

Enfield Planning Board – Meeting Minutes
DEPT OF PUBLIC WORKS/ZOOM PLATFORM
October 27, 2021

PLANNING BOARD MEMBERS PRESENT: David Fracht (Chair), Erik Russell (Vice Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Phil Vermeer (via Zoom platform), Jim Bonner (Alternate Member and Videographer)

PLANNING BOARD MEMBERS ABSENT: Kate Plumley Stewart (Selectboard Representative)

STAFF PRESENT: Rob Taylor- Land Use and Community Development Administrator, Whitney Banker-Recording Secretary

GUESTS: Christopher Ratte (via Zoom platform), Joel King (via Zoom platform), Ryan Bergeron, Bruce Bergeron, John Hinckley, David Rogers, Victoria Rogers.

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.

II. PUBLIC COMMENTS:

None.

III. SELECTBOARD REPORT – Kate Plumley Stewart (Selectboard Representative):

None.

IV. REVIEW MEETING MINUTES: October 13, 2021

Mr. Kiley MOVED to approve the October 13, 2021, Minutes presented in the October 27, 2021, agenda packet as presented.

Seconded by Mr. Russell

Amendments: N/A

Roll Call Vote:

David Fracht (Chair), Erik Russell (Vice Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Phil Vermeer (via Zoom platform) **all voting Yea.**

None voted Nay.

None Abstained.

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

V. HEARINGS:

Enfield Land Use Case # P21-10-01, David and Victoria Rogers are seeking boundary line adjustment approval for their property at 1443 NH Route 4A (map 9, lot 36). The second property impacted by this application is owned by Joel R. King and Lyndsey Boulton at 1471 NH Route 4A (map 9, lot 37).

Chair Fracht opened the public hearing and invited Mr. and Mrs. Rogers to present their case. Mr. Rogers shared that he and Mr. King both have land that the other would like to trade. The proposed boundary line adjustment would be that Mr. Rogers gives Mr. King .42 acres and Mr. King would give Mr. Rogers .24 acres. Chair Fracht asked Mr. King if he agrees with the change, he confirmed. Chair Fracht asked the board members for questions or comments, there were none. Chair Fracht asked abutters for comments/questions, there were none.

Chair Fracht closed the public session and moved to board deliberation. There were no comments from the board.

Ms. Jones MOVED to accept the boundary line adjustment as presented.

Seconded by Mr. Kiley

Roll Call Vote:

David Fracht (Chair), Erik Russell (Vice Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Phil Vermeer (via Zoom platform) **all voting Yea.**

None voted Nay.

None Abstained.

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

Chair Fracht let Mr. Rogers know the timeline for the decision going forward.

Enfield Land Use Case # P21-10-02, Nathan and Erin Ferrell will request a voluntary lot merger for two lots in the Eastman Development located on Paul's Place Road. The subject properties are both on Map 51 and are lots 121 and 122. Both lots are owned by Nathan and Erin Ferrell.

Chair Fracht invited Mr. Hinkley to present the Ferrell's case as their representative. Chair Fracht noted that the voluntary lot line adjustment is straightforward. Mr. Hinkley is representing Mr. Ferrell who was not able to attend the meeting.

Mr. Kiley MOVED to approve the voluntary merger as presented.

Seconded by Mr. Gotthardt

Roll Call Vote:

David Fracht (Chair), Erik Russell (Vice Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Phil Vermeer (via Zoom platform) **all voting Yea.**

86 **None voted Nay.**

87 **None Abstained.**

88
89 *** The Vote on the MOTION was approved (6-0).**

90
91 **VI. CONCEPTUALS:**

92 **Bruce Bergeron and Ryan Bergeron - Brownie's property (223 US RTE 4, Map 33, Lot 5)**

93
94 Chair Fracht invited Mr. B. and Mr. R. Bergeron to present their conceptual. Mr. B. Bergeron
95 shared a map of the proposed property, of Brownie's Auto. Mr. B. Bergeron shared that there is a
96 purchase and sales agreement currently on the property, pending approval of permits for the
97 business that they are proposing. They plan to put a 2-bay car wash on the front of the property,
98 with entrance and exits from Route 4. The back of the property would be a self-storage building,
99 with access from Flanders St. The challenge is that the property is between the CB district and
100 the R1 district. A small part of the proposed self-storage facility would be in the R1 zone. Mr. B.
101 Bergeron shared that he understands the options of requesting the property be re-zoned or
102 requesting a variance for the property.

