

1 **Enfield Planning Board – Meeting Minutes**
2 **DEPT OF PUBLIC WORKS/MICROSOFT TEAMS**
3 **February 14, 2024**

4
5 **PLANNING BOARD MEMBERS PRESENT:** David Fracht (Chair), Dan Kiley (Vice-Chair),
6 Linda Jones (via Teams), Erik Russell (Selectboard Representative), Brad Rich, Kurt Gotthardt
7 (Alternate), Whitney Banker (Alternate)

8
9 **PLANNING BOARD MEMBERS ABSENT:** Phil Vermeer, Tim Jennings (Secretary), Jim
10 Bonner (Alternate and Videographer)

11
12 **STAFF PRESENT:** Whitney Banker-Recording Secretary

13
14 **GUESTS:** Wilson Schreiber, Arthur Petusseau, Beverly Allen, David Beaufait, Sharon
15 Beaufait, John Bergeron (Canaan, NH Planning Board Chair, via Teams)

16
17 **I. CALL MEETING TO ORDER:**

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

19
20 **II. PUBLIC COMMENTS:**

21 Mr. Beaufait and Ms. Beaufait said they could not find the agenda for tonight’s meeting online.
22 They contacted the Town Manager’s office, but they also did not have the agenda. Chair Fracht
23 took note of this.

24
25 The board returned to public comments after reviewing the conceptual (below).

26
27 Ms. Beaufait said, regarding the proposed Laramie Farms development project, she had
28 understood early on that the access from Maple St. would be emergency-only. However, the
29 project is being called the “Maple St. project.” Mr. Kiley said that the board had not seen the
30 application yet, but he believed they were using Maple Street to satisfy the road frontage (with
31 access coming down onto Route 4). Chair Fracht said that the board thinks the prior proposal of
32 a development here (Iron Man) had received approval for access to Route 4. Given this, the
33 board suspects that the NH Department of Transportation (DOT) will likely approve Route 4
34 access. In this case, Maple Street would be a pedestrian/bike access for residents or an
35 emergency road.

36
37 Ms. Beaufait said she would like to see a survey of the pitch between the proposed development
38 location and the Maple St. access to see how accessible this path would be for pedestrians.

39
40 Ms. Beaufait said that she wondered about accessibility to the village for residents of the
41 proposed development and suspected they would wish to access Route 4 via the sidewalk if

42 possible. She also mentioned that she believed there was talk of access to Flanders St with the
43 Iron Man development and wondered if this would offer residents better access to the village.

44

45 The board reiterated that they had not seen an application, and their last conceptual came over a
46 year ago before the board. The board is under the impression that the plan has changed since that
47 conceptual. If the project requires Zoning Board of Adjustment (ZBA) approval, it will go to
48 ZBA before coming to the Planning Board (PB). Mr. Kiley said that an application would need
49 to be submitted 21 days before either the ZBA or PB meeting that would include the hearing.

50

51 **III. HEARINGS**

52

53 **IV. CONCEPTUALS**

54 **Arthur Felix Petusseau, May Street**

55 Chair Fracht invited guests present for the conceptual to present it. Mr. Schreiber, the current
56 landowner, presented the case to the board. Mr. Schreiber's property is within both Canaan and
57 Enfield. He is looking to sell a portion that is in Canaan. The Canaan Planning Board has noted
58 their primary concern is road frontage. Mr. Schreiber wondered about access to the property that
59 Mr. Petusseau wants to purchase via an extension of Brady Rd, from Enfield.

60

61 Mr. Schreiber noted several discrepancies with the property that would require a survey to clarify
62 the accuracy of each proposed parcel's size.

63

64 Board members believed the subdivision would need to be approved by both Canaan and
65 Enfield. The town of Enfield Department of Public Works (DPW) does not maintain Brady Rd.
66 Brady Rd is a private road, with two properties that have frontage on that road only. The
67 proposed subdivided Canaan property, whose access would need to extend from Brady Road,
68 would become the third property to access that road.

69

70 Mr. Russell said he believed frontage for the proposed subdivided Canaan property would be
71 required. Mr. Gotthardt read the ordinance for members.

