

Planning Board Meeting Minutes

June 4, 2019

6:30 PM

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Chairman Burns called the meeting to order at 6:30 PM.

**Members Present:** Scott Burns – Chairman, Frank Lombardi, Alan Theodhor, Tim O'Neil, Peter Corey – Selectmen's Rep., Steve Laroza – Alternate and Joyce McGee – Secretary.

**Public Present:** See attached list.

**Minutes:** A motion was made by Frank Lombardi to approve the May 14, 2019 minutes as written, seconded by Peter Corey. All in favor, motion carries. **APPROVED**

**Consultation: Wright, Elwin/Wright, Stephen and Tina – 431 Old East Road, Tax Map 204 Lot 001: 2 Lot Subdivision:** Stephen and Tina Wright were present stating that they are looking to build on Lot 1 of the subdivision containing 1.92 acres once their current house sells. The Town had received test pit data and a Notice of Acceptance of Permit from NHDES on the Subsurface Systems Bureau Application for Subdivision of Land (RSA 485:A) (See PB #625). The Board asked about a driveway permit, Mr. Wright stated that a driveway already had existed as a sugar shack was at that location years ago. Peter Corey wondered about site distance, Mr. Wright felt adequate distance was there. The Board had no issues with the preliminary plan, a July 9<sup>th</sup> public hearing will be scheduled.

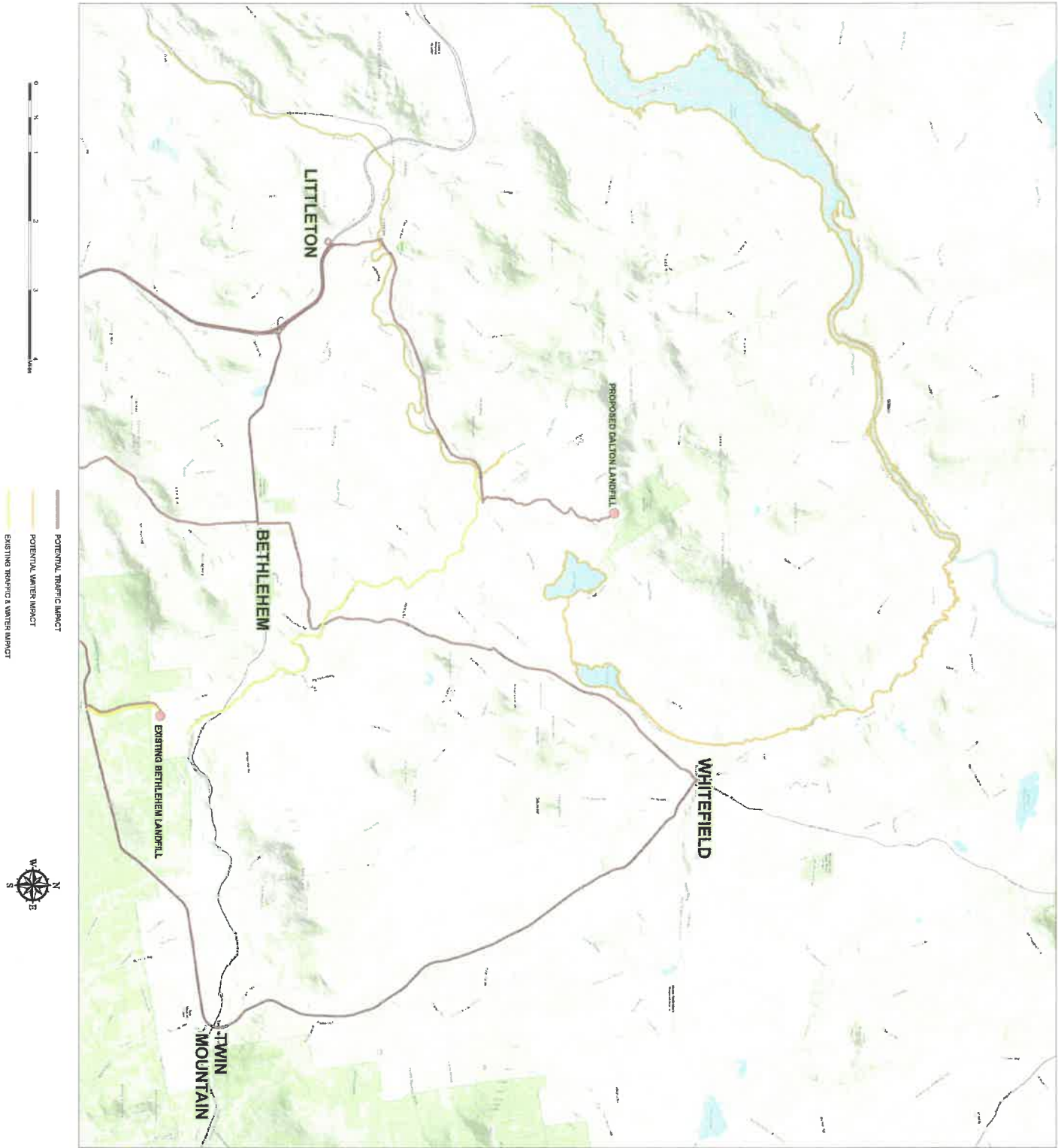
An RV permit was presented to the Board for said lot, Mrs. Wright stated that the permit was for the 180 day use. She wondered if they were allowed to live in the RV if their current house sells. The Board stated yes for the 180 days as stated on the permit. She was hoping it would be only until the house is built. **A motion was made by Frank Lombardi to approve the RV Permit as submitted, seconded by Alan Theodhor. All in favor, motion carries. APPROVED**

