

**Town of Middleton
Planning Board Minutes
Thursday November 4, 2021**

Board Members:

Mackenzie Brisson
Janet Kalar
Lee Britton
Roxanne Tufts-Keegan
Jill Brown

Public Attendance:

John Purrington
Brett Kimball
Tracy Donovan-Laviolette
Lorrienne Waite
Anthony Capricki
Kyle Lovejoy

Meeting called to order Thursday November 4, 2021, at 6:30pm

Pledge of Allegiance

Acceptance of minutes from Thursday October 14, 2021, Roxanne makes a motion to accept the minutes with Mackenzie's amendment of page 2 to identify the Speaker as Ryan Fowler, Janet seconds, all in favor.

Mackenzie opens the public meeting for Chris Arnold 316 Pinkham Road at 6:32 pm.

Chris Arnold speaks about the project. The existing garage is to be taken down and a new one to be built with a 2nd story with the same footprint. They are on the lake and have received their shoreline permit.

Mackenzie verifies the DES permit, and the board reviews it. She asks if there are any abutters in the audience who would like to speak for or against the application.

Jill asks Mackenzie how it works, as she is an abutter and a Planning Board Member. Mackenzie explains she can recuse herself, but still can ask questions, make comments etc.

Jill continues and wants to say that as a neighbor, they keep their property immaculate. It will only help the esthetics of the home they purchased, and the neighborhood. As an abutter I am in favor of this.

Mackenzie asks if there are any residents here who would like to speak for or against the application.

There are none.

Mackenzie asks if there are any board comment or questions. None.

Mackenzie states she is very pleased that they received their shoreland permit.

Roxanne makes a motion to approve the application for 316 Pinkham Road, Janet Seconds. All in favor, none opposed. We will get the letter of decision out to you as soon as possible. As for getting a building permit, we do not have a Code Enforcement officer at this time, so it would go through the Selectmen.

Mackenzie concludes/closes the public hearing at 6:36 pm.

New Business:

John Purrington for a subdivision on 231 New Durham Road, Map 7 Lot 12.

John handed out a sketch to the planning board to explain what he would like to do.

The parcel is a 35-acre lot, and they want to subdivide it into a 25-acre parcel and a 10-acre parcel. They own a rabbitry and a produce farm stand, so they want to build a barn for their animals and next year they want to build their house.

Roxanne asks with this subdivision will both parcels have road frontage. With the cemetery on the lot, to abide by state laws cannot build within 25 feet of that. They need a subdivision before a variance.

Mackenzie says the backlot would need a variance but not until they are ready to build.

John says state laws requires a survey with the Cemetery.

John was advised to come in for a preliminary meeting because of the moratorium that is in place to see if the planning board would be likely to approve this, as they are not adding to the school district and they are not looking to build until pretty much after the moratorium is up.

Mackenzie explains subdivision would be through planning and the variance for the back lot would be zoning. The variance wouldn't come until they are ready to build.

Mackenzie asks for anymore comments or questions. She instructs John to fill out a subdivision application. On paper it does not appear to affect the moratorium, so just a subdivision application. If he gets that into us, we have a meeting the 18th of November 2021, we will just need to get notices out to abutters. John does not feel the surveyors will be ready for that date. He just came to make sure the moratorium does not apply to them.

Mackenzie advises when they are ready then submit the subdivision application and we can move from there.

Kyle Lovejoy is here to speak about a parcel on Adams Way that he is looking to purchase. It was explained that if he purchases and builds that he does not believe there is an issue with the moratorium. They have a 2-year-old and a 6-month-old so it will not impact the school. His wife works in Wolfboro, and they are hoping that they will be able to enroll their children in the Wolfboro schools. When reading the moratorium guidelines online they came across that any lots that were subdivided before the moratorium are exempt from the moratorium. He is looking for some reassurance from the Planning Board before purchasing.

Roxanne in her opinion there would not be any impact to the school. The moratorium would be lifted in a year, and if another moratorium went into place it would have to be for a different reason. She does not see any issues.

Another question to the board is if anyone is aware of the requirements for house size for Adams way. It is believed to be 1800sq ft minimum. We can look up the covenants on a deed for Adams Way at the town hall and see what is listed. He will stop into the town hall and go from there. Covenants and restrictions for private ways are not enforced by the town.

Old Business:

-Randy Stewart, Fox road project. Email provided from Shoreland Protection that a permit is not needed. This will be placed in his file, and he has met the conditional approvals.

-Impact fees- Jill explains that impact fees are very involved, and she is still working on this. She did find on the NHMA website, and she will email this to the board members, a piece on demystifying impact fees. It is an awesome piece and very explanatory. It is going to be quite the process. The gist of it is that the impact fees would be for really like Development and Developers. In talking and hearing things, mostly being heard about homeowners.

