

Minutes

Planning Board Meeting

July 2, 2020

As Chair of the Planning Board of the Town of Strafford, Charles Moreno opened the meeting by stating that he finds that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

The Chair then made the following announcements: Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I (the Chair) am confirming that we (the Planning Board) are:

- a) providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means. We are using the Google Meet platform for this public meeting. All members of the Planning Board are able to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing +1 225-414-2461 and using the assigned meeting code or by clicking on the website address: meet.google.com/ady-xdjc-upa.
- b) providing public notice of the necessary information for accessing this meeting. We previously gave notice to the public of the necessary information for accessing this meeting, including how to access the meeting via Google Meet or telephonically. Instructions were posted on the website of the Town of Strafford at www.strafford.nh.gov.
- c) providing a mechanism for the public to alert the public body during the meeting if there are problems with public access: If anybody has a problem they were directed to call or email eevans.strafford.nh@gmail.com.
- d) adjourning the meeting if the public is unable to access the meeting: In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

The Chairman opened a brief work session in advance of the meeting at 6:30 PM. Members present were the Chair, Charles Moreno, Phil Auger, Terry Hyland, ex-officio member Brian Monahan, and Donald Coker, Alternate member. Board members concentrated on Article 1.7 Non-conforming Use, noting that most of the non-conforming lots and structures are around Bow Lake and that preserving water quality is a key concern. The Chairman wrapped up the work session discussion and opened the regular meeting at 7:30 PM by taking roll call attendance. The closing date for applications to appear on the agenda for the August 2020 regular meeting will be 5 P.M. Tuesday, July 14th, 2020; revised materials for continuing applications must be submitted by Tuesday, July 28th. Noting the large audience, the Chairman then suggested saving review of the minutes for the June meetings to the end of the meeting. The Chair noted that Donald Coker is designated as a voting member this evening due to the absence of one of the regular members.

The first item of continuing business was the application of MANDY YOUNG for two-lot subdivision of her property located at 633 First Crown Point Road (Tax Map 19, Lot 70). Rick Turner, the surveyor for the project, has submitted revised plans showing many of the items requested by the Board at the June regular meeting. Mr. Turner was present on behalf of the applicants; there were no abutters present. Mr. Turner indicated that he straightened out the internal lot line at the request of the Board and the driveway turnouts have been revised to meet specifications. Topography and setbacks appear on Sheet 2 of the plan set. He has not yet set monuments because he wanted to make sure that the proposed lot line was acceptable to the Board. He will provide a separate sheet showing soils when the final plan is submitted. Mr. Turner then noted that Matt Young has asked if there is an alternative for the turn-out for the new lot, as it is not yet known where a future buyer would want to locate a home. Donald Coker suggested that construction of the turn-out for the new lot would be checked by the Building Inspector as part of the building inspection process for a new home and that he sees no problem with building the turn-out later. Board members agreed. Board members reviewed the list of items missing from last month and agreed that the revised plans met the requirements; the following items will be added to the plans and/or the file when final plans are submitted for

signature: monuments, seals, and soils data. The plans were accepted as complete for consideration at the December 2019 meeting and the public hearing was held at the June 2020 meeting. Phil Auger then made a motion to approve the plans for 2-lot subdivision, conditional upon adding monuments, seals, and submitting soils data. Terry Hyland seconded the motion. The Chairman then briefly re-opened the public hearing to make sure that there were no additional comments or concerns from interested parties for this application. There being none, the public hearing was closed and the Chairman then called a vote. The vote went as follows. There was no further discussion and the Chairman called the vote. Phil Auger—aye, Terry Hyland—aye, Donald Coker—aye, Brian Monahan—aye, and Charles Moreno—aye. The motion carried by unanimous vote in the affirmative with none opposed. Mr. Turner was advised to bring final copies of the plans to the office for signatures once monuments have been set and it was noted that checks for recording fees will be needed for the Registry of Deeds.

