

PLANNING BOARD MINUTES

August 23, 2023

APPROVED: September 13, 2023

AGENDA: 23IDW01 – Carrigan - #217-133-001 – Hall Road – Incorrectly Delineated Wetlands
CONTINUANCE REQUEST: #23SUB01 - Moniz - #218-011 – Peaked Hill Road
WITHDRAWAL REQUEST: #23SUB02 – Moniz - #218-007 – Peaked Hill Road
23PCC07 – Hobbs - #230-008 – Profile Falls Road
SET PUBLIC HEARING DATE: Proposed changes for Steep Slopes in Zoning Ordinance

ATTENDING: John Miller (Chair), David Shirley (Vice Chair), Scott Sanschagrin (Select Board Representative), Don Milbrand, Elizabeth Seeler and Steve Carten (Alternate)

OTHER: **Staff:** Christina Goodwin (Town Administrator) **via ZOOM**, Joanne Bailey (Land Use Manager) and Donna Sullivan (Land Use Administrative Assistant)

Applicants, Agents, and Public: Nancy Hobbs, John Carrigan, and Mr. John St. John, of EcoSystems Land Planning **via ZOOM**

With a quorum present, Chair Miller called the meeting to order at 7:01 pm.

OLD BUSINESS:

23IDW01 - Carrigan - #217-133-001 - Hall Road - Incorrectly Delineated Wetlands

Ms. Sullivan stated that this was a continuance and read the application information for the re-delineation request for Incorrectly Delineated Wetlands on property where he wants to locate a driveway for a new residence. She stated that the Conservation Commission had reviewed the Soil Scientist report and asked for additional information regarding the location of test pits and mapping to show new delineation boundaries and the Planning Board agreed to a Continuance so the applicant could provide the information requested. Mr. John St. John was contracted by Mr. Carrigan and he has submitted new report with mapping for the Planning Board.

Mr. Shirley asked for clarification of what the Board was looking to do this evening and what needed to be reviewed for a decision. He indicated that the new report from Mr. St. John of EcoSystems Land Planning was in response to the request for more information showing the newly delineated boundaries of the wetlands in the area where Mr. Carrigan proposes to place his driveway. It was determined that the Board needed to review the new information and make a decision to accept the new delineation.

Mr. Shirley motioned to accept application #23IDW01 as complete. Ms. Seeler seconded. The motion carried 5-0-0.

Chair Miller asked Mr. Carrigan to describe his plans for the lot and the reason for filing the Incorrectly Delineated Wetlands application. Because Mr. St. John was present via Zoom, he guided the Board with review of report and new boundary locations for the wetlands. The Board confirmed the methods used, soil boring information, and vegetation indications with Mr. St. John.

Following review and discussion, Chair Miller asked if anyone from the public wished to speak in favor of the application. Hearing no response, he asked if anyone from the public wished to speak against the application. Hearing none he asked if there were any further questions or comments. Hearing none, he closed the Public Hearing portion.

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Mr. Shirley motioned to approve the applicant's adjustment of the wetland's boundary according to the EcoSystem Land Planning Report and process the change to the GIS Wetlands map. He stated that his reason was that the applicant demonstrated the change was warranted as evidenced by submittal of a professional Wetlands Delineation report by the certified Wetlands Soils Scientist. Mr. Milbrand seconded. The motion carried 5-0-0.

CONTINUANCE REQUEST: #23SUB01 - Moniz - #218-011 – Peaked Hill Road

Ms. Sullivan presented the written request for a continuance to September 27, 2023, so applicants can provide additional information and updates to the subdivision plans.

Mr. Milbrand motioned to continue case #23SUB01 to September 27, 2023. Mr. Sanschagrín seconded. The motion carried 5-0-0.

WITHDRAWAL REQUEST: #23SUB02 – Moniz - #218-007 – Peaked Hill Road

Ms. Sullivan presented the written withdrawal of application request for case #23SUB02. She stated that the applicants will be coming back with new subdivision plans for a 5-lot subdivision.

Mr. Milbrand motioned to approve withdrawal of application #23SUB02. Ms. Seeler seconded. The motion carried 5-0-0.

NEW BUSINESS:

23PCC07 – Hobbs - #230-008 – Profile Falls Road

Chair Miller moved to the Preliminary Conceptual Consultation (PCC) application from Ms. Nancy Hobbs. He stated that this is an information sharing opportunity allowing the applicant to present plans and get feedback from the Planning Board as to what might be necessary to do the planned project. He stated it was not a decision but a conversation and cautioned that no activities should commence, or monies be spent until proposed activities discussed are properly permitted.

Chair Miller asked Ms. Hobbs to describe her plans for the lot on Profile Falls Road. Ms. Hobbs explained that she owns the .63-acre lot at 45 Profile Falls Road which is indicated as Map 230 Lot 008 and it has a two buildings on it. She intends to renovate both buildings to use one as a dwelling and the other as a fiber art studio.

