

Enfield Planning Board – Meeting Minutes

ZOOM ONLINE MEETING PLATFORM

April 14th, 2021

BOARD MEMBERS PRESENT: David Fracht (Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Erik Russell, Kate Stewart, and Phil Vermeer

BOARD MEMBERS ABSENT: Jim Bonner (alternate and videographer)

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

GUESTS: Tom Jellison (Applicant), Sandy Lea (Abutter), Celie Aufiero

I. CALL MEETING TO ORDER:

Chair Fracht called the virtual ZOOM meeting to order at 7:00 p.m. He took a “roll call” of members present for attendance.

II. APPROVAL OF MINUTES: March 24th, 2021

Ms. Jones MOVED to approve the March 24th, 2021 Minutes presented in the April 14th, 2021 agenda packet.

Seconded by Mr. Gotthardt.

Roll Call Vote:

Phil Vermeer, David Fracht, Linda Jones, Kurt Gotthardt, and Dan Kiley all voting Yea. Kate Stewart and Erik Russell abstained.

None voted Nay.

** The Vote on the MOTION was approved (5-2-0).*

III. PUBLIC COMMENT: None

IV. SELECTBOARD REPORT: Ms. Stewart gave the Selectboard report. Mr. Kluge has left the Planning Board and is now on the Budget Committee. Ms. Stewart will now be the Selectboard representative for the Planning Board. The Town Manager’s search is continuing. The position is still open. Ms. Stewart reminded everyone to please go to the Town Meeting on May 1st, 2021.

V. HEARINGS: P21-04-02, Thomas Jellison is applying for minor subdivision re-approval to edit the language of his original subdivision approval dated September 9, 1987. Specifically, he is asking to remove wording that has precluded his ability to access his property from Old County Road (a Class VI Road). Subject property is 2 acres in total and is located between Morhouse Lane and the Old County Road at Tax Map 14, Lot 35-1. The lot is owned by Thomas M. Jellison.

Chair Fracht declared the public hearing open. He asked Ms. Jones, who is an abutter to Old County Road, if she felt she was able to judge the merits of the hearing without prejudice or would she rather recuse herself to speak as an abutter? Ms. Jones said she thought she could judge the case without prejudice.

Mr. Jellison gave his presentation. He explained that he owned the lot behind the large yellow apartment building. It currently has access from Morhouse Lane, which in his opinion, is a dangerous access. Mr. Jellison said he would like permission to access his lot from the Old County Road, which is a Class VI Road. He plans on building his driveway within the 3-rod limit of the Road. At the top of Old County Road, he plans on putting in a couple of parking places, just passed his curb cut, so that people would still have access to hiking up Moose Mountain.

Mr. Taylor gave more background on this hearing. He said the hearing hinged on the Mylar that was recorded in the Town registry in 1987. On that Mylar there was a handwritten note that precluded the lots from using Old County Road. Mr. Jellison was before the Planning Board a few months ago and the Road restriction was discussed at that time. Mr. Jellison has been before the Selectboard for approval for use of the Class VI Road.

Mr. Kiley agreed that using Morhouse Road was a safety issue. He believed that if Morhouse was put in today, the State would have required it to have a landing at the bottom to keep cars from sliding out directly onto Route 4.

Mr. Gotthardt said he had no issue with the upgrading of the Road. He did have some questions on the process of doing that. Mr. Gotthardt asked if Mr. Jellison had found the Road layout to determine the width and the physical location on the ground? He also asked if the Road would be wide enough for two cars to pass each other? He said that if a person could not see down to Route 4 from the driveway, then someone may have to back up if they meet each other on the Road. Mr. Gotthardt also wanted to know what the length of the Road upgrade was going to be and where the parking area for the public was physically going to be located?

Mr. Jellison responded that he was basing the Road layout on Pathway's engineering consultants survey. He expected to get them to come back out and pin the Road. The Road construction will be per what DPW wants done. The parking lot will be at the very top, on the Class VI Road,

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as it is now. He figured 16 feet width would be needed for a couple of cars to park up there. He submitted a sketch showing that he was going to go past his curb cut by about 20-25 feet.

Mr. Taylor said that DPW would require Mr. Jellison to get a permit to access the Road since it was a Town Road. He would also need to do a permit form to acquire a 911 address.

Mr. Gotthardt asked if Mr. Jellison expected other lots that abut Old County Road to use it on a routine basis? Mr. Jellison said he was not expecting that to happen. Mr. Gotthardt was concerned that other lots may try to use the Class VI Road. He wanted to make the Planning Board aware of that possibility.

