issue he will bring it to us. He said valuations and the expectations that those bring are a problem in the Valley Road area. He said they are advertised as having room for a house and garage but there isn't. He said the consensus on the ZBA is that 3 variances for one lot are too many. He said there is no precedence on these lots and we need to identify them. Schwartz asked if the BoS checks for as-built according to the plans and check the setbacks after construction. Krygeris said no, Schwartz asked if the Assessors catch that and Krygeris said no, they just measure for size. Krygeris said that most towns have a building inspector to catch problems and thinks we need one. Crandall said we need a compliance inspector.

4.0 Driveway Permits:

4.1 Bob Bachand, Millen Pond Road, TM 11-69, permanent driveway for home, Ed checked and noted that the driveway is already in, no drawing/map provided, Jim checked. Crandall said that he counts 4 driveway cuts on this lot, including the new driveway. Crandall spoke with Bachand to get clarification and Bachand said it is to park his backhoe and other equipment in the off-season. We determined that Bachand has over 1000 feet of road frontage, which makes the property eligible for another driveway. Crandall asked if we should double the fee because the driveway was put in prior to getting a permit. Dulac motioned to approve the application and waive the extra fee this time, Hatch seconded the motion and all voted in favor.

5.0 Mergers: None

6.0 Communications: None

7.0 Meeting date for next Planning Board meeting, October 2, 2018, at 6:30 PM, at the Town Hall

8.0 Adjournment: Time: 7:40 PM
Motioned by Terani, seconded by Dulac, all voted in favor.

Respectfully Submitted,
Nan Schwartz