

**Washington Planning Board**  
Hearing and Meeting Minutes - Draft  
July 11, 2023

- 0.0** Assembly: 6:30PM, on 2<sup>nd</sup> floor of Town Hall
  - 0.1 Members present: Crandall, Douglas, Martin, Revane and Schwartz
  - 0.2 Alternates present: Florence, Kluk
  - 0.3 Visitors: Patrick Dombrowski, Linda Marshall, Tom Marshall, Nora Janeway, John Tuohy, Robert Washington, Conlyn Washington, Nick Cashorali, Tim Kendrick, Ed Thayer

Crandall called the Public Hearings to order at 6:30PM.

**1.0 Public Hearings**

- 1.1 Crandall subdivision** – Crandall asked if there was anyone in attendance that wanted to comment on this subdivision on Faxon Hill Road. No one had a comment so he moved to the second public hearing.
- 1.2 Janeway subdivision** – Crandall said that this is a minor subdivision of a 45-acre parcel with an existing house. The intent is to split off the house with 4.1 acres leaving the rest of the property (41 acres) as a separate lot. Tom Marshall had a comment that RSA 231.79 covers Class 5 summer maintenance only roads. The Class 5 summer maintenance only road ends at the parcel's property line and it turns to Class 6. There are only 3 Class 5 Summer maintenance only roads in town and his concern is for the road. He feels a note should be attached to the subdivision plan that the property is on a Class 5 summer maintenance only road and it should be flagged for liability. Crandall, who was in the insurance business, said he didn't know if this is possible. Kendrick asked about Class 6 road maintenance. Revane explained that Class 6 roads are not maintained by the town except as Fire Lanes. C Washington asked about the subdivision and Schwartz showed her the plan and explained what Janeway was doing. Janeway said that she has people interested in the house and she wants to be able to sell it with 4.1 acres. She is interested in a conservation easement on the rest of the lot.
- 1.3** There being no further questions Crandall closed the hearing at 6:46PM. He immediately opened the regular meeting.

- 2.0 Minutes: June 6<sup>th</sup> Meeting** – Crandall asked if any changes were needed in the minutes, no changes or additions were mentioned Martin made a motion to approve the minutes as written, Douglas seconded the motion. All voted in favor.

**3.0 New Business:**

- 3.1 Ed Thayer – Driveway discussion** – Thayer came in to talk with us about his role in looking at driveway permit applications and also PB authority of driveway policy. He said that under state statute the authority is from the edge of the road to the end of the right-of-way and it covers the driveway cut only. Thayer said he wants everyone treated equally and he feels we are treating the policy as regulation. He said we can't mandate the construction details of a driveway. Crandall said we need to codify if we want to regulate that. There is a variance process for anything that doesn't meet the LUO but that can be onerous. T Marshall said that the BoS looks at everything in the building permit process. Revane said that you need the cut and beyond that the driveway is a separate thing. Florence said he looked at 15 other towns and the common thread was robust regs in the LUO. He asked Thayer about other towns. Thayer said that

some of our existing policy we used bullet points from LUOs. Thayer thinks the LUO keeps people from doing what they want on their land. He doesn't consider a driveway to be anything beyond the cut. Kluk said she understands the fear of more regulation but it is the Town's interest because it is a life/safety issue. Thayer doesn't agree that it is the Town's business. Florence thinks the Town has a genuine interest in safety. Crandall said we aren't going to come up with an answer tonight and we need to work on the issue and bring something to the voters.

#### **4.0 Old Business:**

**4.1 Crandall subdivision** – Crandall recused himself from the discussion and asked Fred Doulas to take over as the Chair for this issue. Douglas asked the public in attendance whether they had any questions or wanted to know more about the subdivision. Dombrowski showed the subdivision plan to create a one lot subdivision from a larger lot. T Marshall asked about the existing snowmobile trail and if it would be moved. Crandall said that it is still in the same location. T Marshall asked about a permanent easement but this was not the venue for that discussion. Douglas went through the list of waivers; fire lanes, water supply, septic system, etc. Dombrowski said the septic was being designed and a test pit was scheduled to be dug tomorrow. This will be addressed in the building permit process. These waivers were accepted by the Board. There were no other concerns voiced. Douglas asked for a motion. Schwartz made a motion to approve the subdivision plan as presented, Revane seconded the motion and all voted in favor. Douglas signed the subdivision plat as Acting Chair and Schwartz signed as Secretary. Schwartz will bring the mylar to the Registry of Deeds.

**4.2 Janeway subdivision** – Crandall took over as Chair and stated that the plan to subdivide a 4.05-acre lot (containing a circa 1830 house) from a 45-acre lot on Ayers Pond Road was accepted as complete last month and we accepted the waivers that were requested. The state sent their permission to subdivide. Douglas made a motion to approve the subdivision plan (and waivers) as presented, Revane seconded the motion and all voted in favor. Crandall signed the subdivision plat as Chair and Schwartz signed as Secretary. Schwartz will bring the mylar up to the Registry of Deeds.

