

Enfield Planning Board – Meeting Minutes**DEPT OF PUBLIC WORKS/MICROSOFT TEAMS****January 24, 2024**

PLANNING BOARD MEMBERS PRESENT: David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell (Select Board Representative), Phil Vermeer, Tim Jennings (Secretary), Brad Rich, Kurt Gotthardt (Alternate), 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: Mark Fougere (Mark Fougere Planning & Development, via Teams), Steve Whitman (Resilience Planning & Design, via Teams)

I. CALL MEETING TO ORDER:

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

Chair Fracht asked for any objection to reviewing the NH Housing Opportunity Program (HOP) Grant first. With no objections, he moved to have Mr. Whitman review the Policy and Regulatory Audit.

II. NH HOP GRANT: NH Housing Opportunity Program**A. Overview of the last meeting and focus of the project**

Mr. Whitman reviewed the highlights of the last meeting and their understanding and approach based on those conversations.

The planning board is highly interested in starting fresh; however, the limited timeline is unlikely to allow a complete rewrite from the ground up. Mr. Whitman suggested the focus be on housing, with additional updates to the existing ordinance as time allows. Mr. Jennings said he was unwilling to accept the approach of focusing on housing and adding other items if time allowed. He felt this approach would mean adopting good changes to a flawed ordinance, which would not serve the community well in the long term. This would include all articles of the ordinance. Mr. Whitman said that the entire ordinance would likely be at least one year of work and would be outside the scope of the contract. He suggested that they can help provide definitions but that the focus should remain on the housing aspects.

Mr. Taylor suggested certain parts of the ordinance, such as the conservation district and commercial/industrial, could be used as-is. These are likely to need a little updating. Mr. Taylor

42 agreed with Mr. Whitman that a housing focus and update versus a complete re-write was ideal
43 due to the time constraints. Mr. Rich suggested looking at the most problematic areas first. Chair
44 Fracht reminded the board that while the NH HOP contract ends in July, they can continue
45 working with Mr. Whitman and Mr. Fougere for an additional 6 or 7 months to work on the
46 ordinance and essential changes.

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48 Mr. Jennings said that he did think Mr. Taylor's suggestions could work. He asked, at the end of
49 July, what are we required to produce? Is it a draft ordinance? Chair Fracht said yes regarding
50 the housing pieces in relation to the NH HOP grant. There is no requirement that the town adopt
51 the ordinance.

52
53 **B. Review findings of Regulatory Audit, solicit questions and feedback**

54 Mr. Whitman reviewed the draft audit report. This was a key part of the NH HOP grant. The
55 recent Master Plan chapters were extremely helpful in guiding the approach to updating the
56 ordinance.

57
58 Workforce housing is mandated to be addressed as part of the NH HOP grant.

59
60 Simplify uses allowed, which may include usage and dimensional tables for each district (which
61 would be compared across districts).

62
63 Addressing lot sizes throughout zones to match what exists is a priority. Starting from scratch
64 with the districts is desired by the board.

65
66 An increase in height requirement in all districts is needed. Requirements may differ based on
67 each district, multi-family structures, and structures with sprinkler systems. Mr. Jennings asked
68 how height is typically defined: is it measured in feet or stories per building? Do below-grade
69 stories count? The typical height in town is 2.5 stories. Mr. Jennings suggested identifying "3
70 stories above ground" as the limit and asked the consultants if this would be simple to define and
71 interpret. Mr. Fougere said that, in most cases, height is defined by a number. He said not
72 defining a number could create situations where homes are out of the norm height-wise. Mr.
73 Whitman, Mr. Fougere, and the board agreed that both options would be identified. Mr. Taylor
74 also suggested the option to do a special exception or similar option to gain additional height
75 versus a variance.

76
77 A short-term rental regulation will be on the ballot at the Town Meeting this March, put forth by
78 the Select Board. Mr. Taylor will forward a copy of this draft article to the board.

79
80 Mr. Whitman reviewed the analysis of each existing zoning district, including tables provided to
81 illustrate what is currently allowed versus what could be proposed as part of the rewrite. He

suggested a version of these tables could be used as a helpful tool to communicate changes with community members.