72

73 Brady Rd is private and does not require a hearing with the Select Board (which Class VI roads
74 require). The driveway has to be a right of way (ROW) in the deed through Mr. Schreiber's
75 property to the proposed Canaan subdivided property. Mr. Kiley suggested an approval letter
76 from the Town of Canaan be included with the sale of the Canaan portion of the property. Board
77 members agreed the frontage would need to be on the plat.

78

79 Mr. Bergeron said Canaan requires 50 feet of frontage, including on private roads. The ROW
80 will need to be 50', he clarified.

81

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82 Chair Fracht clarified that they would use Brady Rd from Enfield, extending a ROW across the
83 property to the Canaan line. Mr. Bergeron said that Canaan wants more than a ROW; they want
84 something that can be called a street. He asked if Brady Rd could be extended up to the town
85 line. Chair Fracht said that as a private road, it would not be something the Planning Board in
86 Enfield could determine. Mr. Schreiber said that, as the landowner, he would be willing to
87 extend the road to the Canaan line. Mr. Bergeron said keeping the road 50 feet wide would
88 satisfy what Canaan is looking for. Mr. Russell said there are standards for private roads, which
89 are more than a driveway. Mr. R. Taylor or Mr. J. Taylor can provide the standards, which are
90 also in the zoning regulations. Members also deferred whether the entire road would need to be
91 up to these standards or if the existing portion would be grandfathered to Mr. J. Taylor at the
92 DPW.

93

94 Mr. Schreiber asked if the board had an estimated expense to share. Chair Fracht said the board
95 did not have this information, but Mr. J. Taylor would be the best contact for further questions.

96

97 Chair Fracht said that Mr. Schreiber's surveyor will improve the maps and provide accurate
98 measurements. Board members agreed.

99

100 Chair Fracht asked for further comment. Ms. Beaufait recommended that the property owners
101 ensure everything is in line between all towns to avoid future headaches.

102

103 Mr. Gotthardt said that for the lot in Canaan, if they will use the private road through Enfield
104 (which is maxed out as a private road at three properties accessing it), they would not be able to
105 further subdivide the Canaan lot without having the road upgraded to a town road.

106

107 Mr. Schreiber asked how much the former survey could be relied upon for the project. Board
108 members agreed that a new survey would be needed. The paperwork for the subdivision will
109 require a surveyor's certificate. Mr. Schreiber can obtain a list of surveyors from Mr. R. Taylor.

110

111 The board moved back to public comments at this time. Further notes appear above in the Public
112 Comments section.

113

114 **V. SELECTBOARD REPORT: Erik Russell**

115 The last meeting revolved around setting the warrant, the budget presentation, and the budget
116 hearing.

117

118

119

120 **VII. LEGISLATIVE REPORT: David Fracht**

121 Chair Fracht shared that tomorrow is the Governor's State of the State address.

122

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123 Items of interest to the PB are five different bills.

124

125 HB1284 confers quasi-judicial authority upon planning boards. This would enable the planning
126 board to take testimony under oath during hearings and could provide for penalties if erroneous
127 or false testimony is provided. The change would require those testifying to be sworn in and the
128 board to act in a very neutral capacity (similar to a jury). The intention is to put into the RSA
129 what is considered best practice.

130

131 HB1281 prohibits the adoption of any ordinance, code, or bylaw that prohibits occupancy by
132 more than three unrelated persons in a single-family dwelling unit. This came out of Dover, NH,
133 where there is a perceived problem of lack of housing for University of New Hampshire (UNH)
134 students who rent single-family homes. Rental homes with many students renting have become a
135 problem in some neighborhoods. Dover has an ordinance that says no more than three unrelated
136 persons can rent a single dwelling.

137

138 HB1302 is to allow towns the option of electing their Conservation Commission members. This
139 would enable towns to decide at Town Meeting, if desired by the town.

140

141 HB1396 prohibits the inspection of the owner-occupied unit of residential structures with four
142 units or less by the building code enforcement agency. This seems unlikely to pass due to safety
143 issues that could arise in multi-family structures (such as pest infestation, no permits required,
144 etc.)

145

146 CACR16 is a constitutional amendment that would eliminate state involvement in all local land
147 use matters and leave them up to each town. If a developer requires a variance, waiver, or change
148 in land use, it must be approved by all landowners associated with or who believe they would be
149 affected by the change. The developer would have to file a financial impact statement with how
150 these would change traffic, schools, etc.

