

## Washington Planning Board

Working Meeting - October 15, 2021

0.0 Assembly: 9:00 AM

0.1 Members present: Hatch, Kluk, Crandall, Kapteyn, Revane and Schwartz

0.3 Visitors: Roger Cullen

Hatch opened the working meeting at 9AM to work through the list of LUO and other issues we identified as needing discussion. We went through the list as reordered at the PB meeting.

**1. RV Permits** during home construction, section 306 - We looked at the permit application as it is written and realized that the Construction permit and RV permit expiration at year-end was an issue that needed to be rectified. 306.02 should be changed to additional 6 month period(s) and that we should add “substantial” to replace “visible”. 306.4 will say that it excludes those RV permits issued under 306.0.2, while a construction permit is in force and the RV permit will reflect that the construction/RV permit will not expire at the end of the year but at the end of each 6 month period and can be renewed while a construction permit is in force and there is construction being done. We discussed the setback issue with RVs and whether a variance can be obtained if there is a setback issue. We discussed variances for these setbacks but the location is not permanent and would be impossible to monitor accurately. Kluk commented that this does not affect LAE and WLA as they have their own deed restrictions; she wanted to know how people who will be affected by this feel. Revane said that it came up 2 or 3 times last year and didn’t seem to get any pushback. We decided to take no further action on this at this time. We will discuss camp lots at a later meeting.

**2. Temporary Structures**, section 501.1 Permits Required and 202 Setbacks - We discussed whether we should require a permit that specifies dates a temporary structure is erected (which must be less than 180 days per year) and that it adheres to setbacks. We decided that we should require a separate temporary structure permit, issued by the Selectmen. Then they can check the setbacks for these structures, when they permit it. A definition already exists for a temporary structure.

**3.1 Conversion of shed to a dwelling and “season dwelling” into year-round dwelling**, sections 502.2, 502.3. We discussed the proposed LUO changes document that was drafted for this section. On 502.3 we decided to add “and non-Dwelling Structures” to the title and add “The conversion of an existing structure that is not a dwelling into a habitable dwelling must meet all the requirements of 305 and 502.1” to this section. We will change the **definition of Dwelling** to “A building or portion thereof containing one or more dwelling units, but not including recreational vehicles, camping trailers, trailers of any kind, hotels, motels, boarding houses, inns, clubs, lodges, tourist camps, or other commercial accommodations offered for occupancy.” And add “a building that was erected for seasonal use prior to the Land Use Ordinance regulations or in violation of the regulations and does not meet the minimum habitable dwelling requirements of section 305. All new dwellings regardless of seasonal or year-round use shall meet the occupancy requirements of the Land Use Ordinance.

**3.2 Minimum Dimensions**, section 305 – After discussion we decided to change the title of this section to “Minimum Habitable Dwelling Requirements” and remove the word “new” leaving “Any dwelling shall...”

**4.1 Building Exteriors**, section 304 – We discussed and decided that a more specific description of acceptable exterior materials is needed. The existing section says - Exteriors of buildings shall be constructed of high-grade materials commonly used for outside construction. Lesser grade coverings, such as tarpaper or smooth-roll roofing, are prohibited. Exteriors of temporary buildings must be maintained in good condition. We

will change this to “Exteriors of buildings shall be constructed of materials commonly used for exterior siding and is required for a Certificate of LUO Compliance for Occupancy. We will delete the line of the existing section saying that lesser grade coverings, such as tarpaper or smooth-roll roofing, are prohibited.

**4.2 Certificate of Occupancy**, section 502 (Occupancy) and propose revised section 305 (Minimum Dimensions) – We discussed the “Proposed LUO Changes” attachment for section 305, we decided that Deb should make the needed change to the existing Occupancy Permit. It should say – the building adheres to the approved construction permit and complies to the applicable sections of the LUO.”

**5. Business Uses – 200.4 and Shooting Ranges** (and other outdoor recreational uses and undesirable commercial businesses... dirt bikes, adult uses, wind farms?). We discussed the Business Use section of the LUO – 200.4. We decided to reorder the section (existing paragraphs will now be ordered as 3, 1, 5, 2, the line about Working Farms will be #4. The new paragraph 5 will now say “Junk Yards (as defined in RSA 236:112...), Commercial Landfills, Incinerators and Commercial shooting ranges are not permitted.”

**6. Farm Stands**, sections 200.1, 200.4 - We reviewed emails concerning the subject “farm/egg stand” and decided that no action was required at this time on this. We will take a look at RSA 21:34-a Farm, Agriculture, Farming, and think about defining “working farms” in the LUO.

**7. Business Use**, section 200.4 – We discussed the existing section 1 of the Business Use section that requires a 2/3 vote at Town Meeting if over 10,000 s.f. and whether this is a legal requirement. We decided to remove this requirement from the section. We should look at business setbacks to see if they should be increased.

**8. Camping on owner property** – We reviewed the NHMA email/Stephen Buckley from June 9, 2021 and the Newbury, NH, LUO section regulating camping. We decided that no action was required.

**9. Guest Cottage Occupancy Permit**, section 301.2 – We reviewed the revised occupancy permit and discussed the need to edit it to make it valid for one year each from July 1<sup>st</sup> to June 30<sup>th</sup>. This will make the BoS’s job of permitting much easier to keep track of the date that these lapse.

**10. Waterfront Property Sales** – We discussed the issue of the NHDES requirement to do a Site Assessment on septic systems when a waterfront property is put up for sale. We discussed the town’s process when there is a sale; the Assessors update sales transfers each week, but this is after a sale. The Town has no oversight as it is the owner’s responsibility to do the site assessment and it is part of a P&S. We will post the DES fact sheet on the Town’s website and consider sending it to all of the local lake associations.

**11. Roger Cullen Business Permit and Site Plan Review Application** – We went through the provided materials and the checklist. We noted that the plan needs to be stamped by a licensed surveyor and/or engineer. Schwartz will take the plan to the FD Chief, DPW director and PD Chief for review and requirements. We questioned whether a NH Natural Heritage Inventory needs to be done and we will look into this. We discussed adding the condition of no storage of snow in the wetlands or on the rain garden sites. They need to show how the electrical is routed on the site. We discussed his need possible for signage. Hatch made a motion to accept the application for review pending feedback from PD, FD and DPW, Kluk seconded the motion and all voted in favor. Schwartz will notice for a Public Hearing on November 9<sup>th</sup>, Tuesday, at 6:30PM.

**12. Adjournment:** Time: 12:30 PM

Respectfully Submitted, Nan Schwartz