

Enfield Planning Board – Meeting Minutes
DEPT OF PUBLIC WORKS/ZOOM PLATFORM
September 8, 2021

PLANNING BOARD MEMBERS PRESENT: David Fracht (Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Kate Plumley Stewart (Selectboard Representative), Erik Russell, Phil Vermeer, Jim Bonner (Alternate Member and Videographer)

PLANNING BOARD MEMBERS ABSENT:

STAFF PRESENT: Rob Taylor- Land Use and Community Development Administrator, Whitney Banker-Recording Secretary (via Zoom platform)

GUESTS: None

I. CALL MEETING TO ORDER:

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

II. PUBLIC COMMENTS:

None.

III. SELECTBOARD REPORT:

Ms. Stewart shared the Selectboard met last night, there was a lively discussion on Japanese knotweed and tackling it in town.

There was also discussion on the town mask policy and potentially doing another ordinance.

There will be a public hearing Monday, September 20, 2021 at the Department of Public Works (DPW). The hearing is also open via Zoom platform.

There was an additional discussion on fireworks, but no new details other than the subject continues to come up.

IV. REVIEW MEETING MINUTES: July 28, 2021 & August 25, 2021

Mr. Gotthardt MOVED to approve the July 28, 2021 Minutes presented in the September 8, 2021 agenda packet as amended.

Seconded by Mr. Kiley

Amendments:

Change Task Force to Planning Board in the categories at the top.

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James Bonner – list as alternate and full board member for this meeting (move to Planning Board Members Present section).

Roll Call Vote:

David Fracht (Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Kate Plumley Stewart (Selectboard representative) **all voting Yea.**

None voted Nay.

Erik Russell, Phil Vermeer **Abstained.**

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

Mr. Kiley MOVED to approve the August 25, 2021 Minutes presented in the September 8, 2021 agenda packet as amended.

Seconded by Mr. Russell

Amendments:

Change Task Force to Planning Board in the categories at the top.

James Bonner – list as alternate and full board member for this meeting (move to Planning Board Members Present section).

Change Mrs. Plumley Stewart to Ms. Stewart.

Spelling adjustment: Page 6, line 242, Russel to Russell.

Change Nicole “??” to Ms. Sipe.

Roll Call Vote:

David Fracht (Chair), Dan Kiley, Linda Jones, Erik Russell, Kate Plumley Stewart (Selectboard representative), Phil Vermeer **all voting Yea.**

None voted Nay.

Kurt Gotthardt **Abstained.**

** The Vote on the MOTION was approved (6-0-1).*

V. HEARINGS:

None.

VI. OLD BUSINESS:

None.

VII. CONCEPTUALS:

None.

VIII. UPDATE ON MASTER PLANNING TASK FORCE WORK

The consultant interview sub-committee of: Co-Chair Fracht, Mr. Vermeer, Ms. Smith, Mr. Taylor, and Mr. Wozmak met last Friday with Brandy Saxton of PlaceSense Planning of Windsor, VT. The sub-committee felt Ms. Saxton had a few significant advantages over UVLS Regional Planning. She had many of the right answers to the questions asked by the task force. The sub-committee did not have the same confidence about UVLS Regional Planning. Mr. Taylor reached out to her Friday afternoon, Co-Chair Fracht assumes she accepted. Mr. Taylor explained the town contracting procedure and that the interim town manager would be in touch with Ms. Saxton. Co-Chair Fracht noted he is looking forward to working with her closely. He was very impressed with the samples she presented.

[Question of the Week](#) has continued to be a success. Mr. Taylor shared slides on screen to show data from recent surveys. There was some discussion regarding percentages of the data. The board provided feedback for clarity of reviewing the data that included – using gross numbers instead of percentages or clearing the percentage. Mr. Gotthardt shared that there was some confusion on his part regarding the question format (open-ended vs. yes/no and the scrolling situation to get to the “next question” was difficult to know there were multiple parts of each question. Mr. Taylor reviewed the Enfield LEAPS webpage with both parts of the current question showing. Mr. Gotthardt suggested that the format for the Listserv posting about the question may have had a faulty link? Formatting on Listserv is important to consider for future emails – explain that there are multiple questions. Ms. Stewart added that she noticed on the Enfield LEAPS website the end-time for a representative at the market is listed as 2pm, though the market ends at 1pm.

