

Washington Planning Board

Meeting Minutes - Draft

December 7, 2021

- 0.0 Assembly: 6:30PM, on 2nd floor of Town Hall
 - 0.1 Members present: Hatch, Crandall, Kluk, Revane and Schwartz
 - 0.2 Alternates present: Kapteyn
 - 0.3 Members and Alternates Absent: Terani and Chidester
 - 0.4 Visitors: Jim Garvin, Peter Mellen, Meghan Tweedy, Doria Kutrubes, Frank Fezishin

Hatch opened the meeting at 6:30PM.

- 1.0 **Minutes: November 2nd Meeting** – Hatch asked if any changes were needed, Crandall made a motion to approve the minutes as written, Kluk seconded the motion and all voted in favor.
November 9th Hearing, – Hatch asked if there were any changes needed to the Hearing minutes, Garvin made an objection to the wording attributed to Barton, Schwartz checked her notes and the statement was said by Barton. Kluk suggested several changes that Schwartz will make to the minutes. Kluk made a motion to approve with the changes, Crandall seconded the motion and all voted in favor.
- 2.0 **New Business –**
 - 2.1 **Sugar River Region Initiative, Sugar River Destination Development project** – Hatch spoke about an initiative that a group from the upper valley is working on to rebrand the Sullivan County area as the Sugar River Region and a project they are working on to market the region. They are looking for people interested in joining the group. Schwartz will send the email from them to all members.
 - 2.2 **PB End of Year Report** – Hatch said he is working on the year end Planning Board report for the Town's Annual Report. He didn't have a draft done yet so he will send one out by email for comments from members.
- 3.0 **Old Business:**
 - 3.1 **Capital Improvements Project (CIP)** – Schwartz said she sent the draft CIP document to the BoS to use during their budgeting process. She pointed out two lines that were still waiting for solid cost numbers. She will add them when they come in. We discussed the document and Schwartz answered questions for the board.
 - 3.2 **Roger Cullen, Site Plan Review** – Schwartz had let the board members know that Cullen sent an email to say he wouldn't be attending tonight as he didn't feel he was well enough prepared. Hatch stated that last month we gave him a list of items to work on toward completing his application. We held a preliminary hearing last month that was well attended, he stated that after the hearing we received some correspondence which required us to go to the town's counsel to determine whether this has any bearing on Cullen's business application. Revane said that we went down the path of considering the business application but subsequently it was pointed out that there was wording on the subdivision plan that might preclude the business use. Kluk said that this was an oversight on our part because when the board approved the subdivision it had constraints on it. Kluk said that the deed to the property references the plan for details. She said Cullen's deed is in violation of the LUO because it doesn't mention that the lot

- can't be re-subdivided as we require. The town attorney said that the LUO controls the further subdivision piece. He said that what is stated on the plan are the restrictions on the lot. Hatch doesn't think we have a solution yet, he would like to review the status and maybe ask more questions of the attorney. Kluk spoke about the document she sent out to the board which cited case studies and lessons from previous cases recommending how things should be handled by a Planning Board. She said Cullen should be at the table with us and we need to be careful and fair and reflect on what the attorney is saying. Kapteyn said we need to do more research because, per the attorney, it is a restrictive covenant. Hatch will call Cullen and explain what is going on. Revane will contact the attorney. Crandall asked what our liability is in this situation. Hatch said that the discovery of the deed language has caused us to relook at this, it was brought to our attention and we had to act on it. Kluk said that in the future we need take more time and look at any deed and documentation relating to an issue before us.
- 3.3 LUO Issues** – Schwartz sent out a draft of all the decisions/changes that we made at our working meeting. We went through the document and Schwartz will look at the RSA referenced on #303 and revise the language to match the RSA. It was decided to hold a Public Hearing on the proposed changes at our January 4th meeting starting at 6PM. Schwartz will notice for this and set up a Zoom meeting for the public and board members who will be out of town that night.
- 3.4 Town Center Vision project** – Crandall said we have met with Anthony Costello and have worked through many versions of a parking and access plan that have also been run by the BoS. The BoS have asked us to focus on the rear parking and walk/stair way. Revane talked through the latest proposal and said it is a good one, we'll see what the town says. Crandall got a ball park estimate from Chidester for the walk/stair way from the rear parking lot and Anthony is working with Thayer on the driveway and other needs to get a cost for the BoS. Kluk noted the need for a short walkway to the TH tower entrance. Crandall will have Chidester do a poster for Town Meeting.
- 3.5 Old School House project** - Revane said the BoS found a contractor to do the interior work on the Schoolhouse. They have pulled down the walls, levelled the floor and put in a subfloor. They have an insulation contractor coming in to do spray-in insulation. They are working on installing a wooden handicap ramp in the rear of the building. The windows are off getting rehabbed. They are happy about the pace of the work getting done.
- 3.6 Master Plan** – this is a placeholder.
- 3.7 ZBA Report** – Hatch said they met last week on a case he had to recuse himself from. They continued the hearing with no decision yet, because they had a legal question on one issue.
- 3.8 UVLSRPC** – Hatch said they have a meeting tomorrow night that he will attend. He mentioned the Sugar River Initiative and said there is good energy around it. They have some federal money coming to the counties.
- 4.0 Unresolved Business**
- 4.1 Georgann Casey** – No news.
- 4.2 Kathryn & Steve Becker and Jane Shamaly** – No news.
- 5.0 Driveway Permits:** None
- 6.0 Mergers:**
- 6.1 James and Rosemary Tyler** – 324 Highland Haven Road, TM 16-7-2 and TM 16-42, the deeds were provided and the fee paid. Schwartz just picked this merger

application up from the mail box and hadn't had time to check everything on the form. Hatch made a motion to approve the merger if everything is in order with it, Revane seconded the motion and all voted in favor. Schwartz will let Hatch know when it is ready for his signature.

7.0 Communications:

7.1 Letter from Peter Mellen regarding the Tweedy subdivision

7.2 Letter received from Don Damm with a question about subdivision and corporate bylaws.

Discussion – Hatch asked Garvin to come to the table and discuss his desire to join the board as an alternate member. Hatch explained to him that the Master Plan, which was written with the community's direct input, is our bible and what we do is guided by that and the LUO is how we get there. We are also bound by state law and the state mandates that we have an LUO enacted with the town's approval. Garvin felt that he wasn't treated fairly by the board on his RV ordinance change and he would like to see things change. He is a staunch land owner rights believer, not a malcontent, and wants to change how things are done. Discussion followed with no decision made. Garvin will return to the board next month.

We had a discussion on a board officer situation with no decision made on a resolution. Those involved were instructed to work it out.

8.0 Meeting date for next Planning Board meeting – January 4, 2022, at 6:30 PM, at 2nd Floor at Town Hall. **Public Hearing on LUO changes - January 4, 2022** - at 6:00PM, at 2nd floor at Town Hall.

9.0 Adjournment: Time: 8:46PM

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

Respectfully Submitted,
Nan Schwartz