

PLANNING BOARD MINUTES

November 8, 2023

APPROVED: December 13, 2023

AGENDA: PUBLIC HEARING – Proposed 2024 Zoning Amendments
23SUP07 – LIBBY – #110/036 – Holiday Hills Drive - WITHDRAWN
23SUP08 - SWISS VIEW VILLAGE CONDO ASSN. - #111-105 - 1330 Lake Street
23SUP09 - HANNON - #111-093 -1101 North Main Street
CAPITAL IMPROVEMENTS PROGRAM COMMITTEE (CIP) – 2024 Report Presentation

ATTENDING: John Miller (Chair), David Shirley (Vice Chair), Elizabeth Seeler, and Don Milbrand

ABSENT: Scott Sanschagrin (Select Board Representative) and Steve Carten (Alternate)

OTHER: **Staff:** Joanne Bailey (Land Use Manager), Donna Sullivan (Land Use Administrative Assistant) and Christina Goodwin (Town Administrator) **via ZOOM**

Applicants, Professionals, and Public: Scott and Janice Hannan, Eugenio Ianniciello, Bernie Gallagher, Aaron Thibeault, Northpoint Engineering LLC, and Daniel Kenney (Capital Improvements Program Committee); **Via Zoom:** Laurie and Thomas Hajosh

Chair Miller called the meeting to order at 7:03 pm with a quorum present.

NEW BUSINESS:

CASES:

23SUP08 - Swiss View Village Condo Association - #111-105-1330 Lake Street

Ms. Sullivan read the Special Permit Application #23SUP08 to do waterfront improvements on the Swiss View Village Condo Association beach area into the record. She noted the public notice postings and she read the names of the 11 abutters notified. She noted that Department Heads were notified and noted the comments from both the Water/Sewer Department and read the Conservation Commission recommendation to allow the project to go forward with conditions that all State required permits be obtained and that the applicant work with and comply with the Water/Sewer request that they move the location of the access ramp into the record.

The Board reviewed the application with its checklist to determine if the application was complete. Following review, Mr. Shirley motioned to accept the application as complete. Mr. Milbrand seconded. The motion carried 4-0-0.

Chair Miller asked the applicant to provide a brief overview of the proposed plans.

Mr. Aaron Thibeault of Northpoint Engineering LLC spoke as agent for Swiss View Village Condo Association (Swiss View). He introduced Bernie Gallagher and Eugenio Ianniciello from Swiss View and stated that he would represent the plans for the waterfront improvements, but Mr. Gallagher and Mr. Ianniciello were present to answer and represent the Swiss View group.

Mr. Thibeault stated the project would include improvements to mitigate impact from runoff from Lake Street/Shore Drive, a new fence, restoration of stone walls, construction of a paved access ramp for beach access for handicapped owners and a replenishment of the beach sand. He stated that Wetlands and Shoreland Permits and a DOT excavation permit were obtained. He indicated that the

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23SUP08 - Swiss View Village Condo Association - #111-105-1330 Lake Street - continued

Shoreland Permit conditions called for the paved ramp to be pervious material, so the plans have been changed to accommodate this by use of a pervious concrete product. He stated that based on the Water/Sewer Department comments, he and Mr. Chartier agreed on a re-location area for the ramp.

The plans were reviewed. There was some discussion of the pervious paving product and how this will look and hold up. Chair Miller asked questions about the proposed drainage trench design and what maintenance would be involved for this long term. Mr. Thibeault detailed the trench construction plans and management practices for the Board.

With no other questions from the Board, Chair Miller asked if there were any abutters or members of the public in the audience that wished to speak in favor of or against the application. Hearing no response, the public meeting portion was closed.

Mr. Shirley moved to approve the Special Use Permit #23SUP08 with the following conditions:

- that the access ramp be installed in a location agreed to by the Water/Sewer Department,
- that all State required permits are obtained and
- that all conditions of these permits be met during the scope of the project.

He stated his reason for this motion to approve is because the Condo Association's plan to mitigate runoff and improve its beach is beneficial to the environment and is aesthetically pleasing.

Ms. Seeler seconded. The motion carried 4-0-0.

23SUP09 – Hannan - #111-093 - 1101 North Main Street

Ms. Sullivan read into the record the Special Permit Application #23SUP09 to allow Scott and Janice Hannon to continue to live in their RV during construction of their house at 1101 North Main Street. She noted the public notices posted and read the names of 10 abutters notified. There were no phone calls or written responses from abutters. Department Heads were notified, and comments were received with the Health Department requiring a waste disposal schedule. She read the Conservation Comments stating that there were no conservation issues for review with this project into the record.

