

## **Enfield Planning Board – Meeting Minutes ZOOM ONLINE MEETING PLATFORM July 22, 2020**

**BOARD MEMBERS PRESENT:** David Fracht (Chair), Linda Jones, Kurt Gotthardt, Erik Russell (Vice Chair), Dan Kiley (Secretary), John Kluge (Selectman), and Phil Vermeer

**BOARD MEMBERS ABSENT:** Jim Bonner (alternate and videographer) and Paula Rowe (alternate and recorder)

**STAFF PRESENT:** Rob Taylor- Land Use and Community Development Administrator, Barbara Higgins-Recording Secretary

**GUESTS:** Randy Howe-Randy's Carwash, Robert Oakes-Oakes and Son Construction, Scott Sanborn-Cardigan Mountain Land Survey, Erland Schulson-Property Owner, Francine Lozeau, Marcel Kates-Abutter, Kerry Roy-Moose Mountain Realty, Ryan Ayelsworth-Town Manager, Doug Valliere-Abutter, Scott and Maureen Ovitt-Abutter, Celie Aufiero, Katrina Monmaney-Swain-Property Owner

### **I. CALL MEETING TO ORDER**

Chairman Fracht called the virtual ZOOM meeting to order at 7:04 p.m. He took a "roll call" of members present for attendance.

### **II. PUBLIC COMMENTS**

None

### **III. SELECTMEN'S REPORT**

John Kluge-Selectman reported that they had a meeting on Monday and discussed the details of the Town meeting and upcoming elections and whether Whitney Hall would be a good place to hold voting this year or not, due to Covid19 and trying to keep everyone safe. The Selectmen also unanimously voted for a face mask ordinance and that should be published soon.

### **IV. APPROVAL OF MINUTES: June 24<sup>th</sup>, 2020**

***Mr. Kurt Gotthardt MOVED to approve the June 24<sup>th</sup>, 2020 Minutes as amended below and presented in the July 22nd, 2020 agenda packet.***

***Seconded by Mr. Dan Kiley.***

**Amendments:**

Page 1, Line 11 & 12, Remove “Ryan Aylesworth” from Staff Present and put him in the Guests List

Page 1, Line 12, Add “Barbara Higgins-Recording Secretary” to the Staff Present List

Page 2, Line 73, Change “access way” to “right of way”

Page 3, Various Lines, Change “Proult” to “Proulx”

Page 3, Line 119, Add “full cut off” after “facing”

**Roll Call Vote:**

**John Kluge, Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer all voting Yea.**

**None voted Nay.**

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

**V. PUBLIC HEARING:**

1. Enfield Land Use Case # P20-07-04, Randy Howe (of Randy’s Carwash) is seeking Major Site Plan Approval to operate a carwash at 572 US Route 4 (Tax Map 15, Lot 17). This site is in the Route 4 Zoning District.

Chair Fracht asked to take this hearing out of order due to the Board not having received an engineer’s or surveyor’s stamped site plan drawing. This is one of the requirements for the application. He asked Mr. Howe if he would like to continue the hearing until he could get the Board the stamped copy that is needed. Mr. Howe said he was unsure why the plans had not been provided yet. Chair Fracht put it to a vote by the members of the Planning Board.

**Roll Call Vote:**

**Dan Kiley, Erik Russell, Phil Vermeer, John Kluge all voting Yea.**

**Linda Jones abstained.**

**Kurt Gotthardt, David Fracht voted Nay.**

Planning Board members voted that the application would be considered complete as long as a condition was made that Mr. Howe provided stamped copies of the site plan before final approval was given. The case went back into the order as cited on the agenda.

2. Enfield Land Use Case #P20-07-01, Robert Oakes (Oakes and Son Construction) is seeking Major Site Plan Approval to operate a multi-family housing complex on property located at 411 US Route 4 (Tax Map 37, Lot 13) in the Community Business (CB) Zoning District. The parcel is currently owned by Katrina Monmaney-Swain. Mr. Oakes has a purchase and sale agreement for the property.

Mr. Oakes asked for a waiver on the soils boundary in his cover letter to the Board. Chair Fracht asked to take a vote on the waiver.