The first item of new business was the application of the BOW LAKE BAPTIST CHURCH, 530 Province Road (Tax Map 29, Lot 6) and BOW LAKE PROPERTIES, LLC, 570 Province Road (Tax Map 29, Lot 2) for boundary adjustment between their two properties. A number of members of the Bow Lake Baptist Church community were present; John Orr presented the plans on behalf of the group. George Fisher of Bow Lake Properties was present; the lot includes the 'Uncle George's' shop near Bow Lake. The plans were drafted by Berry Surveying and Engineering. The Chairman gave a brief overview of the project, noting that the church has been part of Bow Lake Village for a long time and is located on a small lot. A recent survey of the abutting land showed that a portion of the church parking lot is actually on the abutter's land and the two parties have worked things out so that the area that is currently being used as part of the church parking lot becomes part of the church property. The area being transferred is about 2150 square feet, with 34 feet along the road going back about 130 feet to the rear boundary of the church lot; the plan shows the area currently filled to create the parking lot and the new proposed boundary line. Mr. Fisher said that he has agreed to transfer this area as a lot line adjustment to address the question of who owns the land and to avoid liability issues, etc.

Board members had reviewed the plans with the checklist in advance of the meeting. Phil Auger noted that there is one metes and bounds missing along the proposed new southwest boundary for the church. The church lot is non-conforming under current zoning but will be increasing slightly in area from .56 acres to .61 acres, so becoming slightly more conforming. Mr. Fisher's property is over 5 acres in area and will still meet minimum area requirements, decreasing slightly from 5.44 acres to 5.39 acres in area. They are holding to the existing back corner of the church lot and adding a triangle of land along the road and under the parking lot. The application package includes a letter requesting a number of waivers to the plan requirements, advising that the church lot is already developed and no changes are proposed and also noting the small area of the adjustment. There are also no proposed changes to the Bow Lake Properties LLC lot. The following items are missing from the plans but are included in the list of requested waivers: wetlands delineations, watercourses, wetlands seal, ledge, soils, perc test, contours and elevations, setback lines, and floodplain statement. Donald Coker asked if there were any plans to expand the parking area. Mr. Orr responded that the land to the north and west of the church is wetlands and that the new boundary line is essentially the boundary of the existing parking area. Charlie Moreno noted that the church would not be able to expand further because of setbacks. Mr. Fisher noted that one of the main reasons for the adjustments is to release him of liability for the existing parking area, which is widely used.

Board members turned to the letter requesting waivers from a number of items, noting that if the waivers were granted, these items would not be required to show on the plans. It was noted that the request for a waiver to the requirement for setback lines makes sense because there are no proposed changes to the footprint of the buildings or the church parking area. Board members agreed that it makes sense to focus on the area around the church lot. The Chairman turned to Board members regarding granting this waiver. Terry Hyland agreed, noting that nothing is changing, as did Donald Coker. Phil Auger agreed and suggested that this is an unusual case designed to solve a problem and then suggested that under these circumstances, he feels that the Board can address all the waivers at once. The Chairman then read the full waiver request letter into the record and asked if there was a motion to grant the waivers as requested in the letter presented to the Board. Phil Auger so moved. Terry Hyland seconded the motion. There was no further discussion and the Chairman called the vote. Phil Auger—aye, Terry Hyland—aye, Donald Coker—aye, Brian Monahan—aye, and Charles Moreno—aye. The motion carried by unanimous vote in the affirmative with none opposed.

