

Washington Planning Board

Meeting Minutes - Draft

February 6, 2024

- 0.0 Assembly: 6:30PM, on 2nd floor of Town Hall
 - 0.1 Members present: Crandall (on FaceTime), Douglas, Martin (on FaceTime), Revane and Schwartz
 - 0.2 Alternates present: Kluk (on FaceTime)
 - 0.3 Visitors: Jon Piatt, Nick Cashorali, David Cheuvront, Peter Mellen, Sarah Levesque and Rachel Richardson

Crandall determined that a quorum was present and called the meeting to order at 6:26PM.

- 1.0 **Minutes: January 2 Meeting**– Crandall asked if any changes were needed in the minutes. Douglas said he had a general comment; he would like the Secretary to use “the Board” in place of “us, we or they” when referring to actions or statements by the Board in the minutes. All agreed. Schwartz will make those corrections to last month’s minutes. Douglas made a motion to approve the minutes as corrected, Crandall seconded the motion and all voted in favor. Martin questioned the ability for a member who is not physically in attendance to make or vote on a motion. Schwartz said that our Rules of Procedure allow members to fully participate in the meeting by electronic means as long as everyone can hear that person as the meeting occurs.

2.0 New Business:

- 2.1 **Bowen/Carlson/Nazarian annexation** – Peter Mellen, speaking for Bowen and Carlson, stated that the annexation that the Board approved in October 2023 and was recorded at the Registry of Deeds was never properly executed because the annexation deeds that are required were not done properly. At that time the annexation plan showed that Parcel B was being annexed to TM 14-138 and Parcel A was being annexed to TM 14-124. The two property owners drew up “quit claim” deeds that did not include the annexation language that is required (this language states that the annexed parcels are considered “merged” with the new lots and are not separate lots) and recorded them. Both parties had mortgages on their previously merged properties and were warned at the time that they needed to get approval from the mortgage holder for what they were doing. They didn’t do that at that time. Now Bowen and Carlson are trying to sell their property and the title company doesn’t have a deed that matches the annexation that was approved. Bowen and Carlson are now requesting to put their property back as it was before the annexation. Mellen stated that because the annexation deeds were not done correctly, the properties were never legally annexed. He is requesting that we conditionally approve a merger of the two annexed pieces back with their original properties. He has spoken with both the lawyer and the title company. There is a handicap ramp that exists with a portion over the side line of 14-138’s original parcel, but it is not a permanent structure and could be removed. Mellen said that the other party, Nazarian, is ok with undoing the annexation. Mellen stated that what we have at the moment is an illegal subdivision. He asked the Board to approve a merger conditional on receiving new deeds that put the properties back as they were (merged into a single lot). Revane made a motion to

- approve either the Chair or Clerk signing and recording the merger upon receipt of the new recorded deeds. Douglas seconded the motion and all voted in favor.
- 2.2 2023-2024 Planning and Zoning Books** – Schwartz handed out the new planning books to those board members in attendance. There will be books for other members when they return to town.
- 3.0 Old Business:**
- 3.1 Phil Byers – Business Permit application** – Schwartz said that the Board received the application for exemption to the Site Plan Review. The Board reviewed the application. Crandall questioned whether this business is accessory to the residence. Schwartz said he doesn't do any business on site but she isn't sure where he keeps his equipment. Crandall thinks we should do a site visit and process this under the Home business site plan review as we have done recently for other landscaping businesses. All agreed. Schwartz will send Byers the application to fill out.
- 3.2 Jon Piatt – Business Permit application** – The Board reviewed the application for exemption to the site plan review supplied by Piatt. Crandall suggested that the Board needs to do a site plan review for this. The business is on a separate lot (abutting the residence lot) so there is no dwelling on the lot. Piatt stated that 50% of his work is done at customer's houses. The building is 1100 sq. ft., (28'x40') one large space dedicated to his woodworking business. Kluk said that based on the criteria the Board needs to do a site plan review. Piatt asked if he was doing anything wrong. The Board assured him that he wasn't. Piatt said he needs to get working to support himself. He stated that he has cut the noise he was making when he was building his structure by 75% now that the building is closed in. He is doing his work inside the building. Revane said that there is a complaint on the table, made by the neighbor. Piatt said that the neighbor is not there during the week. Crandall said he had spoken with the neighbor. Crandall stated that the board needs to cover our bases and follow the permitting process. Kluk questioned if the business falls under 200.3 or 200.4. The board discussed and decided it is 200.3. Schwartz gave Piatt the Site Plan Review application and he will fill it out and return it. It was suggested that he could plant trees or bushes to screen his side line from the neighbors.
- 3.3 Sarah Levesque – Business Permit and sign application** - Schwartz said that Levesque's permit applications were both complete and in order. Levesque's business meets the Exemption for a Site Plan Review criteria. Crandall made a motion to approve both the business permit for a minor home business, cottage industry and the sign permit, Douglas seconded the motion and all voted in favor. Schwartz will send her the business permit.
- 3.4 Solar Energy Systems** – Schwartz sent out a copy of a model solar zoning ordinance for members to review. She said that several local towns have adopted this language. Crandall thinks we should initially address residential systems. The Board needs to discuss what we want to focus on and Schwartz suggested that when Board members are back in town we can hold a working meeting. All agreed. Revane commented that as things stand a system is exempt for permitting if it is roof top but if it requires a structure it needs a permit. Florence commented that ground mounted systems are not considered impervious. There was further discussion on these points. Revane said that 3 phase electric is not available in town so solar farms aren't possible now. Schwartz will move this item to unresolved business that needs further discussion.