**4.3 Discussion about the future development of property on King Street, TM 19-24** – Revane wanted to update us on discussions with David Cheuvront about his ideas for the King Street property that he purchased. He shared a power point document with the BoS that lays out ideas for the proposed project. Revane shared the document with the PB and it is available to anyone who wants to look at it. Kluk asked about other sites where they have set up research projects like this. Revane said it is a mix of public and private properties. Martin asked about people living on site and visitor numbers. Revane said that it is in the planning stages and the project would be phased, there are no plans to have people in residence there. Florence said there are some parallels to the space center in New Boston with the interaction between the town and the center. He feels it is good for the town. Revane is working with Daniel Thompkins on how this project can work within our LUO. Kluk and Douglas wanted to know traffic counts and road upgrading and timing of phases. Revane didn't have answers yet, but he said the town's people will have a say and Cheuvront is looking for input and feedback.

**4.4 Driveway Regulations** – We will continue to discuss this issue and work on a solution.

- 4.5 Town Center Vision project** – Crandall said that the subcommittee has met several times and good progress is being made on ideas for the Library adjacent property. We discussed expanded parking for the Library and moving the community garden there. Crandall is talking to Mike Carter about rehabbing the shed or putting up a new shed if it is too far gone to rehab. At the next meeting they will be looking again at the parking and access for the Town Buildings.
- 4.6 Master Plan** – Douglas said he read through Kluk's materials and the finished Master Plan and thought it was well done. We need to put together a committee for the 2-year project of updating the document. Only some sections may need updating and not the entire document. Douglas said he will take the initiative to get it going.
- 4.7 ZBA Report** – No report.
- 4.8 UVLSRPC** – No report.
- 5.0 Unresolved Business:**
- 5.1 Crestwood Business Permit** – Crandall will contact him.
- 5.2 Bruce Putnam Business Permit** – No contact with him.
- 5.3 Zach Ordway – Business permit** – No news.
- 5.4 Phil Byers Business permit** – Schwartz will send him an Exemption to the Site Plan application.
- 6.0 Driveway Permits:**
- 6.1 Tim Kendrick/Kendrick Living Trust**, TM 15-161, King Street, permanent driveway for home, Ed checked and signed with no culvert required, Crandall checked and was ready to sign it. Kendrick thought a culvert would be good at the ditch line, Crandall agreed and Kendrick was encouraged to use a culvert. Crandall signed the permit and Schwartz will send Kendrick a copy tomorrow.
- 7.0 Mergers:**
- 7.1 Fleury**, Long Pond Road and Bailey Rd, TM 20-92 and TM 20-101. Schwartz said that she received the paperwork and deeds for the properties and before we can merge the properties we need a corrective deed for the lot they purchased from the town. Schwartz spoke with DeFosse about getting this done.
- 8.0 Nick Cashorali** wanted to speak with us about the Master Plan and the LUO and permitting for structures. He feels the LUO is against small scale agriculture and the permitting process makes it hard for people (especially those of lower means) to do grow food and keep animals and chickens. He also thought that sunset clauses might work for the LUO, so that future generations can change things if they decide to when regulation makes things worse. He feels that the younger generation doesn't have time to be involved but is effected by the regulations. Douglas said that the LUO is a document that can be changed by petitioning. Nothing in the LUO is there without the approval of the Town's people. Cashorali thinks he can get 25 signatures to change the LUO. Cashorali talks to people and there is anger and frustration with the regulations. We are a rural community and there should be agricultural exemptions and promotion of agriculture. Schwartz said that the town does value agriculture and small agricultural use on property but setbacks are important to protect abutters and water quality. She said when we proposed the permitting of small structures it was meant to be a no-fee permit to check for setbacks. Revane said that the permit is to check setbacks and make sure it does not infringe on other people's rights or cause erosion or over building

on a small property, all these have been a problem. Cashorali thinks that we should remove the duty to investigate (BoS) because neighbors get in spats and go to the town for resolution and this uses resources. We should also stipulate the donation of permit violation fines to a worthy cause instead of putting them in the pocket of the town. He feels that freedom and property rights are inseparable. We thanked him for coming in to talk with us.

**9.0 Communications:** None

**10.0 Date for next Planning Board meeting – Tuesday, August 1, 2023, at 6:30PM, in the upper hall at Town Hall.**

**11.0 Adjournment:** Time: 8:28 PM  
Motioned by Douglas, seconded by Revane, all voted in favor.

Respectfully Submitted,  
Nan Schwartz