

**PLANNING BOARD**

**September 17, 2020**

**MEMORIAL BUILDING**

**4:00 P.M.**

*The following are to be considered draft minutes only until approved by the Board at their next meeting.*

Members present: Kevin Lee, Darrin Patten, Ken Jacques, George McCusker and Bryan O'Day.

Members present via ZOOM: Peter Keene, Tim Bray and Dan Saulnier

Others present: Justin Hastings, Pam and Kurt Laurie, Whit Smith Dick Hendl and Michael Beaulieu.

Others present via ZOOM: Andy D'Amico, Tamara Butcher, SueAnn Kazenas, Alex Belenz (UPVLSRT), B. Manning, Wayne Smith and Keith Cutting.

Kevin Lee called the meeting to order.

Minutes of August 20, 2020:

George made a motion to accept the minutes, seconded by Ken. Darrin asked if there is a way to track on ZOOM who signs in and out of the meetings as it goes on. Jill stated she keeps a list of who signs on. Whit says the ZOOM recording keeps track of who signs in and out, as well as the chat. Darrin asked because his name is written in as leaving early, which he did do. Darrin stated he was sure there were people that had signed off the ZOOM meeting and it was not reflected in the minutes they left early. Kevin said the ZOOM log will be checked. Dan will be stepping in as a voting member of the board for tonight's meeting. There was no further discussion. Motion passed with the possible addition of people who left early on the ZOOM log.

Minutes of August 3, 2020:

Motion by Darrin to accept the minutes, seconded by George. Motion passed. Ken and Bryan abstained.

**Consultation – Pamela and Kurt Laurie – 2<sup>nd</sup> Dwelling Unit:**

Pam and Kurt Laurie want to put living space over their future garage being built. Kevin said for a second dwelling the lot itself needs to be able to support two dwellings on one lot. Darrin stated it has been allowed in the past to have two dwelling units on one driveway, it does not need to be sub-divided; they just need the land area to support it. Ken asked the Laurie's if it would be a common septic. Kurt said it would be a shared septic. Whit said the Laurie's have five acres of land and they already have an approved four-bedroom septic design. Whit said the principal dwelling unit is planned to have two bedrooms in it and the garage, if approved, would have a single bedroom in it. Whit shared the Laurie's have produced a four-bedroom design because the board of selectmen was concerned that office space on the second floor could also be used as a bedroom, but that is not the current plan. Kevin asked if the five acres could be subdivided in to two. The Laurie's stated they only have two hundred feet of frontage. Kevin

said without concerning the frontage could it be done. Ken said the question is whether you can get enough land for each unit. Kurt informed the board they have the property staked out. Ken said it's not a matter of having it staked out because the way the minimum lot size works in Springfield is you take the 1 ½ acre perfect lot and then have to factor in the slope and soil factors. The Laurie's informed the board they have all that information and provided it to the board. Pam stated she is unsure how to interpret the numbers, but Tom Dombrowski provided it to the Laurie's, and he came up with just over 3 acres and thought that was fine. Darrin read through the plans and is unsure that Dombrowski calculated correctly. The board checked the calculations and the lot appears to be large enough to support the two dwellings and stated subdivision would not be allowed in the future. A motion was made by Darrin to notify the selectmen that the plan for a second dwelling meets the planning boards criteria, seconded by George. Kevin explained the criteria the board was looking at to come to their decision. Kevin said when you put a second dwelling unit on a lot, the lot itself would need to be able to have enough, using slopes and soils, for two lots. The minimum lot size being 1.5 acres, the Laurie's want two dwellings so that is 3 acres. The bigger multiplier on it for the different slopes and soils was 1.76. In multiplying those together it came in at needing 5.28 acres and the lot size is 5.3 acres; meaning they have enough land for that. Dan also asked what will happen in the future if a new owner asks to split the lot. Kevin said they would not be able to because there is not enough frontage to split it in to two lots. Ken added this lot couldn't be subdivided because you can't create a non-conforming lot. Motion passed. The Laurie's thanked the board for their help.

#### **Draft of Noise Ordinance – Review sections 7 and 8**

Kevin said there has been some conversations between Dick Hendl, Janet and Shawn regarding Simon Leeming regarding the noise ordinance. Kevin's understanding is that Simon has some expertise in this. Dick stated that Simon claimed that he had gotten an advanced copy of noise ordinance which he believe was a lot further along than it really is. Simon had some concerns about that with respect to Kennebec Mill and another client he has in town. Simon was told that the noise ordinance is still a work in progress and was invited to attend the meeting tonight. Jill received a message today that Simon would not be able to attend. Tim stated that a draft has not been sent to the town attorney yet; all the board did was get the opinion of the municipal association. Tim said at the last meeting there seemed to be a contradiction between what the town lawyer was saying, and the municipal association was saying. The board was going to check with the town attorney to see if he is in conflict with what the municipal association said. Tim said there seems to be a clear path to submitting this to the select board after it is reviewed and agreed that it's a good final draft. The select board communicated to Shawn Tanguay, the town attorney, that the planning board is not as far along in the process as attorney Leeming perceived them to be. Attorney Leeming was planning to come to express some concerns about what the boards proposal was, and Dick had the impression that he had a copy of the draft. Tim doesn't see a problem with Attorney Leeming coming to a public meeting to express his concerns but doesn't feel it should impede their work. Tim feels the board is far along in the process, only a few sections more to review and then it goes to the select board. Dick feels it would be best to have Shawn Tanguay look at it and see what he thinks before the select board reviews it.

The board then reviewed sections 7 and 8 of the proposed noise ordinance. Section 7 deals with exemptions. Kevin shared his screen so everyone was able to see the proposed ordinance. After some discussion among the board and members of the public there were some changes made to section 7.

Section 8 deals with prohibited conduct. Ken stated Twin Lake Villa has always used a cut-off time of 11pm for their special events. He is uncomfortable going to the select board every time TLV has a special event to request permission to have these events. Peter Keene assumes this would be part of the businesses site plan. Ken sees that for starting a new business, but TLV is established. Dan then asked if an established business must have site plan on file. Ken directed Dan to read the selectmen minutes to get a better understanding of that. There was no other discussion on section 8.

Dick is unsure how many of these restrictions will be able to be enforced, and who will enforce them. Whit said that when the final version of the draft is ready for the town attorney to review the first question to the attorney should be about enforcement. Dick suggests sending the draft to Shawn for review. Kevin is confident the board could complete the review at the next meeting. Darrin asked if the ordinance will be ready for town meeting. Ken stated that will depend on the lawyer's review.

The planning board scheduled a work session for Thursday, September 24<sup>th</sup>, to complete the review and send it to the town attorney for review.

Ken made a motion to accept section 7 and 8 as amended, seconded by George. The motion passed.

Meeting adjourned at 8:31p.m.

Jill Hastings  
Deputy Administrative Assistant