

Planning Board Meeting Minutes

October 5, 2021

6:00 PM

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Chairman Scott Burns called the non-public meeting in order at 6:00 PM.

Non-Public Session:

A motion was made by Tim O'Neil to go into Non-Public Session at 6:00 PM pursuant to RSA 91-A:33, II (I): Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present, seconded by Steve LaRoza. All in favor, motion carries.

Members Present: Scott Burns – Chairman, Tim O'Neil, John Tholl Jr. – Selectmen's Rep., Steve LaRoza – Alternate and Joyce McGee – Secretary.

A motion was made by John Tholl Jr., to adjourn from Non-Public Session at 6:49 PM, seconded by Tim O'Neil. All in favor, motion carries.

Chairman Scott Burns called the meeting to order at 6:51 PM.

Members Present: Scott Burns – Chairman, Tim O'Neil, John Tholl Jr. – Selectmen's Rep., Steve LaRoza – Alternate and Joyce McGee – Secretary.

Public Present: Robert Wisnouchas, Veronica Curell, Richard Harris Sr. and Jr., Penny & Troy Dodge, Robert Marshall and Michael Sulham.

Chairman Burns appointed Alternate Steve LaRoza as a voting member in the absence of member Frank Lombardi.

Minutes: A motion was made by John Tholl Jr. to approve the September 14, 2021 meeting minutes as written, seconded by Tim O'Neil. All in favor, motion carries. APPROVED

Notice of Voluntary Merger Pursuant to RSA 674:39-a: Peter B. Lavoie – 11 Greenwood Street, Tax Map 231 Lot 024 and 86 Union Street, Tax Map 231 Lot 022. **A motion was made by Tim O'Neil to approve the Voluntary Merger as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Other Business:

Septic Design(s):

Tully, Ken – 32 Stiles Farm Road, Tax Map 233 Lot 054: Secretary McGee advised this was for a revised septic location, that the location designed proved to be bouldery and inaccessible, redesigned adjacent to the foundation that is constructed now. **Administrative approval was given on 10/4/21.**

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Quinn, Matt (Northwoods Development LLC) – 21 Fairway Lane, Tax Map 217 Lot 014: Septic Design is for a two-bedroom dwelling, 1250 gallon tank. No concerns from the Board. **A motion was made by Tim O'Neil to approve the Septic Design as presented, seconded by John Tholl Jr. All in favor, motion carries. APPROVED**

Driveway Permit(s):

Holt, Kathryn – Old East Road, Tax Map 204 Lot 016: To use the same driveway entrance as being used for logging as well as home site. Public Works Director Robert Larson has signed off. Meets the setbacks of 10'. **A motion was made by Steve LaRoza to approve the Driveway Application as submitted, seconded by John Tholl Jr. All in favor, motion carries. APPROVED**

RV Permit(s):

Curell, Veronica – 39 Myrtle Street, Tax Map 104 Lot 031: To place an RV on said site for 180 days, 10/15/21 – 4/15/22. Board had no concerns at this time. **A motion was made by Steve LaRoza to approve RV Application for the 180 day use as submitted, seconded by Tim O'Neil. All in favor, motion carries. APPROVED**

Development Permit(s):

Wisnouckas, Robert – 8 King Square (Allard Block), Tax Map 103 Lot 007: Mr. Wisnouckas was present to advise the Board that he has a purchase and sales agreement for the Allard Block. He is currently doing renovations, looking to have a café in store front area and apartments upstairs, same use as before. A lot of water damage, changing out sheetrock, not changing the structure of the building but everything inside is being changed. Replacing material with like material, he wondered if a permit was needed or is it per project. Chairman Burns advised, "yes a permit is needed for remodeling". Tim O'Neil wondered about asbestos. None found as of yet per Mr. Wisnouckas. He also wondered about parking across the street where construction trailer was. He needs to figure out about the parking behind the building as well. The Board advised him to speak with the Board of Selectmen on the parking across the street. Secretary McGee asked about a Change of Use/Site Plan for the building. John Tholl Jr. felt it didn't need this as same use, the Board agreed. The Board advised him that a Development Permit is needed for the renovations, they also thanked him for coming in.

Niles, Lewis & Dodge, Penny – 102 Spencer Road, Tax Map 255 Lot 026: To construct a 10'x12' chicken coop. Setbacks are met. Need to follow Best Practice for Agricultural. **A motion was made by Tim O'Neil to approve the Development Application as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Harrison, Holt – 71 Elm Street, Tax Map 102 Lot 067: To construct a 10' fence. Tim O'Neil wanted to be sure best practice for securing fencing was used. **A motion was made by Steve LaRoza to approve the**

Development Application as submitted with using best practice for securing a fence, seconded by Tim O'Neil. All in favor, motion carries. APPROVED

Robert Marshall approached the Board asking why he had to wait for his permit to be reviewed and then he continued talking about other nonrelated Planning Board issues. John Tholl Jr. told him he was out of order. Chairman Burns advised that we would get to it, at that time Secretary McGee told Mr. Marshall that his application would be brought to the front of the pile. Mr. Marshall then advised the Board that bottom line he did not live at 189 Hall Road. His friend Michael Sulham was also present and told Mr. Marshall to wait until the Board was ready.