**Jon Swan – Save Forest Lake:** Mr. Swan was present to show the Board an impact map (see attached) on how the proposed Dalton Landfill would have on the surrounding towns. Casella has already started the permits for NHDES and Army Corp. of Engineers, if all goes through looks like 2025ish. An estimated 100 garbage semi-trucks will be roaring thru Whitefield on Routes 3 and 116 per day let alone noise, air pollution, pedestrian safety and impact on roads. Mr. Swan would like the Town/Planning Board to reach out to State Representatives, the Governor stating it's a bad location. The orange on the map shows the water flow of Forest Lake, Burns Lake, Johns River to the CT River. It's just not the North Country Towns, Vermont will be impacted too. We need to have a preventative approach and reach out to officials at NHDES and have them work with the Town's impacted. Town of Dalton has been petitioned to have emergency zoning as they never have had something like this threaten the life style. Peter Corey wondered if Chick's Sand/Gravel would go away if this went through. Mr. Swan stated, No, that would stay. Tim O'Neil felt they were desperate for a landfill area and wondered what their leverage was. Mr. Swan felt they were trying to secure the future. Mr. O'Neil felt there was a lot at play, the more you dig into it you will find out. Tom Banita a concerned Forest Lake resident advised that

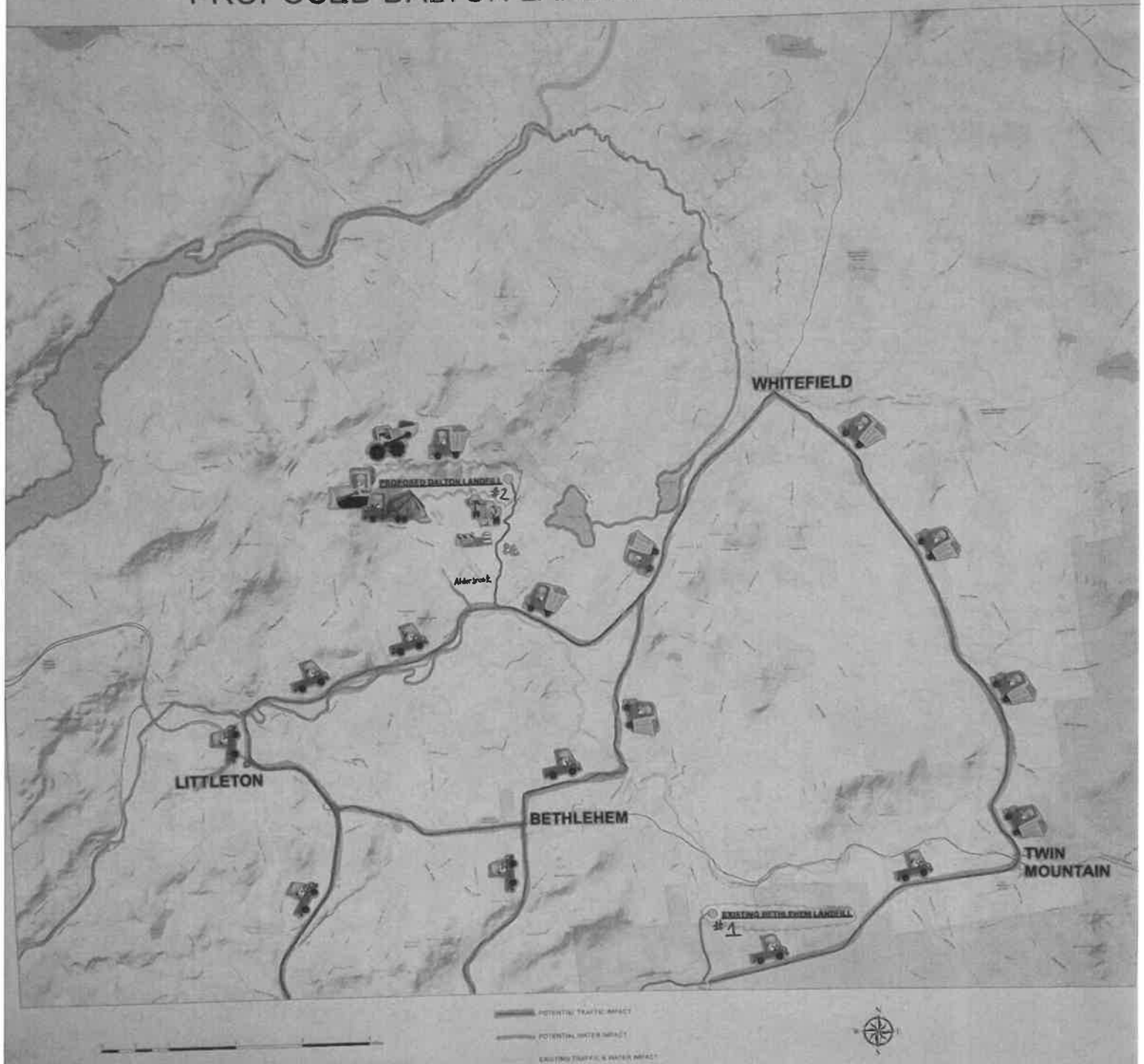
# Planning Board Meeting 6/4/19

<u>Name</u>	<u>Address</u>
Jon Swan (SAVE FOREST LAKE)	25 Cashman Rd Datten
TOM BARNIT ↓	-529 WEST SIDE ROAD
<del>Stan Lin</del>	463 Lancaster Rd Whitefield
Lina Wright	463 Lancaster Rd
Sherri Lincoln	19 View St. Whitefield
Annette Maguire's	Turn Mountain

**NORTH COUNTRY REGIONAL IMPACT MAP  
PROPOSED DALTON LANDFILL AT FOREST LAKE**



