

Planning Board Meeting Minutes via Zoom  
June 1, 2021  
6:30 PM  
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Chairman Scott Burns called the meeting to order 6:31 PM

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

**Public Present:** Richard Harris, Paul Hayes – Caledonian Record, Terry Lufkin, and Rien Schlecht – Weathervane.

**Minutes:** Review and approve May 4, 2021 and May 11, 2021 minutes. **A motion was made by Tim O’Neil to approve the May 4<sup>th</sup> and May 11<sup>th</sup>, 2021 minutes as written, seconded by Alan Theodhor. All in favor, motion carries. APPROVED**

**Consultation:** Daniel Trusca – 36 King Square re: Private Events, Airbnb (Cancelled)

**Other Business:**

**Septic Design(s):**

The Board had two applications come in and they weren’t sure how the State of NHDES Wastewater Division handles 1. New structure being built with an existing septic and 2. A home was demolished and owner is converting the garage into a dwelling.

Secretary McGee provided the Board with the Env-Wq 1004.22 regarding “Expansion, Relocation, or Replacement of Existing Structures”. (see attached) The main thing is that the work does not increase the load on the ISDS serving the structure; construction & operation approval was given within 20 years of the date of issuance of building permit or the lot is 5 acres or more in size; property is nonresidential and no waivers were granted; complies with shoreland water quality protection act, RSA 483-B.

The Board members felt that both applications fell under the Env-Wq 1004.22 rules.

**Brandi, Charles – 66 Pierce Road, Tax Map 241 Lot 088:** Mr. Brandi supplied the Board with a drawing of where the well and septic are located on the lot at 66 Pierce Road (see property file). This was a condition from the Board, Permit #2021-032.

**Gooden, Ronald & Rosalee – 160 Jefferson Road, Tax Map 226 Lot 092: TABLED FROM 5/04 & 05/11/21:** Based on the information received from NHDES the existing 2013 septic is still able to be used as long as the new dwelling is a 2-bedroom home. Secretary McGee advised that the Gooden’s were changing from a 3-bedroom to a 2-bedroom home to comply with the rules of Env-Wq 1004.22.

**Weathervane Theatre – 389 Lancaster Road, Tax Map 217 Lot 003: TABLED FROM 5/04 & 5/11/21:** Rien Schlecht from the Weathervane was present to advise the Board that Schofield had come to camera the area where a possible septic might be located. They did find a septic in the field behind the

shop building therefore no development can happen in the area where they wished to construct the stage. A new location has been proposed (See Development Application below).

**RV Applications:**

**Wright, Elwin – 431 Old East Road, Tax Map 204 Lot 001:** RV 180 day use application came in for May 1, 2021 to November 1, 2021. Chairman Burns wanted to know who was pumping it out, they should have a letter stating this. Tim O'Neil wondered about a receipt. **A motion was made by Tim O'Neil to approve the RV Application as submitted with a note stating a letter from whomever is going to pump out the camper or a copy of a receipt is needed, seconded by Frank Lombardi. All in favor, motion carries. APPROVED**

**Black, Timothy & Donna – 91 Twin Mtn. Road, Tax Map 232 Lot 003:** RV 180 day use application came in for May 8, 2021 to October 31, 2021. Disposal will be through a campground. **A motion was made by Frank Lombardi to approve the RV Application as submitted with a note stating a letter from whomever is going to pump out the camper or a copy of a receipt is needed, seconded by Alan Theodhor. All in favor, motion carries. APPROVED**

**Souza, Antone – 347 Old East Road, Tax Map 207 Lot 003.1:** RV 180 day use application came in for May 1, 2021 to November 1, 2021. Disposal will be through a portable cadi which is a tank they can move around. **A motion was made by Frank Lombardi to approve the RV Application as submitted with a note stating a letter from whomever is going to pump out the camper or a copy of a receipt is needed, seconded by Tim O'Neil. All in favor, motion carries. APPROVED**

**Development Applications:**

**Weathervane Theatre – 389 Lancaster Road, Tax Map 217 Lot 003:** Rien Schlecht spoke that the 12'x18' outdoor stage will be in the new area across from the septic system that was found by Schofield. The Board had no concerns with the new location. **A motion was made by Frank Lombardi to approve the Development Application for a 12'x18' outdoor stage as located on the map provided, seconded by Tim O'Neil. All in favor, motion carries. APPROVED**