Fillion, Shelley & Wayne: To install a new 40'x20' in ground swimming pool. A motion was made by John Tholl Jr. to approve the Development Application as submitted, seconded by Tim O'Neil. All in favor, motion carries. APPROVED

Harris Jr., Richard – 189 Hall Road, Tax Map 218 Lot 050: This Development Application has been denied since the August 17, 2021 meeting as more information was needed on was anyone living there and was it being used as a commercial business. The application is for one 8'x40' conex box and one 8'x8' shed. Mr. Marshall spoke that it was for personal use only and that Mr. Harris is renting the storage unit to him where he sorts through personal car parts, he is doing a project until 2023. I am being quiet, not bothering or harming anyone. I don't live down there. Mr. Marshall proceeded talking about nonrelated Planning Board issues. Michael Sulham also stated that it's for personal use for storage of parts. John Tholl Jr. stated that it meets the requirements for residential use.

Richard Harris Sr., stated that his storage container business is just like Meadow Leasing, so if they (Meadow Leasing) put one on someone's property they need to get a permit, because that is the way you are treating them? John Tholl Jr., once used for storage then it becomes a structure. Mr. Harris, is it 6 months, a year, you don't have a time limit? You are opening up a quagmire, you better think about it as there are a lot of people who deliver these.

Chairman Burns asked about if they were leaving the shed on the property? John Tholl Jr., there is a shed. Richard Harris Jr., it's my shed and yes, it's there. John Tholl Jr. you need a permit. Mr. Harris Sr., the Development Code is so the Board has the discretion to use it to make it flexible as one shoe doesn't fit all. If you are requiring permits for these rental storage units you need to do them all, they are coming in without a permit, you need a time limit or no time limit. You penalize me for doing the same thing.

A motion was made by John Tholl Jr. to approve the Development Application as applied for, one 8'x40' conex box and an 8'x8' shed, the conex box is for storage use only, seconded by Tim O'Neil. No further discussion. All in favor, motion carries. APPROVED

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Richard Harris Sr., wondered about the After-the-Fact Penalty of \$500.00. Secretary McGee advised the Board that it states in the letter dated 7/26/21 that it "may be assessed". She also wanted to make clear this was only for 189 Hall Road. Tim O'Neil, this is for not getting a permit for the conex box or shed.

Mr. Harris, the conex boxes need clarification for all in Town, it's well intended but needs clarification.

A motion was made by John Tholl Jr. to not impose the \$500.00 After-the-Fact Penalty based on past history of this situation, seconded by Steve LaRoza. All in favor, motion carries. APPROVED

Mr. Marshall it's not Commercial, it's two guys doing personal things. I'm trying, I wouldn't be able to do this if a fine was imposed. Mr. Harris Sr., I know this isn't an easy job trying to serve on this Board.

Mercieri, Joseph & Janice – 595 Kimball Hill Road, Tax Map 253 Lot 001: To construct a 12'x24' shed in place of an old sheep shed, single story/no foundation. **A motion was made by John Tholl Jr. to approve the Development Application as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Secretary McGee advised Richard Harris Sr., that his application for extending the height on the sand shed building needed a variance, as the existing variance did not grant a height extension. The ZBA will hear it on Monday, October 18th at 4:15PM.

McGee, Jerome – 18 Whispering Pines Drive, Tax Map 219 Lot 018: To construct a 7.12 kW DC ground mounted solar array consisting of 16 REC 445w solar modules and 16 Enphase IQ7A micro inverters. **A motion was made by Tim O'Neil to approve the Development Application as submitted, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Marx, Howard – 18 Shirlaw Drive, Tax Map 226 Lot 028: Mr. Marx is looking for a one-year extension on permit #2018-053 for 17'x23' addition for a master suite to existing house. **A motion was made by John Tholl Jr. to approve the one-year extension on permit #2018-053 until 10/05/2022, seconded by Steve LaRoza. All in favor, motion carries. APPROVED**

Correspondence:

-Subdivision Regulations: Secretary McGee advised the Board that a Public Hearing is scheduled for Tuesday, October 19th at 6:30PM. The proposed amendments will update the Subdivision Regulations to make them consistent with Development Code amendments adopted at the 2020 and 2021 Town Meeting. Each member was given the amendments (see attached amendments).

-A software company has reached out via e-mail to see if the Planning Board would like a demonstration of their product to track information. Secretary McGee stated she was good with the process that is used now which is Excel. The Board felt with yearly maintenance fees and cost of software they were not interested at this time.

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-2022 Budget will be reviewed at the next meeting.

-Tara Bamford an independent community planning consultant sent an e-mail on what she can offer to the Planning Board from updates of regulations to short-term rentals. Informational Only

-2021-2022 RSA Book Orders are out through North Country Council, Secretary McGee will order the same as last year (1 book with eBook).

A motion was made by John Tholl Jr. to adjourn the meeting at 7:59 PM, seconded by Steve LaRoza. All in favor, meeting adjourned.

Respectfully submitted by:



Joyce A. McGee – Secretary



Scott C. Burns - Chairman