

Planning Board Meeting Minutes

Thursday October 14, 2021

Board Attendance:

Mackenzie Brisson
Janet Kalar
Jill Brown
Roxanne Tufts-Keegan

Public Attendance:

Brett Kimball
Christopher Arnold
Evelyn S. Thoren
Glenn Thoren
Joann & Tony Coskie
Ryan Fowler-HEI
Roland & Tawnya Bussiere

Meeting Called to Order Thursday October 14,2021 at 6:30 pm

Pledge of Allegiance

Acceptance of Minutes September 9, 2021 and September 28,2021 Roxanne motions to accept, Janet 2nds, all in favor

Introduction of Board Members

Mackenzie appoints Alternate Member jill Brown and Alternate Member Janet Kalar as full voting members for tonight's meeting due to the absence of 2 members.

The Public Hearing for Anthony and Joann Coskie of 117 New Portsmouth Road is opened at 6:33pm.

The Public Hearing Notice is read by Mackenzie.

Ryan Fowler speaks on behalf of the Coskie's. The property is Map 21 Lot 3 and Map 21 lot 5
Lot 5 is 97 acres and lot 3 is ½ acre.

The Coskie's are looking to make a lot line adjustment to make lot 3 just over 5 acres so it is buildable.
Janet asks if there is a septic design for this,

Ryan says they do not have a septic design yet. They are here for a lot line adjustment at this time.

Mackenzie asks if any abutters are present to speak for or against the application. Hearing no abutters
are there any residents who would like to speak for or against the application? A resident asks if they
plan on building a home

Ryan states yes they do.

Mackenzie asks if there are any other abutter, resident or board comment.

Janet states just that they must submit a septic design once they get it. Mackenzie asks Janet if she is
recommending a conditional approval. Janet says, yes as long as they submit an approved septic design.

Joann Coskie speaks. First of all a lot line adjustment is not a guarantee that the home will be built there.
The septic design should not be a condition of the Planning Board approval or disapproval.

Janet states according to John Mammone it is. You are not the first to ask me that.

Joann says so if I just wanted to sell my son the lot would that require a septic design approval. I am
asking the Planning Board to understand this is a lot line adjustment. What we are doing to the property
after the lot line adjustment is still up in the air.

Janet replies to Joann that your presentation was to get this approval so that your son could build a
home on the lot. So this requires a design according to John Mammone.

Joann replies we would submit a septic design if we were to build a house there. We are asking for a lot
line subdivision.

Roland Bussiere speaks, you cannot do anything with the land until its subdivided and we can purchase it. Until then I cannot do anything because it is not mine so until the land is subdivided and I purchase it, then I can submit a septic design and go from there. If not, then it is done.

Ryan (Unknown did not identify himself) states he is an authorized State Septic Designer. If it is indeed 5 acres, we test the lot to see if it can support a system and then that goes to the State. Where this lot is over 5 acres, they do not want that information. It's something they do not look at. I can do a design on a 5-acre lot but until it is a 5-acre lot I would have to do my design off a ½ acre lot.

Roxanne so, with that being said, if everything goes through for the lot line adjustment and then you find that you cannot put a septic on it what are you going to do?

Joann replies then that is 5 acres you can't build a house on.

Mackenzie investigates issuance of conditional use permits. She does not see anything that has to do with septic design for a conditional use. This is just a lot line variance; they have met everything that we have asked them to. I am going to recommend that we approve the Coskie application.

Mackenzie entertains a motion for the lot line adjustment as presented to the board. Roxanne seconds all in favor. Application has been approved.

Letter of decision will be sent out as soon as possible.

Someone asks if the board signs the finalized plan at the next meeting Mackenzie will sign it tonight.

Be aware there were some changes made. Mackenzie asks that a finalized copy is dropped off the Janelle at the town Hall and then she will come in and sign it.

Someone asked if there was a 30-day appeal period Mackenzie verifies there is 30 days to appeal. Janet states this is just a lot line adjustment not a building permit.

Mackenzie reiterates that yes; they are not issuing a building permit we are accepting the application for the lot line adjustment and that is what the plans are for.

That concludes the public hearing for the Coskie Lot Line Adjustment Application at 6:45 pm on October 14, 2021.

Public hearing is still open for the Stewart application.