The Board reviewed the application to determine if the application was complete. There was a question about a signed copy and Ms. Sullivan stated there was one provided. Following review, Mr. Milbrand motioned to accept the application as complete. Mr. Shirley seconded. The motion carried 4-0-0.

Chair Miller asked the applicants Scott and Janice Hannon for a brief presentation of the application. Mr. Hannon stated that they are currently in the process of building their home which is not completed yet, so they had temporarily been living in the RV. To continue to do this until the home is ready for occupancy, they need this special permit. Ms. Bailey stated that they have all the other permits for home construction in place.

Mr. Shirley asked Mr. and Mrs. Hannon about the waste disposal schedule and Mrs. Hannon responded that it is in place and notifications/receipts will be shared with the Health Department.

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23SUP09 – Hannan - #111-093 - 1101 North Main Street - continued

Chair Miller asked about the time limits on their Land Use Permit and this Special Use Permit if granted. Ms. Bailey stated that permits can be extended but it looked like the timing would work out for the home completion schedule.

Mr. Shirley moved to approve Special Permit Application 23SUP09 allowing the Hannan's to use their RV on the property where their house is currently under construction with the condition that they must maintain a proper waste disposal schedule as determined by the Health Department. Ms. Seeler seconded. The motion carried 4-0-0

Capital Improvements Program Committee (CIP) 2024 REPORT Presentation

Mr. Milbrand presented the CIP 2024 Report and Narrative to the Planning Board for review and approval. He explained that the CIP committee is a subcommittee of the Planning Board therefore the report needs Planning Board approval before being submitted to Select Board and Budget Committee.

Mr. Milbrand reviewed the line-item updates made to the 2024 spreadsheet with the Board. Discussion followed about the determination of updates due to inflation, updates to costs for equipment and vehicles, and other capital expenditures that are anticipated to be \$10,000 or more. He indicated the reason for the annual process and planning is to help reduce the tax impacts. Specifics discussed included impacts from flooding episodes and percentage increase estimates based on the inflation. He spoke about the capital reserve accounts managed by the Select Board to cover some of the capital items such as police cruisers.

He stated he also had cash flow worksheets for departments. Ms. Goodwin asked Mr. Milbrand to share his cash flow reports with her.

There was more clarification and discussion about what the Planning Board needed to do with this information. Ms. Goodwin stated that the Board needs to approve the plan.

Following discussion, Mr. Milbrand motioned to approve the Capital Improvements Plan for 2024 as presented. Ms. Seeler seconded. The motion carried 4-0-0.

Ms. Goodwin thanked Mr. Milbrand and the CIP Committee for their hard work on this. She asked Mr. Milbrand to send along the plan and cash flow to be shared with the Select Board prior to the presentation meeting coming up.

Proposed 2024 Zoning Amendments Public Hearing

Chair Miller opened the public hearing for the proposed 2024 Zoning Amendments.

He then recognized Laurie and Thomas Hajosh who were attending the hearing via Zoom. He asked if they had any questions about the proposed amendments.

They indicated that they were interested in the changes being proposed and wanted to learn more about them. Mr. Hajosh asked some specific questions about the Steep Slopes Zoning amendments listing low lighting restrictions and if this would impact homeowners who wanted motion detecting security lights. Mr. Shirley explained that the intention is to protect against night sky and light pollution so that any lights should be directed to the ground. Mr. Hajosh also had questions about the restriction to neutral paint

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Proposed 2024 Zoning Amendments Public Hearing - continued

colors and other restrictions and who would be deciding what the neutral colors would be or monitoring these restrictions. Mr. Shirley stated that because of visibility and views of buildings on steep slopes and ridgelines the intention of the restriction is to have these blend in to surroundings.

Mr. Shirley explained the work done to amend the Town's existing Steep Slope and Ridgeline Ordinance. He added that the Town now has GIS mapping which allows for identification of steep slopes on properties. He stated that more is to be done in its two-year review process to better define things within the Ordinance. Chair Miller added that the goal for the work done and in progress to date on this is to better define the provisions to help better interpretation and compliance. Ms. Goodwin added that for oversight, decisions, and enforcement it would fall to the Land Use Department.

Ms. Goodwin suggested that there should be more discussion on the increase to lot size requirements in the Rural District, especially with the Town now looking at Housing Initiatives which may contradict what is being proposed. Chair Miller stated that there was a review of properties for large parcels for the housing initiative discussions. Mr. Shirley stated the reasoning considered was the result of recent applications and subdivision proposals that came before the Board this year. He described an example of a subdivision developer process for dividing a seven-acre lot into 5 lots on paper by size and setbacks. Referencing cases of waivers for wetlands setbacks for septic and other issues, he indicated that the intention with the amendment was to consider the topography and wetlands and upland percentages for lots that do not have town water and sewerage. More discussion followed about reasoning and issues the Town has seen with some recent applications.