- 3.5 LUO Driveway Section 307** - Schwartz gave the ballot to the Town Clerk to get it printed for Town Meeting. Florence said that he will not be speaking to the issue at the Budget Hearing or Town Meeting because he is running for the open Select Board seat. Crandall said he is happy to speak on the issue at both events.
- 3.6 Town Center Vision** – Revane asked Crandall to speak on the plans for access and the library adjacent property at the Budget Hearing. Crandall said he will project the plans on the screen so people can see them. Schwartz asked Revane about the shed replacement and he said there is a warrant article to cover that.
- 3.7 Camp Morgan Protection Committee** – No new news.
- 3.8 Master Plan** – Douglas said he spoke with Rebecca Levy from UNH Cooperative Extension in Newport and she said they will be happy to help us with the Master Plan update. She estimated \$2500 to assist and be the community liaison. She will provide the Board with a memorandum of understanding for our March meeting. Douglas said he will be away in May. Douglas said that Levy commented on the high quality of our 2015 document. Kluk commented that the scope of the update can just be the legally required sections (Vision and Land Use) and we can be less broad in our updating chapters.
- 3.9 ZBA Report** – Florence commented that the ZBA held a hearing recently and there was a question as to whether LUO 202 or 403 applied to the variances requested. He thinks the Board should look at the working of these sections and decide whether they need clarification.
- 3.10 UVLSRPC** – No report.
- 3.11 David Cheuvront** – Cheuvront said he was here to speak with the Board about his plans for his 328 acres on King Street and possible alternative development ideas. He is looking at septic designs and had several perc tests done. He is thinking about buildings on screw jack pilings that are removable. He said he wants to retain the character of the property and manage the forest. The development would be done in phases. He is concerned with the long term impact and wants to do something that the Town wants. He stated he came to town in 1970 as a friend of the Cofield's. He retired 11 years ago from a job at NASA. He wanted a property to augment his place on Island Pond and bought the property on King Street. He is interested in education and technology and wants to mentor high school kids. Schwartz asked if this is the Earth-Space project he presented before and he said yes. Kluk asked about the ownership of the property, it is in the name of an LLC based in Nevada, Cheuvront said he did a tax deferred exchange. Crandall asked if the road classification would need to be changed and Cheuvront said no (it is Class 5 summer maintenance only and Class 6 right after the property line). Cheuvront said that the thing that makes it interesting is it is seasonally remote. He said he will come back and visit the Board again when he is back in town and has a presentation he could share that includes a few colleagues of his.
- 3.12 Nick Cashorali** – Cashorali submitted his impact study to us for the warrant articles he has proposed. He said it was written using ChatGPT 3.5 (AI) to write the positive and negative arguments. Schwartz asked him for a digital copy so she can send it to those members that are out of town. The Board will review the document later. Cashorali said that the last time he attended our meeting he asked about the AI version of our minutes and meeting transcript and whether it was approved by the Board. Florence said that it is not approved as an official record for the Planning Board. His AI generated minutes and transcript done for the ZBA is approved by the Town's lawyer and is official. Florence said he uses open source software to generate them. Cashorali asked for a copy of the audio recording from the PB's December meeting. Florence will provide that to him.

Florence said the recording has a lot of cross talk and it is filtered using a speech detector in GPT 4 that does the filtering. Cashorali is concerned about changes to what people said. Florence said it is a neutral filter and not biased. Cashorali said there is an argument that it is politically biased and there are different interpretations for different people. Florence said it is an experiment and he doesn't feel it works well for the Planning Board but that it does work well for the ZBA. Cashorali thinks language is important. Crandall asked if the audio and video recording he is suggesting would apply to all boards and Cashorali answered yes.

4.0 Unresolved Business:

4.1 Halverson – subdivision or alternative access to property for building.

5.0 Driveway Permits: None

6.0 Mergers: None

Revane mentioned to the Board that a contractor came in to see the Select Board in regards to the 13 acre Rhoades property on Lempster Mountain Road and Rte. 31 North. He was also looking at an adjoining lot (TM 11-29) that is Meghan Tweedy's. His intention was to subdivide the land and build homes. There was also mention of elderly housing. The Board reminded Revane that Meghan's lot cannot be re-subdivided (this was a restriction put on the lots by Meghan at the time she created the lots).

7.0 Communications:

7.1 Email forwarded from Deb concerning the Piatt Business Permit, comments from abutter Caughey.

8.0 Date for next Planning Board meeting – Tuesday, March 5, 2023, at 6:30PM, in the upper hall at Town Hall.

9.0 Adjournment: Time: 8:00 PM

Motioned by Crandall, seconded by Douglas, all voted in favor.

Respectfully Submitted,
Nan Schwartz