# NORTH COUNTRY REGIONAL IMPACT MAP PROPOSED DALTON LANDFILL AT FOREST LAKE



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it's not only surface issues, it's hydrology you need to go below the ground level. Frank Lombardi wondered what it would take for it not to happen. Mr. Swan thought that was a great question. Mr. O'Neil felt someone should sit down with Mr. Ingerson to see what can be done to make him happy.

Sherri Lincoln a Whitefield resident felt that Forest Lake already had issues with bacteria as every time she goes to Forest Lake Park it's a high bacteria count and shutdown. Both Scott Burns and Tim O'Neil stated that it's the geese. Mr. Swan, it's a natural occurrence.

The Board thanked Mr. Swan and concerned resident's for coming.

**Other Business:**

**Septic(s): Beaver Cove LLC (Harden, Leonard) – 37 Pierce Road, Tax Map 230 Lot 016:** A proposed septic design for a 30'x 36', two bedroom home was available. The plan showed the existing one bedroom home being demolished, it also depicted a second home on the lot as well. This lot is non-conforming – "grandfathered" as the Development Code only allows to have one residential structure on a lot. The Board wondered if it still qualified as a non-conforming lot since a bigger structure was replacing a smaller structure. Tim O'Neil read Article XIII – Non Conforming Uses "Grandfathering". Peter Corey felt it could be enlarged but Scott Burns and Alan Theodhor did not agree. Mr. Corey spoke that it wasn't changing the non-conformance so long as it's use is consistent. The Board continued to review the Non-Conforming Use section, Mr. Corey stated that the Board should be pointing people to the law and not offer them an opinion.

The Board would like to see NHDES Shoreland approval, a Demolition Permit needs to be filed and there are some discrepancies with the Shoreland application regarding same footprint and existing 2-bedroom dwelling.

