

Washington Planning Board

Meeting and Hearing Minutes

December 5, 2023

- 0.0** Assembly: 6:30PM, on 2nd floor of Town Hall
 - 0.1 Members present: Crandall (on Facetime), Douglas, Martin and Schwartz
 - 0.2 Alternates present: Florence and Kluk (on Facetime)
 - 0.3 Visitors: Zach Ordway, Nick Cashorali, Laura Rizzi, Barbara Druid, Jed Schwartz, Linda Halverson, Peder Halverson

Prior to the start of the hearing/meeting the Halverson's requested to be put on the agenda for our January meeting concerning a simple subdivision of their property.

Crandall called the meeting to order at 6:30PM. He handed the running of the hearing and meeting to Fred Douglas because Crandall was attending remotely on Facetime. Douglas called the Hearing to order.

1.0 Public Hearings

1.1 Ordway Business Permit – Douglas stated that the board held a site visit to the Ordway Farm on Sunday. He asked if the permit application was in order and Schwartz replied that it was. Douglas asked Ordway to speak about his business. Ordway stated that he does meat processing for hunters and people who raise farm animals for meat. He said his wife Delaney has the farm stand offering baked goods and bread. These are not their primary income, as he has a full time job. They are not looking to expand. He said there was a concern about the by-products and offal from the butchering and he stated that all of that goes to Hillsboro to the New England Upland Preserve. He said they raise several cows for themselves, meat chickens and a couple of pigs a year. They aren't looking to go any further. Douglas noted that we received 2 letters in favor of the business and one with concerns. The letters were reviewed. Martin asked about a concern over wetlands. Ordway stated that there are no wetlands. Druid asked about the septic tank size, she is concerned about expansion and they want to keep the area clean. Ordway said he tries very hard to keep his property clean. Druid provided Ordway with the pictures she sent with her comments. He said that this water is from his buildings' perimeter drains that daylight on the property. J Schwartz asked to speak, he stated he is in support of the business. He has been raising animals for many years and has gone to many processing plants. He said that Ordway runs a very pristine business and treats the animals with love. His operation is spotless and not his primary business, it is his craft. Schwartz said that he is also on the Conservation Commission and knows the watershed well, he sees no problem with drainage or wetland issues. Druid said they didn't know how large he wanted to get. Ed Thayer also processes meat on his farm and others in the area do also. Cashorali is in favor and wants us to promote businesses like this. Douglas closed the hearing for the business permit at 6:47PM and thanked everyone for attending.

1.2 Driveway Regulations – Douglas opened the hearing on the driveway regulation, updated permit and LUO section 307 changes at 6:50PM. Copies of the documents were provided to all present. He asked Florence to speak on the issue. The following are the remarks made by Florence:

"The town's decision to implement LUO 307 was driven by concerns regarding the impact of driveway design and construction on the health and safety of our

residents. However, we encountered an issue with the ordinance's language, which effectively prevented the town from regulating driveways that connected to state-maintained highways—for all practical purposes, those linking residences to Route 31. Addressing this limitation was our initial objective.

Consequently, we undertook a comprehensive revision of LUO 307. During this process, we identified additional problems. For instance, the original LUO was a mere 64 words, while the associated application form spanned 13 pages, filled with complex legal terms and conditions. To rectify this, we extracted the health and safety conditions from the application and incorporated them directly into the ordinance, thus creating LUO 307.2. This new section includes provisions such as limiting driveway grades to 12%, ensuring driveways can accommodate emergency vehicles, and requiring turnouts for driveways exceeding 500 feet in length.

However, our work did not stop there. We also simplified the application form by reducing the number of questions and presenting them more clearly. Despite this, the form still contained numerous conditional clauses, particularly concerning the connection of driveways to town roads. We divided the driveway into two segments for consideration: the section from the property line to the residence and the section where it intersects with the road, also known as the curb cut. The Department of Public Works (DPW) has a vested interest in the latter, for example determining if the curb cut requires a culvert and, if so, what length and diameter.

To address this, we compiled all the conditional clauses into a separate document titled "Driveway Regulations," which complements other planning board documents like subdivision regulations. We leveraged the work done by the town of Goshen, which had recently updated its ordinances in anticipation of an expansion by the Sunapee Ski Area, using their efforts as a model for our driveway regulations.

We now have three key components: a simplified application form, a comprehensive set of driveway regulations, and a draft of LUO 307. The draft of the LUO must be presented to the town for a vote on the same day as the town meeting. The driveway regulations, however, only require approval from the Planning Board.

Tonight, we have two items to consider. First, the approval of the driveway regulations and the application form. Second, we must approve the draft of LUO 307 so it can proceed to the budget hearing in January. If it remains un-amended following the budget hearing, it will then be placed on the ballot for a vote in March.

I propose that we conditionally approve the regulations and application form, contingent upon the town's approval of LUO 307."

Note – The approved LUO language does not go to the budget hearing for changes/amendments but is locked after the Planning Board votes to approve it at a meeting. Once approved by the board it moves to a special ballot at Town Meeting. It is presented at the budget hearing merely for informational purposes.