Chair Miller summarized the issues and the reasoning to better protect the environment and natural resources while allowing for development. Mr. Milbrand stated that the Rural District is the most expansive in nature and should be able be developed within the confines of the Ordinance. There was some discussion of the State required 75 to 125-foot setbacks from wetlands for septic systems and Bristol's requirement is 125 feet setback.

Chair Miller asked if there were any more questions or comments from the Board or public. Chair Miller asked if any changes were made because of discussion, would it need to have another public hearing. He asked about the timeline for the process. Ms. Goodwin stated if the Board wished to make any changes it should be discussed and done at this meeting. She stated that it would then need to be voted and go through another public hearing for placement on the warrant for voters. There was some additional discussion about moving this forward.

Chair Miller closed the public hearing. He asked for a motion to take the amendments to the Warrant.

Mr. Milbrand motioned to send the 2024 Zoning Ordinance Amendments as presented to the Warrant. Mr. Shirley seconded. The motion carried 4-0-0

MINUTES:

The minutes of October 25, 2023, were reviewed. Ms. Seeler motioned to approve the minutes as written. Mr. Shirley seconded. The motion carried 4-0-0.

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COMMUNICATIONS:

Chair Miller announced that Liz Kelly of Resilience Planning will be present to discuss work on Steep Slopes and the Land Use Chapter at the December 13, 2023, meeting.

Ms. Sullivan shared a copy of a Survey received from Central Land Surveying for a property owned by Sarah Whitney on Riverdale Road. Because there were no lot line adjustments or other issues indicated it was just to be considered an FYI.

REPORTS:

HISTORIC DISTRICT COMMISSION (HDC) – No report

CIP COMMITTEE – No further report

CONSERVATION COMMISSION – Ms. Sullivan reported that she and members of the Commission attended the recent New Hampshire Association of Conservation Commissions Annual Meeting which had some good educational workshops and opportunities to network with others. She shared some insights from the sessions which included working together with other Boards. Ms. Bailey added that the Commission will be discussing the 2024 testing schedule for the Breck Plankey Spring and that testing was just completed recently. Chair Miller stated he was in favor of interaction with other Land Use Boards to allow for better communication and consultation. Ms. Goodwin stated that there are no Planning Board Representatives participating with Conservation and vice versa, but the All-Committees plan could help with this.

LAND USE – Ms. Bailey reported that they are winding down a very busy year with cases and permits. She updated the Board about staff changes stating that Shannon Bergeron will be leaving in December to have her baby and Ashley Bureau is continuing training and will be full time at this position. She added that if the budget is approved, in 2024 Mike Lacasse will be full time as Permitting and Enforcement Office which will be a great help to the Land Use Team. She also shared that the Assessing Office is still waiting for the tax rate to be set.

SELECT BOARD - Ms. Goodwin asked Chair Miller to share his comments. Chair Miller stated that by Statute the Planning Board is responsible for the Land Use and Vision sections of the Master Plan. He was proposing that the other groups and Committees have input for other sections and should be responsible for their respective sections rather than the Planning Board having sole responsibility to write them. He suggested that with the Master Planning, this could be coordinated by workshops with these groups and Committees.

Chair Miller stated that he was proposing this for the Master Planning process only. Discussion included concern for other groups writing plans that were not consistent with the will of the townspeople as determined by the survey and oversight by the Planning Board for editing and other issues that may occur. Chair Miller stated that it comes down to committees working together to serve the needs of the Town . He stated that in his experience, people are invested if they have a voice. He was looking for “buy in” from all that have input. The Economic Development Committee was used as an example for goals and zoning and planning impacts plus coordination. Timelines to complete the sections was also a concern. More thought and discussion will follow.

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SELECT BOARD - continued

Ms. Goodwin then updated the Board about progress with the All Committees meeting survey and process. She stated that she will be meeting with the All-Committees Chair and moving this meeting forward. She suggested that to avoid issues, the Master Planning proposal should be discussed by the Planning Board and with others before being brought up to the All-Committees meeting.

Ms. Goodwin continued with the Select Board update with news of the finalization of the Select Board budget and presentation to the Budget Committee. She went over the areas of increases.

Mr. Milbrand asked if he was still presenting the CIP 2024 Report to the Select Board. The dates were discussed for this presentation to both the Select Board, which is the November 16th and the Budget Committee on November 28th.

BOARD MEMBER COMMENTS: None

STAFF COMMENTS: None

NEXT MEETING:

ADJOURNMENT: With no other business before the Board, Ms. Seeler motioned to adjourn. Mr. Milbrand seconded. The motion carried 4-0-0. The meeting adjourned at 8:32 pm.

Respectfully submitted,

Janet Cote
Land Use Associate