**Roll Call Vote:**

**Dan Kiley, Erik Russell, Phil Vermeer, John Kluge, Linda Jones, Kurt Gotthardt, David Fracht all voting Yea.**

**None voted Nay.**

Mr. Robert Taylor advised the Board that Mr. Oakes had been before the Zoning Board and had received approval for a special exception last week. Mr. Oakes also requested that the property be left open as a Commercial use in case he would like to go back to that in the future. Chair Fracht asked to take a vote on the use of the property.

Public comment was opened.

**Roll Call Vote:**

**None voted Yea.**

**Dan Kiley, Erik Russell, Phil Vermeer, John Kluge, Linda Jones, Kurt Gotthardt, David Fracht all voted Nay.**

Mr. Robert Oakes made his presentation to the Board. He and his father buy properties, fix them up and rent them out. The property being discussed is a home with a barn. The main house would have 5 rental units in it to begin with and further down the road the barn would have 2 studio apartments put in, one upstairs and one downstairs. Mr. Oakes went through the different construction changes that would take place in the 5-unit building.

Various Board members made inquiries into the project such as parking availability and snow and trash removal plans. Mr. Oakes answered all questions and explained that parking will be in the back, front and side, there is no longer a pool in the back of the house as seen on the site drawing. He said the dumpsters were in front of the garage and not enclosed. He was told it would need to be enclosed in the future.

Public commenting was closed at 7:46pm.

**Mr. John Kluge MOVED to put the plan on the table for discussion.**

**Seconded by Linda Jones.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

**Mr. Dan Kiley MOVED to approve Major Site Plan to operate a multi-family housing complex on property located at 411 US Route 4 (Tax Map 37, Lot 13) in the Community Business (CB) zoning district. Parcel is currently owned by Katrina Monmaney-Swain. A condition that the lighting plan submitted must meet the Town of Enfield's zoning and site plan regulations and that the plan be updated with the dumpster location and also meet the Town of Enfield's zoning and site plan regulations in regards to location and enclosure be added. Mr. Taylor will monitor the receipt of the updated site plan with those conditions added and inform the Board if there are any issues regarding the updates. Seconded by Erik Russell.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

3. Enfield Land Use Case #P20-07-02, Andrew and Ostin Bernier requested a Minor Site Plan Approval to operate a daycare center (Ostin's Kiddos, LLC.) on their property at 266 US Route 4 (Tax Map 33, Lot 38) in the Community Business (CB) zoning district.

**Mr. Dan Kiley MOVED to open the public hearing.  
Seconded by Linda Jones.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

Mr. Andrew Bernier gave his presentation on having a daycare in his home. He explained that there is a desperate need for childcare in Enfield. Two daycares had recently closed in the area leaving a void that needs to be filled. Especially now, with Covid-19, many families are struggling to take care of their children and work at the same time. The Berniers have performed work both inside and outside of their home in order to get the property ready for the daycare including putting a fence around the yard to be used as a playground and they made improvements to their driveway for in-coming and outgoing cars.

Various Board members made inquiries into the project such as asking how many kids they will be licensed to accept. Mrs. Ostin Bernier explained that the license was for 9 children, 2 of which will be their own.

Chair Fracht asked if any members of the public wished to speak. Ms. Francine Lozeau spoke on behalf of the project being approved. Public comment was closed at 7:54pm.

**Mr. John Kluge MOVED to put the plan on the table for discussion.**

**Seconded by Mr. Phil Vermeer.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

**Mr. John Kluge MOVED to approve Minor Site Plan to operate a daycare center (Ostin's Kiddos, LLC.) on property located at 266 US Route 4 (Tax Map 33, Lot 38) in the Community Business (CB) zoning district.**

**Seconded by Mr. Phil Vermeer.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

4. Enfield Land Use Case #P20-07-03, Mr. Scott Sanborn of Cardigan Mountain Land Survey requested a Boundary Line Adjustment and Lot Mergers for parcels owned by the Schulson Revocable Trust (Erland and Sandra Schulson) on Lake Street (Tax Map 15, Lots 6,7,13 & 14) in the Residential Zoning District (R1).