Possible districts include:

Conservation

Commercial/Industrial

Village District

Lakes District (same regulations for all lake areas in town)

Rural District

Possible Overlays (Shaker Village, Eastman Village, Lakeview Condos, Enfield Center, Historic Overlay Districts)

Mr. Whitman asked, for the potential rural district, if combining the existing R1, R3, and R5 districts would be a problem. Members agreed that, outside the Village district, this was likely to work. The Village district would likely replace R1, and Rural would combine R3 and R5. Mr. Russell noted that the recent historic overlay district should be kept. Mr. Taylor will send notes on potential and existing overlay districts to Mr. Whitman and Mr. Fougere.

Mr. Whitman and Mr. Fougere will review the Land Use chapter of the Master Plan to craft purpose statements for each proposed district.

The village district needs to be adjusted to be tighter than the existing R1 boundary. Mr. Russell suggested the Village district boundary be where lots with both town water/sewer availability extend to. In this area, the lot size does not matter for lots that have both. State-approved septic systems determine the minimum lot size for homes in the village that are not on town water/sewer. Mr. Russell said they should consider a road frontage requirement, and members agreed. 50'x100' is pretty standard for many cities, with lots of 1/8 acre.

Mr. Jennings asked if the number of buildings (buildings in general, not principal buildings) per lot in the Village district would matter. Members mostly agreed that stormwater management was more important than the number of buildings.

Members agreed setback requirements would be something to keep. The front setback could be flexible and in line with the average homes in the various areas of town. Mr. Whitman suggested measuring areas of town where members live to obtain some existing setback data. Mr. Taylor will check to see if this data may have been part of what PlaceSense, LLC. Formerly put together. Mr. Jennings asked if members could drive around and take notes/survey if this would be allowed. Mr. Kiley said that as long as the groups doing this were three people or less, there would be no problem. Mr. Whitman asked for both front and side setbacks if members do this.

Mr. Gotthardt raised concerns about multiple single-family homes on a single lot if there is no building-per-lot restriction. Members agreed that this would not be an issue for the zoning or planning but a civil issue for selling homes, lot management, etc.

The number of housing units per building is not a concern, with lots served by town water/sewer. For lots outside that service area, the lot's characteristics would determine the number of units per building that could be supported.

Mr. Whitman said he felt comfortable with the information gathered so far to move on to the next meeting.

C. Discuss what details to present to the Stakeholders in February

Mr. Whitman suggested introducing the project, the grant, and the consultants for this meeting. He also suggested presenting that they are using the Master Plan as a reference to propose regulatory changes but not going too into detail. He suggested asking the stakeholders for their awareness of Enfield's regulatory and development issues. Board members agreed that this would be a great approach. Members of the board who are able will attend this stakeholder meeting, scheduled for Thursday, February 29.

D. Identify questions for the Stakeholder discussion in February

Mr. Whitman and Mr. Fougere will assemble question prompts and forward them to Mr. Taylor, who will share them with the board before their February 14 meeting. Mr. Taylor will investigate whether hearings scheduled for February 28 can be moved to March 13 to allow for a work session with the NH HOP consultants on February 28.

III. PUBLIC COMMENTS:

None.

IV. HEARINGS

None.

V. CONCEPTUALS

None.

VI. SELECT BOARD REPORT: Erik Russell

The Select Board has met twice since the last Planning Board meeting.

The Whitney Hall renovation project is underway, with the groundbreaking last week.

The Public Safety facility plans are being finalized.

The Methodist Hill Property Use Committee (MHPUC) is finalizing its recommendation.

The Tax Increment Finance District (TIF) committee met, and there will be an article on the warrant for a new TIF plan to include new projects (such as the flood plain study).

VII. LEGISLATIVE REPORT: David Fracht

Chair Fracht is on the Municipal and Country Governments Committee, which deals with many land-use issues.

Today's executive session stopped the movement of a bill to the full house that would have allowed town zoning boards to be exempt from the requirement of publishing their public hearing notices in local newspapers. The Municipal and County Governments Committee agreed it was in the interest of the public good to keep a strong and healthy press.

Another bill reviewed would have required all towns to live-stream and have video archives of all meetings and hearings available. This bill was deferred to interim study, meaning it needed more work.

Another bill that was stopped was a bill that would have required solar canopies on all parking lots above a specific size.

A bill regarding non-familial housing rentals was reviewed, which would not allow renting a home with more than three unrelated parties.

There was a review of another bill that would disallow restrictions that do not directly conserve and promote health, safety, and general welfare and would prohibit regulation of housing types, sizes, building types, energy, water, and septic technologies. This would mean that innovative building technologies that meet federal and state standards could not be "zoned out" for reasons other than health and safety issues of inhabitants and other community residents.