Cashorali had a question about whether the town approves the part that is the LUO change but they don't get to see the longer document. He asked if it will make driveways more expensive to put in. The consensus was that it would not be more expensive. Martin had a few questions about the regulations document. He asked about temporary driveways and utility maintenance, the document doesn't require a driveway permit for this. He pointed out on page 5, 10. Driveway Access Standards, Section A – he thought that "may" be flared should be "must" to be consistent, all agreed. He asked about the size of emergency vehicles and questioned whether an 8-foot minimum is wide enough (same page section C).

Schwartz will confer with the Fire Chief. Schwartz suggested adding sign off on the driveway permit (Part 2) by the Fire Chief, she will discuss with the Fire Chief. Martin brought up page 6, 11. Drainage, section C – they word should be “ensure” or “assure” not “insure”, all agreed. Martin asked about Performance Bonds and was satisfied with the explanation. Kluk said we need to make the typo changes and add the Fire Chief to the sign-off (permit and LUO section 307.2), if recommended. Douglas closed the hearing at 7:19PM and opened the regular meeting.

- 2.0 Minutes: November 7th Meeting** – Douglas asked if any changes were needed in the minutes. None were mentioned, Crandall made a motion to approve the minutes as written, Douglas seconded the motion and all voted in favor. Cashorali had a comment on the minutes, he said he agreed to hold himself to his proposed standard and that his lawyers said that his document and suggestions are legal and constitutional.

- 3.0 New Business:** None mentioned.

4.0 Old Business:

- 4.1 Zach Ordway – Business permit** – Douglas asked for comments or a motion. Crandall suggested that we put a condition on his permit saying that the by products/offal from animals being processed is disposed of at an off site location or facility. Martin made a motion to add the condition to the permit, Crandall seconded the motion and all voted in favor. Douglas asked for a motion to approve the Business permit with the condition, Schwartz made the motion, Crandall seconded and all voted in favor. Florence commented that the abutters have the right to appeal our decision within 30 days and the appeal would go to the ZBA. Schwartz will inform the abutters.
- 4.2 Driveway Regulations** –Florence said he will make the aforementioned changes and Schwartz will speak with the Fire Chief about widths and sign-off. If needed she will notice for another hearing before the January 2nd meeting.
- 4.3 Budget** – We discussed numbers for our proposed budget for 2024. Schwartz asked Kluk about what we spent last time we did the Master Plan update. Kluk said it is all in the book she gave to Douglas. Schwartz commented that we were quoted a high price from UVLSRPC to do it for us so we did it ourselves. She suggested \$1500 for this line and there are other places in our budget to get money for this if needed. We discussed all line items and put together numbers. Schwartz will send to Deb for BoS approval.
- 4.4 CIP** – Schwartz had sent the CIP documents out to members for review. She explained that the next year’s requests are in column 1. We reviewed the amounts. Martin asked to strike “moving the playground equipment” from the explanatory page. She agreed.
- 4.5 Town Center Vision** – Crandall said that he finds the newest plan for parking and access more difficult. Others agreed that the narrower one-way drive in front of the Town Hall is an improvement. Crandall said this adds two-way traffic from Gibson’s side. Martin asked about parking for the farmer’s market and it was agreed that this doesn’t change it. The plan is in the hands of the Select Board along with the plan for the Library adjacent property.
- 4.6 Camp Morgan Protection Committee** – Crandall said that a report has been written for the Town Report for the committee. Schwartz said that the committee documents are up on the Town Website and Conservation Commission members are working on a list of uses for the property.

- 4.7 Master Plan** – Douglas said he spoke with someone from the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) and that they sent him a document and quote for their services in helping with a Master Plan update. It is broken down into phases with costs. We discussed how we did the phases last time (the community event with breakout groups, etc). Kluk has agreed to help Douglas with the Master Plan update and asked him to reach out to the UNH Cooperative Extension to see what they might help with.
- 4.8 ZBA Report** – Florence mentioned again 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 said they didn't have any cases this month.
- 4.9 UVLSRPC** – No report.
- 5.0 Unresolved Business:**
- 5.1 Phil Byers Business permit** – Schwartz will send another letter asking him to return the application materials to us.
- 6.0 Driveway Permits:** None
- 7.0 Mergers:**
- 7.1 Stephen S Zuber**, TM 14-224 (.72 acres) and 14-225 (.85 acres) on Hayes Road. Schwartz said the deeds were provided and the fee was paid. Crandall made a motion to approve the merger, Martin seconded the motion and all voted in favor. Schwartz said she will sign the merger as clerk because the chair is out of town. The new lot number will be 14-224 and acreage is 1.57 acres.
- 8.0 Communications:**
- 8.1** Sandy Eccard, letter in favor of Ordway permit
- 8.2** Jim and Marianne Garvin, letter in favor of Ordway permit
- 8.3** Rizzi and Druid, letter with concerns about Ordway permit
- 9.0 Date for next Planning Board meeting – Tuesday, January 2, 2023, at 6:30PM, in the upper hall at Town Hall. If needed a Public Hearing will be held first with the regular meeting to follow.**
- 9.0 Adjournment:** Time: 8:07 PM
Motioned by Douglas, seconded by Crandall, all voted in favor.

Respectfully Submitted,
Nan Schwartz