**Harris, Richard – 447 Lancaster Road, Tax Map 217 Lot 006:** To place 19 portable stock & trade boxes on said location and to construct a proposed 25'x130' steel storage shed in front of 3 existing storage sheds. Tim O'Neil wondered if any issues with loading and unloading as unit will be 27' from the road, will it be blocking Rte 3? Mr. Harris stated no doors on end just in front so no one will be blocking driveway. Chairman Burns stated the units aren't the prettiest of things to look at. Mr. Harris stated beauty is in the eye of the beholder. The Board asked about the 19 boxes already on the lot, Mr. Harris stated it falls under his Stock & Trade business, he can either sell them or keep them.

Frank Lombardi felt the request is in addition to the current master plan on file, Chairman Burns agreed. Tim O'Neil wonder if it was the same business. Mr. Harris replied, "Yes". It was asked what color would the building be? Brown with beige trim per Mr. Harris.

Chairman Burns wondered about Open Space.

Frank Lombardi wondered about the other phases of the project. Mr. Harris stated he has 150 acres, Secretary McGee stated that the request is only for the lot in question.

Tim O'Neil wondered what the Development Code stated on expanding a site plan. Secretary McGee stated that there is something in the Code as it was used before when the Summit need to change something.

Chairman Burns would like to wait until next week so the Board can do it right. The other Board members agreed. **A motion was made by Frank Lombardi to table the application until next week so it will cover the Planning Board and you, seconded by Alan Theodhor. Mr. Harris understood. All in favor, motion carries. TABLED**

**Wright, Stephen & Tina – 395 Old East Road, Tax Map 207 Lot 016:** To revise size of front deck from 8'x10' to a 12'x16' screed in porch and to add an 8'x8'x5' garden shed to lot. **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**

**Morrison Hospital Association – 56 Summit Drive, Tax Map 231 Lot 056:** To construct a 30'x30' pergola at Independent Living Patio; 30'x10' pergola at Assisted Living Patio; and 16'x16' pergola at Memory Care Patio. **A motion was made by Frank Lombardi to approve the Development Application as submitted, seconded by John Tholl Jr. All in favor, motion carries. APPROVED**

**Macey (Chernovetz), Nancy – 201 Jefferson Road, Tax Map 226 Lot 007:** To add an 8'x15' plastic shed and a 12'x20' chicken run attached to existing chicken coop. **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**

**Doumas, Steven & Cynthia – 36 Old East Road, Tax Map 216 Lot 018:** To install a 6'x6' detached deck on back of home. All setbacks 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**

**Savage, Jonathan – 6 Greenwood Street, Tax Map 231 Lot 048:** To build a 24'x24' new garage with setbacks from Lot 47 & Lot 43 being 1' from line. **A motion was made by Frank Lombardi to deny the Development Application as it doesn't meet the In-Town setbacks of 10', seconded by Tim O'Neil. All in favor, motion carries. DENIED**

Secretary McGee will advise the owner that he needs a variance from the ZBA to build closer than the allowed 10' setbacks In-Town.

**Burghoff Jr., James – 21 Highland Street, Tax Map 103 Lot 115:** To renew Permit #2018-062 for a one-year extension. **A motion was made by Frank Lombardi to approve the one-year extension on Permit #2018-062, seconded by Tim O'Neil. All in favor, motion carries. APPROVED**

**Robert Stiles Rev Trust – 11 Freds Way, Tax Map 101 Lot 017.1:** Mr. Stiles would like to revise Permit #2020-086 to add an 8' roof to existing shed for a lean-to, to store lawn mower. Does this require a new permit? Tim O'Neil stated he would allow it. Frank Lombardi felt it needed a new permit. Chairman Burns stated the shed was already existing. Frank Lombardi, it's not part of the original permit, the shed was moved to this location. Chairman Burns agreed it needs a new permit. The other members felt it is an addition therefore it needs a new permit. Secretary McGee will contact Mr. Stiles.