Co-Chair Fracht shared that the MPTF is working on a town survey that will be available on the website. Each sub-committee is refining work that they did one month ago – taking questions regarding their specific topics from other town survey’s and witting them down to be well focused and relevant to Enfield’s master plan. The hope is that before the survey goes live the planning consultant from PlaceSense will have an opportunity to go over it with the committee and make edits as well. The hope is that the survey will be, at most, 10 minutes. Mr. Kiley shared that the planning consultant chosen is very good a gathering public input based on previous work that he had done with her. Co-Chair Fracht noted that she was highly recommended by another planner and administrator from an area town and was also his first choice among consultants in previous searching. It is preferable to work with a single person versus a larger staff.

IX. RULES OF PROCEDURE FOLLOW UP AND SIGN**A. RULES AND PROCEDURES**

The board reviewed an updated the rules and procedures document based on feedback from the August 25, 2021 meeting. Changes included: outlining physical presence at meetings for guests, grammatical changes for plural vs. non-items. Chair Fracht added for Mr. Taylor to note that

meeting minutes should be sent to board members at least 5 business days prior to a scheduled meeting. Mr. Gotthardt suggested to change the language to “received”. There was some discussion about the intent of the timeframe. Mr. Gotthardt suggested breaking out hearing documents vs. the agenda? The board discussed whether this was practical, having two separate deadlines? Ms. Stewart also suggested that she prefers to have items on her laptop vs. spending the money to send them via mail. Chair Fracht noted that the paper copies are important for scaling and review. Mr. Kiley noted that there is a problem with the timing of the mail based on a recent from-Enfield/to-Enfield situation that took 6 days to arrive. Mr. Gotthardt shared the suggestion of having materials available at the DPW for pick up? Ms. Stewart also suggested using Office365 with a read-only format for those that wish to review electronic copies. Chair Fracht noted that he liked the suggestion of having a folder available for board members to pick up documents but would still like to see paper copies mailed out, he prefers making notes on paper copy. Ms. Jones noted that she has not experienced any issues with receiving the packets via mail. Mr. Taylor took a brief poll of interest from board members regarding pick-up at the DPW – several board members were interested. Chair Fracht suggested keeping “5 business days prior to meeting” within the rules so that there is clear understanding that the folders, electronic documents, and mailed packets are available to all board members with plenty of lead time. Ms. Stewart added that she agreed this was very beneficial and important.

Mr. Taylor printed a final copy of the document for board members to sign.

Chair Fracht added – once Mr. Taylor sets the agenda, were board members in favor of minor changes only, or may anything else be added? Ms. Jones suggested that she felt the decision should be left between Chair Fracht and Mr. Taylor. Mr. Kiley noted he would like to see details for conceptuials in advance. Chair Fracht noted that he agreed, but that he believed the intent is to not have board members come to the meeting with prior ideas. There was some discussion on whether a deadline was necessary? Several board members felt there was not a need to have a deadline given that certain circumstances would require faster turnaround – such as real estate transactions.

Mr. Gotthardt added re: changes in the final process at the last minute – as previously seen in a case where the applicant was given feedback on changes but still submitted the same information on the final application. Then, at the hearing the package information was different. Ms. Stewart asked, can’t an amendment be made during a meeting? Chair Fracht confirmed that this was allowed. Mr. Gotthardt noted that his issue was with the process change at the last minute. Ms. Stewart suggested that in her opinion if one meeting can meet the needs of the case, it is less problematic than having to come back for a separate meeting. Chair Fracht added that an applicant has the right to make changes in a meeting. If the changes presented at the meeting are significantly different, that would be a case, of course, where the applicant would need to come back for a different hearing. The case in question, Mr. Gotthardt clarified, was one where the Chair gave feedback to the applicant, after the other board members received the packet, and

changes were made then presented at the case hearing. He felt that the type of changes were those that the board should have suggested, not the Chair alone. Chair Fracht asked – if Mr. Taylor had given the feedback prior to the application being submitted, would it be the same issue? The board discussed that in that case, the board would not have seen the plan that was then changed. Mr. Gotthardt reiterate that he feels once an application has been submitted by the deadline, and sent out to the board, any changes should be a board decision. Chair Fracht noted that he feels doing that could be a disservice to the applicant. The board would be able to disagree with the chair and choose to not consider the changed application, if they did not agree with the Chair's suggested changes. He feels there should be an allowance for the Chair to have some flexibility in these one-off situations.

