

Washington Planning Board

Meeting Minutes - Draft

April 6, 2021

- 0.0 Assembly: 6:30PM, conducted on Zoom
 - 0.1 Members present: Hatch, Kluk, Crandall, Revane and Schwartz
 - 0.2 Alternates present: None
 - 0.3 Members and Alternates Absent: Terani and Chidester
 - 0.4 Visitors: Peter Mellen, Meghan Tweedy, Chris Krone, Karin Fredrickson-Fezishin, Cynthia Harvey, Steve and Kathy Becker, Joe Stefaniak, Tom Barton, Laura, Krystalin Haughwot-Dube, Andrew Van Praagh, Marybeth Zarlingo and Tom Tanner, Daniel and Laura Piscopo, Georgann Casey, Jane Shamaly, Josh Hall and Jenny Gilligan, and Michael Luciano.

Hatch opened the Public Hearing at 6:30PM.

- 1.0 **Public Hearing for Tweedy Subdivision, TM 7-27** – Hatch opened the Public Hearing and asked the attendees for comments on the plan. He described the subdivision as creating 6 large lots. He acknowledged the receipt of a comment letter from abutter Fredrickson-Fezishin. Kluk recapped that the 90-acre subdivision would be 6 lots on 2 adjoining parcels. She said that the LUO requires a cluster subdivision unless certain requirements are met. Tweedy met these requirements by creating large (>10 acres) lots that cannot be further subdivided in the future and wouldn't require any new roads. All the lots would be accessed from either Lempster Mountain Road or Rte. 31 North. Schwartz shared the plans on the screen and described the lot sizes. Several abutters wanted to see the plans in a larger format. Schwartz said the paper plans are available at Town Hall or she could email a digital copy to those who want it. She provided her email address so they could request a copy emailed to them. Stefaniak asked if multiple houses could be built on a lot. Kluk answered that the LUO only allows one residence on a lot. Mellen said that since the subdivision application was submitted they have had discussion with an abutter to TM 7-27-2 about a lot line adjustment/annexation to happen in the future. The Board agreed that a lot line adjustment/annexation is not a subdivision and would be allowed. Fredrickson-Fezishin asked where the Board is in the subdivision process. Hatch said this is the Public Hearing and the next step is approval or denial of the plan. She asked if anyone was going to develop the lots before they were offered for sale. Schwartz said no one was intending to develop the lots and they were being sold as parcels. Tweedy said she is willing to speak with any abutter and gave out her phone number to contact. Kluk made it clear that the town has only one zone and both residential and businesses are allowed. Schwartz said that businesses go through a separate process for approval including a Public Hearing before approval. Hatch asked for any further comments from the public and there being none, he closed the Hearing at 6:57PM.

Hatch opened the regular Planning Board meeting at 6:58PM.

- 2.0 **Minutes: March 2nd meeting** – Hatch asked if there were any changes needed, Kluk made a suggestion to refer to the LUO section 200.2, in 2.2, Schwartz will add this. Crandall made a motion to approve as corrected, Kluk seconded the motion and all voted in favor.

3.0 New Business:

3.1 Georgann Casey – Casey said she bought an extra lot from her neighbor a few years ago and merged the lot with her own in 2018. She now wants to unmerge the lots and sell one lot. She has made no changes to the lot and the iron pins are still in place. She doesn't want to do a subdivision to accomplish this. Hatch said that we have done research on this issue and there is no way to do this without subdividing. Kluk said that in talking with NHMA they said we were allowed to waive a new survey of the property if a previous survey exists. These lots are part of the Washington Heights Road subdivision and a survey exists that was signed by a registered surveyor in 1973. Mellen said that a new plan would have to meet the state requirements for the Registry of Deeds. Kluk said that Casey would need to find a surveyor that could work with the previous survey to draw up a new lot plan and print the mylars for the Registry. We also have to verify that the lots meet the latest LUO regulations for lot size, setbacks and buildable area. Hatch said we would check with the Registry of Deeds to make sure we are clear on their requirements. Schwartz said a Public Hearing would also be required. Casey said she is not going to subdivide unless she sells the lot, which she has put on the market with a stipulation that it is subject to subdivision. Hatch said we would do some more research and hold over the issue to next month's meeting.

