

Enfield Planning Board – Meeting Minutes
DEPT OF PUBLIC WORKS/MICROSOFT TEAMS
PLATFORM
December 28, 2022

PLANNING BOARD MEMBERS PRESENT: David Fracht (Chair), Dan Kiley (Vice-Chair, via Microsoft Teams), Linda Jones, Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (Alternate), Whitney Banker (Alternate)

PLANNING BOARD MEMBERS ABSENT: Kate Plumley Stewart (Selectboard Representative), Jim Bonner (Alternate and Videographer *note – Mr. Bonner arrived and left before the meeting began due to not having the correct equipment for videography)

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

GUESTS: Dr. Jerold Theis (Conservation Commission Chair), Shirley Green (Conservation Commission), Celie Aufiero, Heather Green (Liberty Utilities), Lindsay Smith (Master Plan Task Force Co-Chair), Brandy Saxton (PlaceSense LLC, via Microsoft Teams), Leigh Davis (Conservation Commission)

I. CALL MEETING TO ORDER

Chair Fracht called the meeting to order at 7:00 p.m. and took attendance of members present.

Chair Fracht elevated Mr. Gotthardt to a voting member for tonight's meeting.

II. PUBLIC COMMENTS

None.

III. REVIEW MEETING MINUTES: December 14, 2022

Ms. Jones MOVED to approve the December 14, 2022, Minutes presented in the December 28, 2022, agenda packet as presented and amended.

Seconded by Mr. Rich

Amendments:

Line 203 – “once” to “one”

Line 363 – 150’ to over 100’

Line 196 – “building” to “leased space”

Line 415/416 – “zoning changes” to “Master Plan”

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (Alternate), **all voting Yea.**

None voted Nay.

None Abstained.

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

IV. SELECTBOARD REPORT: Kate Plumley Stewart

None.

V. 2022 MASTER PLAN FORMAL ADOPTION PUBLIC HEARING

Chair Fracht opened the public hearing.

Chair Fracht called Ms. Smith (Master Plan Task Force Co-Chair) to provide a brief overview of the Master Plan work thus far. Ms. Smith gave an overview of the establishment of the Master Plan Task Force and the first five chapters of the Master Plan. Ms. Smith shared the various ways in which the task force worked together, as well as with the community, including education, feedback, and surveys. In addition to the multiple forms of community outreach and chapter work, the task force met twice a month. The task force worked with Ms. Saxton of PlaceSense LLC consultants, with expertise working on Master Plans for towns throughout New England.

The task force did a significant amount of outreach for community input and feedback throughout the process.

Feedback and outreach to both community members who rent and those who are seasonal were more difficult and yielded fewer results.

Ms. Aufiero suggested implying that the Master Plan is an ongoing document within the title. Mr. Gotthardt agreed that future chapters could be listed. Secretary Vermeer suggested adding future chapters to the Table of Contents. Ms. Jones suggested Master Plan Chapters 1-5 in the title. Ms. Smith confirmed that this is mentioned in a few areas, including at the beginning of the plan. Ms. Smith clarified that any edits to the plan require another adoption by the Planning Board, making small wording changes like this challenging. Mr. Taylor projected the paragraph at the beginning that explained the future chapters to be worked on in 2023.

Ms. Saxton agreed with Ms. Smith's points regarding the plan's first iteration. However, it is legal to adopt the plan as it exists right now, and once it is adopted, it will be the Master Plan from now on. The Vision and Land Use chapters are the critical (and required) chapters for a Master Plan. Future chapters will not be made to alter the plan but to enhance it.

Ms. S. Green asked if it is correct that there will be several years until the next set of chapters is added to the plan. Chair Fracht explained that the goal was to begin work in 2023 through 2024. However, the timeline depends on the start date, funding, the Town Meeting date, etc.

Dr. Theis asked where the money to complete the project (to be voted on at Town Meeting and by grant application) will come from has yet to be approved. If funding is unavailable, the plan will need to be done through volunteer work until funding is available (such as for the consultant's work). The funding will be within the town's budget proposed, to be voted on at Town Meeting.

Mr. Jennings suggested clear wording in the motion to adopt the Master Plan that it takes the place of the much earlier version as any guiding document to the town. Ms. Saxton confirmed that this would be fine to do. Mr. Jennings also suggested they include wording about the next five chapters to be worked on in the motion.

Chair Fracht asked if there were further public comments. Ms. Aufiero said that she needed clarification on the plan for moving forward with a motion.

