

**Enfield Planning Board – Meeting Minutes**  
**DEPT OF PUBLIC WORKS/MICROSOFT TEAMS**  
**PLATFORM**  
**December 14, 2022**

**PLANNING BOARD MEMBERS PRESENT:** David Fracht (Chair), Dan Kiley (Vice-Chair, via Microsoft Teams), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (Alternate)

**PLANNING BOARD MEMBERS ABSENT:** Jim Bonner (Alternate and Videographer), Whitney Banker (Alternate)

**STAFF PRESENT:** Rob Taylor- Land Use and Community Development Administrator, Ed Morris – Town Manager (via Microsoft Teams)

**STAFF ABSENT:** Whitney Banker-Recording Secretary (*note: minutes recorded later*).

**GUESTS:** Celie Aufiero (via Microsoft Teams at the beginning, then in person), Lisa Tucker (via Microsoft Teams), Liz Sauchelli (Valley News, via Microsoft Teams), Mary Lembke (via Microsoft Teams), Susan Brown, Ronald Taber (Vive Libre Geomatics, on behalf of Nick Loupis), Dr. Jerold Theis (Conservation Commission Chair), Leah Davis (Conservation Commission), Kirby and Sean Bonnell (Energetic Edge LLC), Madeleine Johnson (Heritage Commission Vice-Chair)

**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:**

Mr. Gotthardt shared that playback of the recordings can be difficult to follow or understand when Microsoft Teams guests have their cameras on (as it does not always keep the board as the most visual part of the recording). Mr. Taylor has been pinning the video recently, which was previously thought to resolve this issue. Mr. Gotthardt reiterated that when guests have their cameras off, it seems to fix the issue.

**III. REVIEW MEETING MINUTES: October 26, 2022 & November 9, 2022**

*Vice-Chair Kiley MOVED* to approve the October 26, 2022, Minutes presented in the December 14, 2022, agenda packet as presented.

*Seconded by Secretary Vermeer*

Amendments: None.

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

**None voted Nay.**

**None Abstained.**

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

**Ms. Stewart MOVED to approve the November 9, 2022, Minutes presented in the December 14, 2022, agenda packet as presented and amended.**

**Seconded by Mr. Rich**

Amendments: None.

Line 161 – “ordinance” to “section”

Line 162 – “ordinance” to “section”

Line 228/229 – range 800-1200 people

Line 229 – acreage to 75, add increase, strike living within”

Line 243 - ...see more housing units come onto the system gradually (strike “he said they may also get”

Line 249 – “Ms. Stewart said the developers are not here and WE” (instead of they)

Line 148 – Remove first “not” “they have discovered it is not”

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

**None voted Nay.**

**None Abstained.**

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

**IV. SELECTBOARD REPORT: Kate Plumley Stewart**

Ms. Stewart did not attend the December 5 Selectboard meeting. She had reviewed the video recording.

There were Conservation Commission warrant articles, which the Planning Board will review tonight. The Selectboard did not appear to be in support of these articles. They did not vote on them, as they wished to wait until the Planning Board reviewed the articles.

83  
84 There was a discussion on changing the personnel policy on vacation approval.

85  
86 The town is taking ideas for the dedication of the town report. Ideas can be sent to Selectboard  
87 members.

88  
89 There was a discussion about water and sewer rates.

90  
91 Donations were accepted.

92  
93 There were normal year-end transfers.

94  
95 There were some additional administrative items. The meeting was short, and the video  
96 recording is available on YouTube.

97  
98 Mr. Gotthardt asked for the status of the Johnston Drive committee. Mr. Rich said they had their  
99 first meeting; the Chair is Nate Miller. The meeting was educational for the new members. The  
100 committee will meet twice a month starting in January, with the intention of getting abutters, as  
101 well as town community members and groups involved. Mr. Gotthardt has information he will  
102 share with Mr. Rich after the meeting.

103  
104 Mr. Jennings asked if the Selectboard had decided on how they will proceed to evaluate the  
105 Short-Term Rental ordinance. The Selectboard did not discuss this at the recent meeting.

106  
107 **V. HEARINGS:**

108 Chair Fracht read each case to be heard.

109  
110 Chair Fracht explained the procedures for each hearing type to guests.

111  
112 **A. Land Use Case # P22-12-01, Nick Loupis has applied for Boundary Line Adjustment**  
113 **and Voluntary Lot Merger approval for his properties located on Lake Street. The parcels**  
114 **in question (map 30, lots 17 & 19) are located within the "R1" Residential zoning district.**  
115

116 The boundary line adjustment is for two lots, one owned by a father and the other by a son.

117  
118 Mr. Taber noted a change to the plan since the first submittal. He explained that Mr. Tucker's  
119 fence located in the first plan was on Mr. Loupis' property. The new plan shows the current  
120 location of the fence, which was moved back onto Mr. Tucker's property.