**Mr. Dan Kiley MOVED to open the public hearing.**

**Seconded by Erik Russell.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

Mr. Scott Sanborn gave his presentation on merging lots and moving some boundary lines, taking several smaller lots and making 3 separate lots of record. He showed the proposed changes to the Planning Board using maps and site drawings. He is hoping that with approval they will be making a difficult situation better with this proposed plan.

Mr. Robert Taylor had one question that came directly from Julie Huntly, Town of Enfield's Assessing Administrator. She wanted to make sure that Mr. Sanborn understood that any voluntary lot mergers needed to have the same matching names of ownership on the deeds or it could cause issues down the road. Mr. Sanborn understood the concerns and said they are under the same names so that should not be an issue.

Various Board members made inquiries into the project such as asking for a more definitive say on the right of way on the private roads be adequately described in the deeds to prevent future land use issues and if there was a maintenance agreement for the roadway. Mr. Sanborn explained the use has been in place since the 1930s and that he did not believe there was a maintenance agreement for the road.

Members of the public were asked if they had any comments to make on the proposed changes. Doug Valliere, abutter, asked if the proposed right of way down to the lake was being moved? Mr. Sanborn said it was being moved further away from the cottage. Public comment was closed at 8:25pm.

**Mr. John Kluge MOVED to put the plan on the table for discussion.  
Seconded by Mr. Kurt Gotthardt.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

**Mr. Kurt Gotthardt MOVED to approve the request for Boundary Line Adjustments and Lot Mergers for parcels owned by the Schulson Revocable Trust (Erland and Sandra Shulson) on Lake Street (Tax Map 30, Lots 6, 7, 13 & 14) in the Residential District (R1) with the condition that they receive state subdivision approval for Lot 30-7.  
Seconded by Mr. Phil Vermeer.**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

5. Enfield Land Use Case # P20-07-04, Randy Howe (of Randy's Carwash) is seeking Major Site Plan Approval to operate a carwash at 572 US Route 4 (Tax Map 15, Lot 17). This site is in the Route 4 Zoning District.

This case was brought forward by the Chair, hearing no response from the Mr. Randy Howe the hearing was tabled.

**VI. CONCEPTUAL DISCUSSIONS: None**

**VII. NEW BUSINESS:**

Mr. Taylor spoke about the list of possible candidates for the alternate position on the Planning Board. He asked the candidates to send him a paragraph telling the Board why they wanted to become an alternate member. One candidate withdrew, one sent in their paragraph, and the other two have not responded at all. Mr. Taylor will try to reach out to the other two by phone to see if they are still interested or not.

**VIII. OLD BUSINESS:**

Mr. Gotthardt brought up the Master Plan and starting to get something going on that. The Board discussed the issue. It was decided that the members of the Board who would like to get together to discuss the Master Plans and start working on survey questions would do so on August 12<sup>th</sup> at 7:00pm.

**V Cont.**

6. Enfield Land Use Case # P20-07-04, Randy Howe (of Randy's Carwash) is seeking Major Site Plan Approval to operate a carwash at 572 US Route 4 (Tax Map 15, Lot 17). This site is in the Route 4 Zoning District.

**Ms. Linda Jones MOVED to open the public hearing.  
Seconded by Phil Vermeer**

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

The Planning Board discussed continuing the hearing to August 12, 2020 in order to receive the stamped site plan.

**Ms. Linda Jones MOVED to continue the hearing on Enfield Land Use Case #P20-07-04, Randy Howe (of Randy's Carwash) until August 12<sup>th</sup>, 2020.  
Seconded by Mr. Phil Vermeer.**

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**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, Kurt Gotthardt, David Fracht, Phil Vermeer, John Kluge all voting Yea.**

**None voted Nay.**

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

**IX. NEXT MEETING**

August 12<sup>th</sup>, 2020

**X. ADJOURNMENT**

***A MOTION was made by John Kluge to adjourn the meeting at 9:10 PM.***

***The MOTION was seconded by Phil Vermeer.***

**Roll Call Vote:**

**Linda Jones, Dan Kiley, Erik Russell, John Kluge, Kurt Gotthardt, Phil Vermeer, David Fracht all voting Yea.**

**None voted Nay.**

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

Respectfully submitted,

Barbara Higgins

Recording Secretary