

Planning Board Minutes

May 9, 2019

Approved 6/13/19
Mackenzie Brisson

Attendance

Public Attendance:

Mackenzie Brisson Paul Bourdeau
Joe Bailey Roger Mains
Steve Digiovanni Roland Simino

None

Meeting call to order 6:30pm

Pledge of Allegiance

Old Business:

Meeting minutes reviewed from 4/11/2019 and 5/2/2019

Joe: motion to accept minutes **Steve:** 2nd all in Favor

Mackenzie: email reviewed for paperwork regarding training update. Need an AV Equipment/Projector for the classroom style training. Mackenzie will handle the paperwork and will forward the email to Janelle to follow-up as needed.

Steve: Will we be meeting with Paul Taylor tonight

Roger: No, his surveyor is trying to do more than just a lot line adjustment so he fired him and hired a new guy. He will be in when he has everything ready.

Mackenzie: Update for John Mammone, he is not present.

Roger: John left me some information to pass along; we need to investigate if someone is able to build another house on the same lot for a mother in law apartment/living space

Joe: Own septic and water?

Roger: I've been trying to locate rules regarding this, page 53 of zoning ordinances article 21 I don't see anything regarding a separate house. There is a new state law that you can have a basement apartment but not sure if it can be a separate house.

Mackenzie: An in law apartment has to be attached to the main house, article 29. Would it be considered an in law apartment if it is a separate building?

Roger: John would like us to look into this for him; I don't believe they can have a separate dwelling.

Steve: There are other homes with additional homes on the same property-unattached in other towns, such as Milton.

Roger: Would that be considered a Family Compound, reference B on page 58-
Board reviewed family compound

Roger: If not claimed as a MIL apartment would it be considered a family Compound?

Joe: An In-Law apartment should not exceed 750 sq feet,

Roland: Now you are getting into tiny homes.

Mackenzie: Could it be a grannie flat? Tiny house on a cement pad=being a flat. Could they possibly be thinking of that?

Steve: State Ordinances need to be reviewed.

Roger: Let me reach out to John Mullens he may know. There was no answer.

Mackenzie: RSA 674; 7173 Accessory dwelling units PDF in New Hampshire. Reviews over garage apartments, basement etc. defined as a living unit within or attached to a single family dwelling on same parcel of land.

Steve: This talks about within or attached has nothing to do with a separate dwelling

Joe: The lake area has small lots, with wells 75 ft from the water source and sanitation

Mackenzie: Detached accessory dwelling, requirements include for attached apartments, those must be followed if allow a detached accessory unit (by municipality) may require increased lot size and adequate provisions for water supply and sewage.

Roger: should we look into adopting it?

Joe: cannot attach to existing septic/water has to meet current regulations

Mackenzie: They may need to hae a new septic plan per the state of NH

Steve: Detached home cannot tie into existing septic anyway, existing well...possible? If the septic can handle it.

Joe: We don't have an ordinance; we don't have to adopt it around the lake area. It is so dense and people bought for the Lake view and now we would allow them to build a house

Mackenzie: ADU housing, by right permitted use- if we have conditional use by planning/zoning board discussion to limit on lot, parking attached, lot size, determine methods and standards and sizes-no less than 750sq ft, appearance and limit bedrooms.

Roger: do we adopt it into our ordinances?

Mackenzie: ADU can be carriage house, garage, barn etc.

Steve: Adopt an ordinance for next year for detached.

Joe: and tiny homes

Roland: if it's maximum is 750 sq ft

Mackenzie: we also need a good ordinance on Solar.

Roland: there are lots of people looking for areas to build tiny homes

Joe: 5 acre lots should be required

Roland: we don't have 5 acre lots, 2 lots

Joe: need an ordinance if we don't allow it in Middleton

Mackenzie: a lot of people try to park in town people's driveways. We have 2 tiny homes in town as of now.

Joe: Not sure about that. Non-permanent homes are not on a foundation. Need ordinance for travel trailers. Cannot live in them

Mackenzie: Need to own the property, we need something

Steve: we could see what the state mandates

Joe: the state is a minimum requirement of what we can do

Steve: they would still have to buy the land

Mackenzie: Can't have wheels

Joe: Needs a lot of discussion

Roland: If the house is on wheels and they don't pay their taxes they can just hook up and leave town

NO PUBLIC COMMENTS

Roger: Any ideas for workshops to get things done for this coming March

Mackenzie: Date availability? **Board agreed on THURSDAY JUNE 27, 2019 at 6:30PM to work on COMMERCIAL SOLAR FARM ORDINANCE.**

Joe: A couple years ago the BOS issued a garage on 153 to clean up a mountain of tires and scrap metal. This was last June and 99.9% was cleaned up as instructed. This is a business (Tufts Garage) that needs to become a LEGAL operating business. It started in a 2 car garage and has grown into an official business. They were told they needed to file the correct paperwork to become legitimate but they have done nothing to do this. Something needs to be done, whether it is a cease and desist order from the lawyers or something.

Steve: It is not a business if there is no paper trail, cannot prove they are collecting if it's all cash.

Joe: It was 50 acres of land that was dispersed between five families.

Steve: do they have a tax id number? Could be considered hearsay

Joe: do not know if they have a tax id number. There is a stop sign by Keegan's driveway from the garage and the address was not assigned to them they created their own. They are commercially doing business. Many businesses in town have never appeared before the planning board. People are complaining and the BOS have done all they can do.

Roger: We are not responsible as a Board. The Code Enforcer John Mammone is the responsible party.

Mackenzie: It starts with Code enforcement

Joe: Then we need to meet with John Mammone

Steve: What you should be looking at is the active list for businesses not just a business website.

Mackenzie: Are they or did they try to become an inspection station?

Joe: Don't know but it is not an inspection station would not become one because abutter's would need to be notified and they would not support that

Steve: It is very expensive to follow the states requirements for a garage business

Mackenzie: really starts with Code enforcement

Steve: File a cease and desist on it

Joe: will get more information to see what to do. Also Fournier at the bottom of the hill is in Middleton is not a legit business within the state laws. There are 2 unregistered vehicles in the driveway and 2 registered antique vehicles

Steve: Did Middleton ever five Businesses occupancy permits?

Joe: Don't believe we have

Steve: look in the future to do that. If approved businesses get the certificate to operate it stays with the business. They have proof and it is on record.

Joe: Register with the state, make a checklist to get a certificate to operate.

Mackenzie: John M. was telling people there was a booklet listing all businesses in town maybe look into this.

Joe: John was asked to list all businesses in town, so they can become legitimate

Mackenzie: we cannot enforce a cease and desist, that needs to be done by a lawyer.

Steve: There are no other avenues to pursue with Tufts other than a lawyer. They need to get legitimized, what is the next step?

Joe: Commercial business is being run in Middleton that is not legit.

Mackenzie: Look into other towns for certificate of occupancy and how they do it.

Reviewed date of June 27th for Solar Ordinance and training paperwork.

Mackenzie: Entertaining a motion to adjourn

Joe: Motion to adjourn **Roger:** 2nd

Meeting adjourned 7:45 pm