103
104 Mr. Taylor shared that he understands that with a lot that crosses a zoning boundary, the
105 boundary is respected. He has spoken with Mr. Bergeron about a variance. For the portion in the
106 R1 zone, self-storage is a low-impact type of business.

107
108 Mr. Gotthardt stated, from a planning perspective, the storage facility that is completely in R1
109 would likely be a variance request. A zoning line adjustment would need to go through town
110 meeting, which he did not believe would be a viable option. Chair Fracht agreed that there are
111 more than enough changes to the zoning ordinances the board intends to propose at town
112 meeting, and the board has had the challenge already of keeping the changes to a manageable
113 number. At this point it would be unlikely to add a request for re-zoning. He suggested that Mr.
114 B. Bergeron and Mr. R. Bergeron may want to try for a variance, with no guarantee that it would
115 be approved. He suggested another option of trying for a smaller project to begin with in the CB
116 district. Mr. Kiley agreed that a variance request would be the best option, and at this point the
117 variance request would likely be heard in December. Mr. Kiley stated that since it is a single lot,
118 the variance request for 1/3 of the lot would be one with a good argument. Ms. Jones suggested
119 the possibility of sub-dividing the 1/2 acre that is in the R1 zone (which would qualify for a
120 single-family home in that zone, with that lot size and setup). Mr. Bergeron shared that he had
121 investigated this, however because a large part of the property is in the CB zone, it is quite
122 expensive and does not make good sense financially.

123
124 There was discussion about a 10' strip along lot 5-1 that actually belongs to lot 5 and may be
125 there for utilities or something similar. Lot 5-1 has a ROW to access their property from Flanders
126 St. Ms. Jones suggested if that section of land could be moved to the back of lot 5-1, in a land
127 swap with lot 5-1, this would benefit Lot 5. Mr. Taylor noted that he would be able to help Mr.
128 and Mr. Bergeron submit the application for this if they were interested.

129
130 Ms. Jones also noted that this location is a bus stop, if the car wash business section of the
131 property could accommodate a space for the bus to pull off, this would be nice. Mr. Bergeron

132 noted that this would be a good service to the community and something they would be happy to
133 accommodate.

134
135 Mr. Gotthardt asked about the location of the queue for car wash visitors. Mr. Gotthardt also
136 asked how the queue for the wash would work. Mr. Bergeron explained the location of the cars
137 (looping around the building, with the entrance at the back of the building). There would be two
138 car-wash bays planned.

139
140 Mr. Gotthardt asked, access to the storage facility would only be off Flanders St? Mr. Bergeron
141 answered yes, and that the entrance would be locked (except for snow plowing, etc.)

142
143 **VII. UPDATE ON MASTER PLANNING TASK FORCE WORK – David Fracht (MPTF**
144 **Co-Chair):**

145 Co-Chair Fracht shared that 3 out of 4 educational sessions had been completed so far. The next
146 and last session is tomorrow night, Thursday, at 6pm both via Zoom platform and in-person at
147 the conference room at the Enfield Shaker Museum. There has been a higher attendance via
148 Zoom platform for each session. Last week's session was on Land Use, and the prior weeks was
149 on Housing. Co-Chair Fracht shared more about the Housing session's content, and that the
150 session seemed to spur thinking among community members about how Enfield may be able to
151 help with the housing issues in the Upper Valley. Both sessions were very well received, there
152 were an estimated 2-dozen attendees for the Housing session, with potentially some more for the
153 Land Use session.