Mr. Taylor explained what it would take to allow other lots to use Old County Road. Discussion was had on the possibilities. Mr. Gotthardt said he thought that an RSA said that there needed to be something in writing, in the deed or somewhere else, that the Town would not be held liable if something happened and emergency personal could not make it up the Road. Chair Fracht said that Mr. Gotthardt, Mr. Taylor, and himself would investigate the RSA requirements and make sure that they are followed.

Chair Fracht opened public commenting.

Ms. Aufiero pointed out that there was a law passed in 1988 and it primarily said that the voters did not want to see roads turned into Class V Roads. In Article 17, it said the Selectboard held certain standards to protect the existing roadway and further the Town may not favor a change in classification of Class VI highways. She said they did a lot of work to protect Class VI highways for recreational purposes. Chair Fracht said that if the Planning Board approved this request the Road would still be a Class VI Road.

Chair Fracht closed the public hearing.

Ms. Stewart said that in the April 5th minutes of the Selectboard it was very clear that the Selectboard put a requirement in that the Road meet the Town's current policy, under the supervision of DPW.

Ms. Jones asked if the Road had to be centered? Mr. Jellison said to the best of his knowledge that the Road, when upgraded, needed to be within the 3-rod definition of where the Road is. Mr. Jellison said he did not want to do any additional disturbance to the natural condition of the Road. He did not want to touch the stonewalls or dig into the banks.

Chair Fracht asked how Mr. Jellison was going to get power to the lot? Mr. Jellison said there was power at the top of Morhouse Lane, so he was going to grab that and bring it over to his lot.

Mr. Kiley *MOVED* that the Planning Board approve Tax Map 14, Lot 35-1's access on Old County Road.

Seconded by Ms. Jones.

Roll Call Vote:

Phil Vermeer, Erik Russell, David Fracht, Linda Jones, Kate Stewart, Kurt Gotthardt, and Dan Kiley all voting Yea.

None voted Nay.

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

VI. CONCEPTUAL DISCUSSION: None

VII. MASTER PLANNING TASK FORCE UPDATE:

Chair Fracht gave an update on the Master Planning Task Force. He told them that the Transportation sub-committee gave a nice presentation. He said the sub-committee decided to concentrate on the main modes of people moving which were automobile, bicycle (non-recreation), and walkable sidewalks.

Mr. Russell added that the sub-committee used Lebanon's complete streets policy as an example of something that the Town of Enfield might want to do. They also talked about having a champion that would help to keep focus on different parts of the Master Plan.

Mr. Vermeer said that they also had some discussion on electric vehicles and charging stations. He also said he was researching traffic through Enfield since Covid-19. Mr. Taylor said they also spoke about the bus service through Enfield.

Chair Fracht said the Task Force's first contact with the public would be the day after Town meeting on May 2nd, 2021. It was also decided that Chair Fracht was going to give the 5-minute pitch for the warrant article at Town Meeting. He said they spoke a little bit about getting ahead of negative or misinformation that may be out there. The group is going to try to stay ahead of it.

Mr. Gotthardt told the group that there was a Road count that they could possibly get from Mr. Jim Taylor. The counts go back several years.

Chair Fracht said there was a discussion on what Towns Enfield should compare their data too. He said it was decided that needed to be flexible for different areas that were being looked at.

VIII. NEW BUSINESS: Mr. Taylor advised the Board that the night before, the Zoning

Board had a special exception hearing for a cell tower to be located on land owned by the John Mann Trust. The land was very close to Mr. Tom Jellison's property. The special exception was granted, and the Planning Board will be having a major site plan review on May 12th, 2021. A balloon test and site visit were scheduled for April 24th from 8:00 AM to 11:00 AM. He explained how the balloon test would work and the purpose of the tower. He said if it were a windy day, they would push back the balloon test to the next day, Sunday, April 25th, 2021. Chair Fracht said that the site visit was a public hearing and would be warned.

IX. COMMUNICATION: Mr. Taylor advised that Pathways Consulting had just put in an application for land at the end of Rice Road. They were looking for a wetland permit to cross the property. Mr. Taylor also said that the Town had an appeal case on May 20th, 2021 for a Zoning Board decision with the Pettolas.

Mr. Kiley said that he felt they needed to review the sign ordinance for the Town of Enfield.

X. NEXT MEETING: April 24th, 2021-Site visit.

XI. ADJOURNMENT:

*A MOTION was made by Mr. Kiley to adjourn the meeting at 8:11 PM.
The MOTION was seconded by Mr. Vermeer.*

Roll Call Vote:

David Fracht, Phil Vermeer, Dan Kiley, Erik Russell, Linda Jones, Kate Stewart, and Kurt Gotthardt all voting Yea.

None voted Nay.

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

Respectfully submitted,
Barbara Higgins
Recording Secretary