

Enfield Planning Board – Meeting Minutes**DEPT OF PUBLIC WORKS/MICROSOFT TEAMS****September 13, 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, Jim Bonner (Alternate and Videographer), Whitney Banker (Alternate)

PLANNING BOARD MEMBERS ABSENT: Kurt Gotthardt (Alternate)

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

GUESTS: Liz Sauchelli (Valley News, Teams), Vicki Pellerin, John Pellerin

I. CALL MEETING TO ORDER:

Chair Fracht called the meeting to order at 6:31 p.m. and took attendance of members.

II. PUBLIC COMMENTS:

None.

III. SELECTBOARD REPORT: Erik Russell

The last meeting had a public hearing regarding the potential short-term rental ordinance. The meeting was well attended. The selectboard is revising the draft ordinance based on feedback.

There was also a discussion regarding recent storm runoff and Hawley Drive and more extensive plans town-wide for storm runoff prevention.

IV. LAND USE ADMINISTRATOR REPORT: Rob Taylor

Departmental budgets are being worked on.

Mr. Taylor has worked with department heads, Selectboard, and Mr. Morris (Town Manager) on various strategic goal projects.

There are no recent updates on the two larger potential developments. They are both continuing to work on their potential projects.

There is a potential buyer for the former Blue Ox Farm property along Route 4A. Access from Route 4A includes a small bridge over the Knox River, which is likely to need improvement and repair (which would involve wetland permits, etc.).

Several building lots are available, as well as more real estate inventory. This has led to many calls from potential buyers about what can and cannot be done with certain properties.

The Methodist Hill Use Property Committee (MHUPC) has begun meeting. Mr. Taylor attended their most recent meeting to provide guidance on what can and cannot be done with the land. Abutters to the property will come to the next MHUPC meeting.

The Zoning Board of Adjustment (ZBA) met yesterday, September 12, 2023. Only three of the five ZBA members were present. Out of two case hearings, one applicant chose to wait for a full board at the next meeting. The other application was approved for a subdivision of less than 3 acres in the R3 district. This is to re-subdivide a property previously merged from two into one larger lot. This applicant will next come to the Planning Board for a subdivision once their application is complete. The ZBA's decision will be included with the application package to the Planning Board.

The recent conditional approval in Lower Shaker Village from the Planning Board will go to the ZBA's October meeting.

Several additional ZBA and Planning Board applications are expected for coming meetings.

There has been some uptick in questions to the building inspector (Mr. Ehrenzweig) about Accessory Dwelling Units (ADUs). Mr. Ehrenzweig attended a recent New Hampshire Building Officials Association (NHBOA) session, which anticipates NH to move forward with state-wide ADU legislation.

The ¼-acre minimum lot size in the R1 district for properties on municipal water/sewer has not attracted a lot of attention yet.

The town put out an RFP for the demolition and remediation of the Shedd Street property (the former Public Works facility). At town meeting, about \$70k was set aside, and so far, the lowest bid has been \$150k; more funding is needed than anticipated. Phasing the work is a potential option. Several serious developers have shown interest in the site.

V. HEARINGS:

A. Continued- Land Use Case # P23-08-03, Vickie Pellerin has applied for Major Site Plan Review (SPR) approval to add a bingo hall/ entertainment venue use to the used auto sales use (in the space currently occupied by Shake Valley Auto) at 453 US Route 4 (map 14, lot 69). The parcel is owned by Carl and Vicki Pellerin and is 2.17 acres. It is located within the Route 4 zoning district.

Ms. Jones suggested that the board continue the hearing before minute review. Chair Fracht agreed and changed the agenda order.

Chair Fracht read the continued case and reviewed the previous discussion at the August 23 meeting. Many of the areas that were identified as needing clarification have been resolved. The septic/water issue remains unresolved. Ms. Pellerin is working with the original septic designer, who designed the septic in the late 1980s for Mr. LaCroix. They will evaluate the system and are still licensed.

Chair Fracht reopened the public hearing.

Parking/loading/safety – Mr. Pellerin reviewed the number of parking spaces available, including for-sale cars, Bingo spaces, and ADA spaces. There are roughly 80 spots for the sale vehicles and 70 for Bingo. Currently, there are about 35 vehicles for sale. There is a designated area to push snow away from all parking spaces.

Chair Fracht commented that when he and Mr. Pellerin met to discuss items missing at the last hearing, they agreed it would be about two people per car (versus regulations based on square feet) considering this use. Chair Fracht asked board members to discuss whether they wished to object to or amend this decision.

The capacity of the hall is currently being determined with Mr. Ehrenzweig. A proposed plan, with tables, shows 88 seats. Mr. Ehrenzweig suggested they could go up to 120 people at the last discussion. Members agreed the number of parking spaces available would serve the anticipated number of guests with no issue. Mr. Russell commented that the board has previously defined parking spaces as 10'x20', while those shown are 9'x18'; the number of spaces should be adjusted based on the 10'x20'. This would not impact the parking situation, as plenty of spaces would still exist.

A new driveway permit has been obtained from NHDOT, with no changes needed.

Water drainage – all drainage slopes away to the basins. Sterns will come this week to clean the catch basins.

Exterior lighting & signs – previously received details on proposed lighting. Only a few need to be added to the front of the main building. Most of the lighting is already updated. Existing signage will be used.

Dimensional guidelines – there will be no new buildings or changes.

Water supply – the bingo hall is on well water. Water samples had to be sent to the NH Department of Environmental Services (NHDES). The wells are anticipated to have enough capacity, as they were made to serve an original 4-bay car wash. Municipal water is available as

a backup if there are issues. The septic leech field is between the bingo hall and the car wash building. Partially under pavement, partially under crushed stone.

