

Planning Board Meeting Minutes (Teleconference via Zoom)

November 10, 2020

6:30 PM

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Vice Chairman Tim O'Neil called the meeting to order at 6:45 PM as Chairman Scott Burns was absent.

Members Present: Tim O'Neil – Vice Chairman, Alan Theodhor, Peter Corey – Selectmen Rep., Frank Lombardi, Steve LaRoza - Alternate and Joyce McGee – Secretary.

Members Absent: Scott Burns – Chairman.

Public Present: Terry Lufkin, Claude Roy and Robert Stiles.

Vice Chairman Tim O'Neil appointed Alternate Steve LaRoza as a voting member.

Minutes: A motion was made by Alan Theodhor to approve the minutes of October 6th and 13th, 2020 as written, seconded by Peter Corey. All in favor, motion carries. **APPROVED**

Consultation: Stiles, Robert – 162 Lancaster Road, Tax Map 219 Lot 056: Robert Stiles was present via phone conference. Mr. Stiles owns 162 Lancaster Road, Lot 056 and the adjacent field, Lot 057. The field has limited access and site distance off of Tower Road, he would like to use the access from 162 Lancaster Road into Lot 057 either by an easement ROW or by 50' wide transfer to lot. Peter Corey advised that a plan would need to come before the Board to show where the ROW or Lot Line Adjustment would be. The State needs to be contacted regarding change of use for the existing driveway. Peter Corey if the state has no issues then a ROW can be done but it would be more attractive if deeded. A question was asked about future use of the property and Mr. Stiles stated that he would like possibly to have a mobile home in same location as an existing one had been. Secretary McGee advised that the mobile home had been removed in June of 2019 so under Non-Conforming Uses 5.8 Discontinuance: Any non-conforming use which is discontinued or abandoned for a period of twelve (12) months, regardless of any intent to resume operation of use, shall not be resumed thereafter, and any future use of the site or structures thereon shall conform to the provisions of this Code. The remaining structure has an apartment in it so two dwelling units can't be on one lot, therefore it's not allowed. Mr. Stiles asked if he turned the existing structure into a commercial business and then have a mobile home. The Board advised that would be okay as long as not two dwellings on one lot. Any commercial business would need to come before the Board. Mr. Stiles stated that he was advised by DPW Robert Larson that he could hook onto the Town's sewer line. The Board wondered where the service line was.

Vice Chairman O'Neil asked if everyone had enough information. He agreed with Mr. Corey that deeding a portion of the property makes more sense with a Lot Line Adjustment. Everyone agreed that Mr. Stiles needed to check with the State on the driveway first.

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He also asked about 20 Anna Drive, an 8'x12' bird house is on the property and he would like to move it to his property on Freds Way to use as a shed. The Board advised a Development Permit is required.

Roy, Claude – 66 Greenwood Street, Tax Map 231 Lot 042: Claude Roy was present via phone conference. Development application to replace shingle roof with metal roof. Vice Chairman O'Neil asked about disposal of shingles, Mr. Roy stated a dumpster will be used. Alan Theodhor wondered about asbestos, Mr. Roy stated they were asphalt shingles, no asbestos. **A motion was made by Alan Theodhor to approve the Development Application as submitted, seconded by Peter Corey. All in favor, motion carries. APPROVED**

Mr. Roy also would like to create a new lot by dividing 3.5 acres of his house lot into two lots. One approximately 2.5 acres and the other 1.0 acre as he might want to build a home on the back lot. Peter Corey advised that the proposed new lot would not be a buildable lot per State RSA. Mr. Roy wondered if he could add the new lot to adjacent lot 043. Peter Corey advised, yes as long as no apartment or dwelling exist on the lot as two dwellings can't be on one lot. Mr. Roy stated, no other dwellings on lot. First step, a survey needs to be done for a Lot Line Adjustment.

Other Business:

Septic Design(s): Melhem, George – 90 Forest Lake Road, Tax Map 244 Lot 043: Septic Design is for a proposed 2 story garage. Board wants to make sure no dwelling unit is created. The tank size is 1250 gallons, Board felt it seemed like a lot for a garage. **A motion was made by Steve LaRoza to approve Septic Design plan as presented with stipulation of no dwelling or apartment within garage, seconded by Alan Theodhor.** It was brought up that when Rick Treiss was here from NHDES he stated that putting stipulations on the Local Approval Form doesn't get looked at. Secretary McGee will look for his notes. **All in favor, motion carries. APPROVED**

When Development Application comes in stipulations can be put on that regarding no dwelling unit.

Kirwin, Peter – 3 Knob Road, Tax Map 210 Lot 002: Amended plan shows plastic septic tanks substituted for concrete. No issues, Chairman Scott Burns signed amended Septic Design Plan on 10/21/2020. **APPROVED**

Driveway Permit(s): Kaminski, Kathleen – 85 Partridge Lane, Tax Map 221 Lot 015: To construct a 20' wide gravel driveway off of Partridge Lane. PWD Robert Larson has signed permit. **A motion was made by Peter Corey to approve the Driveway Permit as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Secretary McGee advised that the Driveway Permit and 911 Application were part of stipulations given on RV permit for the tiny home, all have been completed.