A MOTION was made by Ms. Stewart to accept the Planning Board Rules and Procedures document as amended.

The MOTION was seconded by Mr. Kiley.

Roll Call Vote:

David Fracht (Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Erik Russell, Kate Plumley Stewart (Selectboard representative) **all voting Yea.**

None voted Nay.

None Abstained.

**** The Vote on the MOTION was approved (6-0).***

B. SIGNS

The planning board reviewed the sign ordinance for discussion of possible changes. The board also reviewed the Lebanon sign ordinance for ideas. Copies were sent via email today, so Mr. Taylor also shared the ordinance on screen.

Mr. Gotthardt asked when the deadline on public hearing and zoning amendments is. Mr. Kiely responded that this was January, and the board has a lot of time to make changes.

Mr. Gotthardt shared that he reviewed NH towns that were +/-1000 people in population close to Enfield's, and then reviewed their sign ordinances available online. Some were similar to Enfield's current ordinance, and others were quite extensive. He suggested that he felt Wakefield had some of the best language. Additional sign-without-a-permit language was used from Milton, Wakefield, and Moultonborough. His hope is that the board can read through and pick and choose language that they might like to use in Enfield. He did the same thing with design standards and felt Wakefield seemed to have the most extensive and descriptive. He asked for board comments and questions.

Ms. Stewart asked, regarding hanging signs – are the cemetery signs non-compliant? The board agreed that as they are attached to a post they comply. Ms. Stewart suggested she sometimes sees more temporary organizations using hanging signs (ex: farm stands). Chair Fracht noted that he felt farm stands would necessitate a sign that could be easily changed. These signs would be considered temporary.

Mr. Russell asked – what is it about our sign ordinance that we are trying to change? Chair Fracht noted this was his next question as well. He believes the situation was that the Zoning Board (ZBA) had an application from a business on Rt. 4 asking for an LED programmable sign, which was denied. Mr. Taylor added that the rigidity of the ordinance currently only allows white-backlit signs along the Rt. 4 district, which could use an update. Ms. Stewart added that her interpretation is that the town would like to allow LED signs within certain limits that are aesthetically pleasing. Mr. Taylor shared that he served on the Lebanon sign committee, and felt it became too complicated. He suggested the board start with identifying what they do not want. He shared some details regarding modern technology for signs that would not have been a factor when the ordinance was last updated. The board agreed they do not want scrolling, flashing, animated signs. Mr. Kiley suggested outlining that a business could only change their sign once per day. Ms. Stewart noted that the goal is to promote safety as well. Mr. Gotthardt added that it would be important to include language for situations where a business is closed, or a sign is damaged, and action to be taken to remedy the issue. He asked the board to review the ordinance examples he found and highlight sections they like and would like to see in Enfield or re-word for Enfield. Mr. Kiley noted that all 3 of the towns Mr. Gotthardt shared were interestingly also lake towns, like Enfield. Chair Fracht added that he believed a standard such as how many lumens a sign can put out during the evening hours would be important to include.

Chair Fracht asked if there was further discussion. There was not. Board members will highlight areas they feel are important and discuss at next month's meeting.

X. ZONING ORDINANCE UPDATES/CHANGES

Mr. Gotthardt noted that after the discussion at a recent meeting with an application using a class VI road it became clear that each board member had a different interpretation of the language for public right of way. He proposes the ordinance language change from "pubic right of way" to "street frontage" – then, in definitions change the term "frontage" to "street frontage". Mr. Taylor suggested his preference would be to have the actual rule within the ordinance, and not only in the definitions. Mr. Gotthardt noted that the issue becomes if a road is a private road, how does this apply? Chair Fracht shared the current definition of "street frontage" which includes: town maintained, state maintained, or private street. By definition, class VI roads are not town maintained and would be excluded. He suggested perhaps the wording could be better, but the definition is correct. Mr. Taylor stated he felt that the road class needs to be specific in the zoning regulation. Chair Fracht asked how do we address the private road? Mr. Taylor suggested getting rid of it entirely. Chair Fracht noted they could not, because the town already