Mr. Gotthardt said that regarding community outreach, the task force worked to reach out to those willing to be reached. They made every effort they could.

Chair Fracht declared the public hearing closed.

***Mr. Jennings MOVED to adopt the 2022 Master Plan as presented with the intent that future chapters will be added. The plan will supersede any previous Master Plan adopted by the Planning Board.
Seconded by Mr. Rich***

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (Alternate) **all voting Yea.**

None voted Nay.

None Abstained.

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

***Vice-Chair Kiley MOVED to thank the Master Plan Task Force for their work.
Seconded by Mr. Gotthardt***

Roll Call Vote:

Dan Kiley (Vice-Chair), Linda Jones, Tim Jennings, Kurt Gotthardt (Alternate) **all voting Yea.**

None voted Nay.

David Fracht (Chair), Phil Vermeer (Secretary), Brad Rich **Abstained** (all members of the Master Plan Task Force)

**** The Vote on the MOTION was approved (4-0-3).***

Ms. S. Green commented that the Master Plan Task Force did a good job.

VI. HEARINGS

A. Land Use Case # P22-12-04, Notice is hereby given that the Enfield Planning Board will hold a public hearing pursuant to RSA 231:158 concerning a designated scenic road in the Town of Enfield. This meeting will be held at the Enfield Public Works Facility at 74 Lockehaven Road and online via the Microsoft TEAMS Web Meeting platform (login info available at www.enfield.nh.us) on Wednesday, December 28, 2022, at 7:00 PM. A PRESENTATION and HEARING will be held regarding an application from Liberty Utilities to cut and maintain vegetation on Lockehaven Road, a designated scenic road.

Ms. H. Green presented the case. There is a customer who would like service, which requires some tree removal for service to be provided. Ms. H. Green explained the planned work and cutting that would take place if approved. In addition to Planning Board approval, Liberty Utilities will also ask the landowners for their consent to cut.

Mr. Gotthardt asked if the height of the new pole was the new standard height. Ms. H. Green said this would be an engineering question that she could not answer.

Mr. Gotthardt asked if any emerald ash borers were identified in the area. Ms. H. Green said she had not been watching it county by county but had yet to see it in this county. Mr. Gotthardt asked about ash die-back. Ms. H. Green said that there are so many affected in the area.

Ms. Aufiero is an abutter to the property. Ms. Aufiero passed out a packet of information regarding the laws around scenic roads for members. Ms. Aufiero said that she needed to understand initially that it was only a small area to be cut; she had thought it was a much more significant portion of Lockehaven Road. Ms. H. Green explained where the cutting, new pole (already in place), and lines would take place.

Chair Fracht reminded Planning Board members that the board is concerned with tree cutting only relating to the public road. Anything done on a privately owned portion of the land regarding cutting is not the concern of the Planning Board.

Chair Fracht closed the public hearing.

Mr. Gotthardt MOVED to accept the Land Use Case #P22-12-04 tree cutting on Lockehaven Road near Pole 22A.

Seconded by Vice-Chair Kiley

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (Alternate) **all voting Yea.**

172 **None voted Nay.**

173 **None Abstained.**

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

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177 **VII. CONCEPTUALS**

178 None.

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180 **VIII. FINALIZE LANGUAGE FOR ZONING CHANGES FOR TOWN MEETING**

181 Chair Fracht said the board would finalize language and vote on whether the arrant articles will
182 advance to the public hearing on January 11, 2023.

183
184 **A. ADU Increase to 2**

185 Chair Fracht explained some deletions that Mr. Jennings proposed to the language regarding the
186 limiting size (maximum 800 square feet, maximum two beds, one bath). Mr. Jennings felt these
187 numbers were unnecessary and could be left to the property owner, what size ADU can be
188 accommodated within building codes and setbacks, etc. Secretary Vermeer said that he agreed
189 with this.

190
191 Chair Fracht said that the Master Plan, which was just adopted, focuses (based on community
192 feedback) on housing density in the village areas served by town water/sewer. Therefore, having
193 no restriction may create greater density in rural areas, which may take away the town's rural
194 character.

195
196 Mr. Jennings reiterated that they should leave the parameters open for the property owner to
197 decide.

198
199 Mr. Rich said he wondered if the board was at a point of deciding on this article or if they needed
200 more time to discuss and consider it. Ms. Jones said she was concerned with how quickly the
201 board was moving forward with this, along with the increased density article.

