

Planning Board Meeting Minutes

April 13, 2021

6:30 PM

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Chairman Scott Burns called the meeting to order at 6:31 PM.

**Members Present:** Scott Burns – Chairman, Tim O’Neil, Frank Lombardi, Alan Theodhor, John Tholl Jr. – Selectmen’s Rep., and Joyce McGee - Secretary

**Members Absent:** Steve LaRoza – Alternate

**Public Present:** Jessop Hunt, Terry Lufkin, Michael Wright, Robert Stiles and Gardner Kellogg

**Minutes:** A motion was made by Frank Lombardi to approve the minutes of April 6, 2021 as written, seconded by Alan Theodhor. All in favor, motion carries. APPROVED

Chairman Scott Burns read the following public hearing(s):

**Public Hearing(s):**

**1.-Change of Use:**

**#634 – Owner(s): Robert Stiles Enterprises – 100 Lancaster Road, Tax Map 101 Lot 018:** who is/are requesting a Change of Use to convert a Commercial building into a Church.

Secretary McGee advised that the building was the old liquor store. Mr. Stiles is looking at 40 parking spaces but when speaking to Fire Chief Ross he felt possibly 20-25 spaces. Robert Stiles joined the meeting. The Board agreed that parking spaces need to be designated and to include handicap parking as well. Can’t block the access to the Town’s pump station either. Scott Burns wondered what the occupancy # was for the building, he needs to come back with a parking design. Tim O’Neil stated that the junction of Freds Way and Rte 3 can be tricky when snowbanks exist, a parking plan is recommended. Mr. Stiles spoke that cars can park along Freds Way, if you want 20 then I can do that. Chairman Burns said 20 sounds better than 40. Frank Lombardi stated the pump station access needs to be depicted too as not to be blocked.

**A motion was made by Frank Lombardi to approve the Change of Use with the condition that a parking plan be submitted and signed off by Fire Chief Ross. To make sure the pump station access stays open and a handicap space is shown, seconded by Alan Theodhor. All in favor, motion carries. APPROVED WITH CONDITIONS**

**2.-Boundary Line Adjustment**

**#635 – Owner(s): Robert Stiles Rev. Trust – 162 Lancaster Road (Tax Map 219 Lot 056) & Harvest Drive (Tax Map 219 Lots 057):** who is/are requesting a Boundary Line Adjustment on said parcels. Tax Map 219 Lot 056 is currently 2.5 acres, said lot will decrease by .12 of an acre to become 2.38 acres. Tax Map 19 Lot 057 currently 2.31 acres will increase by .12 to become 2.43 acres. Survey is prepared by Donald H. Doolan

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Secretary McGee spoke about a past meeting where Mr. Stiles wanted access on this portion of the BLA from Rte 3, the Board had advised him he needed to get approval from NHDOT. Since then, Mr. Stiles has changed his mind, if and when sold the buyer can deal with NHDOT approval. No concerns from the Board.

**A motion was made by Tim O'Neil to approve the application as complete, seconded by Frank Lombardi. All in favor, motion carries. APPROVED**

Chairman Burns wanted to know if the building was 25' from the new BLA line. Mr. Stiles felt it was at the narrowest point. The Board agreed that the setbacks need to be shown on the plan.

**A motion was made by Frank Lombardi to approve the Lot Line Adjustment as submitted with the condition that the 25' setbacks were met and shown on the plan, seconded by Tim O'Neil. No other concerns. All in favor, motion carries. APPROVED WITH CONDITION**

### 3.-Boundary Line Adjustment

#636 – Owner(s): Murray, Gibbs – 54 Maple Street (Tax Map 104 Lot 050) Murray, Gibbs & Haas, Colin - 53 Jefferson Road (Tax Map 104 Lot 054): who is/are requesting a Boundary Line Adjustment on said parcels. Tax Map 104 Lot 050 is currently .15 of an acre, said lot will increase by .59 of an acre to become .74 of an acre. Tax Map 104 Lot 054 currently 1.64 acres will decrease by .59 to become 1.05 acres. Survey is prepared by Gardner Kellogg.

Surveyor Gardner Kellogg was present. Member Alan Theodhor is an abutter so he will not be part of the Boards decision. Alan Theodhor asked why the adjustment? Mr. Kellogg spoke that both Mr. Murray and Mr. Haas own the Spruces Inn and Mr. Murray just wants to equalize the lot around his building that is .15 of an acre. Frank Lombardi stated that Lot 050 has access from Maple and Jefferson Road will that still be there? Mr. Kellogg said yes, but Maple Street will be the main access. Frank Lombardi felt it was cleaning up the lots. Alan Theodhor and Tia Roy as an abutter had no concerns.