Trempe, Richard – Liberty Drive, Tax Map 226 Lot 065.1: To construct a 20' wide gravel driveway off of Liberty Drive. PWD Robert Larson has signed permit. **A motion was made by Alan Theodhor to approve the Driveway Permit as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Development Permit(s): Greenwood, Margaret – 29 Elm Street, Tax Map 103 Lot 126: To construct a 28'x30' 2 Bay Garage, single story with concrete slab. Secretary McGee advised that she had approved this application on 11/5/2020 as it met all the setback requirements and homeowner had limited time for equipment. **APPROVED**

Towle, Tyler – 211 Lancaster Road, Tax Map 219 Lot 032: To pour a slab and put a 16'Wx20'L x12"H carport shelter on it. The Board wondered about ROW for NHDOT and where the Town Sewer line is located. Peter Corey called PWD Robert Larson, Mr. Larson advised that the ROW for the State in that area was 25'-27' from the centerline and Sewer line shouldn't be an issue. **A motion was made by Alan Theodhor to approve the Development Application as submitted with a condition that the carport be 25' from the edge State road, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Beaver Cove – 39 Pierce Road, Tax Map 230 Lot 016: To construct a 24'x36' timber frame home with an 8'x20' porch on front. On October 13, 2020 this Development Application was denied based on not meeting the same foot print of non-conforming use and changing from a 3 season home to a 4 season. After consulting with Town Attorney and looking at Article XIII Non-Conforming Uses Section 5.6 Buildings, Lots and Structures. The enlargement of the building still met the limitations of the Code along with the change of seasonal use. Since the homeowner had a short time frame to get project started Chairman Scott Burns approved the permit on 10/21/2020. **APPROVED**

Daigle, Matthew – 650 West Side Road, Tax Map 243 Lot 040: To place a tiny home 16' from the property line, a variance was granted by the ZBA on 10/16/2020 for setback of 16'. Secretary McGee advised that Chief Ross and NHDES were looking into the septic design plan to make sure it was done correctly. **A motion was made by Peter Corey to approve the tiny home with the condition that the Planning Board gets a confirmation within 90 days that the septic is installed correctly, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Legend Capital Investment – 7 Cross Street, Tax Map 103 Lot 132: To build an extension off existing roof to cover entry deck and stairs. **A motion was made by Steve LaRoza to approve the Development Application as submitted, seconded by Alan Theodhor. All in favor, motion carries. APPROVED**

Harris, Richard – 123 Old East Road, Tax Map 213 Lot 002: To construct an 18'x30' sand container with roof height of 10'. Container will sit 10' from property line, a variance was granted by the ZBA on

11/9/2020 for setback of 10'. **A motion was made by Peter Corey to approve the Development Application as submitted, seconded by Alan Theodhor. All in favor, motion carries. APPROVED**

Correspondence:

-A memo was sent to the Board of Selectmen re: Ice Cream Trailer which Peter Corey advised the Selectmen will follow up with next year as business is shut down for the season. Also, violation of 98 Kimball Hill – Joseph Romano owner did not comply with conditions set forth on permit. Town Attorney is following up with a letter.

-**Master Plan:** Annual review form for year one was given to the Board along with Action Items for Chapter 11, Guide for Department Heads. The Board will review at the November 17, 2020 meeting.

-**Development Code update:** Items to look at updating in the Development Code were given to the Board as follows: Dark Sky Regulations; Non-Conforming Use: Two dwellings on one lot; Definitions: Building and Structure; and Amended Section 1.1. Board to review at the November 17, 2020 meeting.

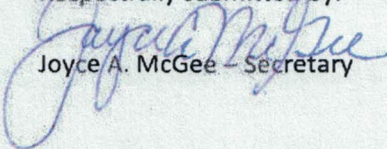
2020 Update for Local Land Use Regulations in NH was handed out. Peter Corey wondered if the Town of Whitefield had adopted RSA 79-E, Community Revitalization Tax Relief Incentive. Secretary McGee advised yes, 2010 – Warrant Article 18.

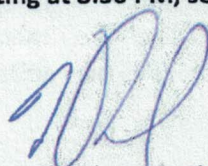
-**CIP (Capital Improvement Program):** The Board wondered if the CIP should be eliminated as the Committee is only attending the budget hearings at this time. CIP helps with long term planning for capital expenditures and it allows the Town to adopt an Impact Fee Ordinance. The Board agreed it should still continue. Peter Corey asked if the spreadsheet listing goals for each department be sent to the Fire, Police and Highway Departments as they will be presenting their budgets next. This will allow the CIP to update the spreadsheet to see what has been completed or needs changing. Secretary McGee will send this out.

-**Burns Lake Campground:** Secretary McGee advised that an expansion of sites had been brought to her attention. She will talk to Chief Ross regarding septic capacity and what actually is going on there.

A motion was made by Steve LaRozza to adjourn the meeting at 8:30 PM, seconded by Peter Corey. All in favor, meeting adjourned.

Respectfully submitted by:


Joyce A. McGee – Secretary


Tim O'Neil – Vice Chairman