

## PLANNING BOARD

**FEBRUARY 18, 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: Michael Howard, Darrin Patten, Ken Jacques, Alternate, Tim Bray, and George McCusker. Absent: Bryan O'Day.

Members present via ZOOM: Kevin Lee, Peter Keene, Alternate Dan Saulnier.

Others present via ZOOM: Pierre Bedard representing Star Lake Farm, Kim Bumstead representing Yankee Barn Homes, Whit Smith, Zoning Coordinator, Tamar Butcher, Selectboard Chair, Alex Belenz, Circuit Rider from Upper Valley Planning Commission, B. Manning, Town of Springfield Moderator.

The meeting began at 7:00 p.m.

Kevin stated he had another meeting to attend so he would be zooming in and out of this meeting. Janet Roberts asked to speak while Kevin was still present as this meeting was Kevin Lee's last meeting since he chose not to rerun for the Planning Board position this year. Janet reported Kevin was appointed to the Board in 2001. In 2002 he was elected to the Board and elected as the Chairman; a position he held for the next 19 years. Kevin has served the Town of Springfield for 20 years and extended appreciation to him for his years of service. The Board members also acknowledged his service. Kevin stated the Town has provided amazing things for their family as far as a place to raise their children and to "get old" in. He noted he leaves the Board in good hands, and there are plenty of good people in Town. He will be willing to serve as an alternate.

Introductions of those present were made (as shown above). Tim Bray was asked to participate in Bryan's absence.

Minutes of January 21, 2021 – Page 2 “ The road frontage of Lot 12 appears to be adequate with the cul-de-sac, but it is a “funky” shaped lot. Change funky to oddly.

Page 3 “and downstairs there is another bathroom to accommodate the catering business.” Change to business. Kevin moved to accept the minutes as amended, seconded by Tim, and unanimously approved.

Mergers – Star Lake Farm: Pierre Bedard described the parcels to be merged. There are three small parcels taxed as individual parcels. One located on McAlvin/Jones Road, one on the corner of Nichols Hill Road and Jones Road, and the other on a small parcel on Georges Mills Road, a former sawmill site and right near the brook at the beginning of the Star Lake Farm Road. The Board reviewed the maps included with the merger applications. The mergers were accepted and approved. Kevin will sign the forms and they will be sent to the registry for recording.

Consultation – Pierre reviewed the preliminary plan of annexation of a portion of the property at Map 8; Lot 763- 190 to Map 8; Lot 400-497. Pierre explained there is a property line that runs through McAlvin pond and is the existing property line for the excluded area to the north of the pond. Dan proposes including all the pond with the that tax map number and annex the 24+ acres and tie them into the existing boundaries, with a survey of the 24 acres and would like to request they survey the 24-acre piece and monument the new adjusted boundary lines instead of doing a survey on the entire parcel. The larger parcel would go from 242 to 227.5 and the other parcel would go from 97.5 to 122.01. There have been some other annexations on this parcel in the past. All the land is under the conservation easement, except for the excluded area shown on the plans which are potential areas that allowed to be built on under the conservation easement. Dan wanted to clean up the plan, so McAlvin Pond is included on one lot. Pierre will be checking with Ausbon Sargent, but the property remains under a conservation easement. The Board had no other questions or comments. Pierre noted it will probably be summer or fall before an application is made.

Consultation – Jill Burke and Patrick Cloutier. Pat Cloutier presented a proposal for Lot 12 on Hogg Hill they just purchased. There are 6.5 acres with 275 feet of road frontage. They would like to put a small single-story duplex on the property. The Board reviewed the proposal and the tax map for the property. The lot is 5.5 acres. Whit stated the owners had contacted him, and his reply was as follows: “A duplex unit is permitted in the Town of Springfield under section 3.11A, however based on lot size either a review by the Planning Board if the lot is large enough to support two dwelling units, or the Zoning Board for a Special Exception if the lot is not large enough to support two dwelling units.” This is the appropriate first step. He has not seen any survey or septic design that might suggest slopes or soils. The board discussed the need to calculate soils and slope information to determine if there is land area enough for two dwellings on the lot. The lot does not have to be subdividable; it needs to meet size requirements. The Board recommended the first step is to explore a perc test and topographical data for soils and slopes to determine how much land area is available for lot loading. The Board would need to look at that data once it is available.

