

PLANNING BOARD

JULY 14, 2021

MEMORIAL BUILDING

7:00 P.M.

The following are to be considered draft minutes until approved by the Board.

Planning Board Members Present: Tim Bray, Chairman; Bryan O'Day, Mike, Howard, and Alternate Dan Saulnier. Darrin arrived a few minutes after the meeting was called to order. Alex Belenz, Circuit Rider from Upper Valley Planning Commission, and Whit Smith, Zoning Coordinator were also present. Absent: Ken Jacques and Peter Keene.

Others present: James Yager, Steve Piispanen, Kim Bumstead, Cynthia Bruss, Bill and Lisa Emerson.

Tim asked Dan Saulnier to be a designated voting member in place of one of the absent members. The meeting was called to order at 7:00 p.m.

Conditional Use Hearing for Steve Piispanen, Stoney Brook Road. Michael Howard recused himself from the Board as he was the representative for Mr. Piispanen. The hearing was opened when a quorum of voters became available. Board members introduced themselves. The Board was familiar with the situation as it had been discussed with them in consultation at the June 17th meeting.

Mike stated the original plan had been to jack up the existing cabin that is near the shoreline, and raise the grade of the sills, and improve drainage and get more of the foundation out of the water table. The builder has found the house to have so many issues that the expense of preparing and jacking the house up did not make sense. The proposal now is to rebuild a structure in the same footprint as the existing structure. The floor plan will remain the same with the exception that there will only be one bedroom on the first floor. A full foundation (8 foot) is proposed. The lower floor level will sit well above the pond. There are no intentions of having a second bedroom in the basement, but it could be used for overflow on occasion. The space will be used like a recreation area with a sink, microwave, refrigerator, and a bathroom. Currently there are no existing stairs between the main floor and the basement, but there will be in the new structure. The plans have been drawn to show the structure will stay within the existing footprint and there will not be any increased loading on the septic system.

The Board discussed the proposal. Tim stated the Board cannot dictate the design of building on the foot print and septic is informational only as the Board does not have authority over septic. That is regulated by the State. Darrin noted he remembered reading somewhere that the requirements are different when a non-conforming structure is being completely torn down and a new one is being built. He believes that is different than repairing what is there, but he did not recall where he had read that. The Board discussed examples of fire or natural occurrence versus tear-down and replacement. Whit noted a zoning permit may not necessarily be required for a structure in the exact same footprint, but this case is subject to conditional use approval because the changes being proposed are an expansion of a non-conforming structure in the

wetlands overlay district. Michael stated a new septic was approved for construction and operation in 2003. The septic is located on property across Stoney Brook Road.

Michael and Mr. Piispanen confirmed the builder has reviewed the new proposal regarding the Shoreland permit, and the State is on board with razing and replacing the structure. Tim stated the Planning Board does not have authority over the construction. Septic does come in to play, but the authority is with the State of NH DES, the same as shoreland permitting. It is the responsibility of the owner to comply with the state regulations. The owner has stated the State has granted approval for the new plan.

Tim asked for any comments or concerns from those present. Mr. Emerson, an abutter, stated he has a deeded access to the beach across the Piispanen property and that is not being infringed on, so he is all set. There were no other comments or questions.

The Board reviewed the criteria for Conditional Use Approval.

A. B. C. have all been met.

D. There is one daylight drain into the pond. Water is getting into the pond from natural run-off anyway.

E. Applicant will obtain required permits.

F. N/A

Whit noted the Zoning Ordinance is silent about teardowns. The ordinance addresses altering and expansion as conditions warrant. A time line or time limit for rebuilding was reviewed. The ordinance talks about other natural causes. Tim stated he feels rot and decay could be considered natural causes and pose a risk in making the building unsound.

Dan Saulnier moved to grant the Conditional Use. Bryan seconded the motion. Dan, Tim, and Bryan voted in favor. Darrin abstained – he was not present at the previous meeting.

Whit asked that the minutes reflect the Board considered and approved the application.

Tim Bray made a subsequent motion to show that the plans prepared by West Windsor West Corp, dated 6/01/21 by Paul B. for 620 Stoney Brook Road, Springfield, NH; project of Steve & Amy Piispanen as the document of record for this Conditional Use. The motion was seconded by Bryan and approved by Tim, Bryan, and Dan, with Darrin abstaining. The public hearing was closed at 7:45 p.m.

Cynthia Bruss from the Agricultural Commission reviewed the role of the Agricultural Commission. The AG Commission can help the Board as things come up related to agriculture. The Commission can also work with Seth at the Sullivan County office to get information for the Board. Tim extended appreciation to Cynthia and the Commission. The Board would appreciate their input and will use them as an information resource. Tim noted if the Commission has educational opportunities or workshops they are planning as part of the process set up by the Select Board the Planning Board should be included in the process.

It was noted there do not appear to be any AG Commission minutes on the website other than the minutes for September 2020. Meeting minutes and agendas need to be available and posted as part of the Right to Know Law of the State of NH.

Minutes of June 17, 2021: Bryan moved to accept as written, seconded by Dan. Tim, Dan, Bryan approved. Darrin abstained as he was not present. Janet extended her appreciation to Jill for covering the challenging meeting.

Mergers: Two mergers for Yankee Barn Homes Properties, LLC were signed. Map 31; Lot 264-411 and Map 31; Lot 345-393 on Crestbrook Place. Map 37; Lot 624-122 and Map 37; Lot 628-128 on Winding Wood Road.

Old Business:

Mike reported he and Dan have been working on the noise ordinance and should have something for the Board soon.

Tim reported he is working with Whit to improve and standardize board procedures.

Correspondence: None

Miscellaneous Business: Jim Yager presented with further questions for conceptual subdivision plan. Dan recused himself as he might have a slight chance of a fiduciary process. Jim presented an existing property layout that is recorded at the registry. Jim had further questions about Pettengill Road, a Class VI Road, subdivision on a Class VI Road, and public access. Planning Board members agree Pettengill Road is a Class VI Road as per the Board of Selectmen's determination based on research done by Clayton Platt on the status of the road up to 1960 and the Select Board review from 1960 forward. Jim further questioned right of way status, road layout, and property line boundaries. Tim stated the Board is not prepared to debate the bounds and layout of the Class VI Road. If Jim does not agree with the road determination, he needs to present evidence of the contrary to the Board of Selectmen. A licensed land surveyor will need to prepare a subdivision plan that will follow Zoning and Planning Regulations and then apply for a Subdivision Hearing.

The meeting adjourned at 8:20 p.m.

Submitted by,

Janet Roberts,
Administrative Assistant