

Planning Board Meeting Minutes

January 10, 2023

6:30 PM

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

Members Present: Scott Burns – Chairman, Joyce McGee – Secretary, Alan Theodhor and Shawn White – Selectmen’s Rep.

Members Absent: Tim O’Neil, Frank Lombardi and Steve LaRoza – Alternate

Public Present: Mark Vander-Heyden, Surveyor

Consultation: Stiles, Robert – Fred’s Way and Tower Drive: Subdivision/Lot Line Adjustment
Mark Vander-Heyden was present to explain the proposed plan. Mr. Vander-Heyden provided a previous plan showing what the property looks like at the present time. He explained that Mr. Stiles is looking to do 2 Lot Line Adjustments; Lot 17.1 will add .35 acres on to existing lot and the other will be a Lot Line Adjustment with the Jackson Family Trust which will add approximately 2.40 acres. The remaining acreage of Tax Map 101 Lot 17 will be a 6 lot subdivision. Chairman Burns would like to see the dirt road that is shown on the back side of the first 3 lots be abandoned, we don’t want any R.O.W.’s trying to do away with them. We would also like to see the Lot Line Adjustments be a separate plan from the Subdivision. Secretary McGee wondered about the 50’ of frontage off the Fred’s Way cul-de-sac that is to be part of the Jackson Family Trust – Lot Line Adjustment as the required Subdivision frontage for the Town is 75’. Mr. Vander-Heyden made a note to move the line to meet the frontage requirements. Mr. Vander-Heyden stated that the property owned by the Cell Tower has gates, not sure if being used.

Secretary McGee also advised she spoke with Chief Ross about a fire hydrant in this area. He was going to see if one was needed.

Shawn White asked where the water/sewer lines were going to be located. A letter from the Public Works Director was given to Mr. Vander-Heyden (see attached). Selectman White didn’t think there was an issue with the current sewer line and easements that are there, it’s the water that needs to be terminated and be 10’ away from the sewer line. This should be part of the subdivision with easement in road ROW so no problems with lines crossing through or digging up properties. If the Town ever took over, the water/sewer ordinances don’t allow it to go through everyone’s backyard, need to get away from this. The current water line is too small and in the same ditch line as the sewer. Looks like current sewer line we can work with.

Mr. Vander-Heyden didn’t have an answer on the water/sewer issues and what Mr. Stiles was proposing. He will talk with Mr. Stiles and share the letter from the PWD. Selectman White advised that if they have any questions, they can be addressed with the PWD. The item on the fire hydrant can be addressed with Fire Chief Ross.

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Mr. Vander-Heyden thought he would separate the two Lot Line Adjustments, which the Board felt was a good idea. This would clean up the plan and when Mr. Stiles was ready to come to the Board again it would just be on the 6 Lot Subdivision. The Board thanked Mr. Vander-Heyden for coming in.

Review Warrant Articles: The Board reviewed the Warrant Articles prepared by the Town Attorney. No changes were made (see attached). A pamphlet that explains the proposed changes was created by Frank Lombardi (see attached). The Board had no changes and wanted to "thank" him for his time. This will be made available to the public before Town Meeting so they can be informed of the proposed amendments to the Code.

Other Business:

Correspondence:

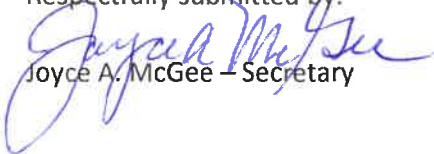
-Wetland/Shoreland Applications: McCaw, Ronald – 138 Mirror Lake Estates Drive, Tax Map 218 Lot 023: Mark Vander-Heyden explained that the Wetland Application is to install a seasonal dock – 6'x30'; Shoreland Application to construct a residential home, no activity proposed within the 50' primary structure setback area. Any clearing within 50' zone to comply with SWQPA. No action required by the Board (see Property File).

-Mapping and Planning Solutions received a note suggesting that the Planning Board work on a chapter of the Master Plan each year instead of doing a big update every ten years as the cost may be astronomical. The Board will look into this.

Minutes: A motion was made by Alan Theodhor to approve the January 3, 2023 minutes as written, seconded by Scott Burns. All in favor, motion carries. APPROVED

A motion was made by Alan Theodhor to adjourn the meeting at 7:20 PM, seconded by Shawn White. All in favor, meeting adjourned.

Respectfully submitted by:


Joyce A. McGee – Secretary

Scott C. Burns - Chairman



Whitefield 2023 Town Meeting

Warrant Articles for Amendments to Development Code

Article __: Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Whitefield Development Code as follows: Amend the definition of “temporary structure” in Appendix I to mean structures with no permanent foundations or footings which are not intended to be permanent and which are intended to be used between four days and one year, to clarify that portable storage containers are not temporary structures, and to add a requirement that temporary structures in place for more than one year are permanent structures requiring a Development Permit?

Article __: Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Whitefield Development Code as follows: Delete and replace the current definition of “campground” to mean “a parcel of land or premises with more than two sites, with or without water, electricity and sewage hookups, that is used or occupied for compensation by campers traveling by passenger vehicles and utilizing tents, campers, travel trailers, or any other recreational vehicles”?

Article __: Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Whitefield Development Code as follows: adding a definition to Appendix I for “portable storage container,” requiring a Development Permit for placement of a portable storage container if on the property for more than 60 days, adding portable storage containers to the list of included items in the definition of “structure” in Appendix I, and amending Section 7.1 (list of commercial activities) to include the sale or rental of portable storage containers, whether for on-site use or to be moved to a customer’s property?