Randy speaks that he has submitted all plans/permits from the contractor as required. Roxanne states she believes at the last meeting we spoke about reaching out to Shoreland Protection. She does not have an issue with it, and that you are not changing the footprint, but with excavation and filling shoreland protection should be aware. Janet asks what the foundation is now, and it is cinderblock. Also, she wants to know if there is a dirt cellar. There is a basement. There is a slab being put in. Janet advises him to make sure it is explained to Shoreland.

Mackenzie mentions we also discussed the 24-foot restriction in which the plans show you are withing the height. Janet tells him they need to be sure run off. Mackenzie says the runoff is shoreland now. If Shoreland can give you something in writing say yes you need a permit or no you do not need a permit, we can propose a conditional approval. Mackenzie asks if there are any abutters here to speak for or against the application.

Someone says that they live directly next door to the Applicant. They have spent a lot of time there.

Their property is kept immaculate, and the family is extremely sensitive of the environmental issues of the property, and we see it because we talk about it a lot. We are here to support the Stewart's on their plan to raise the house. We are an abutting property to it and we think it would be a fine addition to the neighborhood. Based on what we know about the family the details will be cared for.

Mackenzie asks if any residents would like to speak for or against the application. Lorri Gunnison, a 30-year resident, supports the family's application.

Mackenzie makes a motion to approve with a condition that we receive a letter from Shoreland Protection stating whether yes they need a permit or no they do not need a permit. Janet motions that we accept Randy Stewart's proposal of the 2nd story with all the fixings he wants provided he gets an

answer from Shoreline Protection. Jill seconds all are in favor. None opposed. Mackenzie states the Application is accepted with that conditional approval. We will get a letter of approval sent to you as soon as possible.

This concludes the second public hearing at 6:53pm on October 14, 2021.

New Business:

Contractor Brett Kimball and homeowner Chris Arnold are here to discuss 316 Pinkham Road. They are looking to demo an existing garage, install frost walls put up a new garage with a second story/

Brett speaks: His client is looking to have a 22x24 garage in the back of the property of their home. They live in Massachusetts now and are planning on moving up her and to work from home. They are not changing the footprint, the problem they have is that the existing garage is on a slab foundation so there are no frost walls. They are looking to remove the slab, put in a 4-foot frost wall, rebuild the garage with the exact footprint and add a second story to it.

Roxanne asks if they are on the water and how far away from the water is the garage now.

Brett says they are on the water and about 160 feet from the water. Mackenzie believes it must be 250 feet and that they will need to contact Shoreland Protection if they have not already. Roxanne says you will need to be digging to do the 4-foot frost wall and there is run off with that as well. Anything within the 250 feet must have Shoreland Protection on board. They have the final say. Mackenzie explains the definition is anything to do with fill, excavation or anything else like that within the 250 feet from the water, there is an easy application process. You are under the 24-foot height marker, which I like to see. Janet says this will have to go to a public hearing, if we can get your information before the next Planning Board meeting from Shoreland Protection. We will need to get your abutter's list and certified mailings and labels. Present those to Janelle at the Town Hall and she will take care of these. The letter's need to be in the hands of the abutters within 14 days of the public hearing. The Planning Board writes the letter. Abutters are considered properties across the road, beside, in front and in back of the property that is touching your property. We send the letters certified for notice of the public hearing 14 days prior to the scheduled hearing. Roxanne motions to have a public hearing for Chris Arnold on Thursday November 4, 2021, at 6:30 pm at the Old Town Hall. Janet seconds all are in favor.

Mackenzie now brings Lorri Gunnison to the board. She is looking for a building permit approval.

Lorri speaks and in summary this is what is being proposed. She initially reached out to Sierra at the Town Hall, who was the Assessing Clerk in October 2020. This has been her intent for a full year and is in regard to Town owned property. She has sent emails and letters, also including the Selectmen. Forst, she wants to compliment Sierra Pawnell. She is definitely an asset to this town. She always is very efficient and really good at returning emails. They did finally post the land up for bid in February 2021. The first week in April her bid was approved, and she purchased the land. It took a little time with the pandemic going on to get the septic people out, but in the meantime, she had her building permit filled out and gave it to John Mammone in July before the moratorium started. John then called her and said he needed a septic design for the building permit. A lot of towns, according to the State do not require a septic design with a building permit, but each town decides what they require. She feels that the building permit should be the first step, because, why spend \$3000.00 on a septic design if you are not going to get the permit. The property is located on Beech Tree Drive Map 3 Lot 29 and 29-1 in the village district. She is here because of the moratorium and how this may affect her building permit. There is not going to be an impact to the school. That is the key. My children grew up here. Both are engaged with no children, so no impact to the school. They are willing to sign a statement if needed. She has filled out a driveway permit because they have taken tress down and needs an access point for the chipper to get

