

## PLANNING BOARD

JANUARY 21, 2021

## MEMORIAL BUILDING

7:00 P.M.

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

Present in the meeting room: Darrin Patten, Ken Jacques, and George McCusker,  
Members present via ZOOM: Peter Keene, Kevin Lee, and Alternates Tim Bray, and Dan Saulnier.

Others present in the room: Brittney and Nicholas Fontana and Donnie Hufault.

Others present via ZOOM: Whit Smith, and Alex Belensz, David Gaudet, Joshua McGraw.  
Absent: Bryan O'Day and Mike Howard.

The meeting began at 7:00 p.m. Tim Bray and Dan Saulnier were asked to participate for absent members.

Minutes of November 10, 2020: Correction to page 2 *"Mike stated regulations that you put ~~around the~~ put in place and the way you decide to measure and judge what is obnoxious noise is really what is going to make the regulations ~~due~~ do the things to keep the town reasonably quiet, and not get in the way of the ordinary activities of the town."* Motion by Ken to approve as amended, seconded by George. Kevin abstained as he was not present. All others voted in favor of the motion.

Minutes of November 19, 2020: Tim moved to accept as written, seconded by Peter. Ken abstained as he was not present. All others voted in favor of the motion.

Brittney Fontana, 18 Glenwood Drive; Consultation. Brittney makes chip-based cookies and is interested in selling them at farmer's markets in the area. She has applied for an LLC and has contacted the State. There are no State Permits required since cookies are at low risk for food borne illness. She will be baking them in her home and selling them through the spring and summer markets. She will not have employees or customers at her home. The Board agreed this qualifies as a home occupation unless she were to build a separate kitchen or start selling cookies from her home.

Donnie Hufault, 11 Greeley Road: Subdivision Consultation. Donnie stated he wants to split the 9-acre field owned by Heather Schaefer, and purchase half of it. All the frontage is Class V on Greeley Road. There are no septic or leach fields from abutting properties located in the field. Donnie does have a right of way into the field. The Board reviewed a copy of the tax map Donnie presented. They noted there needs to be 200' of frontage for each piece That does not appear to be the case according to the maps presented. The noted Donnie will need to look at other options.

David Gaudet: Woodland Heights: Subdivision Consultation. David presented a copy of the property via ZOOM. He stated this is the lot formerly owned by Deb Roberts. He has talked to Whit a couple of times. The subdivision that was approved by Grantham when Woodland

Heights was put in, lots 12 and has been pinned as a 2.5 acre building with the .63 acres in Grantham and 1.4 in Springfield. It has Grantham Road frontage. He is looking to get approval from Springfield to approve as a sellable building lot with all the road frontage in Grantham. There is a septic design on the Grantham portion. He reviewed the road, and the whole road and cul-de-sac is in Grantham. He wants to know what he would need to do to obtain the approval for lot 12. The Board discussed the driveway that goes to the property with the pit along the edge of the property and the area of the septic system. The road frontage of Lot 12 appears to be adequate with the cul-de-sac, but it is a "funky" shaped lot. Soils and slopes were discussed. David stated in the paperwork he has, in the current use application there was some reference to wet spots. Whit reviewed Springfield's Wetlands Mapping. Tim stated if it were not regulated wetlands, the impact would be with the water table in the test pit. If it is not regulated wetlands it likely would not impact the lot in Springfield. Darrin asked if what he is doing is part of Lot 13 now. David stated it seems the remainder of lot 12 never got divided from lot 13. The back end of the lot line appears to be the town line. Kevin stated when the subdivision was done, they never divided lot 12 from 13 in Springfield.