151

152 **VIII. REVIEW MEETING MINUTES: January 24, 2024**

153 Chair Fracht elevated Mr. Gotthardt and Ms. Banker to voting members for the remainder of the
154 meeting.

155

156 ***Mr. Kiley MOVED to approve the January 24, 2024, Minutes presented in the February 14,***
157 ***2024, agenda packet as amended.***

158 ***Seconded by Mr. Rich***

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

160

161 *Amendment: Line 162 – JDPUC to MHPUC*

162

163 **Roll Call Vote:**

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164 David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell
165 (Selectboard Representative), Brad Rich, Kurt Gotthardt (Alternate), Whitney Banker (Alternate)
166 **all voting Yea.**
167 **None voted Nay.**
168 **None Abstained.**

169
170

171 **NH HOP GRANT UPDATE**

172 Chair Fracht shared that there has been a lot of communication between the consultants and
173 Enfield.

174

175 Mr. Rich asked if there was a copy of the final signed contract. Chair Fracht said he would
176 investigate.

177

178 Mr. Rich asked if any payment had been made to the consultants, which will be a question for
179 Mr. Taylor.

180

181 **MASTER PLANNING UPDATE**

182 **Formal Appointment of MPTF Members**

183 Chair Fracht shared that the kickoff meeting went well. At this time, members are:

184 Celie Aufiero

185 David Fracht

186 Lindsay Smith

187 Phil Vermeer

188 Whitney Banker

189 Jo-Ellen Courtney

190 Madeleine Johnson

191 Shirley Green

192 Dan Regan

193

194 The list is subject to confirmation from Mr. Taylor.

195

196

197 ***Mr. Rich MOVED to appoint those mentioned to the Master Plan Task Force.***

198 ***Seconded by Ms. Jones***

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

200

201

202 **Roll Call Vote:**

203 David Fracht (Chair), Dan Kiley (Vice-Chair), Linda Jones (via Teams), Erik Russell
204 (Selectboard Representative), Brad Rich, Kurt Gotthardt (Alternate), Whitney Banker (Alternate)
205 **all voting Yea.**
206 **None voted Nay.**
207 **None Abstained.**

208

IX. OLD BUSINESS:

210 Mr. Gotthardt asked for the LaCroix property that would be developed at one point (behind
211 Pellerin Auto and Pellerin Bingo) – he wondered what the original listing price was. Chair Fracht
212 said he believed it was just over \$1M in the low-seven figures. Mr. Gotthardt noted that the real
213 estate listing price now shows significantly less.

214

X. NEW BUSINESS:

216 Mr. Gotthardt shared that he and Mr. Jennings had been working outside the meeting to look at
217 potential lines for the new zoning districts. He said that they both feel it would be beneficial to
218 have three members as a subcommittee sit down weekly or bi-weekly to prepare ideas that can
219 be run by the consultants.

220

221 He shared that they have also found model cluster developments throughout the state, and the
222 same is true with cell towers. He suggested that these model ordinances could be adopted in
223 cases like this, where we have outdated information, but time may only allow a partial update.

224

225 Mr. Gotthardt said that he also felt that the subcommittee could come up with practical zone
226 setbacks, which could then be run by the consultants.

227

228 Mr. Gotthardt felt that preparing a presentation for July 2024 would take a lot of work. He
229 wondered if the consultants would be asking more questions of the town – what does Enfield
230 want to see?

231

232 Mr. Gotthardt suggested preparing some numbers and information for the next meeting, the
233 Stakeholder Meeting. Mr. Kiley said that the upcoming Stakeholder meeting will be led by the
234 stakeholders, not the Planning Board. Chair Fracht and Mr. Rich agreed.

235

236 Chair Fracht said the consultants are paid for their expertise and experience. He felt confident in
237 following the process they led as the experts. Members agreed the impression they had was that
238 the consultants would gather information from the public and then present something to the
239 board. This may include cluster development (if it is a priority for the community).

240

241

242 **XI. NEXT MEETING:** February 28, 2024

243

- 244 **XII. ADJOURNMENT:**
- 245 ***Mr. Kiley MOVED to adjourn the meeting at 7:41.***
- 246 ***Seconded by Mr. Rich***