

PLANNING BOARD

MAY 21, 2020

MEMORIAL BUILDING

7:00 P.M.

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

Due to COVID-19 precautions, and pursuant to Executive Orders limiting groups to ten or less, the following members attended via ZOOM. Chairman, Kevin Lee, Peter Keene, Tim Bray and Dan Saulnier. Tim was asked to fill in as voting member. Mike Howard logged in a little later.

Present at the meeting room: Darrin Patten, Ken Jacques, Bryan O'Day and George McCusker.

Others present via ZOOM: Whit Smith, Keith Cutting, Dick Hendl, Andy D'Amico, and Alex Belensz the new circuit rider from UVLSRPC.

The meeting was called to order at 7:00 pm.

Minutes of April 16, 2020: page 3 Last sentence "He reported he has been ~~appointment~~ changed to appointed". Ken moved to approve the minutes as corrected, seconded by George. The motion passed. Bryan O'Day abstained.

Literature and Correspondence: None

Merger request: The Board reviewed the merger request for Brooks and Olivia Weathers for property on Route 4A, merging map 35; lot 245-542 to map 41; lot 420-546. The Board acknowledged the request. Kevin will sign the application.

Ken Jacques, Consultation – Twin Lake Villa: Ken stated with all that is going on with the COVID, and with no real meetings happening right now, he will wait until after labor-day to bring in the site plan. Ken wondered if a site plan that is being done now for an existing business, such as Twin Lake Villa, that was operating prior to planning and zoning, and has not changed hardly at all, when they come in for a site plan what exactly is the purpose of that and what will the result be? Kevin stated basically the Planning Board is placing on record what is currently in place. Ken asked if coming in and getting what is in place on record is the planning board approving anything or just putting it on record? Kevin stated there are often issues about what is there and what is proposed. Ken stated he is coming in with what is there, and this has all been in place before there was planning or zoning. Is there is anything that is voted on if is being presented as to what is there. Kevin stated the Board would be accepting the business into the town records. If they were to propose doing something different or to add something, then they would show the area of the proposal. Ken stated there is no proposal to make any changes at this time. They are showing what is there. He is trying to understand what the need for abutters is if the plan is just being accepted into the record. Tim Bray suggested it might be possible to request a waiver. Ken asked what the benefit is for a hearing with abutters who could possibly have objections or be positive about what is currently there when there is nothing for the Board to vote on or approve. Kevin stated the question may require some research. The Board is going to vote to accept the Site Plan, but there may be a situation where something is

omitted, and the Board would be able to request it be added. The concern not to create a precedent, so he wants to be sure it is the right precedent. Whit stated he would remind the Board that a Site Plan Review is subject to a Public Hearing, and if there is a public hearing the abutters are entitled to a notice of the hearing. The research should be done. The requirement of a site plan is quite a bit different than the requirement for a special exception for which a business like Twin Lake Villa probably is grandfathered regarding the special exception, but not so with the Site Plan. He commends Twin Lake Villa for stepping up the way they are. Other businesses might not be as cooperative and he would hate to think they would use this argument as precedent. Tim agreed with Whit's comments. The Board is working with a friendly agent and now is the time to get it right. Kevin stated he will do some further research into requirements.

Alex Belenz introduced himself. He joined the UVLSRPC staff in January, but he has lived in the upper valley about five years. Before coming to UVLSRPC he was with North Country Council Planning Commission for about three years. He has had a lot of experience working with small and rural communities with issues from land use and zoning, to transportation and master planning and that sort of thing. Steve Schneider, who was the UVLSRPC director is now the General Manager at the Eastman Community. Meghan Butts who has been with the Commission is now the Interim Director, and there is an active search for a new executive director going on. The Board welcomed Alex Belenz.