David noted he would have to get some surveying done to carve this out. Is there an approval process that needs to be granted from the Town? Ken stated all the property up there is seen as one lot. Tim asked what that would leave for frontage for Lot 13. David stated once he is done with Lot 12, he would like to divide the Springfield lot into two lots. He has another piece in Grantham and he would like to keep part of Lot 13 and sell a lot with the pit. There is a total of 317 feet on the private road. David stated there may be a frontage issue, but the frontage is not in Springfield. Tim noted if David sold lot 12, he was basically selling the frontage for lot 13. David calculated between 100 and 150 or more. Darrin suggested David research Grantham records to see what Grantham did with that frontage left, because it is convoluted in the way things turned out and look at the subdivision plan and minutes of meetings where any of this took place to understand how it was created. That would give him and the Board an understanding of what was presented, and the rationale of what was left in Springfield. Tim stated David should take a comprehensive look at this because he needs a plan that includes Lot 13 before he considers selling Lot 12. To subdivide 13 into two lots, he will need to demonstrate that he has 400' of frontage. Darrin stated there should be road easements since this is a private road, there may be stipulations as to what is going on with that other lot. The Board agreed it is in David's best interest to be able to know what the plan was for all the different lots that are in play here. Dan asked what the procedure would be if the road is all in Grantham, but a family with children built in Springfield, would the school have to send a bus in there to pick up the children. Kevin noted they would, but they may not send a bus up there, because the bus already goes by on 114. Darrin stated that is one of the reasons for looking into the easements. It is one lot now, which is how it was left when Grantham got done subdividing. Knowing how that is written to allow subdivision off that road. The people who own the road and maintain would have a say in this. There is also the 1500' distance regulation in Springfield road regulations. The Grantham private road is almost 1500' and there was no other way to provide egress to/through the Springfield property. The Board encouraged David to research the history of this before moving ahead with.

In summary, David noted he would probably need to get a full subdivision plan and get all the records from the Town of Grantham involved in this original subdivision, and the easement regulations for the private road.

Josh McGraw; 319 Old Grafton Road; Consultation second dwelling unit. Josh is looking for input as to what he needs to do to convert what is now considered a shed to an apartment or living space. It was previously permitted as Protectworth Catering, a commercial business that had from 3 to 8 employees at one point and had gone through an approval process for the buildings and increasing the size of the leach field and septic to accommodate the catering business and commercial kitchen. It was turned back into a shed when the business was no longer in operation. He would like to convert it back into an apartment which had been there. Upstairs there is a full bath, downstairs a half bath. The only thing that makes it a shed is that all the pipes for septic and water were cut to prove to someone that it could not be occupied anymore. The Board reviewed copies of a survey that Josh sent around previously. Kevin stated there would have been a site plan on file for Protectworth Catering. Darrin noted that site plan is probably irrelevant. Josh no longer owns property across the street. Josh said he controls easements over there for parking and landscaping, but he does not own it. There is 3.6 acres on the house side. Darrin stated to do this Josh is going to have to go to the Zoning Board because it is probable that the 3.6 acres with the Town's minimum lot size of 1.5 would only leave .6 acres. There are some wetlands in the corner of the lot where the stream dumps from across the street. Josh would need to have some sort of zoning approval to have two dwellings on one property if the lot is not large enough according to our regulations. Josh stated the structure has a full commercial kitchen with a one-bedroom apartment with a full bath, and downstairs there is another bathroom to accommodate the catering business. Josh would like to use the whole building as one apartment. The apartment will have an extreme amount of counter space. Kevin stated Josh needs to check lot size calculations to see if the 3.6 acres would support two residences, while backing out wetlands and the pond. Darrin stated he needs to factor soils and slopes with the minimum lot size requirement in the Zoning Ordinance. The regulations start with 1.5 acres and based on soils and slopes the lot must be increased from that point. Very few spots in Springfield meet the 1.5 acres per lot or dwelling unit. A lot must have land area enough to support two lots. It does not have to be subdivided but the lot must be big enough to have two building envelopes on it, when accounting for the soils and slopes calculations. That is independent of the size of the septic system. It is the land mass that it is calculated. Tim noted Josh's question was the living quarters are already there. Josh stated the living quarters were approved before, and at times people were living in that. Kevin stated when the catering center was approved, the size of the lot included a parcel across the street purchased from Clayton Platt making a total of 7.5 acres. In 2013 the piece across the street was annexed back to Clayton and the catering business was not in place anymore. The structure was disconnected from the septic and it wasn't going to be a dwelling unit. Tim stated to convert it back to a dwelling unit now makes it non-conforming because there is not acreage enough. The Board reviewed the case of Bryan O'Day. Bryan had to go request a Special Exception from the Zoning Board to get approval for a second dwelling. Whit stated that Bryan was seeking relief to have two dwelling units in one building instead of two separate structures. Kevin stated Josh would need to ask for relief of the acreage requirement from the Zoning Board of Adjustment for a second dwelling.

