

Enfield Planning Board – Meeting Minutes**DEPT OF PUBLIC WORKS/MICROSOFT TEAMS****February 14, 2024**

PLANNING BOARD MEMBERS PRESENT: David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell (Selectboard Representative), Brad Rich, Kurt Gotthardt (Alternate), Whitney Banker (Alternate)

PLANNING BOARD MEMBERS ABSENT: Phil Vermeer, Tim Jennings (Secretary), Jim Bonner (Alternate and Videographer)

STAFF PRESENT: Whitney Banker-Recording Secretary

GUESTS: Wilson Schreiber, Arthur Petusseau, Beverly Allen, David Beaufait, Sharon Beaufait, John Bergeron (Canaan, NH Planning Board Chair, via Teams)

I. CALL MEETING TO ORDER:

Chair Fracht called the meeting to order at 6:30 p.m. and took attendance of members.

II. PUBLIC COMMENTS:

Mr. Beaufait and Ms. Beaufait said they could not find the agenda for tonight's meeting online. They contacted the Town Manager's office, but they also did not have the agenda. Chair Fracht took note of this.

The board returned to public comments after reviewing the conceptual (below).

Ms. Beaufait said, regarding the proposed Laramie Farms development project, she had understood early on that the access from Maple St. would be emergency-only. However, the project is being called the "Maple St. project." Mr. Kiley said that the board had not seen the application yet, but he believed they were using Maple Street to satisfy the road frontage (with access coming down onto Route 4). Chair Fracht said that the board thinks the prior proposal of a development here (Iron Man) had received approval for access to Route 4. Given this, the board suspects that the NH Department of Transportation (DOT) will likely approve Route 4 access. In this case, Maple Street would be a pedestrian/bike access for residents or an emergency road.

Ms. Beaufait said she would like to see a survey of the pitch between the proposed development location and the Maple St. access to see how accessible this path would be for pedestrians.

Ms. Beaufait said that she wondered about accessibility to the village for residents of the proposed development and suspected they would wish to access Route 4 via the sidewalk if

possible. She also mentioned that she believed there was talk of access to Flanders St with the Iron Man development and wondered if this would offer residents better access to the village.

The board reiterated that they had not seen an application, and their last conceptual came over a year ago before the board. The board is under the impression that the plan has changed since that conceptual. If the project requires Zoning Board of Adjustment (ZBA) approval, it will go to ZBA before coming to the Planning Board (PB). Mr. Kiley said that an application would need to be submitted 21 days before either the ZBA or PB meeting that would include the hearing.

III. HEARINGS

IV. CONCEPTUALS

Arthur Felix Petusseau, May Street

Chair Fracht invited guests present for the conceptual to present it. Mr. Schreiber, the current landowner, presented the case to the board. Mr. Schreiber's property is within both Canaan and Enfield. He is looking to sell a portion that is in Canaan. The Canaan Planning Board has noted their primary concern is road frontage. Mr. Schreiber wondered about access to the property that Mr. Petusseau wants to purchase via an extension of Brady Rd, from Enfield.

Mr. Schreiber noted several discrepancies with the property that would require a survey to clarify the accuracy of each proposed parcel's size.

Board members believed the subdivision would need to be approved by both Canaan and Enfield. The town of Enfield Department of Public Works (DPW) does not maintain Brady Rd. Brady Rd is a private road, with two properties that have frontage on that road only. The proposed subdivided Canaan property, whose access would need to extend from Brady Road, would become the third property to access that road.

Mr. Russell said he believed frontage for the proposed subdivided Canaan property would be required. Mr. Gotthardt read the ordinance for members.

Brady Rd is private and does not require a hearing with the Select Board (which Class VI roads require). The driveway has to be a right of way (ROW) in the deed through Mr. Schreiber's property to the proposed Canaan subdivided property. Mr. Kiley suggested an approval letter from the Town of Canaan be included with the sale of the Canaan portion of the property. Board members agreed the frontage would need to be on the plat.

Mr. Bergeron said Canaan requires 50 feet of frontage, including on private roads. The ROW will need to be 50', he clarified.

Chair Fracht clarified that they would use Brady Rd from Enfield, extending a ROW across the property to the Canaan line. Mr. Bergeron said that Canaan wants more than a ROW; they want something that can be called a street. He asked if Brady Rd could be extended up to the town line. Chair Fracht said that as a private road, it would not be something the Planning Board in Enfield could determine. Mr. Schreiber said that, as the landowner, he would be willing to extend the road to the Canaan line. Mr. Bergeron said keeping the road 50 feet wide would satisfy what Canaan is looking for. Mr. Russell said there are standards for private roads, which are more than a driveway. Mr. R. Taylor or Mr. J. Taylor can provide the standards, which are also in the zoning regulations. Members also deferred whether the entire road would need to be up to these standards or if the existing portion would be grandfathered to Mr. J. Taylor at the DPW.

Mr. Schreiber asked if the board had an estimated expense to share. Chair Fracht said the board did not have this information, but Mr. J. Taylor would be the best contact for further questions.

Chair Fracht said that Mr. Schreiber's surveyor will improve the maps and provide accurate measurements. Board members agreed.

Chair Fracht asked for further comment. Ms. Beaufait recommended that the property owners ensure everything is in line between all towns to avoid future headaches.

Mr. Gotthardt said that for the lot in Canaan, if they will use the private road through Enfield (which is maxed out as a private road at three properties accessing it), they would not be able to further subdivide the Canaan lot without having the road upgraded to a town road.