121  
122 Mr. Taber shared a survey map from the 1970s which shows the parcels on Lake Street, which  
123 was not recorded. He explained the locations of the parcels on that map and how they relate to  
124 current owners.

Mr. Taber shared a survey map from 1985 that has an incorrect lot line that was recorded, as well as another survey map from 2004 with further conflicting information. Mr. Taber explained that these surveys created two different lots with two different deeds, leading to the request for lot line adjustment. The goal of the adjustment is to correct these lot issues which will locate the septic system between the lots onto the lot that it serves and allow for the other lot to be built on by Mr. Loupis' son.

Both lots will remain conforming with the adjustment.

***Vice-Chair Kiley MOVED to accept the application for Boundary Line Adjustment and Voluntary Lot Merger with the condition that the abutting lot owners provide a letter to the town that they agree to the adjustment based on the survey revised 12/11/2022.***  
***Seconded by Ms. Jones***

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

**None voted Nay.**

**None Abstained.**

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

**B. Land Use Case # P22-12-02, Susan Brown has applied for Voluntary Lot Merger approval for her two parcels located at or near 15 Depot Street (map 34, lot 46). The parcels in question are located within the "Community Business" (CB) zoning district**

Ms. Brown now officially owns the .09-acre parcel that is part of her front yard (which was previously owned by the state).

Ms. Brown seeks to merge the two lots and create a single, conforming lot of 1 acre.

***Vice-Chair Kiley MOVED to accept the Voluntary Lot Merger of Tax Map 34, lot 46.***  
***Seconded by Mr. Rich***

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

**None voted Nay.**

**None Abstained.**

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

**C. Land Use Case # P22-12-03, Kirby Bonnell of Energetic Edge LLC has applied for Minor Site Plan review approval to operate a 24-hour fitness facility as well as a shake and tea bar at 505 US Rte. 4. The parcel in question (map 15, lot 10-4) is located within the “Route 4” zoning district and is owned by Indian River Realty LLC.**

2/3 of the location would be the fitness facility, and the other 1/3 would be the shake and tea bar. The Bonnells have been running shake and tea bars for 17 years, this will be their third. They are Enfield residents interested in offering an accommodating fitness studio in town. The fire code allows for 27 people in the entire space. 24-hour availability will allow access for community members of all different working shifts and schedules.

The building was formerly occupied by Pellegrino’s and then most recently Miracle Thrift Store. It is the building that Ziggy’s is in.

There will not be locker rooms, the space size does not allow for a full locker room. There will be several cardio machines, dumbbells, and several weight machines.

The facility would not have an attendant 24/7. There will be staffed hours (6 am to at least 2 pm every day). Access outside of staffed hours would be by coded key fob and only to the fitness section.

You can walk between the facility and the shake/tea bar.

The shake/tea bar is within the current use; however, the fitness facility and hours are enough of a change to warrant the minor site plan review.

The size of the leased space is self-limiting to enforce the fire code. There are also security cameras to monitor use during non-staffed hours.

The Bonnells have two other shake/tea bars currently operating. One in Lebanon since 2014 and one in New London since 2020. The other locations do not have fitness facilities. The Lebanon facility hosts free workouts.

There are 19 parking spaces. The fitness facility would accommodate about 6 people at one time with all equipment in use. The bar area will have seating only for eight people. The shake/tea business is mostly takeout (grab & go).

Public comment from Ms. Davis was that she thinks this is a great idea. There were no additional public comments.

There were no additional comments from board members.

**Secretary Vermeer MOVED to approve the Minor Site Plan change.  
Seconded by Ms. Stewart.**

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

**None voted Nay.**

**None Abstained.**

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

**VI. CONCEPTUALS:**

None.

**VII. ZONING CHANGES FOR INCLUSION ON TOWN MEETING WARRANT**

**A. Local Historic District – (Linda Jones, Heritage Commission)**

The Heritage Commission seeks to have the three historic buildings: the Union Church, Schoolhouse Museum, and Town House become their own historic district overlay, the Enfield Center Historic District Overlay. A historic district overlay goes on top of current zoning, meaning that all current zoning would apply to it. There are no standards that apply to the overlay. This proposal is instead of the formerly discussed Certified Local Government (whose NH program was defunded).

The Enfield Center Historic District Overlay consists of the Enfield Center Townhouse (1843), the Enfield Center Schoolhouse Museum (1851), and the Union Church of Enfield Center (1836). The buildings are currently designated as tax-exempt, and there will be no impact on the tax rate. The goal is to support the preservation of these structures by obtaining grant funding for improvements and maintenance.

