

# **TOWN OF TUFTONBORO PLANNING BOARD**

**March 16, 2023  
7:00 PM  
Town Hall, 240 Middle Road**

## **MINUTES**

**Members Present:** Gary Qua, Chair; Carol Bush, Vice Chair; Kate Nesbit, Member; Tony Triolo, Member; George Maidhof, Member; Bob Murray, Selectmen's Representative  
**Members Absent:** Laureen Hadley, Member; Matt Young, Alt. Member; Anthony Mirando, Alternate; Jeff Reisner, Alternate  
**Staff:** Susan Burnside  
**Members of the Public:** Brenda and John Arigno

**7:01 PM Call to order**

- I. **Public Comment** - Gary introduced Planning Board members, described the meeting process and asked the public if they had any questions. There were no questions from the public.
- II. **Approval of Minutes –January 19, 2023 Planning Board Meeting**

The draft minutes from the January 16, 2023 Planning Board Meeting were reviewed.  
Bob motioned to accept the minutes as written and Carol seconded. All were in favor and the motion passed.

### **III. Public Hearings**

#### **a. Spider Web Gardens**

John and Brenda Arigno, owners of Spider Web Gardens in Tuftonboro, attended the meeting and presented their Site Plan for the construction of a firewood shed. Gary noted that the woodshed has already been built; however, the owners were not aware that they were required to come before the Planning Board for approval. Spider Web Gardens is a commercial enterprise located in an area zoned as medium density residential. The business has been located at the current site for approximately 87 years and has received a special exception for location of this business. The new woodshed is 20' X 40' and replaces a smaller, older woodshed that rotted and was torn down. The larger size is needed to accommodate a larger quantity of wood that is used in a burner that provides heat to the greenhouses. In addition to the new woodshed, the old burner was replaced with a more efficient burner. Fire Chief Adam Thompson inspected the structure and the burner and recommended that the burner be turned around to meet manufacturers specifications. Chief Thompson approved the burner in its new configuration. Gary noted that he did a site visit and found the new structure and burner a safer and more efficient improvement over the previous structure and burner.

Gary noted that the application is complete and asked the board to make a motion to accept jurisdiction of the application. Bob so motioned and Kate seconded. All were in favor and the motion passed.

Gary read the requested waivers of the Site Plan Review Regulations. He noted that the Site Plan Review Waiver Checklist #2 contains 5 pages and asked the board to review the regulations on the checklist to consider which could be appropriately waived. Gary suggested that all items on the 5 pages can be waived except for the following regulations on page 1 of the checklist: 4.2.2.A, 4.2.2.B, 4.2.2C, 4.2.2C1, 4.3.1.A, 4.3.1.B, 4.3.2.D, 4.3.2.F. The Board agreed with the waivers as described. Gary asked for a motion to waive the regulations on Checklist # 2 except for the regulations noted above. Tony so motioned and Kate seconded. All agreed and the motion passed.

Gary asked for a motion to approved the application as written with the above-mentioned waivers. Tony so m otioned and Bob seconded. All were in favor and the motion passed.

#### IV. Discussion

Gary discussed the plan for implementing items listed in Chapter 8 of the Master Plan. He plans to meet with the Chairs and/or members of different Town committees/commissions to get their input on prioritization and implementation of action items. He mentioned that he discussed Master Plan implementation initiatives with Steve Wingate of the Conservation Commission and is planning to meet with that group. Gary feels that it is important that other stakeholders in the Town be involved in the implementation of the Master Plan, regardless of whether the items require a Town vote or not.

Gary reviewed the draft amendments to the Subdivision Regulations and Site Plan Review Regulations provided by the Planning Board consultant. These amendments specify the requirements for a mandatory preliminary consultation prior to submission of a formal application for subdivisions plans and site plans. The Board agreed that these amendments are worthwhile and should be heard at a public hearing and incorporated into the regulations. The Board asked for clarification/examples on 2 items in the language in the draft amendments. The consultant will be asked to clarify this language and the amendments will be edited to reflect the clarification prior to scheduling a public hearing.

Bob asked about re-visiting the draft plan for short term rentals that was written by the Planning Board attorney and reviewed at previous Planning Board meetings. Gary plans to send the draft plan to the Planning Board consultant for her input and revisions. The Board agreed that as written, the draft plan is too long to be used as a warrant article and needs to be shortened to make it easier to read and more understandable.

Bob asked about the plan for building in general and subdividing lots on Class VI roads. Bob explained that he re-wrote the document Gary provided to the Selectmen describing the Town of New Durham's position regarding building and subdivisions on Class VI roads. Bob will provide a copy of his revisions to the Planning Board. Gary re-iterated that permission to build on Class VI roads to granted by the Selectmen, not the Planning Board, and that a document describing the Selectmen's requirements come under the jurisdiction of the Selectmen; however, the Planning Board would appreciate the Selectmen providing this information to the Planning Board.

Gary mentioned that the Planning Board or the Town does not have its own version of the State Shoreland Protection act and that the Town adheres to the State law. Gary said that shoreland protection is one of the implementation items in the Master Plan. Gary explained that he would assign Anthony Mirando, the new Planning Board alternate member, to take on the task of organizing the action items in the Master Plan and developing a process for addressing these action items. Gary had a discussion with Steve Wingate about the Shoreland Protection Act and a plan to team up to determine the most important aspect of the Act that the Town should initially adopt. Gary noted that the Act is very comprehensive and contains much information – some of which may not apply to the Town. Gary recommended that critical components that have an immediate impact on the Town should be addressed first as a baseline for the Town to adopt and upon which can be added to in the future as needed. Gary will ask the Planning Board consultant to draft an abbreviated version of the Act focusing on critical elements. Gary noted that the consultant has used a minimal approach for the initial development of a shoreland protection ordinance for other towns in New Hampshire.

Gary reviewed the status of Notice of Decisions that have not yet received final approval by the Planning Board. These NoDs include Chill Time Designs, Ridge Field Corner, Camp Belknap, Camp Sentinel, and Verizon Wireless. Gary informed the Board about the outstanding conditions for each of these NoDs and when completion could be expected. Gary asked that the attorney for Verizon Wireless be contacted again as he had not responded to an email sent on 2/22/2023 asking about the status for each of the conditions of approval.

**Adjournment** – Tony motioned to adjourn the meeting, Bob seconded and all were in favor. The meeting was adjourned at 8:15 PM.

Respectfully submitted by Susan Burnside