The property is served by a septic system, which was grandfathered to the previous owner with the requirement that after the sale of the property, the property would need to hook up to the municipal sewer system. The Selectboard would need to approve the continued use of the septic. The Planning Board would need to ensure the septic system is adequate.

ADA Compliance – door openers will be installed, as well as ramps to entrances. Bathrooms will be expanded to comply.

Flood plain – the property is not in a flood plain.

Solid waste and recycling – previously discussed. The dumpsters are located behind the automotive repair building. The dumpsters are located away from view of the street and abutters.

Safety review – the Pellerins are working with Mr. Ehrenzweig. The Police Chief and Fire Chief are both aware.

Natural & historic features – does not apply.

Chair Fracht asked for questions from the board. With none, he closed the public hearing.

Mr. Kiley MOVED to approve the major site plan review for the Pellerins with the condition that they have an approved septage plan.

Seconded by Mr. Vermeer

Mr. Jennings said that he felt the criteria should be more specific to clarify if the existing septic is approved for use by the Selectboard, it needs to be reviewed by an approved designer.

Mr. Kiley MOVED to approve the major site plan review for the Pellerins with the condition that they either connect to municipal sewer or have a plan approved by a licensed septic designer for the intended use.

Seconded by Mr. Vermeer

Chair Fracht asked for further discussion. With none, members moved on to vote.

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

VI. REVIEW MEETING MINUTES: August 23, 2023

Mr. Rich *MOVED* to approve the August 23, 2023, Minutes presented in the September 13, 2023 agenda packet as amended.

Seconded by Mr. Vermeer

Amendments:

Line 150 – septic “and” well

Line 239 – clarify

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

VII. CONCEPTUALS:

None.

VIII. NEW BUSINESS:**A. Building Inspector Data**

Mr. Jennings reminded board members of a previous discussion about obtaining a regular data sheet from Mr. Taylor with building permits, single-family home builds/losses, etc. data. Board members agreed.

IX. OLD BUSINESS:**A. Rules of Procedure Discussion – Tim Jennings**

Members reviewed the document provided by Mr. Jennings.

Members and Alternates:

Mr. Morris questioned whether alternates should be allowed to participate in board discussions if not elevated to fill an absent position. Members discussed whether alternates should participate only during the public hearing versus the board discussion (when not elevated to vote). Chair Fracht suggested that alternates should participate to help keep their interest and practice for when they are needed. Mr. Russell said it could also aid continued hearings where an alternate may be elevated if a regular member cannot be present. Members agreed to leave the wording as-is. Alternates can participate in the board discussion, even when not seated to vote.

The board chose to remove Members and Alternates section 9 – “good reason...” to the end of the sentence.

Officers:

The board chose not to add a maximum number of terms for the Chairman under 1.A.i. (proposed language to limit to 3 consecutive terms).

The board added language under 1.A.i on communications to the full board, including those that Board Members request be sent to the full board.

Land Use and Community Development Administrator:

Members agreed with all proposed changes.

Meetings:

Members agreed with the proposed changes.

Mr. Russell suggested changing the order business to put public hearings first, as the Selectboard does. Members agreed to make this change. Following the Call to Order, the Roll Call and Public Comment will be Public Hearings, then Conceptuals.

Board Packets:

Members discussed the timing of relevant ZBA decisions, where the ZBA meets one day before the Planning Board. The documents are required if relevant and must be included with the Planning Board. No further changes were made to the wording.

Public Hearings:

Members agreed with the proposed changes.

Mr. Russell suggested adding a disclaimer that remote media is provided as a courtesy but not guaranteed. Members agreed this made sense to add.

Records:

Members agreed with the proposed changes.

Joint Meetings and Hearings:

The board that calls the meeting will chair it for joint meetings, except for joint meetings with the ZBA. ZBA is a fact-finding board; in that case, the Planning Board would chair the meeting, per state RSA. Members agreed to remove item 4 of procedures. Stating the Board Chairman shall chair all joint meetings.

Members agreed with additional proposed changes.

There were no additional changes to review from Mr. Jennings's document.

Mr. Taylor received an additional document from Mr. Gotthardt with proposed changes. Members reviewed the comments and made no further changes.

Mr. Taylor will send the edits back to Mr. Jennings for cleanup. In the signature section of the document, Mr. Rich's name is misspelled and should be fixed. A final document review, vote, and signatures will happen at a future meeting.

B. Stakeholder List

Mr. Taylor will provide members with the most recent version of the stakeholder list.

C. Legal opinion for ¼-acre minimum lot ordinance:

Mr. Jennings asked if there was any update on the ordinance for a ¼-acre minimum lot and the number of buildings and units per lot, which the board had asked the Town Manager to get a legal opinion on. Chair Fracht said Mr. Morris had asked the board to wait until they have a case involving the ordinance to contact legal counsel.

Mr. Kiley said that any changes in zoning for the following year would need to be made by November to go to Town Meeting 2024. Chair Fracht suggested asking PlaceSense LLC, working on the Zoning Re-Write, to provide guidance and clarity for a current interpretation. If they agree it is confusing, the board will look to rewrite a clear ordinance to be voted on at Town Meeting 2024.

Mr. Jennings stated that he did not like the interpretation he and Mr. Gotthardt had. He said that he personally did not like having only one building per lot and did not think the number of units per building would matter.

Mr. Taylor will contact PlaceSense for their interpretation of what the current ordinance says. The question is, for a lot in the R1 with the 1/4-acre minimum, how many units are allowed, and do they all need to be in one building, or can they be in multiple buildings?

X. NEXT MEETING: September 27, 2023

XI. ADJOURNMENT:

Mr. Rich MOVED to adjourn the meeting at 8:35 p.m.

Seconded by Mr. Vermeer

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

Respectfully submitted,

Whitney Banker

Recording Secretary