**ITW Realty Trust – 39 Freds Way, Tax Map 101 Lot 017.4:** To modify existing wireless telecom facility by installing (9) antennas and (9) RRU's on sector mounts atop tower and ground-level equipment on concrete pad within existing compound. T-Mobile will be the collocating. The Board had no issues as long as it doesn't go over the approved 12 antennas. Secretary McGee advised in the past no fee or application was necessary. They already had 3 approved antennas for AT&T. **A motion was made by Alan Theodhor to approve the 9 antennas and to notify ITW Realty Trust they have reached the maximum on the panel, seconded by John Tholl Jr. All in favor, motion carries. APPROVED**

**Niles, Lewis – 102 Spencer Road, Tax Map 255 Lot 026:** Secretary McGee advised that a new structure is going up without a permit. A couple of issues: 1. The home burnt in April/May of 2018 and was a non-conforming structure at the time under Development Code. 2. Article XII-Non Conforming Uses "Grandfathering" 5.8 Discontinuance: Any nonconforming 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.

A letter of violation with a cease and desist needs to go out per Chairman Burns and if we don't hear from him the Selectmen will need to enforce. The Board agreed.

**Blair, Donald – 504 West Side Road, Tax Map 252 Lot 012:** To remove existing 4'x4' deck and replace with an 8'x10' deck. **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**

**Smith, Christopher & Coutermarsh, Patricia – 9 Riverside Drive, Tax Map 103 Lot 097:** To place a 6'x8' pre-built shed on skids. Tim O'Neil asked if this was in-town. Secretary McGee responded yes, 10' setbacks are required. All 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**

**Gooden Jr., Ronald – 160 Jefferson Road, Tax Map 226 Lot 092:** (Tabled from May 4 & 11, 2021) To construct a 36'x26' 2 bedroom, 2 bath Cape style home with a 24'x26' attached garage. Front porch 5'x36'. The Absolute Criteria and Single Family Home Criteria had been done at the May 4, 2021 meeting. Two issues needed to be resolved: 1. Was the current septic okay to use, per NHDES Env-Wq 1004.22 "Expansion, Relocation, or Replacement of Existing Structure", compliance was met. 2. Two driveways are located on property, no response from NHDOT as of yet. The Gooden's stated the paved driveway was the primary. Chairman Burns felt the second driveway should be grassed in, unless they show state approval for it. **A motion was made by Tim O'Neil to approve the Development Application to construct a 2-bedroom home with the condition that once the home is complete the upper driveway will be grassed in, unless the Gooden's show state approval, seconded by John Tholl Jr. All in favor, motion carries. APPROVED**

**Correspondence:**

**-650 West Side Road, Tax Map 243 Lot 040:** Update on Sewer pipe from Chief Ross to NHDES: He has checked on extra pipe and it has been capped about 10' from the tank in the ground.

**-390 Jefferson Road, Tax Map 226 Lot 044:** Secretary McGee advise that a portion of the crawl space under the new single family home will be dug out to house mechanical units. Informational Only.

**-Short-term Rental:** Secretary McGee wanted to get an understanding on how Short-term Rentals will be handled by the Board. Chairman Burns stated that moving forward the new changes to the Development Code from the last two years will help address Short-term Rentals. For the ones that are prior to March 2020 the Board can't go back, it would be very difficult as it would open up a can of worms with so many out there and probably would involve the court, all Board members agreed.

An e-mail was received by the Board at the May 4, 2021 meeting asking to address a Short-term Rental and have them come in for a "Change of Use", a follow-up letter will be sent regarding the Board members stance on the Short-term Rentals.

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**-Meetings:** The Board will be back to in person meetings starting June 8, 2021.

**-Businesses having outside seating:** Chairman Burns believes this will be brought up this summer. John Tholl Jr. felt as long as they can get by on the sidewalk it should be okay. Alan Theodhor wondered about safety with traffic. John Tholl Jr. stated that the Board needs to just wait until something comes before the board. Chairman Burns also mentioned State approval.

Terry Lufkin talked about a certain area for outdoor seating, possibly fenced in.

**A motion was made by Frank Lombardi to adjourn the meeting at 7:55 PM, seconded by John Tholl Jr. All in favor, meeting adjourned.**

Respectfully submitted by:

  
Joyce A. McGee – Secretary

  
Scott C. Burns - Chairman