

## PLANNING BOARD MINUTES

April 22, 2020

**APPROVED: 5/13/20**

**AGENDA:** 20SUP01: Special Use Permit Application, Black Brook Villa, #109-030-020  
20SUP02: Special Use Permit Application, Barron Rd, #209-051  
PUBLIC HEARING, EVERSOURCE: Potential tree removal/trimming on scenic roads

**ATTENDING:** Denice DeStefano, Don Milbrand (Sel. Rep.), Bruce Beaurivage, Betty Seeler

**ABSENT:** Paul Barnett, Jackie Elliott

**OTHER:** Tyler Simonds (Planner), Christina Goodwin (Land Use Manager), Applicants

The meeting opened at 7:10 pm with alternate Bruce Beaurivage being moved to a member to replace a missing Planning Board member and to provide the Board with a quorum.

Ms. DeStefano stated that there is still an emergency order issued by the Governor that allows for meetings to be held electronically due to the pandemic. Members are attending via video and telephone conference and the meeting is open to the public via the Zoom platform and regular phone access. The meeting continued by roll-call vote 4-0.

### **20SUP01: Special Use Permit, Black Brook Villa, #109-030-020**

The meeting was noticed in the Laconia Daily Sun, the Town's website and the Town Office bulletin board. There were no telephone calls, no written responses received, and no Department Head comments. The Conservation Commission recommended "to move the shed as close to the home as possible to minimize impact in the wetland setback".

Bernard Chartier submitted an application for a Special Use Permit on a property located at 273 West Shore Rd Unit 2, to place an 8 x 10 storage shed within the 50-foot setback of the wetland of the condo association property. Ms. DeStefano sited the application description – clear an area at the west end of unit 2, which includes removal of one (1) maple tree and hauling in fill to level the area for the shed installation. The applicant submitted permission of the association for the project. Mr. Chartier inquired if the Board has a copy of the diagram, which shows the condo building and proposed location of the shed. He reported that the shed will be a ready-made shed and not constructed on site. Ms. DeStefano pointed the Board to the considerations for decision, which include the application, public hearing comments, Conservation Commission input, Health Officer input, and other agencies, if any and then a full review of all the information to determine if any of the items meet the regulations.

Mr. Beaurivage inquired what building is unit 2 on the aerial photo submission. Mr. Chartier pointed out the unit is up the driveway, bear to the right and it will be the lower end unit closest to the woods. Mr. Beaurivage inquired if the driveway was in the Pemigewasset Overlay. Ms. Goodwin pointed out that it is part of the Wetlands Conservation Overlay District. The Board reviewed the sketch which shows the shed is 8 X 10, approximately 18 feet off the back corner of the building, approximately 11 feet off the deck and a minimum of 15 feet off the property line. Mr. Milbrand inquired on what would be stored in the shed. Mr. Chartier reported yard tools and garden shed usage.

## PLANNING BOARD MINUTES

April 22, 2020

Ms. DeStefano reread the Conservation Commission's recommendation. Mr. Chartier stated that he might gain some room to move the shed closer to the building but had to leave enough room for the mowing to take place.

Ms. DeStefano opened the hearing up to the public. No members of the public were in attendance to speak. Mr. Chartier reported that the shed had to be in line with the other units, with color etc, as required by the Association. Mr. Milbrand felt it was shielded, mostly, from the road.

Mr. Milbrand motioned to approve the application for a Special Use Permit with the condition that the shed be moved as close as possible to the home to minimize the impact on the wetlands, Ms. Seeler 2<sup>nd</sup>, the motion carried by roll call vote 4-0.

Ms. Goodwin advised the applicant that they will need to finalize the Land Use Permit Application before proceeding.

### **20SUP02: Special Use Permit Application, Barron Rd, #209-051**

The meeting was noticed in the Laconia Daily Sun, the Town's website and the Town Office bulletin board. There were no telephone calls, no written responses received, and no Department Head comments. The Conservation Commission recommended the following:

1. The wetland area behind the bard should be delineated on the plans so the septic system can be positioned as far away from both wetland setbacks. The preference being to place it equidistant between the two.
2. To verify that the septic has been designed to not leach septic into the river should it be overwhelmed during times of flood.

Ms. DeStefano asked Mr. Simonds to read the meeting requirements. The applicant is applying for a Special Use Permit to install a septic system within the 125-foot setback of a wetland. Ms. DeStefano sited the application to install new septic within 125 feet of the river as the older system is unknown and currently within 40 feet of the river. Mr. Chafe reported that he was trying to make sure that the septic was more in compliance so that is why he is here.

Ms. DeStefano inquired on the type of system and if designed. Mr. Chafe reported it was designed by Bruce Barnard and it is an Enviro-septic. Mr. Barnard has been out to the property multiple times and determined the proposed location is the best location for the septic. Ms. DeStefano inquired on the dimensions of the house, and the notation of being rebuilt within the same footprint. Mr. Chafe reported it will be smaller than the current footprint and is 26 X 36. Mr. Chafe will not exceed what is there but needs to replace the building as the sills are rotting and the building is extremely old. Mr. Milbrand inquired if the barn would be replaced. Mr. Chafe reported the barn is going to stay where it is. Mr. Milbrand inquired if there was any way to move the septic back further and Mr. Chafe reported that there wasn't as there is a stream in the back that they wanted to stay away from.

Ms. DeStefano reread into record the Conservation Commission recommendations. Ms. DeStefano opened the meeting for public comment. There were no members of the public in attendance.

Mr. Beaurivage inquired on how far from the wetland the proposed septic was. Mr. Milbrand pointed out that it is 77 feet from the river. Mr. Beaurivage inquired if the existing system was in front of the house.