Josh stated he owns a portion of land across the street on the other side of the road which is part of the same lot in question. The Board reviewed a copy of the recorded survey plan they had available. Their opinion is that portion is already included in the acreage calculation of the lot in question. Kevin stated Josh needs to find out what the required lot sizing is based on the two dwelling units, with soils and slope data per the Zoning Ordinance. Those calculations would need to be run for the Zoning Board, and the amount of relief being sought.

#### Voluntary Mergers:

The application from Subramanien (Helen Clement Trust) for a merger of Map 29; Lot 170-015; Map 23; Lot 803-538; 786-528; 783-532; 776-526; 765-525 was reviewed and approved.

The application from Pandiscio for a merger of Map 31; Lot 304-300; 358-301; 256-300 was reviewed and approved.

Kevin shared the beginning of a Power Point presentation he has put together from the results of the Master Plan survey. There were 291 respondents, out an estimated 700+ surveys that were sent out. The Board discussed the difference between the returns this time and the results the last time the survey was done. Kevin will finish documenting results and get it out to the Board. Dan stated it is a huge effort to tabulate and pull together the data. Dan thanked Kevin for doing this. Kevin stated there is data still to look at and go through. He would like to break out the comments to different categories and share the information for the different departments. For the most part, people are happy with the town they live in. There were not a lot of negative comments. Whit asked if there was anything specific dealing with noise from Kennebec Lumber? Kevin stated there were a few comments. Noise was in the mid-range of things to address. Those most concerned with noise are from the ones making the noise about it.

Tim stated he is aware there is a petition being put together to go to the Selectmen about being proactive with the Kennebec noise. Tim stated there is a long history going back many years. It doesn't affect him directly, and he doesn't hear the noise, but he is being asked a lot about what he thinks about and how we should do things. He resists acting outside the Planning Board, but as a private citizen it is difficult at times. He just wanted to raise awareness of the petition being out there. The Planning Board has talked about separating out the two issues between the town noise ordinance and moving it to a two-tiered situation where part of it is in the site plan, where you can talk about measurements, and put the burden of measurements on the new business. Trying to do it retroactively as a town ordinance and measuring decibels has less merit in that discussion. Dan and Tim and Mike Howard have agreed to work on that moving forward.

Board agreed to leave their operating budget the same.

#### Miscellaneous Business:

Kevin stated he is not putting his name in for re-election to the Planning Board. He is more than happy to serve as an alternate going forward, but he feels he is not able to give the time commitment that he feels it needs. Whit has tried several ways to cajole him to continue. He appreciates all of Whit's kind words, but he will alter the way he is contributing to the town.

The students at school are talking about it, he hears it from people on the street.

Tim stated that most surveys are filled out by people who are aggrieved by something or want to complain about something, the fact that so many did not fill out a survey makes a statement unto itself. It seems people are content the way things are.

Alex commented that the NH Housing appeals board is now active. They are governed by RSA 679. He encourages members to look at that and see what is under the purview of that board. It formalizes how appeals of land use decisions specifically related to housing projects will be handled in NH.

George McCusker, on behalf of the Board of Selectmen, if the Board would at some point bring up, discuss, and strengthen the bob house regulation. Kevin stated there are no bob house regulations. George stated the Selectmen would like on. They have been involved in a long process having to do with a so-called bob house being used as a shed. Janet commented the Selectmen are looking for something in the ordinance they can stand behind as to a definition of a bob house versus a shed with zoning permit requirements. There was a bit of discussion regarding bob houses. Peter stated there are specific regulations with reflective markings, and names and things like that, but not anything about where they are stored. If a bob house does not show signs of ever being moved and never used as a bob house, then how is it a bob house? Dan questioned the violation of the shoreland protection and setback requirements even if it is a bob house that is being stored. Alex was asked to look at regulations and see what other towns do.

Janet shared sign-up dates and times if any of the alternates or if members know of anyone who might want to sign up for the Planning Board.

The Board agreed to adjourn at 9:00 p.m.

Submitted by,

Janet Roberts,  
Administrative Assistant

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