Mr. Schreiber asked how much the former survey could be relied upon for the project. Board members agreed that a new survey would be needed. The paperwork for the subdivision will require a surveyor's certificate. Mr. Schreiber can obtain a list of surveyors from Mr. R. Taylor.

The board moved back to public comments at this time. Further notes appear above in the Public Comments section.

V. SELECTBOARD REPORT: Erik Russell

The last meeting revolved around setting the warrant, the budget presentation, and the budget hearing.

VII. LEGISLATIVE REPORT: David Fracht

Chair Fracht shared that tomorrow is the Governor's State of the State address.

Items of interest to the PB are five different bills.

HB1284 confers quasi-judicial authority upon planning boards. This would enable the planning board to take testimony under oath during hearings and could provide for penalties if erroneous or false testimony is provided. The change would require those testifying to be sworn in and the board to act in a very neutral capacity (similar to a jury). The intention is to put into the RSA what is considered best practice.

HB1281 prohibits the adoption of any ordinance, code, or bylaw that prohibits occupancy by more than three unrelated persons in a single-family dwelling unit. This came out of Dover, NH, where there is a perceived problem of lack of housing for University of New Hampshire (UNH) students who rent single-family homes. Rental homes with many students renting have become a problem in some neighborhoods. Dover has an ordinance that says no more than three unrelated persons can rent a single dwelling.

HB1302 is to allow towns the option of electing their Conservation Commission members. This would enable towns to decide at Town Meeting, if desired by the town.

HB1396 prohibits the inspection of the owner-occupied unit of residential structures with four units or less by the building code enforcement agency. This seems unlikely to pass due to safety issues that could arise in multi-family structures (such as pest infestation, no permits required, etc.)

CACR16 is a constitutional amendment that would eliminate state involvement in all local land use matters and leave them up to each town. If a developer requires a variance, waiver, or change in land use, it must be approved by all landowners associated with or who believe they would be affected by the change. The developer would have to file a financial impact statement with how these would change traffic, schools, etc.

VIII. REVIEW MEETING MINUTES: January 24, 2024

Chair Fracht elevated Mr. Gotthardt and Ms. Banker to voting members for the remainder of the meeting.

Mr. Kiley MOVED to approve the January 24, 2024, Minutes presented in the February 14, 2024, agenda packet as amended.

Seconded by Mr. Rich

**** The Vote on the MOTION was approved (7-0).***

Amendment: Line 162 – JDPUC to MHPUC

Roll Call Vote:

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David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell (Selectboard Representative), Brad Rich, Kurt Gotthardt (Alternate), Whitney Banker (Alternate) **all voting Yea.**
None voted Nay.
None Abstained.

NH HOP GRANT UPDATE

Chair Fracht shared that there has been a lot of communication between the consultants and Enfield.

Mr. Rich asked if there was a copy of the final signed contract. Chair Fracht said he would investigate.

Mr. Rich asked if any payment had been made to the consultants, which will be a question for Mr. Taylor.

MASTER PLANNING UPDATE

Formal Appointment of MPTF Members

Chair Fracht shared that the kickoff meeting went well. At this time, members are:

Celie Aufiero
David Fracht
Lindsay Smith
Phil Vermeer
Whitney Banker
Jo-Ellen Courtney
Madeleine Johnson
Shirley Green
Dan Regan

The list is subject to confirmation from Mr. Taylor.

Mr. Rich MOVED to appoint those mentioned to the Master Plan Task Force.

Seconded by Ms. Jones

**** The Vote on the MOTION was approved (7-0).***

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell (Selectboard Representative), Brad Rich, Kurt Gotthardt (Alternate), Whitney Banker (Alternate) **all voting Yea.**
None voted Nay.
None Abstained.

IX. OLD BUSINESS:

Mr. Gotthardt asked for the LaCroix property that would be developed at one point (behind Pellerin Auto and Pellerin Bingo) – he wondered what the original listing price was. Chair Fracht said he believed it was just over \$1M in the low-seven figures. Mr. Gotthardt noted that the real estate listing price now shows significantly less.

X. NEW BUSINESS:

Mr. Gotthardt shared that he and Mr. Jennings had been working outside the meeting to look at potential lines for the new zoning districts. He said that they both feel it would be beneficial to have three members as a subcommittee sit down weekly or bi-weekly to prepare ideas that can be run by the consultants.

He shared that they have also found model cluster developments throughout the state, and the same is true with cell towers. He suggested that these model ordinances could be adopted in cases like this, where we have outdated information, but time may only allow a partial update.

Mr. Gotthardt said that he also felt that the subcommittee could come up with practical zone setbacks, which could then be run by the consultants.

Mr. Gotthardt felt that preparing a presentation for July 2024 would take a lot of work. He wondered if the consultants would be asking more questions of the town – what does Enfield want to see?

Mr. Gotthardt suggested preparing some numbers and information for the next meeting, the Stakeholder Meeting. Mr. Kiley said that the upcoming Stakeholder meeting will be led by the stakeholders, not the Planning Board. Chair Fracht and Mr. Rich agreed.

Chair Fracht said the consultants are paid for their expertise and experience. He felt confident in following the process they led as the experts. Members agreed the impression they had was that the consultants would gather information from the public and then present something to the board. This may include cluster development (if it is a priority for the community).

XI. NEXT MEETING: February 28, 2024

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- 244 **XII. ADJOURNMENT:**
- 245 ***Mr. Kiley MOVED* to adjourn the meeting at 7:41.**
- 246 ***Seconded by Mr. Rich***