202
203 Ms. S. Green said that she agreed with Chair Fracht's statement that the Master Plan was just
204 adopted and that the board should follow the guidelines of that plan.

205
206 Chair Fracht asked how the board would like to proceed.

207 Ms. Jones said she would like to double the number of ADUs but keep the size restrictions.

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209
210 *Secretary Vermeer MOVED to adopt the language as written.*

211 *Seconded by Mr. Rich*

212

Board members discussed further wording clarifications that there could be two units, one attached and one detached, and made minor amendments to the language.

Secretary Vermeer MOVED to adopt the language as amended.

Seconded by Mr. Rich

Roll Call Vote:

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

Kurt Gotthardt (Alternate) **voted Nay.**

None Abstained.

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

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

The board previously voted on this article with amended wording.

C. R1 Remove “Principal Dwelling” Language

The board previously voted on this article with amended wording.

D. Conservation Commission - 100’ Setback to Enfield’s Prime Wetlands

Chair Fracht shared his research to understand what happened in this situation. He explained that the five Enfield Prime Wetlands were adopted in 1992, and there were no setback requirements then. Several years later, prime wetlands were subject to a 100’ setback rule by the state. Several years after that, the state removed the setback again.

Mr. Gotthardt clarified that he was mistaken at the last meeting, and the maps do not include the 100’ setback; they only have the prime wetlands.

Chair Fracht called a 5-minute recess.

Mr. Taylor projected the language of the article on screen. Dr. Theis shared the wording by Chair Fracht, which the Conservation Commission voted to accept at their special meeting on December 27, 2022.

The Planning Board will submit the article with the advice and consent of the Conservation Commission. Conservation Commission members Ms. S. Green and Ms. Davis also agreed, as did Dr. Theis.

The Conservation Commission will host an educational session for the community in February to address concerns and explanations for the change. Mr. Jennings clarified that the Planning Board would not be taking an active role in this education. Chair Fracht confirmed that the

Conservation Commission would actively educate community members on this change, not the Planning Board.

***Vice-Chair Kiley MOVED to accept the wording for the prime wetlands article.
Seconded by Mr. Rich***

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (Alternate) **all voting Yea.**

None voted Nay.

None Abstained.

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

The Planning Board recommends the article with the advice and consent of the Conservation Commission.

E. Floodplain Updates as Required by State and Federal Governments

Secretary Vermeer MOVED to approve the changes.

Seconded by Mr. Rich

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (Alternate), **all voting Yea.**

None voted Nay.

None Abstained.

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

F. Local Historic District – Heritage Commission?

Chair Fracht asked if Ms. Jones had anything to add to the presentation given at the last meeting. Ms. Jones did not have anything to add.

Ms. Jones recognized that several board members were uncomfortable with the lack of further standards for the overlay. However, she felt that if it comes up in the future, conditions could be added for a future vote.

The historic overlay would help with the availability of grant money to maintain the buildings, acquire land for parking and facilities use, etc.

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Chair Fracht asked if adding specific criteria for the district overlay would aid the probability that grant applications would be accepted. Ms. Jones said that she thought an absence of further standards for this overlay district would be fine with the acceptance of state grants.

Vice-Chair Kiley MOVED to approve the language for the local historic district overlay. Seconded by Mr. Rich

Roll Call Vote:

Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Brad Rich, **all voting Yea.**
David Fracht (Chair), Tim Jennings, Kurt Gotthardt (Alternate) **voted Nay.**
None Abstained.

**** The Vote on the MOTION was approved (4-3).***

IX. OLD BUSINESS:

Mr. Jennings reminded board members of several previous items to carry forward:

A. Grant Application Status Update

The Selectboard is in favor of the application. Chair Fracht submitted a draft version to the granting organization for their review and comment. The organization meets again in January.

B. 30-foot height requirement

C. Procedural handout for the community to explain Planning Board proceedings

X. NEW BUSINESS:

None.

XI. NEXT MEETING: January 11, 2023

XII. ADJOURNMENT:

Vice-Chair Kiley MOVED to adjourn the meeting at 9:25 p.m.

Seconded by Mr. Rich.

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Phil Vermeer (Secretary), Tim Jennings, Brad Rich, Kurt Gotthardt (alternate), **all voting Yea.**

None voted Nay.

None Abstained.

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

Respectfully submitted,

- 337 Whitney Banker
- 338 Recording Secretary