

PLANNING BOARD MINUTES

March 13, 2024

APPROVED: March 27, 2024

AGENDA: **PLANNING:** Baptist Church Parsonage Proposal – Chritina Goodwin, Town Administrator

CASES: None

OPERATIONAL:

- Lake Street Split Zoned Lots – Draft Re-delineation explanation to correct Split Zones and schedule Public Hearing
- Discussion – Height restrictions in Lake District

ATTENDING: John Miller (Chair), Scott Sanschagrin (Select Board Representative) Don Milbrand and Steve Carten (Alternate)

ABSENT: David Shirley (Vice Chair) and Elizabeth Seeler

STAFF: **Staff:** Donna Sullivan (Land Use Administrative Assistant) Joanne Bailey (Land Use Manager), and Christina Goodwin (Town Administrator) *in person initially and later via Zoom*

Applicants, Professionals, and Public: Noreen Richards *via Zoom*

Chair Miller opened the meeting at 7:00 pm. He indicated that Alternate, Steve Carten would be seated as voting member due to absence of other Board members.

PLANNING:

Baptist Church Parsonage Proposal – Christina Goodwin, Town Administrator

Ms. Goodwin explained that the proposal needed to be reviewed by the Conservation Commission and the Planning Board before going to Warrant. She stated that she made a presentation to the Conservation Commission at its last meeting. The Conservation Commission has no issues and she read its official response to the Board.

She explained the proposal to purchase the parsonage and parking area. The plans were reviewed to proceed with the intention of unmerging with the Church lot, acquire the Parsonage and Parking area, demolish the Parsonage to make a safer driveway access off Central Square to the parking area and add some landscaping. She reviewed the cost estimate with the Board noting the negotiated purchase cost, demolition estimates and pavement costs. She added that landscaping trees would be added later. The big tree will not be removed.

Discussion followed about the safety issues with the impaired sightlines with existing Parsonage, the current dilapidated condition of the Parsonage, the safety improvement with demolition of this building, and the improved and safer access that can be provided to the parking lot. Photos were shared showing the condition of the Parsonage.

Chair Miller asked if the demolition budget included enough money for asbestos inspection and removal if found. Ms. Goodwin shared that this and lead paint was a consideration for demolition.

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Chair Miller asked how this impacts the Church for its use of and access to the parking lot. Ms. Goodwin explained it would not impact them, but there would be an easement included in the deed for Church access and use of the parking lot for as long as they continue as a Church.

Ms. Goodwin shared that there was a concern raised about the Parsonage being renovated for Affordable Housing, but the conclusion was that this would defeat the purpose of increased parking for the downtown and improved safety for traffic sightlines blocked by the building and driveway access.

Further discussion included the 10-year plan for sidewalks to Rite Aid and other sidewalk improvements. Chair Miller asked what comments or concerns were made by the Highway and Water/Sewer Departments. Ms. Goodwin mentioned that Highway Superintendent Bucklin was concerned about maintenance and plowing of the parking lot if the Parsonage was not demolished. Mr. Sanschagrín stated that Water/Sewer Superintendent Chartier mentioned the need for water and sewer pipe cleanouts and drainage/maintenance.

With no other discussion, Ms. Goodwin explained that a statement or motion in favor or against from the Planning Board was needed. Mr. Milbrand motioned that the Planning Board supports the project as presented because it is in keeping with the Master Plan, improves parking for the downtown and the demolition of the Parsonage will provide better sightlines with safer access to sidewalks and driveways in this area. Mr. Carten seconded. The motion carried 4-0-0.

Ms. Goodwin excused herself from the meeting and would follow the rest of the meeting from her Office *via Zoom*.

CASES: *None*

OPERATIONAL:

Lake Street Split Zoned Lots – Update/Discussion:

Ms. Bailey presented a spreadsheet to the Board that indicated address, zone and ownership information identified as being in the Split Zones along Lake Street. She stated that there are 24 lots that are in Split Zones and that the 7 highlighted in blue are ones that should be in a different zone. She indicated these would need a change to more appropriate zones, but she felt the other 17 would just need an update to the maps. She explained that because the original zone lines were made from Lake Street back 200 feet, some of the lots on side streets like Union Street were included in split zones. A tax map was shown highlighting with yellow those that would be Village Commercial and those in Orange that should be Village Residential. She indicated that the information was forwarded to the Town Attorney for consultation on a process and language, but a response was still pending.

Chair Miller stated that he would like to see maps and information that would indicate the lots with the two zones as they are currently and then an overlay map that would show this area with new zones proposed. He felt this would be helpful for the Public Hearing. Ms. Bailey will investigate getting this done.

Discussion followed about setting the Public Hearing for this change. Ms. Goodwin cautioned the Board about the need to inform abutters if the number of units in the areas for change was 100 or more. Ms. Bailey will work to get all the maps and information ready for discussion at the next workshop meeting.

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Height Restrictions in Lake District – Discussion:

Chair Miller acknowledged Ms. Noreen Richards who was attending via Zoom and asked if she was present for this topic. Ms. Richards indicated she was curious about this discussion and the Zoning Ordinance regulation.