Board members then returned to a consideration of the plan. It was noted that the following items are missing from the plans and are not mentioned in the waiver request: metes and bounds for the southwest boundary, buildings

within 100 feet, roads and driveways within 200 feet, and culverts/bridges. Board members said that one option would be to require an addendum to the waiver request, noting that the Board cannot grant waivers that have not been requested. Terry Hyland asked if the Board could approve the plan conditional upon the addendum to the waivers, and Donald Coker pointed out that the Board would need to vote on the additional waivers. Phil Auger said that there are culverts on both the east and west side of the church lot that are important because of the wetlands. The other items are less important in this case. Noting that the Board needs to accept the plans as complete for consideration, the Chairman asked for a motion to accept the plans as complete, conditional upon adding the missing information or requesting additional waivers. It was noted that the plans need to be accepted for consideration before moving forward. Phil Auger then made a motion to accept the plans as complete for consideration conditional on adding the information or requesting additional waivers. Brian Monahan seconded the motion, there was no further discussion. The Chairman called the vote. Phil Auger—aye, Terry Hyland—aye, Donald Coker—aye, Brian Monahan—aye, and Charles Moreno—aye. The vote being unanimous in the affirmative, the Board then returned to the plans. The Chairman noted that most of the information is included on the plan and that the buildings exist and are grandfathered. Board members discussed how to move forward so that plan review could be completed this evening. Phil Auger thanked George Fisher for doing this for the community, and Board members agreed. The Chairman then opened the public hearing. There were no comments. The Chairman then closed the public hearing. Donald Coker then made a motion to accept and approve the plans for boundary adjustment conditional upon the addition of the following items: metes and bounds along the new southwest boundary of the church lot; buildings within 100 feet, roads and driveways within 200 feet, and adding the culverts to the east and west of the church. The Chairman again noted that the Board cannot waive these items without a waiver request. Mr. Orr asked for clarification, and Board members agreed that the additional information is just needed in the vicinity of the church lot, and would not be needed for the portion of the Bow Lake Properties LLC lot by Uncle George's store. Terry Hyland seconded the motion. There was no additional discussion, and the Chairman called the vote. Phil Auger—aye, Terry Hyland—aye, Donald Coker—aye, Brian Monahan—aye, and Charles Moreno—aye. The motion carried by unanimous vote in the affirmative with none opposed. Final copies of the plans should be submitted to the Planning Office for signatures accompanied by checks for recording fees.

The Board then turned to informal business. Board members reviewed a letter from Jessica Leff received yesterday evening. The Leffs are proposing to establish the Parker Mountain Farm and Forest School at their property located on Willey Pond Road. Board members noted that schools are an approved land use but do require Site Plan review, and noted their experiences and concerns about the Whitehouse Early Learning Center site plan. Board members had many questions about the proposed Farm and Forest School, state requirements, and concern for students, emergency access, etc. Board members agreed that the best course would be to have Ms. Leff attend the next Planning Board meeting for a pre-planning discussion so that she can answer Board members' questions and hear the Board's concerns before investing in a site plan. Board members stressed that informal discussions are non-binding on both the applicant and the Board. Abutters are typically not notified unless there will be plans on the table.

The Board then turned to a consideration of the minutes of the regular June meeting and the June work session. The Chairman asked if there was a motion regarding approval of the minutes of the regular meeting as presented. Donald Coker so moved. Brian Monahan seconded the motion. The Chairman called the vote. Phil Auger—aye, Terry Hyland—aye, Donald Coker—aye, Brian Monahan—aye, and Charles Moreno—aye. Donald Coker then moved to accept the minutes for the work session as presented. Brian Monahan seconded the motion. The Chair then proceeded with a roll call vote: Phil Auger—aye, Donald Coker—aye, Terry Hyland—aye, Charles Moreno—aye, Brian Monahan—aye. Both motions carried by unanimous vote in the affirmative with none opposed.

Board members returned to the question of non-conforming uses and ordinance updates/clarifications. After discussion, it was agreed to talk further at the next work session. Board members then agreed to schedule a work session before the next regular meeting at 6:30 PM to continue work on updating ordinances. There being no further business before the Board, Donald Coker then moved to adjourn the meeting. Phil Auger seconded the motion, there was no further discussion. The Chairman called the vote. Phil Auger—aye, Terry Hyland—aye, Donald Coker—aye, Charles Moreno—aye, Brian Monahan—aye. The motion passed by unanimous vote. The meeting adjourned at 9:30 PM.