**A motion was made by Peter Corey to table the septic design until an approval is received from NHDES Shoreland and to point Mr. Harden to the Non-Conforming section of the Development Code, seconded by Frank Lombardi. All in favor, motion carries. TABLED**

**Hicks, Forrest – 10 Shoreline Drive, Tax Map 241 Lot 054:** Secretary McGee advised that she signed an amended Septic Design on 5/24/19, should read proposed 2-bedroom camp not 3-bedroom.

**Development Permit(s):** At this time Chairman Burns recused himself and Vice Chairman Tim O'Neil ran the meeting.

**Burns, Scott & Catherine – 353 Littleton Road, Tax Map 241 Lot 005:** To replace shingle roof with metal roof and add a carport. All setbacks are met, no concerns from the Board. **A motion was made by**



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**Frank Lombardi to approve the Development Application as submitted, seconded by Peter Corey. All in favor, motion carries. APPROVED**

Chairman Burns returned to run the meeting.

**DWP Real Estate Management – 143 Airport Road, Tax Map 234 Lot 004.1:** To prepare a ROW deed to the Town of Whitefield for the purpose of evidencing continued public access over a portion of the DWP property to the Mt. Washington Regional Airport. The proposed ROW is over a portion of the existing intersection of Airport Road and Airport Lane which is within the bounds of the DWP property. (Property File). Chairman Burns suggested that this should be referred back to the Board of Selectmen as it really wasn't a Planning Board issue. Everyone was in agreement.

**Ammonoosuc Community Health – 14 King Square, Tax Map 103 Lot 145:** To repair and widen the existing handicap ramp as it doesn't meet current ADA standards. The Board wondered where the Town property was in reference to the ramp and our sidewalk. A call was placed to the Public Works Director Robert Larson, he reviewed the area and had no problem with the expanded width as the platform landing is wider than the proposed. **A motion was made by Tim O'Neil to approve the Development Application as submitted, seconded by Alan Theodor. All in favor, motion carries. APPROVED**

**Other Business**

**Correspondence:**

**-Lurvey, Amy & Brian – Parker Road:** Secretary McGee advised that the Septic Design/Driveway Permit had been withdrawn and that the applicant was not moving forward with the proposed development.

**-NH Division of Historical Resources:** Brown Street Pump Station Upgrade owner Town of Whitefield: No Historic Properties Affected.

**-Save the Date:** Saturday, October 5, 2019 @ Holiday Inn, Concord re: Fall 2019 Land Use Law Conference.

**-NHDES to roll out New Wetlands Permit Mapping Tool – See attached**

**-Letter from Public Works Director Robert Larson re: Richard Harris –Hall Road property.** Mr. Larson reviewed the wetlands area and roadside berm with Mr. Harris. A few items needed to be addressed but no issues. (see property file)

**-Both Peter Corey and Tim O'Neil attended the Annual Planning Conference and gave a brief update to the Board. Peter Corey went to an Air BNB session where it's become a state wide issue with very little**

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definition or regulations. Legislation is being proposed to try and get a handle on these properties. The big issue is that owners are saying it's a residential use. Where some feel it's a business use, people are making money. Town's with true Zoning districts can define them in their districts as a permitted use. It's about disturbing the neighborhoods with noise, drunkenness, more traffic and life safety issues. When you have a 5 bedroom house that sleeps 30+, issues with septic and codes need to be addressed.

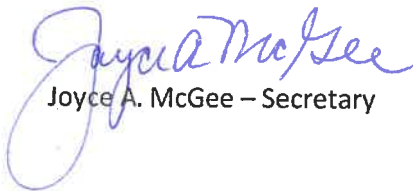
The Planning Board should define the Development Code with more regulations on definitions and what is required. The Board wondered how NHDES was handling the septic issues with overuse.

Tim O'Neil went to a class on reading maps/plans. He stated that coloring the plan defines areas more clearly which helps when looking at the whole plan. Each plan should be given to the Road Agent for consultation to see if there are any issues.

All sessions were beneficial, they encouraged other members to attend educational courses.

**A motion was made by Tim O'Neil to adjourn the meeting at 8:30 PM, seconded by Frank Lombardi. All in favor, meeting adjourned.**

Respectfully submitted by:

  
Joyce A. McGee – Secretary

  
Scott C. Burns - Chairman