

Planning Board Meeting Minutes

November 1, 2016

6:30 PM

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Chairman Scott Burns was going to be late to the meeting so Secretary Joyce McGee called the meeting to order at 6:30 PM.

**Members Present:** Frank Lombardi, Michael Carifio – Alternate, Everett Kennedy, Joyce McGee – Secretary, Alan Theodhor – Alternate and John Tholl Jr.

**Members Absent:** Peter Corey – Selectmen Rep.

**Pubic Present:** Roxie Severance-Morrison, Richard Harris Sr. & Jr., Shane Morton, Sara Dunn and Michael Carbonneau Jr.

**Notice of Voluntary Merger Pursuant to RSA: 674:39-a:** Virgil A. Hammon & Marcia L. Hammon, 26 Park Street, Tax Map 104 Lot 42. Secretary McGee advised the Board that this was to clean up the deed which references 3 lots as the lots had been added together over the years into one lot. Secretary McGee had spoke with the Town Assessor Jason Call and he felt that this would be clearer to all when and if the property changed ownership.

At this time Chairman Scott Burns arrived.

Chairman Burns appointed Alternate Michael Carifio as a voting member.

**A motion was made by Frank Lombardi to accept the Voluntary Merger as presented, seconded by Michael Carifio. No further discussion. All in favor, motion carries.**

**Other Business:**

**The Morrison, 65 Littleton Road:** Roxie Severance was present to represent the Morrison in reference to 65 Littleton Road. Ms. Severance stated a year ago it was brought to her attention that the apartment in the garage did not have an adequate septic system. Horizon's Engineering was hired and did an assessment finding a 1,000 gallon tank there. Ms. Severance is asking the Board to allow for temporary office space in the apartment, it would be 2 people working 40 hours a week. The House has a legal septic system but is too big for the use. Chairman Burns wondered about pumping tank and Ms. Severance said that would be done. Chairman Burns would like to see a contract on the pumping. Ms. Severance said she would provide that to the Board. Everett Kennedy did not see a problem with it being a temporary office.

**A motion was made by Everett Kennedy to allow the Morrison to use the apartment in the garage at 65 Littleton Road as temporary office space for two people working 40 hours a week and to provide a**

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copy of the pumping contract for the septic system, seconded by John Tholl Jr. No further discussion. All in favor, motion carries.

**Septic Design(s):**

**Town of Whitefield – Mt. Washington Regional Airport:** Michael Carbonneau Jr. from Connecticut Valley Design was present to advise the Board that David Presby a member of the Airport Commission had asked him to do a septic design as the current septic system has not failed but someone drove over it and possibly crushed it, so they want to install a new EnviroFin system. It was asked about material needed and Mr. Carbonneau stated that Mr. Presby would be providing all product material along with installing the new system as his company is the designer. The area in which the system is to be placed will not take much land use. The system is 12x larger than needed, so should last for a long time. All utilities in the area have been marked.

A motion was made by Frank Lombardi to accept the septic design as presented, seconded by Everett Kennedy. No further discussion. All in favor, motion carries.

**Minutes:** Frank Lombardi made a correction on page 3 of 4, 1<sup>st</sup> paragraph should read: Frank Lombardi felt it wasn't going against the guide when cleaning up a property without a permit.

Chairman Burns appointed Alternate Alan Theodhor as a voting member.

A motion was made by Alan Theodhor to accept the minutes of October 11, 2016 with the correction, seconded by Frank Lombardi. No further discussion. All in favor, motion carries.

**Other Business:**

**Updates:**

- **GPR Realty LLC (Pending Subdivision):** Secretary McGee advised the Board that NHDES sent approval for subdivision of land, only other permit needed is from NHDOT for driveway.
- **Cayer, Timothy (Pending Septic):** Secretary McGee advised that she spoke with Cathy Conway the designer and she has not heard anything from Mr. Cayer, possibly nothing will happen until next year.