Janet says some towns like New Durham will impose impact fees on homeowners.

Jill tried to reach New Durham today but could not get in touch with anyone. From what she has read regarding New Durham they are relating their impact fees to the school. Main thing is it is going to have to be voted on, but she would like to know how it is calculated. Definitely need to do more digging and anyone who has support or feedback please send her an email.

Mackenzie says we have a CIP, it is old and not updated but we do have one. So, we can check that box. Then we have to pass an impact fee ordinance, it looks like by Town Meeting.

Wednesday 12/8 is the last day to accept petitions. Janet doesn't seem to think we can get anything in by then. We can do one of two things if that is not possible, we can end up calling a special town meeting, or wait until March of 2023.

Jill states that the impact fees are definitely something we should look into as a town. If New Durham is doing it, she wants to talk to them and see more of what they are doing. We need to see how fees are managed and utilized. There are a lot of pieces to this.

Janet adds when towns impose impact fees it's mostly to cover roads. If there is no damage to the roads and some towns will reimburse the homeowner.

Mackenzie says that she has been learning that a lot of towns have a far more advanced Planning Process. They have a Town Planner, and associated staff to help with emails, phone calls, etc. I am not advocating for a bigger planning board from our town I am just saying other towns have this.

Jill says that she has been contemplating contacting other towns but their size and dynamics are very different than us. So, she is trying to do research as close to comparison with our town.

Mackenzie will keep a spot open on the agenda for each meeting for when anyone has anything to add about impact fees.

Mackenzie gets into alternate members. Tracy Donovan-Laviolette is here in the audience. She brings up Bonnie Gagnon's name as an alternate, and that Bonnie is on the fence about joining the Planning Board.

Jill asks how many members has the board been missing?

Mackenzie: 2, one who has been out of State and one that may have had a conflict of work hours. After a discussion, Mackenzie will reach out to the 2 members and see what their plans are.

Tracy asks what alternate members do?

Jill explains she joined as an alternate for the research part of it. There is a lot of work coming up.

Roxanne explains an alternate is a step in if a board member is not present, in order to make a quorum.

Tracy offers her name as an Alternate member.

Roxanne makes a motion to accept Tracy Donovan-Laviolette to be an Alternate Planning Board member. Janet seconds and all are in favor.

Welcome Tracy!

Roxanne will copy her Planning Board Book and get it to Tracy.

Mackenzie asks that the members please look at the handouts given tonight. There are some important things to read in them.

Rules/Regulations/Responsibilities are explained.

Mackenzie says the board will reach out to Bonnie Gagnon to see if she is interested in joining as an alternate.

Public comments: None

Board Comments:

Mackenzie welcomes Lee Britton to the Planning Board as the Ex-officio. Welcome Lee.

Mackenzie: Everyone was handed the Town Meeting March Calendar for 2022. Please make note of the deadlines. Try to keep the board reminded of these dates. Think about ordinances we need to write, anything that is outdated and needs to be updated, anything required to be on the ballot in March. She would like to draft a warrant for a CIP Committee.

Janet asks how many people for that committee?

Mackenzie explains that she sees in other towns that there are 7. There is an RSA that outlines the requirements for a CIP Committee. It reminded her of how the town structured the EMS Committee. Perks of having a CIP Committee is to work on the CIP with not just Planning Board Members. It allows outside input. They do not pass the CIP they just bring the recommendations. It is good that we do have a CIP to go off of.

Brookline NH which is the baseline for what we did in Middleton with the moratorium. They are currently under legal counsel. If you read through the complaint, they started the moratorium after they received the application. This is due to a response to the moratorium. This is something to keep in mind, but we did not do this. We did not receive an application whatsoever and the moratorium was not in response to one. It was for a town wide issue. Just know what Brookline did, we did not do.

Mackenzie would like the Planning Board to have a community input night each month. In this process of the moratorium and going through the Master Plan and CIP and our ordinances it would be good to have input of the community. I would like to advertise for the input nights once a month to allow the community to come in and give their input /problems/solutions. There is a survey we will put out on the master plan. Anyone who wants to get involved from the community this gives them the chance to voice themselves and be a part of this plan. Any ideas on how this can be structured?

Roxanne recommends doing input night on the same night as our regular meeting and see how receptive it is. Then figure it out from there.

Mackenzie says we will work on the goals for community input night. We will plan for December 9, 2022, as of now for the first session.

Roxanne makes a motion to adjourn the meeting at 7:22 pm. Janet Seconds, all in favor.

Meeting adjourned.

Respectfully Submitted by:

Janelle Guarino

Planning Board Secretary