154
155 Co-Chair Fracht shared that the task force is moving along with edits to the community survey
156 with consultant Ms. Saxton (PlaceSense).

157
158 November 6 is the community visioning workshop. There will be a total of 3 sessions – two in-
159 person on Saturday, November 6 and one virtually on Sunday, November 7 via Zoom Platform.
160 The sessions will be 2.5 hours and will be led facilitated by Master Plan Task Force members.
161 Co-Chair Fracht shared that there is an online sign up, and community members interested
162 should sign up online so that the task force can plan accordingly. Co-Chair Fracht asked
163 Planning Board members to contact at least 10 people to share information on the workshop with
164 and encourage them to sign up to attend. The more attendees, the better quality and quantity of
165 data will be.

166
167 At the previous Planning Board meeting, Mr. Russell had suggested adding buildings to the
168 Enfield developable property map. Co-Chair Fracht shared an updated map with buildings
169 shown (they are very small). Mr. Taylor shared that Ms. Labrie had visited the CIP committee to
170 invite members to the community workshops.

Co-Chair Fracht asked for any questions on the Master Plan Task Force. There were none. He shared that the task force hopes to have their first draft of the Master Plan by March 2022, and to be presented to the public at Town Meeting or shortly thereafter.

Co-Chair Fracht shared that in addition to the November workshops and the community survey, the task force hopes to have focus groups to cover various topics. The hope is then to have another community meeting in the spring that provides feedback on the Master Plan draft.

Circling back to the developable land map, Mr. Gotthardt suggested clarification at the November community workshops to community members who may not be familiar with zoning, the different districts, and areas of land in town, etc. Mr. Taylor projected the larger map for board members to review, Co-Chair Fracht read the description/explanation of the map. Mr. Gotthardt suggested also providing community members the town-wide zoning tax map. Mr. Russell shared that the online map provides this information, where the developable areas map is meant to provide a quick overview to spark conversation. Mr. Gotthardt stated that he felt showing houses on the map does not work. Co-Chair Fracht shared that while it may not work on an 8.5x11 piece of paper, on a larger, perhaps blueprint size piece of paper they should be more visible. Mr. Kiley noted that this map is meant to provide a brief overview of areas that can and cannot be developed in town, and it serves that purpose. Mr. Gotthardt shared that he still felt showing current housing locations was not a good addition to this map. Co-Chair Fracht noted that it wasn't meant to be an accurate depiction of every structure but provide an overview. Co-Chair Fracht will combine all layers of the map, and get copies printed for use at public meetings.

VIII. OLD BUSINESS:

Proposed Zoning Changes – Draft #3

Chair Fracht invited Mr. Gotthardt to lead the discussion on zoning changes. Mr. Gotthardt shared there are 3, potentially 4 meetings left to discuss and edit these before they need to be submitted for the town meeting, and for the first public hearing. With the current timeline, the first public hearing would need to be in January 2022.

The board reviewed the updated draft.

There were no proposed edits or questions to pages 1-3.

On Page 4, Chair Fracht stated that he believed the intent of the board was not to eliminate LED signs. He understood the intent was to allow the LED signs with restrictions on blinking etc. Mr. Kiley, Mr. Taylor, and Mr. Vermeer agreed that the previous discussion the board had included allowing LED signs. Mr. Kiley suggested eliminating the final sentence beginning "In no event shall a sign be...". Chair Fracht agreed, and suggested language changes regarding what class of sign "translucent covering" applies to. Mr. Russell also suggested the addition of changing LED

signs once per day. Mr. Taylor stated that in a recent court case, it had been ruled that the town can regulate details about the sign, but not the message. Mr. Gotthardt asked for clarification of the changes. Mr. Taylor stated that the board had decided to strike the final sentence beginning “In no event shall a sign be...”.