245 as private roads that have frontage on them. Mr. Kiley shared Goodwin Rd. as an example. Mr.
246 Taylor asked - does the town want more houses on private roads? Previous private roads with
247 frontage would be grandfathered in, the ordinance would be going forward. Chair Fracht noted
248 he does not mind private roads, as long as there is a maintenance agreement for all property
249 owners. Mr. Kiley brought up the issue of having property owners having to show "private
250 roads" on their plan, but not having to actually build them. Mr. Russell suggested that preventing
251 someone from accessing their property via a public road to instead use a private road, seemed
252 wrong. Mr. Gotthardt asked the board to consider why there are road frontage requirements? His
253 assumption is to spread out driveways and to prevent "spaghetti lots" such as the situation with
254 Jones Hill Rd. lots. Mr. Gotthardt asked the board - how do we prevent the situation with the
255 recent Keyser subdivision off Grafton Pond Rd. Mr. Russell shared if the goal is to prevent
256 subdivision, the way to do it is not with road frontage but with lot size. Road frontage is a
257 complicated and messy way to prevent subdivision. Mr. Taylor asked how often do we see new
258 town roads? The board agreed not often. Mr. Gotthardt shared that there have been private roads
259 that were built and turned over to the town, though not recently. Mr. Kiley shared that he
260 believed building roads to town standards is an important part of the language. Chair Fracht
261 asked Mr. Taylor to confirm that this currently exists - Mr. Taylor noted yes, it does for major
262 subdivisions. Chair Fracht noted the question at hand seems to be - can someone on paper use a
263 class VI road to satisfy their road frontage requirement without going through the class VI road
264 upgrade procedure (through the Selectboard and Planning Board). Ms. Stewart shared that she
265 brought up the situation at Selectboard and Mr. Kluge felt clearly that the answer should be yes.
266 Mr. Russell shared that he agreed that he felt the answer should be yes. Mr. Taylor noted that
267 there is another case coming in 2 weeks with Mr. Kovacs And the Lockhaven/Mud Pond
268 conceptual that was discussed at a previous meeting. There was some discussion about cluster
269 development vs. village development and the differences, as well as drawbacks to each (in
270 particular the village development).

271
272 Mr. Gotthardt asked about the notation in the previous minutes regarding Chair Fracht's
273 discovery of correspondence from one of the lawyers and road class? With regulations regarding
274 street frontage and class VI roads. Chair Fracht shared again that he had discovered, when
275 looking into a different matter via an email, that class VI roads do not count as street frontage.
276 Mr. Gotthardt circled back to the problem that the wording for the regulations is poorly written.
277 Chair Fracht suggested that getting the definition into the ordinance should help solve a lot of
278 that problem.

279
280 Additional parts of the ordinance were reviewed. Mr. Gotthardt shared on page 2, Community
281 Business (CB), there is no width lot requirement, is this an oversight or something we would
282 want to add? Chair Fracht noted that regarding the CB district, he believed there would likely not
283 be any that would meet setback requirements either. Mr. Gotthardt shared that the Rt. 4 district is
284 an overlay of the CB district. Mr. Gotthardt also suggested in the next section, The Downtown
285 Area, removing requirement about having the first floor commercial on Main St as it is not

286 working. The board agreed. Mr. Kiley noted the commercial district is Rt. 4, not Main St despite
287 intentions for it to be. Mr. Gotthardt also suggested changes under the Commercial/CI district
288 language that ran together and should be separated out to match the other sections. He noted
289 there were also no width/lot requirements in that area (CI). In addition, he noted the “lot
290 coverage” area that did not seem to make sense in CI, if it should be anywhere it could be moved
291 to CB. He suggested removing village plan alternative, there is an open space development
292 cluster plan that could be worked on instead. Ideally, the Master Plan will give guidance on that.
293 Ms. Jones asked for an explanation in the difference between the cluster plan and the village
294 plan. Mr. Gotthardt noted that the concept of the village plan envisions development all in just
295 one corner of the lots (all homes clustered together) and the remainder of the lots undeveloped.
296 The regulations, though, can be interpreted that houses can be in any location and the
297 undeveloped area can be all between the homes which is messier. The cluster plan specifies that
298 the undeveloped land has to be continuous and is much clearer. There were issues with the way
299 the village plan was presented versus how it can be interpreted by a developer. Mr. Gotthardt
300 noted that he would review other towns for their definitions and see if there were changes to
301 Enfield’s definitions that the board may want to make (re: road frontage, etc.).