There was a review of a bill enabling the creation of "Village Districts" to manage watersheds and protect and remediate surface water quality.

Beginning next month, bills will go to the entire legislature. Chair Fracht will report those of interest and whether they pass or fail.

VIII. LAND USE ADMINISTRATOR REPORT: Rob Taylor

Laramie Farms has yet to be in contact with their application, so it may be a hearing that the board reviews in March. Mr. Vermeer asked if Laramie Farms is concerned about working with the NH Department of Transportation (DOT). Mr. Taylor said they are confident that it will

likely be approved, based on the history that it was approved twice in earlier proposed developments at that location.

There will soon be an application for a subdivision of less than 1 acre. The Zoning Board of Adjustment (ZBA) approved the variance at their meeting.

The owner of Tardiff Hall at Shaker Village (behind the Great Stone Dwelling building) is looking to establish residential use at this former commercial use location. This will be a major site plan review in the future.

The Kelleher development on Main Street is progressing; interior work is being done. Mr. Ehrenzweig has been in for building inspection along the way of the project.

There will likely be a TIF hearing in February due to this district's new plan and projects.

Monday, January 29, is the kickoff meeting for the Master Planning Task Force. Four of the five committees/commissions related to the next five chapters are lined up for February.

Thursday, February 29, is the NH HOP grant Zoning Rewrite stakeholder meeting. The meeting is at 5 pm. A save-the-date was sent to all stakeholders. Planning board members should attend this meeting. This will need to be posted as a meeting. The Select Board chair has been invited. Other stakeholders include builders and realtors. Mr. Taylor will send the updated list to board members.

There has been some zoning enforcement. One instance was the Exit 16 Mobil station signage. Another was a non-compliant sign at the Hersey Construction building along Route 4.

The new car wash on Route 4, owned by Mr. Bergeron (Jake's owner), is now open.

Real Estate inventory has increased somewhat. Construction has also continued to be busy.

Mr. Taylor will forward a link to the third edition of Communities & Consequences, where he appeared on the town panel.

Chair Fracht attended a recent event sponsored by the 603 Forward Foundation. That event included an exercise called "the game of zones." Attendees were given a set lot, multiple building types, parking requirements, and town zoning regulations to get eight housing units on the lot, follow the zoning regulations, and have an affordable purchase or rental price. Chair Fracht will try to obtain the parameters and dimensions used as an exercise the board could do in the future. Mr. Taylor asked the board if they were in favor of providing Chair Fracht mileage compensation for this trip to Saint Anselm College in Goffstown, NH.

Mr. Kiley MOVED to approve providing mileage compensation to Chair Fracht for his trip to Saint Anselm College in Goffstown, NH, for the recent 603 Forward Foundation event.

Seconded by Mr. Russell

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

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell (Select Board Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

None voted Nay.

None Abstained.

IX. REVIEW MEETING MINUTES: December 27, 2023

Mr. Kiley MOVED to approve the December 27, 2023, Minutes presented in the January 24, 2024, agenda packet as presented.

Seconded by Mr. Rich

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

Roll Call Vote:

David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell (Select Board Representative), Phil Vermeer (Secretary), Tim Jennings, Brad Rich **all voting Yea.**

None voted Nay.

None Abstained.

X. NEW BUSINESS:

A. Regional Impact: Canaan Planning Board, 2-lot Miller subdivision, May Street (Canaan)

Enfield's Public Works department plows the Canaan section of May Street.

The proposed Miller subdivision in Canaan is accessed from May Street through Enfield.

The hearing for the subdivision is scheduled with the Canaan Planning Board for February 8, 2024.

Members agreed to have Mr. Taylor check with Mr. J. Taylor about any concerns from the DPW. Members agreed that having space to turn the Enfield plow trucks around was the only concern they wished to raise for Canaan to solve.

B. Canaan Planning Board conceptual

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286 There will be a conceptual from the Canaan, NH Planning Board at the February 14 meeting
287 regarding a property that has land in both Enfield and Canaan.

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289 **XI. OLD BUSINESS**

290 Mr. Jennings asked for any edits or further comments regarding the zoning rewrite document he
291 put together. Mr. Taylor will send the updated document to all members.

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293 **XII. NEXT MEETING:** February 14, 2024

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295 **XIII. ADJOURNMENT:**

296 *Mr. Kiley MOVED* to adjourn the meeting at 8:31 pm.

297 *Seconded by Mr. Rich.*

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

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