Chair Fracht stated that in addition the language change was needed regarding translucent coverings. The board decided to remove the sentence beginning “Internally lit signs shall be contained in a translucent covering...”

Ms. Jones stated that the board had not addressed night sky pollution. The Energy Committee pays attention to having things like caps on lights. Chair Fracht stated that this was included in an earlier part of the Sign Illumination section.

For the sentence beginning “In no event shall a sign have any animation, flashing...” Mr. Russell suggested a period after “image or illumination.” and striking the remainder of the sentence. The board also agreed to remove the word “changing” from this section.

The board agreed to add definition for the number of times a sign such as LED can be changed. Mr. Russell suggested the wording: “changes to the display message shall not be changed more than once per 24-hour period”.

On Page 5, the highlighted section beginning “Hours of Illumination:”. Ms. Jones asked, what about a gas station that might be open 24 hours? Mr. Kiley stated the ones in Enfield are not 24 hours, so hours of operation would be appropriate. Mr. Gotthardt suggested the allowance of changing a sign once in 24 hours be added to this section. Chair Fracht stated he felt defining hours of sign operation was important.

Page 6: Mr. Gotthardt shared that the bold language needed to be changed (from Agent, Code Enforcement Office, Selectmen) to Mr. Taylor’s Title (Land Use Administrator).

Mr. Taylor suggested that at the next meeting he could share the sign permit form with the board to review and edit in compliance with the proposed zoning changes – Draft 3.

Enfield’s Shedd St Property:

Mr. Russell shared that he and Mr. Taylor had discussed the town’s Shedd Street property. Out of that discussion, one idea is to create a new zone for the two lots. Mr. Taylor had suggested another idea of extending the CB district boundary to include those two lots. Mr. Russell stated that he sees that more as a neighborhood, than a business area. However, the benefit of changing the CB boundary would be that the Selectboard could choose to only see proposals for housing in the location. Mr. Russell asked the board for feedback on which idea would be best to move forward with. Mr. Russell also shared that he felt doing a separate zone for that district would set

precedent for thinking about residences in the village differently. Mr. Kiley stated that he felt the CB district boundary change would be the best route, since the Selectboard would move faster.

Mr. Taylor projected a town map to show the line of the CB district, along the Shedd Street property. Chair Fracht stated that he did not like the idea of extending the CB district into a residential zone. Mr. Taylor shared that the CB district is very permissive from a residential standpoint as there is no restriction on the number of housing units allowed. Mr. Gotthardt stated that the entire Village area should have its own zone. Mr. Kiley suggested basing it on sewer/water. Mr. Taylor suggested the VR zone – Village Residential. Mr. Russell stated that this zoning change would want to take place prior to sale of the Shedd Street property. Chair Fracht stated that he felt it would not be in the town's best interest to delay sale of the property. If the Selectboard could get a developer to do a purchase and sales agreement with contingencies on cleanup, etc. – from a developer standpoint, the developer would likely only want to enter into a purchase and sales agreement if they were sure they could develop the lot as they intend to. Chair Fracht stated that he felt it would be important to have a new zone go to the Town Meeting. Ms. Jones noted that she supports this as well.

Mr. Russell stated that the board's consensus was to create a new zone. He and Mr. Taylor will work together to start this. Mr. Russell invited board members who would like to help with this to do so. Chair Fracht stated that he would plan to work with Mr. Russell and Mr. Taylor. The three will meet at the DPW Friday, October 29 at 8am. The three will define clearly what is allowed today, and then define what they plan to change.

IX. NEXT MEETING: November 10, 2021

X. ADJOURNMENT:

A MOTION was made by Mr. Kiley to adjourn the meeting at 8:40 p.m.

The MOTION was seconded by Mr. Russell.

Roll Call Vote:

David Fracht (Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, Erik Russell, Mr. Vermeer **all voting Yea.**

None voted Nay.

None Abstained.

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

Respectfully submitted,

Whitney Banker

Recording Secretary