**A motion was made by Frank Lombardi to accept the application as complete, seconded by Tim O'Neil. All in favor, motion carries. APPROVED**

**A motion was made by Frank Lombardi to approve the Lot Line Adjustment as submitted, seconded by Tim O'Neil. No concerns from the Board. All in favor, motion carries. APPROVED**

### Other Business:

#### Development Permit(s):

Evergreen Realty Trust (Gregg Crowell) – West Side Road, Tax Map 243 Lot 018: To construct a 12'x12' shed, setbacks on one side are 5' from the abutting lot which is owned by the applicant. Chairman Burns stated that a variance is needed as if sold then a problem could arise. Frank Lombardi agreed or the lots could be merged together so setbacks are met. **A motion was made by Frank Lombardi to deny**

**the Development Application as it doesn't meet the setback requirements, seconded by Tim O'Neil. All in favor, motion to carries. DENIED**

Secretary McGee will advise the owner that they need to go before the ZBA for a variance.

**Defrancesco, April – 24 Newell Lane, Tax Map 244 Lot 030:** This will be a vacation home and not a rental unit. Septic was approved by NHDES for a two bedroom. Applicant wants to renovate existing 2-car garage into a 2-bedroom (downstairs), 2-bathroom (downstairs), upstairs turn into a kitchen with a bathroom. Construct a new 10'x12' shed. **A motion was made by Tim O'Neil to approve the Development Application as submitted with a note stating single family use only, seconded by Alan Theodor. All in favor, motion carries. APPROVED**

**Saturnia, Joe & Denise – 24 Log Cabin Road, Tax Map 219 Lot 027:** To install a 18Kw generac generator. Secretary McGee advised that in prior minutes the Board agreed that a permit was not necessary. She wanted to make sure that this was still the same consensus. Chairman Burns felt that more and more people are going to generators. Tim O'Neil wondered if we should be worried about it, they are generally quiet but carbon monoxide may be an issue in town since the lots are small. Frank Lombardi wondered about the decibels from noise when running. The Board wondered what Fire Chief Ross thought about them, maybe ask to come to a meeting. The Board had no issues with the application as it meets the setback requirements of 25'.

**Hanson, Kenneth – 24 Hazen Road, Tax Map 226 Lot 056:** To build a 12'x12' garden shed. Setbacks are met. **A motion was made by Frank Lombardi to approve the Development Application as submitted, seconded by Tim O'Neil. All in favor, motion carries. APPROVED**

**Beaulieu, Denis & Julie – 101 Crane Road, Tax Map 240 Lot 017:** To build a 12'x32' lean-to off of garage and replace a 12'x12' exiting deck with a 12'x31' deck. Setbacks are met. **A motion was made by Tim O'Neil to approve the Development Application as submitted, seconded by Frank Lombardi. All in favor, motion carries. APPROVED**

**Correspondence:**

-Eversource D142 Line: Conservation Commission Chairman Frank Lombardi spoke that the Commission met with a representative from Eversource regarding the update of the D142 line. The upgrade will be from Whitefield to Lancaster and from there to Groveton, to include new lines and new H towers with an average increase in height of 15', right now 40' may be 60'. The Commission is looking at wetlands impact they will review the Standard Dredge & Fill Wetlands Application. There is an Aquatic Resources Management Fund (ARM Fund) through the State which any town throughout NH can apply for. If Whitefield had a project ready to go, they could get the money, right now they are trying to figure that out.

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Frank Lombardi asked the Planning Board what their concerns were? Height of towers, as none were depicted. Tim O'Neil stated that in some areas you can't see the lines; it's not near the Airport so no concern there. Frank Lombardi would suggest that Eversource comes before the Planning Board and present what is going to be updated. Chairman Burns wondered if the Planning Board could make them change the height? Frank Lombardi suggested questions like hours of operation, traffic, use of helicopter. Tim O'Neil wondered about an increase in voltage? John Tholl didn't feel much could be done. Alan Theodhor agreed. Frank Lombardi disagreed and felt more information was needed. Alan Theodhor then felt the height and voltage would need more information. The Board agreed a presentation would be good. Secretary McGee will schedule a May meeting.

-Subdivision Regulations: Secretary McGee asked if the Board felt the new 75' frontage requirements should be in the regulations. She had spoke with the Town Attorney and it was up to the Board, but it would make it easier so there isn't any inconsistency between the Code and regulation. The Board agreed it should be updated with frontage and setback requirements. Definitions will need to be added as well. Secretary McGee will look to see what kind of meeting is needed to make the changes.

-Junk Yard concerns came in from a citizen on Old East Road in reference to Map 213 Lot 019. This parcel has a Junk Yard permit already but Board wondered who would go and review the area as we have no inspection person. John Tholl stated the Selectmen oversee Junk Yard permits they need to look at it. Secretary McGee wondered if it's for the whole parcel or is there a designated area? She will advise the citizen that they can come in and look at the permit but it's the Board of Selectmen that would review it.

-Michael Wright had sent an e-mail requesting that the Planning Board consider contacting the owner of 30 Memory Lane to complete a "Change of Use". Mr. Wright was present and spoke that he is an abutter to the 30 Memory Lane on Forest Lake. He stated that he had issues with property as it's turned into a short-term rental when it was a single family residence for 20 years. Last year he came to the Board to discuss the use of the septic system and the Town reached out to NHDES and Fire Chief Ross. NHDES made the rental agent change the # of bedrooms advertised but they still are saying an additional room can be used for sleeping with a queen size bed. Mr. Wright also stated that the property is "booked up" for rentals. He would like to have a Change of Use come before the Board.

