

Washington Planning Board

Meeting Minutes - Draft

November 7, 2023

- 0.0** Assembly: 6:30PM, on 2nd floor of Town Hall
 - 0.1 Members present: Crandall, Douglas, Martin (late), Revane and Schwartz
 - 0.2 Alternates present: Florence and Kluk
 - 0.3 Visitors: Nick Cashorali

Crandall called the meeting to order at 6:30PM. Martin was not yet in attendance so Crandall appointed Florence to sit in for him.

- 1.0 Minutes: October 3rd Meeting and Hearing** – Crandall asked if any changes were needed in the minutes, Douglas stated that the changes he asked for were made previously. Douglas made a motion to approve the minutes as written, Crandall seconded the motion and all present voted in favor.
- 2.0 New Business:** None mentioned.
- 3.0 Old Business:**
 - 3.1 Zach Ordway – Business permit** – Crandall asked if we had the application paperwork from Ordway. Schwartz replied that we received the application materials from Ordway and they are complete, so we can set a hearing date for this. Crandall asked if a site visit was required and it was determined that it is. Ordway needs to be available for the site visit so Schwartz will coordinate the date with him and an email will be sent out to members with a date and time for the site visit. We set the date for a Public Hearing on Ordway’s business permit for December 5th at 6:30PM.
 - 3.2 Driveway Regulations** – Crandall said that Florence had made the previously requested changes to the Driveway Regulations. He had sent the revised documents to members for review. Kluk said that she came up with a solution to Thayer’s comment about LUO section 307.2 that seemed to make those homeowners that didn’t plow in the winter in violation of this section. She suggested removing the words “and maintained” from that section. Members agreed that this was a great solution. Crandall made a motion to make the wording change, Florence seconded the motion and all voted in favor. Florence will make the final changes and finalize the documents. Schwartz said we need to schedule a hearing for this issue. We set the hearing for December 5th, right after the hearing for Ordway’s BP. Florence shared a software concept document with the Board with the message that applications should be kept simple.
 - 3.3 CIP** – Kluk asked if Schwartz had sent the CIP documents out to members. Schwartz said that she was still waiting on receiving some needed numbers from Deb and will send the finished document out as soon as it is complete.
 - 3.4 Cashorali List discussion** – Crandall allowed the board members to revisit the list from Cashorali as some members were not in attendance at the meeting last month when he brought the list up to us for discussion. Martin commented that he was confused by the minutes of last month in regards to the list item #13. This item concerned getting rid of the need for the witnessing of perc tests by a Select Board member. Those members present agreed that perhaps this could be rescinded because NHDES is changing the criteria for subsurface septic systems, now using soil samples and getting away from perc testing. Florence wanted to

ask Cashorali a few questions as he did not have a chance to ask about the list last month. Florence raised a question on #8 and wanted to know if Cashorali was willing to do an impact study on all his suggestions. Florence commented that a result of his #1 is an ordinance change and if we did this he could fill his property with 200 sqft structures and fill them with pigs. Florence feels this would create environmental, cultural and other problems for the town. Cashorali answered that he shouldn't be held to a higher standard (requiring an impact study) that the Planning Board isn't held to now. Cashorali stated that the LUO has been sold as saving Washington but he feels that people who have moved here may not agree with the idea of what and how it is being protected. Cashorali believes that some of the LUO encourages suburban style land use rather than rural uses. He mentioned keeping low population density, discouraging other detrimental forces and not allowing large corporations in town. Florence understands his position but wants an impact study for each of his 12 proposals. Cashorali thinks that would put more regulation on him than we are held to now. He believes that people come up against a negative force when they try to do something with the town. Schwartz disagreed saying that we are open and welcoming to the people we deal with. She said we are happy to talk to anyone and we are open in our processes. Revane asked Cashorali who is pushing back because the boards aren't getting any feedback. Revane said that if there are too many variances requested for certain LUO regulations it can be a catalyst for changing the LUO. The process for amending the LUO is pretty simple. Cashorali said he is putting his petition out there for signatures, he realizes that it is too late for an LUO change article but wants the other items considered. Florence asked about the legality of the things he is suggesting, for example RSA 673.13 spells out how board dismissals are handled and what Cashorali is suggesting isn't legal. Cashorali said he has run his list by lawyers and they think it is all constitutional. Cashorali doesn't think the town is serving everyone in town, he thinks that some regulation is there to cause slow downs and that committees and boards meet at different times and it is difficult to attend all the meetings. Revane suggested Cashorali's purpose is to shrink government and get rid of boards. Douglas commented that to get these items on the warrant Cashorali needs to have the specific language and hold a public hearing. Florence noted that the Select Board has the authority to refuse to put illegal things on the warrant. The board agreed that further discussion was needed, maybe outside of the meeting. We thanked Cashorali for attending.