in. the 2 lots will not be merged; they will remain 2 completely separate lots. She is hoping this will be grandfathered in because she did give John the building permit and then he said she needed the septic design.

Mackenzie states is less about being grandfathered in and more about having an impact to the school that is the biggest thing. Roxanne asks with a driveway permit are you doing one driveway or two? Lorri says we are not doing driveways right now it is just an access point for the chipper to get in. Roxanne says she does not have any issues. It is understood that you did not understand the process and there is not going to be an impact to the school, However, on a side note, just having purchased Town owned property in the past, do you know how long the town has owned this property. Lorri says over 8 years. She did get a warranty deed which is safer than a quit claim deed. Roxanne states she believes the previous owner can have up to 10 years to reclaim the property with the quit claim deed verses the warranty deed. It is definitely something you may want to look into. Lorri asks if the setbacks are a little different in the village district? Janet states the setback is 50 ft from the center of the road. Lorri says she was informed it was 15-20, unless it's a new rule. Houses up there are about 20-25 feet. Lorri just wants to conform with the rest of the houses on the street and no one is 50 feet back. Janet insists it is 50 feet. Roxanne says they may have built before it was 50 feet. She investigates and finds the setbacks. It is 50 feet from the center of the road. Mackenzie mentions that she will need to go to the zoning board for a variance if she wants to do something different.

Janet asks if she may go off topic for a moment while (INAUDIBLE*) is still here. Mackenzie agrees. When you, the Zoning board, gave the variance last week to chuck somebody said that the variance that you did issue was perpetual, it is not. I pulled the RSA that says no. Someone replies that perpetual was not mentioned in the meeting and Janet claims "someone told her it was" so I pulled the RSA 674;23.

Mackenzie: The side talk is OVER. Where do we go from here? Janet believes we need to find out who is issuing building permits. And we need to know the chain of command and figure out where to go from here. This is new to the board we do not currently have a building inspector, if we did, we would not be wondering what to do. Our goal is when we have the next regularly scheduled board meeting on November 4th, we should know what the process is going to be.

Lorri asks if the board is going to vote to approve it. As of right now you do not need the building permit to clear the lot. Janet says she does not think everything calls for a vote anyway. Mackenzie asks the board to wait until we find out what the process is. I do not know if we can just issue it or not, because of the moratorium. Janet says we need to find out who is issuing permits and we can write a letter for her to take to them. Roxanne recommends talking to legal as well. She feels it is worth us voting because of the moratorium. Given the circumstances she had given the permit back in July. Mackenzie says it is probably going to be a public hearing of some sort probably with anything that we are going to do. We will get the process and we will let you know.

Janet says if I was to buy a piece of property from the town and I wanted to build all I do is go in and apply for a building permit. Mackenzie replies that yes, in normal circumstances but with the moratorium.....Janet believes we do not need to have a public hearing. Mackenzie states again, this is where we need to find out what the process is, whether it is a public hearing or not.

Janet says make sure we have her contact number, and someone can give her a call and let her know what is going on. Lorri suggest speaking with legal, if she needs to have a public hearing because she was not told that by the State. Mackenzie explains a public hearing isn't necessarily a bad thing. It is just letting and giving abutters a chance to know what is going on. We do not know if that is what we need to do. We are in uncharted territory. Lorrie states she is just worried about the guy next to the property. He only comes up on weekends and he might not want to approve it. He has offered to purchase it from me. Roxanne explains it is the Planning Board's decision to say. He had the opportunity to purchase that

land. Mackenzie says in terms of the planning board perspective, in a public hearing we allow anyone to voice their opinion whether it is for or against the proposal. Ultimately it is the Planning Board Members decision. There is also an appeals process as well, if someone disagrees with the decision. We will research more and be in touch with you. Know we will do our very best.