The warrant article is supported by the Union Church Trustees, Enfield Center Schoolhouse Museum per the Enfield Historical Society, and the Enfield Center Townhouse per the Town of Enfield. Owners of all buildings have indicated their support.

The town does not currently have any zoning overlays. There is a similar situation with the Shedd Street properties owned by the town, which were made into their own spot-zoned district.

The Union Church and Townhouse are already on the National Historic Register. The Schoolhouse Museum qualifies to be as well. The overlay will show that the buildings are historically significant and worthy of upkeep and preservation. This would provide the opportunity for the Enfield Center Townhouse to be put back into use, including funding for the purchase of abutting land to provide parking that currently does not exist.

256 The town has had many recent projects for the Selectboard to focus on.

257  
258 The Master Plan chapter that would involve the Heritage Commission has not been developed. It  
259 is on the list for 2023.

260  
261 Additional standards would provide the Planning Board with something to reference if needed  
262 for future cases. There are no further standards (such as paint colors, siding type, etc.) to ensure  
263 the historical character of the building. Enforcement of additional overlay standards would be the  
264 responsibility of those who regulate zoning (Land Use Administrator, Planning Board, etc.).

265  
266 The Heritage Commission could define standards to address as part of the overlay (lighting,  
267 signage, architectural style, etc.) for the Planning Board to justify the overlay. The Planning  
268 Board can review these standards at the December 28, 2022, meeting.

269  
270 Historic buildings are a great asset to the town. The designation would not pose a cost to the  
271 town. The overlay would provide an opportunity to advertise the buildings for use along the  
272 Scenic Byway. The buildings need funding and upkeep.

273  
274 Board members were divided on the best way to proceed with the proposal for the overlay  
275 district. There were three courses of action that could be taken: approval as presented, approval  
276 with conditions, or denial.

277  
278 Mr. Gotthardt said he did not think this was ready for the Planning Board to present as their  
279 article. Mr. Jennings said that he remains unpersuaded that the time is right to present this article.  
280 Mr. Rich felt conflicted that it was a rushed article to get on the ballot; however, he did not feel it  
281 was a big ask. Secretary Vermeer did not see any downside to the article. Chair Fracht would  
282 like to see the article come back to the December 28 meeting with standards. Vice-Chair Kiley  
283 did not see a downside to the article. Ms. Stewart wanted to see examples of grants to decide  
284 whether to support the article. She would not support additional standards. Ms. Jones supports  
285 the article as she is also a member of the Heritage Commission.

286  
287 ***Vice-Chair Kiley MOVED to bring the article forward to the public hearing.***

288 ***Seconded by Mr. Rich***

289  
290 **Roll Call Vote:**

291 David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Brad Rich  
292 **all voting Yea.**

293 Kate Plumley Stewart (Selectboard Representative), Tim Jennings **voted Nay.**

294 **None Abstained.**

295  
296 ***\* The Vote on the MOTION was approved (5-2).***

**B. Parking Spot Standardization**

At the previous discussion, the board decided to table this for the future.

Chair Fracht called a 3-minute recess.

**C. Conservation Commission - 150' Setback to Enfield's Prime Wetlands**

Chair Fracht said that he had received a request from the Conservation Commission during recess to hear their article next. Board members had no objections to hearing this article next. Ms. Stewart requested that the review be kept brief.

Ms. Davis presented the article. She noted the importance of protecting prime wetlands and their importance in clean water, habitat, recreation, and shoreline stabilization.

There is currently a 50' buffer from the prime wetlands to the shore. The Conservation Commission is asking for the buffer to be changed to 150'. Studies have shown that 100' will eliminate only 75% of pollutants (such as sanding and salting roads).

Prime wetlands are indicated in the Natural Resources Inventory on Page 5.

Prime wetland protection used to be regulated by the state but was then turned over to each town to determine the buffer.

The Conservation Commission is asking the Planning Board for their support of the article that the Conservation Commission will submit.

The deadline to petition for zoning changes is today, December 14. The deadline to petition for non-zoning warrant articles is in February.

Mr. Gotthardt read the RSAs that Enfield has a 100' buffer for prime wetlands, RSA 482-A:15 Local Option; Prime Wetlands, section B, second sentence reads "The acceptance of any prime wetland designation by the department prior to the effective date of this paragraph shall remain in effect; however, any revision to the boundary shall be delineated using wetland delineation methods as adopted by the department and by the standards of this section." RSA 482-A:11 IV (a) reads "The acceptance of any prime wetland designation by the department prior to the effective date of this paragraph shall remain in effect; however, any revision to the boundary shall be delineated using wetland delineation methods as adopted by the department and by the standards of this section." DES can grant a waiver for very strict criteria. Dr. Theis referenced a case that involved a proposed building at 51' from a prime wetland, where DES was involved, and did not reference the 100' setback.