- 3.5 Town Center Vision** – Crandall said that the BoS has been given the committee's ideas and now will decide what they will put forward. He said the parking and access for the Town Hall is as it was before without the walkway. Kluk said that she has heard concerns about eliminating the driveway in front of the Town Hall. She suggested a narrow, one-way lane with travel from west to east. Martin agreed with this idea. Revane said he is removing the cones tomorrow and will try the narrow lane. Crandall said he will run this by the committee. Revane said that the BoS has a price for reconstructing the shed at the Library adjacent property, the idea to relocate the community garden to that property and other ideas for the use of the property. They will bring the ideas to Town Meeting with the thought that it can be designated a park with Parks and Recreation having responsibility over it and then money can be allocated to do the work there. Crandall commented that it should be made attractive as it is the north entrance to the town.
- 3.6 Camp Morgan Protection Committee** – Crandall said that the committee met and members were chosen by their boards/committees. He said that the committee's mission statement and rules of procedure were written. These documents are now posted on the Town website. They will also write a report to

- include in the Town Report each year. He said that the committee is ready to deal with anything that comes up. Martin added that a conservation easement was voted down by the Town and this is the alternative idea that was agreed on. Crandall said that this way the town keeps local control over the Camp Morgan property. Revane commented that it requires a $\frac{3}{4}$ vote to pass any changes to the property, which is a very high threshold. This committee sets up the process.
- 3.7 Master Plan** – Douglas he spoke with someone from the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) and that they are sending him a document and information about their services in helping with a Master Plan update. Schwartz mentioned to Cashorali that he might want to be involved with the update process. Crandall said that the update is required for 2025, the last update was done in 2015.
- 3.8 ZBA Report** – Florence mentioned that the ZBA has a hearing coming up in front of the Housing Board of Appeals on December 21st at 10am, inviting us to attend. He said you can also attend by zoom, if interested. He also mentioned a recent case involving a proposed building and septic system too close to wetlands. He said the area was designated as poorly drained soil. He mentioned that LUO section 303.1 says that septic systems should be no closer than 75' from surface water. Revane asked if wetlands start at poorly drained soils and do we need to define that? Florence said that the board looked no further than the LUO for a definition of wetland. Revane added that the town doesn't give permits for wells, the property owner is responsible for locating that with their well driller. If a well is too close to the road and becomes polluted it is on the owner. Crandall said that when the NHDES approves a septic system they look at well placement. Martin asked about wet conditions that may happen later because of the actions of an abutter or due to the road runoff. Florence said these small areas are not considered wetlands.
- 3.9 UVLSRPC** – No report.
- 4.0 Unresolved Business:**
- 4.1 Phil Byers Business permit** – Schwartz will send another letter asking him to return the application materials to us. Martin asked what his business is and Schwartz said it is a landscaping and property management business and that they also breed their dog and sell puppies.
- 5.0 Driveway Permits:** None
- 6.0 Mergers:** None
- 7.0 Communications:** None

Revane asked the board about transient stays in a structure that is not a dwelling. He said it is occasional weekends. The building has a convenience bathroom but no kitchen. He said that it was not built for this purpose so the Select Board thinks it shouldn't be used in this manner. Schwartz said that it doesn't have to be built for this purpose but that it is being converted (a change of use) to that purpose. Kluk asked if the building meets the guest cottage criteria. Revane said that it would but it is on a separate lot from the house lot. The question of whether it met the ADU criteria came up but it would also need to be on the same lot as the house. It was suggested that they merge the lots or try for a variance from the ZBA to bring it into compliance.

8.0 Date for next Planning Board meeting – Tuesday, December 5, 2023, at 6:30PM, in the upper hall at Town Hall. A Public Hearing will be held first with the regular meeting to follow.

9.0 Adjournment: Time: 7:45 PM
Motioned by Douglas, seconded by Crandall, all voted in favor.

Respectfully Submitted,
Nan Schwartz