302 **XI. OTHER BUSINESS**

303 **A. SHED ST. LOT SALE**

305 Mr. Russell, as part of the Municipal Facilities Advisory Committee (MFAC) group, shared a
306 recent discussion of potential sale of the town’s Shed St property. The Selectboard will have an
307 opportunity in the near future to decide whether to sell this lot, so it is time sensitive prior to the
308 Master Plan. He suggested that the board review the lot while it is a public lot and consider if
309 allowing increased density from what is allowed in current zoning would be appropriate (the
310 property value would be higher for sale if there were more that could be done with the parcel,
311 assuming a developer would build a more valuable property and town tax revenue would go up,
312 potentially adding more units to town water/sewer). Mr. Russell hopes to get the temperature of
313 the board whether looking at this would be something they would want to do in the near future.
314 Mr. Taylor reminded the board that it is in the R1 district, and the restrictions for lot size/housing
315 in that district, and the suggestion of considering smaller lot sizes for situations like this that are
316 on town water/sewer. Chair Fracht was also in favor. Mr. Kiley agreed he was also in favor but
317 wondered if a deed restriction for the property might also be needed. Mr. Taylor shared that he is
318 currently working with Mr. Wozmak on an RFP that is similar to the Spencer St in Lebanon
319 situation. Mr. Taylor suggested also having the town designate some of the revenue from sale of
320 the property to something specific (sidewalks, etc.) Ms. Stewart shared that this is a good
321 opportunity for Enfield and would be a great situation – she is in full support of the housing
322 suggestion. Similar developments such as Anne’s Place in Enfield and a nice multi-unit housing
323 development in Norwich were mentioned as examples of the type of housing desired. Ms.
324 Stewart shared it does not have to be “sky scraper-y”. Mr. Gotthardt shared that the property
325 should have deeded access to the rail trail, and Mr. Taylor suggested potentially a park. Ms.
326 Stewart shared that recently the town acquired another area of rail-trail access near the

Community Lutheran parking lot (across from the brown house). Ms. Jones asked – is this currently two pieces of property that should be merged as one? The board agreed, which could happen at any time. Chair Fracht asked, with respect to deed restrictions, would this have to go before the Selectboard? Mr. Kiley shared that yes, the entire thing would need to go to the Selectboard. Chair Fracht asked if the Selectboard would need a town vote for the sale of the property? Ms. Stewart shared that no, this was not required. Ms. Stewart also shared that she feels this could be a very important and beneficial project for the town's housing, sidewalks, and other areas. Mr. Taylor suggested an RFP similar to what Lebanon recently did in a similar situation. Mr. Gotthardt suggested adding deeded access to the Rail Trail as part of the property. Ms. Stewart suggested a more formal vote that she could bring to the Selectboard if the board would be comfortable doing so. Mr. Gotthardt asked if there was a potential to pick up the Baltic Mill sites as well? The board discussed it was possible, with other properties involved. Mr. Russell shared that he agreed but that the present goal of just the two lots on Shed St should be dealt with in a timelier manner given the situation with the Selectboard looking to sell the property. Ms. Stewart and Mr. Kiley shared details of the history of the property and the intent to clean it up and sell it and waiting a long time vs. now where it is time to do so.

B. Site visit for Bog Road Crate's Gravel Pit -

Rob has arranged a site visit for 10 am on Saturday for those who would like to come. He will invite the Zoning Board as well.

XII. NEXT MEETING: September 22, 2021

XIII. ADJOURNMENT:

A MOTION was made by Mr. Russell to adjourn the meeting at 9:07 p.m.

The MOTION was seconded by Mr. Kiley

Roll Call Vote:

David Fracht (Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Erik Russell, Kate Plumley Stewart (Selectboard representative) **all voting Yea.**

None voted Nay.

None Abstained.

** The Vote on the MOTION was approved (6-0).*

Respectfully submitted,

Whitney Banker

Recording Secretary