3.2 Michael Luciano – Luciano called to speak with us about his .77-acre lot on Highland Haven (TM 16-33) that he has under contract to sell. He bought the property in 2011 with a septic design for a 2-bedroom home. The 2006 septic design was expired when he bought the lot and he never built on the lot. He has now sold the lot and is expecting to close on it on Friday. Meridian did the original septic design and is now saying that because of the wetland setbacks (50 feet) the design and house placement don't meet the present LUO regulations and they will need variances in order to build. Hatch explained the building permit process and the ZBA variance process. Luciano said that Meridian said the 50-foot setback from wetlands had changed. Schwartz said the setback has not changed. Revane said that NH DES approves septic systems, not the town and asked about the other setbacks on the property. Hatch said that the challenge is that we are getting a lot of calls from people asking if they can get a variance before buying. Every situation is unique and the ZBA considers each on its own merits and there are no guarantees. Kluk asked about the plan he has and he said he would send it to us. Luciano asked about his next step. Hatch said that ZBA would hear the case if it is sent to them by the BoS after a building Permit application is denied. Revane said that Luciano could come or call in on Thursday and the BoS would look at his plans and try to give him some guidance.

4.0 Old Business:

4.1 Tweedy Subdivision, Peter Mellen – Hatch asked if everyone reviewed the abutter's letter and everyone had. He said we went through the checklist last meeting and all was in order. Hatch mentioned that Tweedy had a conversation with another abutter concerning artifacts and Tweedy said she had and all was good. Schwartz said she feels that the abutter concerns were addressed at the Hearing, Kluk agreed. Kluk said that abutters wanted to look at the plans, do we need to accommodate time for that. Revane said the plans were available at Town Hall. Hatch made a motion to approve the subdivision and Crandall seconded the motion. Mellen said he still needs to stake the corners of the lots and update the subdivision plan with that information. Kluk made a motion to approve conditionally on Mellen setting the stakes, updating the plans, printing the mylars

and paying the application fees, Crandall seconded the motion and all voted in favor.

- 4.2 Lucky 7 Farm, Josh Hall and Jenny Gilligan** - Schwartz read the prior meeting minutes regarding Lucky 7 Farm's business permit application to the board. Schwartz sent the Site Plan Review application to them to fill out and return. She spoke with Gilligan who said they are just running the farm and farm stand. Kluk asked if the business permit application matched the website, Schwartz said no. Hatch asked if what is in the public domain is what they are doing. Hall said they are a farm with gardens and animals. They had a web designer make their website and put in a lot of things that they hoped to do in the future. He said they raise produce and animals and they attend farmer's markets and sell at the farm. They are locally based and focused on providing to the community. Gilligan said that in 2017 they took over the land and it was a farm when they purchased it. Hatch said that as per the LUO we have to permit businesses. Kluk suggested they change the website to match what they are actually doing. Revane asked whether the Skyline Lodge and Campsites exist, as there are prices and descriptions on their website. Hall said they aren't doing those things. Hatch said they want to treat this as a farm only. We will reset the Business Permit to reflect that. We scheduled a site walk at the farm for Sunday, April 25th at 11:00AM, Schwartz will notice for this.
- 4.3 RV Park plan for East Washington Road** – There is no news on this. We can check in with Hillsboro PB to find out where they are in their process.
- 4.4 Town Center Vision project** – We will wait until our May 4th meeting to schedule a site walk to come up with new plans for driveways and access. Crandall wants to meet with Provencher and Jager before then to look for ideas. Schwartz thought that would be OK.
- 4.5 Old Schoolhouse project update** – Revane said they would move ahead with more work on the OSH this year if the warrant article asking for money is passed at Town Meeting.
- 4.6 Master Plan** – this is a placeholder.
- 4.7 ZBA Report** – Hatch said the ZBA met this month and had 3 Public Hearings and 2 denials and a continuation. They can appeal for a rehearing.
- 4.8 UVLSRPC** – Hatch said they have not met but will meet this month. He has been pulling articles about issues from the local papers that he thinks might be useful for them.
- 4.9 Planning and Zoning books** – Schwartz said the books are available at Town Hall.
- 4.10 LUO Ballot questions discussion** – Hatch said he met with the BoS last Thursday and also spoke with Health Officer Bob Porter about the perc test witnessing. Revane said 66 perc tests were done last year and Bob Porter is part time with another job, the BoS is having a hard time figuring out the logistics. Kluk feels there is liberty in the language to merely witness that it was done. The BoS is considering appointing a deputy Health Officer. The BoS needs a form to sign off on, which can be basic as it is for the town only. Hatch will call Bob Porter and visit the BoS again Thursday.
- 5.0 Driveway Permits:**
- 5.1** Schwartz said that Deb let her know there is one driveway permit application in our mailbox. Hatch will take care of it when he is at Town Hall.
- 6.0 Mergers:** None

7.0 Communications:

7.1 Certified Letter from Karin Fredrickson-Fezishin (abutter) re. concerns about the Tweedy subdivision

8.0 Meeting date for next Planning Board meeting – May 4, 2021, at 6:30 PM, we will meet by Zoom.

9.0 Adjournment: Time: 9:03PM
Motioned by Crandall, seconded by Revane, all voted in favor.

Respectfully Submitted,
Nan Schwartz