

Enfield Planning Board Minutes, July 12, 2023

Enfield Planning Board – Meeting Minutes

DEPT OF PUBLIC WORKS/MICROSOFT TEAMS

July 12, 2023

PLANNING BOARD MEMBERS PRESENT: David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones, Erik Russell (Selectboard Representative), Phil Vermeer, Tim Jennings (Secretary), Brad Rich, Whitney Banker (Alternate)

PLANNING BOARD MEMBERS ABSENT: Kurt Gotthardt (Alternate), Jim Bonner (Alternate and Videographer)

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

GUESTS: Jeanie McIntyre (Upper Valley Land Trust, Teams),

I. CALL MEETING TO ORDER:

Chair Fracht called the meeting to order at 6:30 p.m. and took attendance.

II. PUBLIC COMMENTS:

None.

III. SELECTBOARD REPORT: Erik Russell

No update.

Mr. Jennings asked where the Selectboard is in the process of deciding about the Johnston Property. Mr. Rich said that the Johnston Property Use Committee had finalized their recommendation, which will go on to the Selectboard meeting on Monday, July 17.

IV. LAND USE ADMINISTRATOR REPORT: Rob Taylor

The Shaker Museum has agreed to terms to purchase La Salette. They intend to keep the property in a similar use to what it currently is.

Potential development Laramie Farms has been in communication, as has Chinburg Properties (looking to purchase the LaCroix property). Both developments rely on Route 4 access and what NH DOT will allow. The LaCroix property faces more problematic access.

Building permits continue to be very busy.

There have been significant impacts from the heavy rain in the last week that are being worked on. The town is anticipating support from FEMA. Lockhaven Road, Ibey Road, Potato Road,

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and Hawley Drive were heavily impacted, as were many other roads around town. The City of Lebanon assisted with mutual aid.

The federal grant for the scenic byway along Route 4A to build a multi-purpose pedestrian path is being worked on. Due to a recent grant, there is also work being done on Mascoma Lakeside Park. These projects involve a lot of permitting.

The Town of Enfield will request a subdivision for the Malz property at Granite Place (in front of Shaker Hill Granite) to construct the Public Safety Facility.

Real estate inventory has been higher, and there have been several calls about recent properties from investors.

Mr. Vermeer asked if the town had found a temporary location for the library. Mr. Taylor said that he had recently facilitated a meeting between Mr. Morris and the owner of the building currently for sale next to Proctors as a temporary town office and library rental space. Mr. Vermeer said that another possibility might be the La Salette facility.

Ms. Jones asked, when the board looked at the 43-acre LaCroix property in the past, wasn't there an access road change that had been reviewed? Mr. Taylor said that there was. However, the NH DOT does not see the access as appropriate for multi-family housing.

The property owner on Beaver Point recently removed the structure, a project underway for several years.

The building on Route 4 that recently had a large fire can now be torn down. Hammond in Canaan plans to remove it by the end of the month.

V. REVIEW MEETING MINUTES: June 28, 2023

Mr. Rich MOVED to approve the June 28, 2023 Minutes presented in the July 12, 2023 agenda packet as presented.

Seconded by Mr. Vermeer

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

VI. HEARINGS:

None.

VII. CONCEPTUALS:**A. Upper Valley Land Trust Snow Mountain Cell Tower**

Ms. McIntyre, President of the Upper Valley Land Trust (UVLT), introduced herself and the project regarding the cell tower and access to it. Ms. Huntley was still determining whether the Planning Board needed to see updated site information for the UVLT to renew its Current Use status.

Ms. McIntyre explained the history of the property's ownership, now under the UVLT. UVLT recently renegotiated the leases with the three carriers that use the towers, and as part of that, updated the maps and corrected the amount of acreage subject to the lease. There were some questions about what portions of the property were and weren't in current use and why, and some corrections were required to make the current use approval match the updated property survey. Ms. Huntley had suggested that the UVLT may be changing its site plan, which the Planning Board may need to review. Ms. McIntyre said that the use of the cell tower, its fencing, and access roads aren't changing. The only change is the map that shows what the carriers of the towers have lease rights to (and that it is fewer lease rights than they formerly had).

Mr. Taylor said that he did not feel a site plan review was needed; however, Ms. Huntley needed clarification, and they agreed to get the board's opinion. Mr. Taylor said that he believed the labeling on the survey document "site plan" may have caused the confusion.