Discussion followed about the plans with the Board members outlining the zoning compliance issues of minimum lot size, using same footprint for buildings, unattached and attached accessory building height restrictions, septic system location and other requirements. The applicant asked about concerns for her proposal to seasonally camp on the property temporarily while construction is ongoing and possibly complete renovations on the studio first to allow her to live in that while the dwelling construction continues and until she can occupy that dwelling permanently.

More discussion followed with Mr. Shirley summarizing that she could renovate the barn to a studio and temporarily live in it until the other dwelling structure is completed. Zoning Board review and variances may be needed to allow her to execute all her plans due to lot size and other compliance issues that may not be grandfathered. Other permits would be necessary to build and run a business at this location that

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the Land Use Office can help with. Mr. Milbrand suggested that A Minor Site Plan Review may be all she needs if the definition of this works and the Board could vote to allow this.

OTHER BUSINESS:

REVIEW/SET PUBLIC HEARING DATE: Proposed changes Steep Slopes in the Zoning Ordinance

Mr. Shirley and the Board reviewed and discussed the final updates and changes made to the Steep Slopes and Ridgelines Sections of the Zoning Ordinance. Chair Miller thanked Mr. Shirley for all his time on this.

The Board reviewed the new layer options for Steep Slopes on Town's Online Maps.

There was additional discussion about the Land Use Office preparing the final document for the Public Hearing. A date for the Public Hearing for this was discussed.

Ms. Seeler motioned to hold the Public Hearing for Steep Slopes on November 8, 2023. Mr. Shirley seconded. The motion carried 5-0-0.

DISCUSSION – Change in minimum lot size requirements when onsite well and septic is needed

Mr. Shirley reiterated his concern for septic and well locations on lots where wetlands and other setbacks are an issue. As discussed at the last meeting, he indicated that an increase of lot size requirements from 40,000 square feet to 80,000 square feet could improve this.

After some discussion about districts, residential vs. commercial use and areas that had sewer and water, it was determined that the change would be made to apply to zoning districts wherever development would require wells and/or septic systems.

Ms. Goodwin stated that this would have to be drawn up before it could be decided. This will be on the next agenda.

MINUTES:

Mr. Milbrand made a motion to accept the minutes from July 26, 2023, as written. Mr. Sanschagrin seconded. Motion carried 5-0-0.

COMMUNICATIONS: NONE

REPORTS:

HISTORIC DISTRICT COMMISSION (HDC) – Ms. Sullivan stated that the HDC met in August and won't meet again until October. Ms. Bailey updated the Board about the HDC activities to promote the Community Development 79 E Tax Incentive program for the Downtown area and efforts to recruit new members. She added that they may be seeing a case for façade renovations to a Pleasant Street property in the Historic District for the October meeting.

CIP COMMITTEE – Mr. Milbrand announced the CIP Committee met and he was elected Chair with Dan "Buz" Kenney elected as Vice Chair. They began the process of meeting with Department Heads to update the Capital Expenditure spreadsheet. They met with the Fire Department and Water Department recently and discussed plans and updated information for vehicles and other projects.

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CONSERVATION COMMISSION – Ms. Sullivan stated they will meet again in September. She indicated they are working on budget request or sponsorship to offer Conservation Camp opportunity to local kids and volunteers. Ms. Bailey stated that she and Ms. Sullivan would be meeting with the Conservation Chair, Dick Batchelder and Janet Cote to discuss Wetlands Zoning suggestions and clarifications for the Incorrectly Delineated Wetlands applications and process. She stated that the Conservation Commission invited Soil Scientist, Cindy Balcius to its September 6, 2023, meeting for a presentation on Wetlands Delineation. Chair Miller stated he was happy that the new layers available on tax maps will help to show the location with the overlay of the new wetland boundaries.

LAND USE – Ms. Sullivan reported that the new fee schedule will be active as of September 1, 2023. She stated that workload continues with the case load building with continuances and in the case of the Zoning Board with quorum concerns causing continuances. She stated that new members and alternates are needed for the Zoning Board. Ms. Bailey stated that a new temporary part-time employee will be added to the Land Use Office to be trained to take over when the current staff member goes on maternity leave. Ms. Goodwin added that this person is expected to train part-time, fill in while she is on leave and then slide into the full-time position if the current employee chooses not to return.

SELECT BOARD - Mr. Sanschagrín updated the Board about a tour of the construction activity at the new Public Safety Building. Other construction activities like the radiant flooring heat were discussed. He stated that the Police Department received a grant and the Select Board approved new equipment requests for speed indicator signs, radars, and other items. Other items discussed included updating purchase orders and the pursuit of USDA low interest financing for Public Safety Building.

BOARD MEMBER COMMENTS: None

STAFF COMMENTS: None

NEXT MEETING: The next meeting will be September 13, 2023.

ADJOURNMENT: With no other business before the Board, Ms. Seeler motioned to adjourn. Mr. Sanschagrín seconded. The motion 5-0-0. The meeting adjourned at 8:25 pm.

Respectfully submitted,

Janet Cote
Land Use Associate