Secretary McGee reminded the Board that this was brought up last year and the Board chose to address the septic issue and to contact the Town Attorney on the Change of Use.

Alan Theodhor stated that this is a tough decision but agreed with Mr. Wright that it had been a residential home and now commercial. Frank Lombardi thought the Board had decided to take no action on the Change of Use. Secretary McGee agreed that in prior minutes the Board only wanted to pursue the septic issue. Tim O'Neil wondered if the Board could make them change it. Chairman Burns

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and John Tholl agreed it's an issue. Secretary McGee suggested that the Board should consult the Town Attorney again before making any decisions.

Mr. Wright stated that it's problematic and understood that the Board wanted to seek advice from Town Counsel. Chairman Burns asked the members of the Board and they agreed to consult Town Attorney. Chairman Burns stated that this meeting will be non-public.

Mr. Wright advised the Board of the problems he is dealing with regarding, traffic, parking, noise, trespassing and septic. He would like to see a Change of Use as he feels it's a commercial use. Chairman Burns asked if he had sent anything to the owner directly. Mr. Wright was advised that he had to deal with the rental agent out in Bretton Woods, but then was given a cease desist order. John Tholl stated that the trespassing is the police. Mr. Wright has notified them. Tim O'Neil thought it sounded like it's not so much the owners but the renters who need to be given the rules and trained. Mr. Wright is still concerned with the septic issue. Chairman Burns thought that Forest Lake has an Association that may be able to test the water near the residence. Mr. Wright stated that everyone is concerned with the landfill but he too just wants to enjoy his property.

-Container Home: An e-mail was received asking about modifying a shipping container into a rental Airbnb unit. Chairman Burns stated that it's a structure so would have to pay taxes. Secretary McGee advised that she had spoke with Fire Chief Ross and he would have to do an inspection of the unit. Frank Lombardi and John Tholl wondered if it would fall under the definition of a dwelling. John Tholl stated that it's not uncommon for storage containers. The Board wanted more information and a picture. Secretary McGee stated that a link was sent to her.

### Election of Officers:

The following were nominated for the positions of Chairman and Vice Chairman:

Chairman – Scott Burns **A motion was made by Frank Lombardi to nominate Scott Burns as Chairman, seconded by John Tholl. All in favor with Scott Burns opposed, motion carries.**

Vice Chairman – Tim O'Neil **A motion was made by John Tholl to nominate Tim O'Neil as Vice Chairman, seconded by Tim O'Neil. All in favor, motion carries.**

Chairman Burns notified the Board that when his term was up, he would probably not re-up.

-**Legion:** John Tholl is working on a Development Application for a storage shed at the Legion. He wanted to know if it fell under Residential or Commercial, the Legion is a non-profit. Everyone agreed with a \$50.00 residential fee.

-**August Meeting Dates:** Chairman Burns will be gone the 3<sup>rd</sup> of August and possibly the 10<sup>th</sup>. Secretary McGee will be gone those two dates as well. The Board agreed to have only one meeting that month

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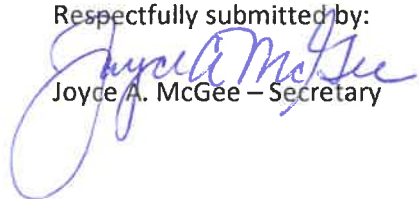
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which will be August 17<sup>th</sup>.

**A motion was made by John Tholl to adjourn the meeting at 8:13 PM, seconded by Alan Theodhor. All in favor, meeting adjourned.**

Respectfully submitted by:



Joyce A. McGee – Secretary



Scott C. Burns - Chairman

**Notice of  
Submission of Application/Public Hearing on Proposal  
Legal/Public Notice  
Before  
The Whitefield Planning Board**

Notice is hereby given in accordance with RSA676:4 & 675:7 that an application(s) described below will be submitted to the Whitefield Planning Board on **Tuesday, April 13, 2021 @ 6:30 p.m.** at the Town Offices located at 56 Littleton Road during a regular meeting of the Board via Zoom.

**Public Hearing(s):**

**1. Change of Use:**

**#634 – Owner(s): Robert Stiles Enterprises – 100 Lancaster Road, Tax Map 101 Lot 018** – who is/are requesting a Change of Use to convert a Commercial building into a Church.

**2. Boundary Line Adjustment:**

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Any other business as may legally be brought before the board.

Upon a finding by the Board that the application meets the submission requirements, the Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately.

Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

**Available information may be viewed at the Whitefield Town Office, Monday through Friday during regular business hours. Should you wish to arrange a time to view the file or if you need assistance to attend this meeting contact the Town Office at (603) 837-9871.**

Per order of the Whitefield Planning Board - Scott Burns, Chairman