**Development Permit(s):**

- **Lee, Michael – 504 Littleton Road, Tax Map 245 Lot 021:** To demo current structure on said site. **APPROVED 10/18/16.**
- **DWP Real Estate Mgmt, LLC – 143 Airport Road, Tax Map 234 Lot 004.1:** To construct a 65'x105' fabric-covered building set on concrete wall with a gravel floor. **APPROVED 10/18/16**

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- **Smith, Daniel – 144 Old East Road, Tax Map 213 Lot 018-M1:** Secretary McGee advised a letter was sent requesting owner to apply for a Development Permit. Owner called said it wasn't his property but he thought his son was doing something on a building next to it. Will call and give an update when he speaks to his son.
- **Morton, Shane & Dunn, Sara – 43 Brown Street, Tax Map 103 Lot 067:** A letter was received from the applicants (See property folder) in reference to the current and previous deeds stating the current property is composed of two separate lots. They are asking the Board to grant permission on the building permit that had been denied at the October 11, 2016 meeting. Mr. Morton stated that since the property references two parcels then he doesn't see why the two homes that are presently there can't stay. It would give the town two tax revenues and he stated that there are multiple properties in town that have more than one home on them. Mr. Morton had concerns on a proposed permitting fee form, no follow up on permits after signing and noting that there are a lot of gray areas.

Frank Lombardi explained that the Comprehensive Development Guide hasn't changed in 8 years. The Board is working on updating Guide and a public hearing will be held. Chairman Burns advised that at that time Mr. Morton could bring up his concerns. The Board agreed that they would check with town counsel regarding the two structures on one lot. Secretary McGee stated that an old card referenced the Board of Selectmen deleting something in 1985 but did not understand the notation. She will check with Assessor. Frank Lombardi stated that under the Guide Brown Street would fit under the streetscape of in town properties and setbacks being met. The Board directed Secretary McGee to consult with Town Counsel and the Assessor plus look at the Selectmen minutes of 1985.

Ms. Dunn asked about the approval of the permit and the Board stated, no. Further follow-up is needed.

- **David Dodge v. Town of Whitefield, et al:** Secretary McGee advised that Additional Time to File Answer was granted from October 26, 2016 to November 2, 2016.
- **Harris, Richard re: Driveway Permit for Tax Map 218 Lot 50:** Mr. Harris wanted to know about his pending permit. Secretary McGee had not heard from PWD Shawn White. Mr. Harris stated that Mr. White had no issues with new location as directed by the Planning Board. Secretary McGee will follow-up on permit.

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- **Review Comprehensive Development Guide Suggested Update Items:** Attorney Fillmore sent a list of most pressing items that she felt needed to be addressed (see attached). The Planning Board went through the list and made the following recommendations:
  1. Do away with any thing that refers to an Occupancy Permit as the Town nor the Planning Board issues these; all Development Permits are approved and issued by the Planning Board not the Selectmen; Selectmen's role would be enforcement, need to spell out what part of enforcement; Spell out role of Planning Board.
  2. Make any appeals go to the Zoning Board of Adjustments first then Superior Court.
  3. Development Permits: Energy efficiency items to a home would not need a permit, better define when a subdivision and/or site plan are needed.
  4. Need to amend to spell out what is in the statutes for a conceptual review, preliminary plan and final plan. What triggers this process need to clarify.
  5. Term "Master Plan" – What do other town use?
  6. Define ZBA's role: Look at NCC
  7. Definition of which uses are and are not permitted: Too many don't want to tackle this year.
  8. Clean up definitions that don't exist in guide.
  9. "Good Cause" – leave, more explanation needed on change.
  10. "Open Space" – more clarification needed.
  11. "Non-conforming Use" – more clarification needed.
  12. Don't want to tackle a new zoning ordinance at this time.
  13. Changing the name.

Secretary McGee will send everyone the proposed changes that North Country Council had done a few years ago.

Secretary McGee tried contacting Attorney Fillmore at 8:00 pm but she was not available to speak with the Board rescheduled conference call for the 15<sup>th</sup> of November at 6:30 pm.

**Adjournment:** A motion was made by John Tholl Jr. to adjourn at 8:00 pm, seconded by Frank Lombardi. All in favor, motion carries.

Respectfully submitted by:

  
Joyce A. McGee – Secretary

  
Scott Burns - Chairman