Chair Fracht asked if the "new" triangular area was fenced in. Ms. McIntyre said the fence is smaller and remains the same as it always has.

Board members agreed they did not have anything to review.

Ms. Jones asked if there was any change in the amount within the triangle area from the previous area. Ms. McIntyre said the triangle was smaller than the original 2.16 acres listed. Mr. Kiley said this was a tax assessment question if it came up. Chair Fracht agreed.

The board thanked Ms. McIntyre for presenting the facts and agreed they needed to do nothing about her conceptual.

Mr. Taylor will notify Ms. Huntley that the board agrees that no site plan is necessary.

VIII. NEW BUSINESS:**A. Class VI Roads**

Mr. Taylor said they had previously heard around 2020 that Lebanon established a committee to review and make recommendations about their Class VI roads. Enfield was involved with some roads (Atherton Road and McCallister Road, both off Methodist Hill) that connected to Enfield's Class VI roads.

Enfield sent a letter to the City of Lebanon at that time about the roads that included property in Enfield. Enfield asked Lebanon not to abandon these Class VI roads, as the Enfield roads would then become roads to nowhere.

Lebanon recently notified Enfield that these two roads would have an upcoming hearing for the Patch Orchards company that disagrees with the recommendations and findings of the Class VI committee and has taken Lebanon to court. The Patches have offered a settlement that includes moving land for Barden Hill Road and have asked Lebanon to abandon these other Class VI roads.

The formal hearing about this in Lebanon will be on August 16. Mr. Taylor will attend if the board wants him to do so.

Mr. Jennings asked who speaks for the town of Enfield officially. Mr. Taylor said that it would be the Selectboard. He clarified that the original letter from Lebanon was from their Planning Board to Enfield's Planning Board.

Mr. Jennings asked if there were a Class VI Road ordinance developed and whether the board would be involved in that. Mr. Russell said that the policy of the roads falls under the Select Board, but an ordinance and knowledge about planning falls under the Planning Board. Chair Fracht said he felt it was appropriate for both the Planning Board and the Select Board to weigh in on the situation with letters.

Mr. Jennings MOVED that the board empower Chair Fracht and Mr. Taylor to express to the City of Lebanon the Enfield Planning Board's desire that Lebanon not abandon the Class VI roads that run between Enfield and Lebanon.

Seconded by Mr. Kiley

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

Mr. Taylor and Chair Fracht will draft and send the letter and copy it to the board. The new letter will include a reference to the new Master Plan.

IX. OLD BUSINESS:

A. Zoning Ordinance Re-Write Project

An initial meeting with PlaceSense, Chair Fracht, and Mr. Taylor is to be scheduled. There has been a delay due to scheduling conflicts. This discussion will review the project sequence, the Planning Board's involvement, the general public, etc.

The plan is to hold the August work session with PlaceSense, as previously discussed.

B. Rules of Procedure Discussion

This discussion is to be scheduled to include Mr. Morris.

C. Multiple Multi-Family Dwellings on One Lot Discussion

This discussion is pending town council meeting with the board, which can be a non-public session if the board desires.

Chair Fracht suggested that the August work session have a half-hour time with the attorney and an hour and a half with PlaceSense. Mr. Jennings suggested a subcommittee discussion with the town attorney outside the meeting and bringing back the takeaways from that meeting. Mr. Rich said he felt the cost would be relatively similar and was interested in discussing it with the board. Mr. Russell agreed that he would also be interested in participating in the discussion and felt it would be valuable to have the board participate. Chair Fracht agreed.

Mr. Jennings suggested that the letter he and Mr. Gotthardt put together be sent to the attorney ahead of time, along with Mr. Taylor's differing interpretation, to prepare for the discussion. Chair Fracht agreed. Board members agreed.

Mr. Kiley suggested having the discussion on Teams so that the attorney would not need to travel to the area from the Concord area. Board members agreed.

D. Master Plan

Mr. Jennings asked what would happen with the Master Plan meeting. Chair Fracht said that it would be part of the meeting he and Mr. Taylor have with PlaceSense.

X. NEXT MEETING: July 26, 2023**XI. ADJOURNMENT:**

Mr. Kiley MOVED to adjourn the meeting at 7:40

Seconded by Mr. Rich

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

Respectfully submitted,

Whitney Banker

Recording Secretary