Mergers – Yankee Barn Homes. Kim Bumstead reported Yankee Barn Homes recently purchased 4 lots from Eastman on Winding Wood Road. There is a house on # 7 and # 11. It would be too crowded if there were to be a house on # 9, so they would like to combine # 9 and # 11. Lots # 21, and Lot # 23 are under contract. There is a lot of ledge on # 21, so they wish to merge the two lots. The Board had no further questions. The merger was approved and will be signed.

Consultation – Tanner Jacques. Tanner reported he and his fiancé built a house about three years ago and when they built, they reserved an unfinished space above the garage about 688 s.f. Looking at the future they had dead-ended the plumbing and electric so if they wanted to convert it could. He has reviewed the requirements for an ADU, and it appears qualifications of an ADU can be met. The idea of a long-term rental may not necessarily be something they are interested in and wanted to explore the idea of a short-term rental like an Air BnB or VBRO and what the requirements would be from the Town regarding Site Plan, and Special Exception, and whether it

is an allowed use before they pursue their options. Tanner stated he has spoken to Whit about a month ago, and his feeling is it is something that is new in the State, not necessarily something that is zoned, but looking at Zoning, Tanner does not know if it allowed without a Special Exception, so he is looking to the Board to see what is involved in setting something like that up. The Board agreed this is new territory. It seems this would be a lot like a home business or a combination between a business and an ADU and would have to meet qualifications of a second dwelling unit whether someone continuously lives there or whether they are short term. It meets the criteria of an ADU and is a use that is allowed. The question is can it be used for short-term rentals or vacation stays with different tenants coming in every weekend. Is that looked at as a business. Whit stated the way Tanner describes the use has not been addressed in the Town to his knowledge. It is a short-term rental or vacation stay. The State has rules about tenants and generally is one month or longer. The Board discussed ADU requirements, and short rentals such as with Air BnB and agreed there needs to be further investigation, keeping present and future uses in mind. Tanner noted section 3.12 of the Zoning Ordinance addresses uses permitted by Special Exception, guest facilities and restaurants may be permitted. He feels this would fall under guest facilities because it is a tenancy. He does not need an answer tonight but would like clarity. Whit stated this should be investigated. It is a trend that is growing, and the town should be ahead of the curve. The Board discussed Special Exceptions and whether a Site Plan Review would also be a requirement. Alex Belenz noted this would be a good opportunity to get ahead of this before it becomes a problem that is felt in the town if it is to become one. Other communities have had problems with Air BnB's impacting the available housing stock. clarifying and making it explicit what the process is going to be important in whatever precedent is set would be the one going forward. Depending on the size of the operation would have bearing on Site Plan requirements. The Board discussed various options and possible uses to consider in determining what the requirements should be. Tim suggested going forward with a site plan would be a good approach. Mike agreed. Peter agreed that is the direction the Board seems to be going in. Alex noted some towns have looked at is basic licensure for short-term rentals to get at some of the operational aspects that might not fit with land-use regulations and gives the town another tool if things get out of hand. The Board agreed no one is against Tanner's idea but there needs to be more done to clarify this.

**Twin Lake Villa – Site Overview Map:** Ken Jacques submitted a narrative report as well as indexes and keys to correspond with the two major maps presented. All the buildings are shown on one of the maps, and the key in the narrative are associated with those on the map. Tax map and lot numbers, street addresses are included as well. Property cards include the dimensions, description, and features of each building. He included one set in the packet, but they are available at the Town Office. New London properties are also included and highlighted on the key. On that same map, the Class VI road that runs by the brook is shown, the transmission line from the woods that feed the properties in the water precinct. All the Twin Lake Villa property is on municipal water. Hydrants, utility poles, and those with street lights are shown. Some of the street lights are private and some are the Towns. The approximate location of septic systems is shown for both Springfield and New London properties. The second map is primarily an abutters map, but it also shows the brook where it runs in proximity of the property coming out of the Morgan Pond watershed and into Little Sunapee and into Lake Sunapee Watershed. 52%