Mackenzie would like to add under new business that the board discuss the budget. The board discusses the lines of the budget and the amounts. Mentions were the workshop line- which even though it is virtual trainings they still charge us for the classes. Roxanne will look at the budget for 2020 and figure out percent increases for the lines that are needed within our budget. Jill asks about the budget with the Master Plan coming up. Who pays for the professional to come in when needed? Roxanne says that is most likely under the Planning Consultant line. She believes we are better doing a warrant article to as for the budget increase. We are more likely to get the funding we need through a warrant article, rather than submitting a huge budget. Mackenzie also notes that we need to plan on sending out mass mailings to the town. For questionnaires, surveys and public hearings. This is going to cost money. Adding to the legal line is definite. Roxanne recommends \$5000.00 each to the Planning Consultant and the Legal lines.

Mackenzie notes that we need to make sure we have enough members for a quorum to vote on the budget. Roxanne notes, as well, that if on a board and 4 meetings in a row are missed by a member, they can be removed from the board. With such a small board being present is needed. We have a hard time filling seats as it is.

Janet suggests between now and March we need to double up on meetings. Mackenzie was going to bring this up. The board discusses the best way to achieve this. Mackenzie would like to see two alternate members added to the board before November. She would like more, as we can have as many alternates as we wish. Bring on alternates will give us a bigger voting pool to pull from. We are going to have to start having workshops for the Master Plan, CIP and Impact fees. We need to get an idea of what we will be asking for on the warrant article. Mackenzie asks Jill if she would be willing to take on the impact fee research. Jill agrees to take this on.

Also, we need to add to the Town website under the Planning Board page that the moratorium passed and the guidelines. Janet believes Lee Britton (Selectman) is going to take Jim Knapps place as ex-officio on the board. He has not been officially appointed as of yet or if the decision has been made. Mackenzie went through the thumb drive supplied by John Mullen. There is a lot of useful information, and she will be printing it off.

Janet expresses it is her understanding that we as a town does not have a business/commercial zone. Businesses like Middleton Building Supply are getting taxed as a resident tax rate. Roxanne believes their property is assessed higher because they do not pay a commercial rate. We can confirm with assessing on this.

What is the town getting from having businesses in town, if they are not paying a commercial tax rate, they are a business and they are generating revenue. So, if new businesses want to come here in the future, the Master Plan will designate certain areas for businesses. And if so, what would the town like to see as a business area. Roxanne, her question is ...is Middleton building supply paying commercial taxes? To her that is an immediate question to be addresses and taken care of. Who has the authority to say? It sounds to be a question for Avitar, our assessing company.

There are a lot of upgrades Middleton Building Supply has done to their buildings. Have they been reassessed? If all these improvements are being done, we should see more tax revenue coming in. As a small town we do not offer water and sewer, and not a lot of frontage, so businesses do not come here. Mackenzie states why would we want businesses here if we are charging a residential tax rate, why wouldn't we just want more residential instead. The big focus here should be clearly defining business/residential/commercial. The Town of Milton has an Economic Development Committee. The

Planning Board can get to the root of things and the Economic Committee can really work on the economy.

Mackenzie updates on digitalizing records. She just needs to give them the number of pages. She does not have that information yet.

Public Comments: None

Board Comments:

Mackenzie states we need to start meeting twice a month starting in November and possible three times in December. The board discussed what days could work. It is recommended to decide month by month when to add the additional meetings on top of the regularly scheduled board meeting. November meeting are going to be Thursday November 4 and Thursday November 18.

Mackenzie wishes to have the warrants by the last day of December. That way, there is enough time for them to be sent to legal for review.


We will revisit on November 4, 2021, recruiting alternates.

Roxanne motions to adjourn the meeting, Janet seconds all are in favor.

Meeting adjourned at 8:10 pm, Thursday October 14, 2021.

Respectfully submitted by:

Janelle Guarino
Planning Board Secretary

A handwritten signature in black ink, appearing to read 'J. Guarino', with a long horizontal flourish extending to the right.

Planning Board Public Sign in

October 14, 2021

Brett Kinkell

Christine Arnold

Evelyn S. Thoren

GLENN THOREN

} 81 FOX RD.

JOANN & TONY COSKIE

RYAN FOWER - HEI

Roland & Tawnya Busseers