Circuit Rider: Alex explained the Circuit Rider Contract is for three hours per month, which in normal circumstances would be to attend a meeting at the discontinued community rate of \$180.00 /month for meetings and weigh in on questions. Beyond that there is no real wiggle room to do work in between meetings. Ken noted the agreement in the past the town was for the town to pay for additional work. Alex stated there is some money available from OSI for some technical questions and research within reason could be available. If it were to be much more than that they would look at expanding the contract. For 3 hours a month the cost is \$2,160 for the year. The UV Interim Director has approved and signed the contract. It needs to be signed by the Board of Selectmen. George moved to recommend continuing the Circuit Rider Contract with the Upper Valley Lake Sunapee Region Planning Commission. The motion was seconded by Peter and passed. The 2020 budget was approved for \$3,000 so there is some money available if there were to be a need for additional services. Kevin stated the Board had talked about assistance with the survey with Steve.

Survey Update: Kevin stated he shared with board members information he pulled from sample surveys and created the document as a starting point. Kevin, Tim, Dan, Peter, and Mike had agreed to do the preliminary work on the survey. Since the board members had not had a great deal of time to look the document over, Mike suggested an online work session after the meeting and then they would bring the survey back to the rest of the Board next month. Alex asked if the Board would do a physical mailing or an online survey with a physical mailing for people

who may not be able to do an online survey. Kevin stated they have been looking at both options and trying to figure out how to be sure if someone filled it out online, they would not also fill out a paper one. Alex stated it is possible to do a postcard mailing with a link with a to request a paper survey if needed. It is a good idea to have a pre-test before the survey goes out. If the survey is too long, people will not do it. The Board agreed the layout, margins and the length needs to be considered. The group agreed to look the draft after the meeting.

Agricultural Commission: Keith Cutting stated at the last meeting Kevin had asked whether the Commission would consider the issue whether the sap tank that was in question was a structure or an implement of agriculture. Keith stated the Commission has met and discussed this a couple of times. At last night's meeting they approved a recommendation to the Planning Board that in their opinion the sap storage tank is an implement of agriculture and is not a structure. Whit stated the opinion has already been stated that the storage tank is a piece of equipment. The question is if the shed that the tank is in, not the tank but the covering, is a structure or not. Keith stated their opinion is the unit is one item, not separate and the two together constitute a sap collection tank. They recommend it be supported as an implement of agriculture or equipment. Kevin asked if the roof structure moved with the tank or does the tank slide into that. Keith stated tank poles are attached to a sled, and it is their understanding that the tank moves with the sled. The commission is considering it one unit. Kevin suggested including that to the appendix at next month's meeting so a vote could be taken with the subject noted on the agenda. Tim agreed, and stated the point Keith makes that it all is attached to the skid makes it one piece and is more like equipment than a structure.

Tim suggested the newly formed commission post something on the website with some information regarding the members and their qualifications etc., Keith stated he will ask for inclusion on the Town website. He will follow that up with the Selectboard. The Committee has developed a Statement of Purpose and should be on the website shortly. Darrin stated, since there will probably be similar recommendations from the Agriculture Commission for equipment versus structures, the board might wait to vote on them all at once sometime closer to the end of the year. Keith stated one of the commission's goals is to look at equipment so see what might fall under the definition of a structure they might consider equipment.

Dan Saulnier stated a few months ago the board looked at the potential noise ordinance and decided the best way to move forward with it was to take it one section at a time and go through each section in detail to make sure everyone is happy with it and to conditionally accept each section and then decide the next step. The Board might want to plan to review sections 1 and 2 for and the June 18 if there is not a big agenda next month. Kevin agreed. Tim said the idea was to take a vote on those sections and at the end have something definitive as a final draft that could be moved forward to the Selectboard.

The regular business meeting of the Planning Board closed at 7:40 p.m.

Kevin, Tim, Dan, Mike, Peter, the sub-committee working on the town survey stayed online for a sub-committee work session, with participation from Alex.

The draft of the survey and questions, length and formatting were discussed.

Kevin will make changes and send them to the committee to review. Committee members will also look at the previous survey.

The work session ended around 9:00 p.m.

Submitted by,

Janet Roberts,
Administrative Assistant

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