of water coming into Little Sunapee is fed through Kidder Brook and is in the woods the whole time, until it hits the area of the golf course. Various easements for Springfield and New London are shown and listed in the narrative and all easements are registered. There are 27 abutters shown on the map and listed in the narrative. The New London abutters are noted, as discussed at the time of consultation, whereby if a New London abutter directly abuts one of the Springfield properties or if it abutted one of the easements it was included. The narrative tells what they do, and the map shows where they do it. The narrative tells what they do, and the map shows where they do it. Ken noted the maps show a little discrepancy in lines between New London and Springfield due to a curve that Pierre described to him that falls right between Sullivan and Merrimack Counties. [Masonian Curve]. The information is what was discussed in consultations and provides a basis for their existing business and was in existence before Zoning and Planning were adopted. Tim stated a lot of work has gone into preparing this plan and provides a lot of information the Town did not have before. Ken stated this is a good tool for Twin Lake Villa to use as guideline so if they come in in the future for a site plan because they are making a change, the information is there. There was discussion about some further clarity of seasonal residences. Ken will make those adjustments and send a new narrative to Janet. Whit reviewed with Ken clarity of the mapping and narrative so that other business that come before the Board meet the same standard. Ken noted to his knowledge, there are no other business that have been in existence for the length of time that he and two other business that he knows of, that were in operation prior to the adoption of zoning, subdivision, or site plan. Dick Hendl stated Ken has gone well above and beyond what was ever asked of Kennebec Mill. Kennebec never provided this level of detail. Whit stated the Jacques have met all the requirements and how does this set the precedent of what is expected of others. Dick stated the precedent may have already been set with Kennebec because when they were asked to come in with a site map, it was accepted as the situation as it existed. Ken has gone beyond and asking more of him is doing a disservice. Whit stated he is looking for clarification. The Board discussed the tax cards could be attached and referenced for clarification. Ken and Tanner stated they would be willing to update the narrative to highlight those properties that have winter use. The Board agreed their work is on record and is the basis if they make changes down the road. Peter thanked Ken and Tanner for their presentation.

Kevin Lee stepped back in. Peter stepped down as Chair.

#### Miscellaneous Business:

Tamara Butcher, Selectwoman informed Board members the Agricultural Commission had requested \$500.00 in the operating budget for 2021. The Selectboard and Budget Committee agreed to the appropriation and placed it in the Planning Board budget. \$100 each for four programs and \$100 for miscellaneous expenses. When they request to spend the money, it needs to come before the Planning Board and the Board will have some say on what it is spent on.

Whit stated Mr. McDowall's widow on 5 Colcord Road has a parcel that is 7 acres and in 2004-2005 came before the Planning Board with a request to subdivide and the Board decided it could not be subdivided, according to Mrs. McDowall, but a second unit could be built on that. She is

asking for clarification on that. Ken stated they asked to subdivide the property but once they backed the wetlands it was way undersized, so it was a matter they did not fit the ordinance. Whit stated he looked at the wetlands map and is having difficulty understanding how the decision was reached because the wetlands do not appear to be significant on the property. She is going to produce the septic design plan for the second dwelling unit which should have better detail. Ken stated there is a major brook that runs behind the property. Whit stated this is just an item that is resurfacing that will need to be addressed.

Bob and Donna Ruel on Stoney Brook Road want to install a generator behind his house on Stoney Brook Road. The house is built on two lots, and the common lot line goes through the middle of the house. The lots have never been merged. Where they want to put the generator does not meet setback requirements. The lots are less than a quarter of an acre each, non-conforming and created before zoning. Whit questioned how to address the issue. The Board agreed it would make the most sense for the applicant to merge the lots.

Mike will set up a meeting with Dan and Tim either in person or via ZOOM to work on the noise ordinance. Dan can set up a ZOOM meeting. Dan will be in touch with Tim and Mike to set something up.

Mike stated he talked to the man who has the storage unit down near the road on Stoney Brook Road and he is going to move it. Tamara stated it had been moved today.

At 8:46 p.m. Kevin adjourned the meeting for his last time and thanked everyone. The Board all thanked Kevin. Kevin stated he will definitely put his name in as an alternate.

Submitted by,

Janet Roberts,  
Administrative Assistant