## **PLANNING BOARD MINUTES**

April 22, 2020

Mr. Chafe reported that that was the correct. Ms. Goodwin pointed out the wetland in the back of the property and commented that moving the septic further back makes it closer to the wetland in the back. Mr. Milbrand pointed out that the new location for the septic is better as the road will act as a natural dike with regard to flooding.

Ms. Seeler motioned to approve the application for Special Use Permit with the conditions that: 1. The wetland area behind the barn should be delineated on the plans so the septic system can be positioned as far away from both wetland setbacks. The preference being to place it equidistant between the two. And 2. To verify that the septic has been designed to not leach septic into the river should it be overwhelmed during times of flood.; Mr. Milbrand 2<sup>nd</sup>, motioned carried by roll call vote 4-0.

Ms. DeStefano advised Mr. Chafe that Ms. Goodwin will be in touch regarding the next steps for the project.

### **PUBLIC HEARING, EVERSOURCE – Trimming on scenic roads**

Ms. DeStefano opened the public hearing for the request for Eversource to trim on scenic roads. The roads in Bristol that are scenic are Hemphill Road, Peaked Hill Road, Smith River Road, and New Chester Mountain Road. Ms. Goodwin pointed out the letter request is for all four (4) roads but the outline of trees doesn't show all four (4). Ms. DeStefano advised the Board that it is under the Planning Board purview to review and weigh the need for trimming and reasonableness of the specifications against the goals that the scenic road designation seeks to achieve.

Mr. Salas submitted a list to the Board just before the meeting. Trees are removed if they have some type of rot, or danger to them. Mr. Salas inquired if Hemphill Road is in Bristol or Alexandria. If you go up Bristol Hill Road and onto Hemphill Road, then Bristol is on the right and Alexandria is left. On Smith River Road, there is only a small portion that is Eversource. On Peaked Hill, he is aware there are some American chestnuts up there that they are planning to leave alone, if possible. The Ordinance applies to trees only within the Town's right-of-way.

Mr. Beaurivage felt that the trees should be marked so people know exactly what is being cut. Mr. Salas did present a list to the Board and noted that the trees are marked. Mr. Salas felt that the scenic roads are more single phase and rural areas and reports that they do not cut any trees without the owner's permission. He felt that most of the time they are doing the hazard work for the Town, by addressing the trees. Mr. Simonds inquired if whole trees will be removed. Mr. Salas stated they tend to go around every 4 years and each tree is looked at for damage etc. Eversource specifications call for the removal of brush and limbs less than four (4) inches in diameter, which are located within eight (8) feet to the side of, ten feet below, or fifteen above conductors. Mr. Salas stated that there are issues they watch for, such as wood-rot fungus on maples, woodpecker damage on poplars and pines and then plow damage. There will be some trees that they will need to take the whole tree.

Mr. Beaurivage inquired on the measurement indicated in the specifications. Mr. Salas stated that there are 12 larger trees on the list to be taken down in relation to their normal specifications.

Mr. Milbrand motioned to approve Eversource's request on the condition that the specifications contained in the letter and include those trees identified in the list provided 4/22/20 and that Eversource's contractor contact the landowner to approve before there is any action taken, Ms. Seeler 2<sup>nd</sup>, motion carried by roll call vote 3-1.

## **PLANNING BOARD MINUTES**

April 22, 2020

The Land Use Office will prepare the Notice of Decisions for all three (3) cases and send to the Chair.

### **APPROVAL OF MINUTES:**

The Board reviewed the minutes of April 8, 2020. D. Milbrand motioned to approve the minutes as written, B. Beaurivage 2<sup>nd</sup>, the motioned carried by roll-call vote 3-0-1, with Ms. Seeler abstaining.

Mr. Beaurivage left the meeting.

### **COMMUNICATIONS:**

None

### **UNFINISHED BUSINESS:**

Historic District Commission - Did not meet

Capital Improvements Program Committee - Did not meet but will meet next week.

Select Board – The Board is trying to keep ahead of the planning with the COVID pandemic. The Board has Plan A – just go as normal, Plan B – as the Governor issues orders we will adapt to it, and Plan C – we close everything down. Plan C is only as a last resort. The Board is also keeping an eye on finances.

Land Use – Mr. Simonds reached out to Melissa Levy about the REDI project. She is primarily working with Mr. Coates and the Economic Development Committee (EDC). They are currently in a holding pattern but will be primarily working with creative and the arts. They are applying for a no cost extension to allow the work to continue past the September deadline.

Mr. Simonds inquired with Lakes Region Planning Commission (LRPC) to check on the status of the Sewer to the Lake analysis and will hopefully have more information about this at the next meeting.

Ms. Goodwin is working on some enforcement issues including the Pawn Shop, and a property on Lake Street that is advertising storage by 5/1.

Land Use is working on recruitment. Mr. Nostrand is a possible solution. Ms. DeStefano offered to chat with Mr. Nostrand about the Board. The Land Use Office will also be working on slides and brochures.

Ms. Goodwin is working on some Health Office issues with properties on Crescent Street and Danforth Brook Road.

### **NEXT MEETING:**

The next Planning Board meeting will be held Wednesday, May 13, 2020 at 7:00pm. There are no applications, but the Board will review additional Zoning information. Ms. Goodwin will bring one of the violations in for the meeting, if the Board is meeting in person. Ms. DeStefano will call in for the 5/13 meeting but can't come home as originally planned before this meeting due to the pandemic issues.

With no other business before the Board, D. Milbrand motioned to adjourn, E. Seeler 2<sup>nd</sup>, the meeting adjourned by roll call vote 3-0, at 8:23 pm.

**PLANNING BOARD MINUTES**

April 22, 2020

Respectfully submitted,  
Christina Goodwin,  
Land Use Manager