Enfield's (NH's) Prime Wetlands were established in 1987.

For grandfathered properties that are already within the setback, the change to 150' would affect only building onto the structure (a garage, an addition, etc.) and not changes like adding dormers to the roof.

The Conservation Commission will hold an educational meeting in February with an NH DES Wetlands Specialist for community members to learn more information about wetland importance and water quality prior to the town meeting.

There have been two recent cases that this change would impact. One is the Tabur property on Bog Road, and another is a minor subdivision along Mud Pond that will likely return as a major subdivision in the future. Dr. Theis said that NH DES had told the Conservation Commission that their issue in the Tabur property's case was not the location of the home (which was 51' from the prime wetland) but instead involved wetlands that would cross the long driveway that was proposed. Ms. Stewart said that Dr. Theis was not supposed to speak on that case as he is an abutter, and the Conservation Commission's Vice Chair Shirley Green is supposed to be the one discussing matters of that case.

Mr. Gotthardt posed the question of where the funding would come from for updated mapping to DES with the new delineation of an increased buffer. There was no plan for who would fund the updated mapping. Current maps show a 100' delineation. If the buffer was updated to 100', the maps would not need to be redone.

There are 29 communities in NH that have prime wetlands. Only 7 communities in the state have a 100' buffer or longer.

If the article is a zoning ordinance that is put forth by the Planning Board, there is until the first public hearing January 11, 2023. The deadline for a citizen's petition for a zoning article was today, December 14. The deadline for a citizen's petition for non-zoning articles is in February.

The Planning Board consensus was that they were generally in support of the article for a 100' setback, which is what the current delineation maps already show.

Each zoning district includes a phrase about structure locations to seasonal high-water lines.

Chair Fracht said that he would review the language of the draft article, with the change to 100', and confirm to Dr. Theis if any changes are needed by the Conservation Commission within the next week.

Vice Chair Kiley proposed further discussion of zoning changes happen at the December 28 meeting. Most members agreed. Mr. Jennings felt that the R1 lot density change was simple enough to review tonight.

**D. R1 Lot Density to ¼ Acre in Size with Municipal Sewer**

*Ms. Stewart MOVED to bring the article forward to the public hearing.  
Seconded by Mr. Jennings*

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**  
Linda Jones **voted Nay.**  
**None Abstained.**

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

The remaining articles will be reviewed at the Planning Board's December 28, 2022, meeting. Mr. Taylor will send around the update on the ADU language for board members to review ahead of the next meeting.

**E. ADU Increase to 2**

**F. R1 Remove "Principal Building" Language**

**G. Floodplain Updates as Required by State and Federal Governments**

**VIII. UPDATE ON MASTER PLANNING TASK FORCE WORK: David Fracht (Co-Chair)**

Co-Chair Fracht said that he circulated a link to the final draft of the Master Plan, and there is a PDF of the draft on the Enfield LEAPS website. These were also circulated to the Selectboard. The Planning Board has a block of time at the December 19, 2022, Selectboard meeting to discuss the plan as well as the plans for next year's five chapters and funding.

Co-Chair Fracht said he would like to schedule the public hearing and formal adoption for December 28. Board members generally agreed with this.

**IX. OLD BUSINESS:**

**X. NEW BUSINESS:**

**A. Grant Proposal for Zoning Changes**

The grant for funding the Master Plan can be applied for by either the Planning Board or the town. Chair Fracht suggested that the Planning Board apply for the grant since the Master Plan was a grassroots effort primarily by the Planning Board. Chair Fracht was not aware of any

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downside to the grant coming from the Planning Board. Vice-Chair Kiley also suggested having the Selectboard review the grant at their next meeting December 19, 2022.

***Chair Fracht MOVED to authorize the Planning Board to apply for a planning grant from the NH Housing Authority in an amount not to exceed \$25,000 (the grant limit for this grant).  
Seconded by Vice-Chair Kiley***

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

**None voted Nay.**

**None Abstained.**

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

The Planning Board will be the applicant unless Town Manager Morris feels the town should be the applicant. Town Manager Morris said that he had not received the email. Chair Fracht will send it to him again tomorrow.

**XI. NEXT MEETING:** December 28, 2022

**XII. ADJOURNMENT:**

***Vice-Chair Kiley MOVED to adjourn the meeting at 9:54 p.m.  
Seconded by Mr. Rich***

**Roll Call Vote:**

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Kate Plumley Stewart (Selectboard Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

**None voted Nay.**

**None Abstained.**

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

Respectfully submitted,  
Whitney Banker  
Recording Secretary