Article __: Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the Whitefield Development Code as follows: To amend Section 10.1 (Residential Activity) by deleting “boarding & rooming home”?

Article __: Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board for the Whitefield Development Code as follows: Adding a new Section 7.2(g), Short-term Rental, to require compliance with applicable National Fire Protection Association codes and State-adopted Healthy Home requirements, to provide that only rooms identified on the Development Permit application as sleeping areas shall be used as such, to require Fire Chief inspection of sleeping areas, to require occupancy levels to be consistent with approved NHDES septic design for the property, to set parking requirements consistent with occupancy levels as calculated for other commercial lodging categories, and requiring current NH Rooms and Meals Tax number?

Proposed Draft:

Temporary Structure: A structure other than a vendor cart or construction trailer, intended to be utilized for a specified period of time of not less than four days nor more than one year that is not intended as a permanent structure, and does not provide a permanent foundation or footings. A temporary structure which remains in place longer than one year will be deemed to be a permanent structure requiring a Development Permit.

Proposed Draft:

Campground: A parcel of land or premises with more than two ~~or more specific~~ sites, with or without water, electricity and sewage hookups, that is used or occupied for compensation by campers traveling by passenger vehicles and utilizing tents, campers, travel trailers, or any other recreational vehicles.

Adding to Structure Definition and listing it under Commercial Activities:

Portable Storage Containers: means a portable, weather-resistant receptacle, whether privately owned or commercially leased or rented, which is designed and/or used for the storage or shipment of personal property, building materials or merchandise. A development permit is required for the placement of a portable storage container if on a property for more than 60 days. The term shall not include yard waste containers, construction debris containers, or containers having a storage capacity of less than two hundred (200) cubic feet.

Remove Boarding & Rooming home from Residential List as in Commercial List too.

Adding new subsection on Short-term Rentals:

Short-term Rental: Must be in compliance with all applicable National Fire Protection Association (NFPA) codes and Health Home Requirements adopted by the State of New Hampshire at all times.

Sleeping Area: Only the rooms designated as sleeping areas in the application, shown on the floor plan, shall be used for sleeping and will be inspected by the Fire Chief or designee.

Occupant Load: Occupant load to be determined by the Fire Chief or designee and Health Officer or designee for approved NHDES private septic design.

The maximum number of vehicles allowed on the property or other permitted areas is the required number for the occupant load as calculated under this Section 7. All vehicles should be parked in designated parking areas.

The owner of a Short-term Rental unit must provide proof of a current NH Rooms and Meals Tax license number.

<div>Whitefield Development Code Amendment Warrant Article</div>	<div>Whitefield Development Code Amendment Warrant Article</div>	<div>Whitefield Development Code Amendment Warrant Article</div>
<div>In Other Words ... This article helps define “Temporary structure” as something not permanent, not a portable storage container and requires a development permit if intended for more than 1 year.</div>	<div>In Other Words ... This article changes our definition of “campground” as 3 or more sites rather than the previous 10 sites. This change will help make sure environmental standards are addressed, to protect abutters and our streams, rivers, ponds, and lakes.</div>	<div>In Other Words ... This article adds a definition of “portable storage container” requiring a development permit for more than 60 days and to make sure they are placed meeting setbacks of abutters. They will also be defined as a “structure” when used for sale or rental use and as commercial activity.</div>
<div>Article 1: Amend the definition of “temporary structure” in Appendix I to mean structures with no permanent foundations or footings which are not intended to be permanent and which are intended to be used between four days and one year, to clarify that portable storage containers are not temporary structures, and to add a requirement that temporary structures in place for more than one year are permanent structures requiring a Development Permit?</div>	<div>Article 2: Delete and replace the current definition of “campground” to mean “a parcel of land or premises with more than two sites, with or without water, electricity and sewage hookups, that is used or occupied for compensation by campers traveling by passenger vehicles and utilizing tents, campers, travel trailers, or any other recreational vehicles”?</div>	<div>Article 3: Adding a definition to Appendix I for “portable storage container,” requiring a Development Permit for placement of a portable storage container if on the property for more than 60 days, adding portable storage containers to the list of included items in the definition of “structure” in Appendix I, and amending Section 7.1 (list of commercial activities) to include the sale or rental of portable storage containers, whether for on-site use or to be moved to a customer’s property?</div>

**Whitefield Development Code
Amendment
Warrant Article**
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In Other Words ...

This article clarifies if a “boarding & rooming home” is a Residential or Commercial Activity. Right now it is in both criteria and this article will delete it from the Residential Activity.

Article 4: To amend Section 10.1 (Residential Activity) by deleting “boarding & rooming home”?

**Whitefield Development Code
Amendment
Warrant Article**
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In Other Words ...

This article creates safety, environment, and maximum occupancy standards to help address the continued growth of Short-term Rentals.

Article 5: Adding a new Section 7.2(g), Short-term Rental, to require compliance with applicable National Fire Protection Association codes and State-adopted Healthy Home requirements, to provide that only rooms identified on the Development Permit application as sleeping areas shall be used as such, to require Fire Chief inspection of sleeping areas, to require occupancy levels to be consistent with approved NHDES septic design for the property, to set parking requirements consistent with occupancy levels as calculated for other commercial lodging categories, and requiring current NH Rooms and Meals Tax number?