Chair Miller went on to explain the reason for review of this part of the Ordinance . He stated that a property owner came in with plans to demolish a building and rebuild a new building in the Lake District. In this case, the owner asked for clarification of the Ordinance with reference to Article 4.12 where a non-conforming build would have the requirement to not increase height by more than 1 foot. The question is whether the intent of the Ordinance restriction was the same for a new conforming structure. Legal opinion was consulted, and it determined that a non-conforming building tear down with the new building built conforming to all setbacks then the 1-foot restriction would not apply but the 35-foot restriction would.

Because the intent requiring the 1-foot height restriction was determined to include both non-conforming and any new conforming buildings rebuilt in the Lake District, new language for the Ordinance was discussed. The proposed draft language to amend Articles 4.12 and 4.4 was discussed. More discussion followed about specifying heights that might make sense for these properties. It was proposed that other area Town Ordinances should be researched for common heights and practices in Lake Areas.

Ms. Richards shared her experience with asking about the existing height restrictions when people who were across from her sold property. She stated she was always told by people in the Town Offices that the restriction for height was within 1-foot. Chair Miller stated that this was the case before the interpretation was challenged. He explained that this language editing being discussed will help to clear up the issue of intent and interpretation. Ms. Richards added that her concern was the new people who move to the area with money and then interpret things in a way that they can do what they want but would impact values of other neighboring properties negatively in the Lake District. She stressed the need to make rules that are steadfast.

Chair Miller suggested that next steps for the process would be review of draft amendments by Town Counsel and then a Public Hearing. Ms. Bailey will move this forward to be addressed again at a future meeting.

Shoreland Setbacks

Ms. Goodwin spoke to the Board about another issue that was recently raised by a project regarding Wetlands Ordinance setbacks and Shoreland Impact setbacks. She explained that the Shoreland Statute cannot be violated so in the case of any infringement on shoreline setbacks, a Variance would be needed as well as Special Permits. The Shoreland Protection Act is a State Statute so this cannot be changed but the Ordinance may need to reflect language requiring compliance with this statute. She stated that this had been missed in past reviews and the Board and the Zoning Board will need to address this in the future.

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MINUTES:

The minutes of the February 14, 2024, and February 28, 2024, meetings were reviewed.

Mr. Sanschagrín motioned to approve the minutes from the Feb 14, 2024, meeting as corrected. Mr. Milbrand seconded. The motion carried 4-0-0.

Mr. Sanschagrín motioned to approve the minutes from the Feb 28, 2024, meeting as presented. Mr. Carten seconded. The motion carried 3-0-1 with Mr. Milbrand abstaining.

COMMUNICATIONS:

Ms. Sullivan shared a letter from Eversource about work planned on Hemphill Road. Because this is a Scenic Road, they will need to come in for a Public Hearing. A date for this hearing was set for April 24, 2024. Chair Miller asked if this could be the date for the Split Zoning Hearing as well. Ms. Sullivan stated that if all the language is finalized in the next workshop meeting, this Hearing could also be held on April 24th.

REPORTS

HISTORIC DISTRICT COMMISSION (HDC) - No Report

CIP COMMITTEE – Mr. Milbrand stated the Committee will meet next month and a Planning Board member should be appointed to the CIP Committee prior to their meeting.

CONSERVATION COMMISSION – Ms. Sullivan reported that the Conservation Commission met this month and discussed the Parsonage project with Chair Batchelder attending the site visit to this property with authorization to make comment on this project for the Commission.

LAND USE – Ms. Bailey shared that she will be meeting with Collier’s Engineering and Design on March 20th to talk about a Solar Project planned for a parcel off from Summer Street. This is an area of 40 acres with steep slopes. She invited Board members to attend if they wished. Ms. Goodwin stated that this may have regional impact if it can be seen by other towns. Chair Miller stated his concern was for the steep slopes impacts if there were any. This project would need review for Site Plan.

SELECT BOARD - Mr. Sanschagrín reported that the Board did site visit to the Baptist Church Parsonage and the Public Safety Building.

There was discussion about the progress with the Public Safety Building. Mr. Sanschagrín added The Town found a special plaque that was in the old Police Department building that was part of a special money gift which had a special condition for public meeting space to be available. He indicated the Select Board will be designating the Old Town Hall as this space. He also shared that the Select Board plans to name the Town Office Building after Barbara Greenwood.

He reported on the Election Day success and counts. Shaun Lagueux was appointed to the Conservation Commission.

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BOARD MEMBER COMMENTS:

Chair Miller mentioned Ms. Seeler not seeking re-appointment to the Planning Board after many years of service to the Board. Ideas were discussed for some appreciation activity or item for her. Mr. Sanschagrín added that the Select Board was looking for ways to recognize all the volunteers that give time to the Town.

Chair Miller also talked about plans for a podcast about the Planning Board that he will talk about more with the Board at a later date when more is flushed out on this.

STAFF COMMENTS:

Chair Miller asked Land Use Staff about the process to appoint Mr. Carten as a full member of the Board to replace Ms. Seeler. The issue of him serving on the Zoning Board as well was discussed and it was noted that he may have to recuse himself in some cases that might come before both Boards. Seeking new members was also discussed to manage quorum issues.

Ms. Goodwin shared that information will be on hand at the Town Meeting to encourage people to volunteer for Town Committees and Boards.

NEXT MEETING: March 27, 2024

ADJOURNMENT: With no other business before the Board, Mr. Sanschagrín motioned to adjourn. Mr. Milbrand seconded. The motion carried 4-0-0. The meeting adjourned at 8:31pm.

Respectfully submitted,

Janet Cote
Land Use Associate